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S. HRG. 111–896

NOMINATIONS BEFORE THE SENATE ARMED SERVICES COMMITTEE, SECOND SESSION, 111TH CONGRESS

HEARINGS

BEFORE THE

COMMITTEE ON ARMED SERVICES
UNITED STATES SENATE

ONE HUNDRED ELEVENTH CONGRESS

SECOND SESSION

ON

NOMINATIONS OF

ELIZABETH A. McGRATH; MICHAEL J. McCORD; SHARON E. BURKE; SOLOMON B. WATSON; KATHERINE G. HAMMACK; VADM JAMES A. WINNEFELD, JR., USN; LTG KEITH B. ALEXANDER, USA; GEN RAYMOND T. ODIERNO, USA; LTG LLOYD J. AUSTIN III, USA; GEN DAVID H. PETRAEUS, USA; GEN. JAMES N. MATTIS, USMC; JONATHAN WOODSON, M.D.; NEILE L. MILLER; ANNE M. HARRINGTON; GEN. JAMES F. AMOS, USMC; GEN. CLAUDE R. KEHLER, USAF; AND GEN CARTER F. HAM, USA

MARCH 23; APRIL 15; JUNE 24, 29; JULY 27; AUGUST 3; SEPTEMBER 21; NOVEMBER 18, 2010

Printed for the use of the Committee on Armed Services

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TUESDAY, MARCH 23, 2010

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

The committee met, pursuant to notice, at 9:37 a.m. in room SH–216, Hart Senate Office Building, Senator Carl Levin (chairman), presiding.

Committee members present: Senators Levin, Akaka, Udall, Hagan, Begich, McCain, Inhofe, Sessions, Chambliss, and Thune.

Former Senator present: Senator John Warner of Virginia.

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

Majority staff members present: Creighton Greene, professional staff member; Gerald J. Leeling, counsel; Peter K. Levine, general counsel; Jason W. Maroney, counsel; Roy F. Phillips, professional staff member; John H. Quirk V, professional staff member; Russell L. Shaffer, counsel; and William K. Sutey, professional staff member.

Minority staff members present: Joseph W. Bowab, Republican staff director; Adam J. Barker, professional staff member; David M. Morriss, minority counsel; Lucian L. Niemeyer, professional staff member; and Richard F. Walsh, minority counsel.

Staff assistants present: Jennifer R. Knowles and Brian F. Sebold.

Committee members' assistants present: James Tuite, assistant to Senator Byrd; Gordon I. Peterson, assistant to Senator Webb; Jennifer Barrett, assistant to Senator Udall; Lindsay Kavanaugh,

assistant to Senator Begich; Anthony J. Lazarski, assistant to Senator Inhofe; Lenwood Landrum and Sandra Luff, assistants to Senator Sessions; Clyde A. Taylor IV, assistant to Senator Chambliss; and Chris Joyner, assistant to Senator Burr.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody.

The committee meets today to consider the nominations of Elizabeth McGrath to be Deputy Chief Management Officer of the Department of Defense (DOD); Michael McCord to be Principal Deputy Under Secretary of Defense (Comptroller); Sharon Burke to be Director of Operational Energy Plans and Programs; Solomon Watson IV to be General Counsel of the Department of the Army; and Katherine Hammack to be Assistant Secretary of the Army for Installations and Environment.

I'm going to interrupt my opening comments to call upon Senator Akaka, who must leave, but he has an introduction that he wants to make. We call upon Senator Akaka for that purpose.

STATEMENT OF HON. DANIEL K. AKAKA, U.S. SENATOR FROM THE STATE OF HAWAII

Senator AKAKA. Thank you very much, Mr. Chairman and members of the committee.

Since I will not be able to remain at this hearing, I want to thank the chairman and the ranking member for permitting me this time and honor to briefly introduce and congratulate two nominees.

I ask, Mr. Chairman, that my full introductory statement be included in the record.

Chairman LEVIN. It will be.

Senator AKAKA. I want to add my welcome to our brother and close friend, Senator Warner. Good to see you back here, as well as our nominees who are at the table today.

I'm here, and I'm delighted to speak on the nomination of Elizabeth McGrath to be DOD's first Deputy Chief Management Officer. I'd like to introduce, also, her family, Beth McGrath's son, James, and her daughter, Christine, and her mom and dad, who are also here, and welcome them.

As you may know, I was a strong advocate for the creation of a Chief Management Officer at DOD. I first encountered Beth McGrath through my Oversight and Government Management Subcommittee's work on DOD's Security Clearance Program, which has been on the Government Accountability Office's high-risk list since 2005. Beth now serves as the vice chair of a joint reform team, led by the Office of Management and Budget (OMB), reforming the clearance process. She has testified and worked with my subcommittee extensively. That group has made tremendous progress on modernizing the clearance process, in large part due to Beth's hard work and expertise.

Ms. McGrath is an example of an individual who has dedicated her professional career to civil service and has advanced through the ranks. She has served as a logistics and acquisition manager, a deputy director in the Defense Finance Accounting Service, and

Assistant Principal Deputy Under Secretary, and now as Assistant and Deputy Chief Management Officer.

I will not go further with her qualifications, except to say that in my working with her, I have found her to be professional and knowledgeable, and I think she will be extremely valuable to the Department in this role.

Again, I congratulate you, Beth, on your nomination to this position.

I also want to add my congratulations to Mike McCord, who is the nominee to be the Principal Deputy Under Secretary of Defense (Comptroller). I had the distinct pleasure to work with him, when I was chairman of the Readiness and Management Subcommittee. As a senior staff member of the subcommittee, his expertise, dedication, and counsel were invaluable. Mike has an unparalleled wealth of experience, a deep understanding of defense issues and the budget process, and he will excel in his position.

He is the best person, and the right person, for the job. I want to wish him well.

Mr. Chairman, I thank you again for giving me this time to speak on these nominees. Thank you very much.

[The prepared statement of Senator Akaka follows:]

PREPARED STATEMENT BY SENATOR DANIEL K. AKAKA

Mr. Chairman, members of the committee, aloha and good morning. I am delighted to be at this hearing considering the nomination of Elizabeth McGrath to be the Department of Defense's (DOD) first Deputy Chief Management Officer (DCMO).

As you may know, I was a strong advocate for the creation of a Chief Management Officer (CMO) at DOD. After the Deputy Secretary of Defense was given responsibility to serve as the CMO, we created the position of DCMO.

The DCMO will effectively serve as the full-time management official for the Department, organizing business operations and overseeing the Business Transformation Agency and the Performance Improvement Officer.

Ms. McGrath is a long-time career civil servant who has served as the Assistant Deputy Chief Management Officer since the DCMO office was created. With no DCMO nominated during the last administration, she was responsible for the day-to-day operations of the office.

I first encountered Beth McGrath through my Oversight of Government Management Subcommittee's work on DOD's Security Clearance Program, which has been on the Government Accountability Office's High Risk List since 2005.

In 2007, Beth was named the lead staffer representing the Department on the new Joint Reform Team and later the Performance Accountability Council. She has testified and worked with my subcommittee extensively since that time.

Over the last few years, the group has made tremendous progress on modernizing the clearance process, in large part due to Beth's hard work and expertise.

Due to her leadership on this issue, she was asked to serve as the Vice-Chair of the Performance Accountability Council, and she has agreed to continue serving in that role if confirmed.

Ms. McGrath is an example of an individual who has dedicated her professional career to the civil service and has advanced through the ranks. She started at the Department in 1988 in the Navy Logistics Intern Program. I believe that professional internship programs in the Federal Government are a powerful tool to attract talent.

She has since served as a logistics and acquisition manager, a Deputy Director in the Finance Accounting Service, an Assistant Principal Deputy Under Secretary in the Office of the Secretary, and now as Assistant DCMO.

I will not go on with her qualifications, except to say that in my working with her, I have found her to be professional, knowledgeable, and confident. She has been a leader willing to look outside of the box to improve performance. She has been a tremendous resource to me and my staff, and I am confident that she will bring the same leadership to addressing other critical business needs at the Department.

I have high hopes for this new office under Beth's leadership. The Chief Management Officer concept has proven powerful in other agencies, such as the Department of Homeland Security, in keeping a strict focus on management and process improvement. I hope that we will see the same from the DCMO position at DOD.

Thank you Mr. Chairman. Again, I congratulate you, Beth McGrath, on your nomination to this position.

Chairman LEVIN. Thank you very much, Senator Akaka. I know how important it is to our nominees that you are here to help introduce them. I know they're grateful, and so are we, for your comments.

We welcome our nominees and their families. 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. This is essential support to the success of these officials.

All of our nominees are qualified for the positions to which they have been nominated.

Ms. McGrath is a career civil servant who has worked in management positions in DOD for the last 20 years. We heard some details about her career from Senator Akaka, so I will not repeat that. But, I do believe that Ms. McGrath's rise through the ranks of DOD, and the basis of her qualifications and achievements, sends an important message, to the entire civilian workforce of the Department, that their dedication and their hard work can be rewarded.

Mr. McCord has been a dedicated public servant for more than 25 years, including more than 10 years on the staff of this committee. We view Mike not only as a friend, but as a member of the Senate Armed Services Committee family. We were proud of his achievement when Mike was appointed Principal Deputy Under Secretary of Defense (Comptroller), last January.

We were so proud of you, Mike, that we changed the law to ensure that you could come back here today as the President's nominee for the very same position.

I just can't imagine anybody who is better qualified for this job than Mike McCord.

Ms. Burke is a dedicated public servant. She spent 3 years at the Department of State, 7 years at DOD, 3 years at the old Congressional Office of Technology Assessment, before taking a series of jobs at nonprofit thinktanks. She's currently vice president for national security at the Center for New American Security. She's going to be introduced, later on, by a dear friend, who all of us on this committee—we have a couple of new members, perhaps, who have not yet met Senator John Warner. But, for those of us who worked with him, lived with him, laughed with him, cried with him, believe in him, and his great wife, Jeanne, it's always a treat to see you, John.

The fact that you have brought Senator Warner with you, Ms. Burke, for this introduction, speaks volumes about you, but it also gives us an opportunity just to give an old friend a couple of hugs and a couple laughs.

Senator WARNER. Thank you, Mr. Chairman.

Chairman LEVIN. Mr. Watson has had a 35-year legal career at the New York Times, in the course of which he's been awarded, among other honors, the Media Law Resource Center's First

Amendment Leadership Award, the National Association for the Advancement of Colored People (NAACP) Legal Defense and Education Fund National Equal Justice Award, and the American Corporate Counsel Associate Distinguished Service Award.

Ms. Hammack has spent more than 25 years of experience as an energy and sustainability professional with private industry. Currently, she is a senior manager at Ernst & Young, where she has developed an expertise in the evaluation of energy conservation projects, energy efficiency strategies, demand-side management programs, and marketing electricity in deregulated markets.

If confirmed, our nominees will all play critical roles in helping to manage DOD at a time when we are fighting two wars, when we face a wide array of difficult acquisition, management, and financial challenges. We look forward to the testimony of our nominees, to their speedy confirmation, hopefully.

I'll now call upon Senator McCain.

STATEMENT OF SENATOR JOHN MCCAIN

Senator MCCAIN. Thank you, Mr. Chairman.

I welcome all the nominees and their families who accompany them today. Of course, a special welcome to our dear and beloved friend Senator Warner, who is here today to introduce, I believe, Ms. Burke. Is that correct? We won't hold that against you, Ms. Burke. [Laughter.]

Of course, Elizabeth McGrath, as you mentioned, Mr. Chairman, is to be Deputy Chief Management Officer of DOD; Michael McCord, to be Principal Deputy Under Secretary of Defense; Solomon Watson, to be General Counsel of the Department of the Army; and Katherine Hammack, to be Assistant Secretary of the Army for Installations and Environment.

Solomon Watson IV has been nominated to be General Counsel of the Department of the Army. Mr. Watson served from 1966 to 1968 as an Active Duty lieutenant in the U.S. Army Military Police Corps. He performed distinguished military service in Vietnam, and subsequently commenced his long career with the New York Times Company, from which he retired in December 2006.

Mr. Watson served as senior vice president and general counsel in New York Times Company from 1996 to 2005, and in December 2005 he was named senior vice president and chief legal officer. During his employment in these capacities, the New York Times published two stories, which revealed highly classified information, which I intend to discuss further in connection with Mr. Watson's nomination.

The first, which was published on December 15, 2005, revealed the existence of what became known as the Terrorist Surveillance Program. This highly classified program was authorized by President Bush shortly after the attacks of September 11, 2001. It targeted communications where one party was outside the United States and reasonable grounds existed to believe that at least one party to the communication was a member or agent of al Qaeda or an affiliated terrorist organization. Although the White House asked the New York Times not to publish this article, arguing that it could jeopardize continuing investigations and alert would-be ter-

rorists that they might be under scrutiny, the Times, after delaying publication, chose to run the story.

As a result of the disclosure of the Terrorist Surveillance Program, then-Central Intelligence Agency Director Porter Gass testified before the Senate Intelligence Committee in February 2006, "The damage has been very severe to our capabilities to carry out our mission." I emphasize that he used the term "very severe" intentionally. He also testified that the story had rendered intelligence sources, "no longer viable or usable, or less effective by a large degree."

The second story, published on June 23, 2006, which also appeared while Mr. Watson was chief legal officer, revealed a secret government surveillance program about the Society for Worldwide Interbank Financial Telecommunication (SWIFT) program. The New York Times article disclosed that, shortly after September 11, 2001, SWIFT lawfully began providing the U.S. Government with financial information about possible terrorist-related transfers. Despite pleas to the New York Times by National Intelligence Director John Negroponte, Treasury Secretary John Snow, and by the cochairman of the 9/11 Commission, Thomas Keane and Lee Hamilton not to publish information about the SWIFT surveillance program, the New York Times chose to disregard those pleas and published the story. Subsequently, even the Times' own public editor, Byron Calame criticized the decision to publish the story.

After the committee received Mr. Watson's nomination, I sent a number of questions to him by letter about his involvement and evaluation of the publication of these stories, and Mr. Watson responded by letter on January 7.

Mr. Chairman, I ask these letters be made a part of today's record.

Chairman LEVIN. They will be.

[The information referred to follows:]

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JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate
COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

December 8, 2009

Mr. Solomon B. Watson, IV
c/o Mr. Robert Bauer
Assistant to the President and Counsel
The White House
Washington, DC 20500

Dear Mr. Watson:

On November 20, 2009, you were nominated by the President to be the next General Counsel of the Department of the Army. The biographical information promulgated by the White House in connection with your nomination indicates that you were hired by the New York Times Company in 1974 and from 1989 until 2005 you served as General Counsel of The New York Times Company and were also a member of the company's management executive committee. You retired from the New York Times Company as Senior Vice President and Chief Legal Officer in December 2006.

In evaluating your nomination, I consider it essential that the Committee on Armed Services be provided information about your involvement and actions with respect to decisions by the New York Times management to publish articles which contained information which was properly classified and the disclosure of which I believe significantly harmed national security.

On December 15, 2005, the Times published a story by James Risen and Eric Lichtblau which revealed the existence of the Terrorist Surveillance Program (the "Program"). This Program was established shortly after the attacks of September 11, 2001, and was designed to intercept communications between terrorist suspects outside the United States and individuals located in the United States. In the article the authors indicate that the "White House asked the New York Times not to publish this article, arguing that it could jeopardize continuing investigations and alert would-be terrorists that they might be under scrutiny. After meeting with senior administration officials to hear their concerns, the newspaper delayed publication for a year to conduct additional reporting." Accordingly, you would appear to have been the General Counsel or Chief Legal Officer of the New York Times throughout the period that information about the Program was being evaluated for publication.

Please respond to the following requests and questions with respect to the decision by the New York Times to publish the December 15, 2005, article:

Describe in detail your involvement as General Counsel and Chief Legal Officer of The New York Times in the review, evaluation, and decision to delay publication and, ultimately, publish the article by Risen and Lichtblau on December 15, 2005, about what became known as the Terrorist Surveillance Program.

To your knowledge, was information about the existence of the Program classified under applicable national security laws and were you aware of that fact before publication of the story?

To your knowledge, did the New York Times make a decision to publish the article despite the classified nature of the program?

What information did you and your colleagues receive prior to the publication of the story about the harm to national security, actual or potential, that would take place if the existence of the Terrorist Surveillance Program was revealed publicly? Do you believe that publication caused any harm to national security?

Explain the rationale that was relied on by you and others in the New York Times to justify publication of the article on December 15, 2005, despite actual or potential harm to national security.

Do you believe that the individuals who leaked the information, wrote the article, and who were responsible for the publication of this information violated section 798 of title 18, United States Code which states in pertinent part, with respect to procedures and methods used in the interception of communications: "whoever knowingly and willfully...publishes...in any manner prejudicial to the safety or interest of the United States...any classified information...concerning the communication intelligence activities of the United States... shall be fined under this title or imprisoned not more than ten years, or both"?

What was your recommendation regarding the decision to publish the story? Please provide the Committee with any written memoranda relating to this issue which you drafted or otherwise concurred in.

If you are confirmed and appointed as General Counsel of the Department of the Army, would you recommend prosecution of a Department of the Army military member or civilian employee who leaked information to the press about a classified intelligence gathering program that you considered to be of questionable legality?

On June 23, 2006, the New York Times published another story by James Risen and Eric Lichtblau about an acknowledged secret government program involving the Society for Worldwide Interbank Financial Telecommunication ("SWIFT"). SWIFT is a global banking consortium based in Brussels that facilitates international financial transfers. Shortly after September 11, 2001, SWIFT began providing the U.S. government with financial information about possible terrorist-related transfers in response to subpoenas. Reportedly, despite pleas by the Bush Administration not to publish information about the surveillance enabled by SWIFT, the New York Times did so. Subsequently, on October 22, 2006, the Times' Public Editor, Byron Calame, criticized the decision to publish the story.

Please respond to the following requests for information and questions with respect to the decision by the New York Times to publish the June 23, 2006, article:

Describe in detail your involvement as General Counsel or Chief Legal Officer of the New York Times in the review, evaluation, and decision to publish the article by Eric Lichtblau and James Risen on June 23, 2006, about the SWIFT facilitated surveillance program ("SWIFT Program").

To your knowledge, was information about the existence of the SWIFT Program classified under national security laws and were you aware of that fact before publication of the story?

To your knowledge, did the New York Times make a decision to publish the information despite the classified nature of the SWIFT Program?

What information did you have prior to the publication of the story about the harm to national security, actual or potential, that would take place if the existence of the SWIFT Program was revealed publicly, or, even if information had been made known through other means, published by the New York Times?

Explain the rationale that was relied on by you and others in the New York Times to justify publication of the article on June 23, 2006, despite actual or potential harm to national security.

Do you believe that the individuals who leaked the information, wrote the article, and who were responsible for the publication of this information violated section 798 of title 18, United States Code which states in pertinent part, with respect to procedures and methods used in the interception of communications: "whoever knowingly and willfully...publishes...in any manner prejudicial to the safety or interest of the United States...any classified information...concerning the communication intelligence activities of the United States... shall be fined under this title or imprisoned not more than ten years, or both"?

What was your recommendation regarding the decision to publish the SWIFT Program story? Please provide the Committee with any written memoranda relating to this issue which you drafted or otherwise concurred in.

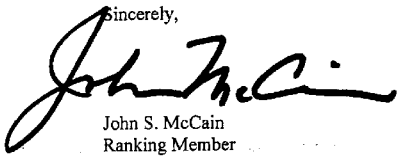
In 2008, Admiral Mike McConnell, then-Director of National Intelligence, stated that public discussion of American surveillance capabilities "means that some Americans are going to die, because we do this mission unknown to the bad guys because they're using a process that we can exploit and the more we talk about it, the more they will go with an alternative means."

Do you agree with Admiral McConnell's statement? What do you consider to be the justification for the decision by the New York Times to publish various articles revealing information, classified or unclassified, of information that revealed and discussed the nature and capabilities of intelligence gathering methods?

Please describe how you believe your 32 years of employment by the New York Times in the various capacities you held and the working relationships you formed would affect your performance of duties as General Counsel of the Department of the Army?

I would appreciate your responses in sufficient level of detail to determine whether I can, in good conscience, support your nomination.

Sincerely,



John S. McCain
Ranking Member

Solomon B. Watson IV
341 West 87th Street, Apt. G
New York, NY 10024

Senator John S. McCain
Ranking Member
United States Senate
Committee on Armed Services
Room SR-228, Russell Senate Office Building
Washington, DC 20510-6050

PN 1211

January 7, 2010

Dear Senator McCain,

Thank you for your letter of December 8, 2009. You raise important and legitimate issues. I understand and appreciate your concerns, and I appreciate the opportunity to respond to them.

I have been retired from The New York Times Company since December 2006. I agreed to step out of retirement and be considered for the position of Army General Counsel because of my love of our Country and its Army and a very strong continuing desire to serve it, this time in the professional capacity as a lawyer.

The answers to your questions are provided below:

Q1: Describe in detail your involvement as General Counsel and Chief Legal Officer of The New York Times in the review, evaluation, and decision to delay publication and, ultimately, publish the article by Risen and Lichtblau on December 15, 2005, about what became known as the Terrorist Surveillance Program?

A1: The decision whether to publish a given story (whether legal advice is provided or not) is a journalism-based decision generally made by the executive editor. In the case of the article on the Terrorist Surveillance Program ("TSP"), the decision to publish this article was ultimately made by Bill Keller, the executive editor of The New York Times with the consent of the publisher, Arthur Ochs Sulzberger, Jr. I was not involved in providing the legal advice in connection with this particular article. To the extent that the legal department was asked for advice on this particular matter, the Deputy General Counsel provided

that advice. As an organizational matter, the Deputy General Counsel was an experienced practitioner in the First Amendment area and was authorized to make decisions therein, advising me when necessary.

To be sure, however, as General Counsel and Chief Legal Officer of The New York Times Company, I was ultimately responsible for all legal judgments and opinions provided by The New York Times Company Legal Department to the company and its operating units, including The New York Times newspaper.

Q2: To your knowledge, was information about the existence of the Program classified under applicable national security laws and were you aware of that fact before publication of the story?

A2: I was unaware of the TSP prior to publication of the article. Any information I received came to me after publication through privileged attorney-client communications with our client, The New York Times, and subordinate lawyers.

Q3: To your knowledge, did the New York Times make a decision to publish the article despite the classified nature of the program?

A3: Please refer to A2 above.

Q4: What information did you and your colleagues receive prior to the publication of the story about the harm to national security, actual or potential, that would take place if the existence of the Terrorist Surveillance Program was revealed publicly? Do you believe that publication caused any harm to national security?

A4: I was unaware of the TSP prior to publication of the article. However, your attention is respectfully directed to the op-ed article written by Dean Baquet, then editor, The Los Angeles Times, and Bill Keller, executive editor, The New York Times, published on July 1, 2006. The op-ed article states, in part, "No article on a classified program gets published until the responsible officials have been given a fair opportunity to comment. And if they want to argue that publication represents a danger to national security, we put things on hold and give them a respectful hearing. Often, we agree to participate in off-the-record conversations with officials, so they can make their case without fear of spilling more secrets onto our front pages."

Q5: Explain the rationale that was relied on by you and others in the New York Times to justify publication of the article on December 15, 2005, despite actual or potential harm to national security.

A5: I was unaware of the TSP prior to publication of the article. To the extent I later learned of The New York Times's rationale for publication, such information was provided by our client, The New York Times, and subordinate lawyers, and is protected by the attorney-client privilege.

On December 16, 2005, Bill Keller, the executive editor, issued a public memorandum setting forth his rationale for publishing the story about the TSP. The memorandum stated:

> *We start with the premise that a newspaper's job is to publish information that is a matter of public interest. Clearly a secret policy reversal that gives an American intelligence agency discretion to monitor communications within the country is a matter of public interest. From the outset, the question was not why we would publish it, but why we would not.*
>
> *A year ago, when this information first became known to Times reporters, the Administration argued strongly that writing about this eavesdropping program would give terrorists clues about the vulnerability of their communications and would deprive the government of an effective tool for the protection of the country's security. Officials also assured senior editors of The Times that a variety of legal checks had been imposed that satisfied everyone involved that the program raised no legal questions. As we have done before in rare instances when faced with a convincing national security argument, we agreed not to publish at that time.*
>
> *We also continued reporting, and in the ensuing months two things happened that changed our thinking.*
>
> *First, we developed a fuller picture of the concerns and misgivings that had been expressed during the life of the program. It is not our place to pass judgment on the legal or civil liberties questions involved in such a program, but it became clear those questions loomed larger within the government than we had previously understood.*
>
> *Second, in the course of subsequent reporting we satisfied ourselves that we could write about this program — withholding a number of technical details — in a way that would not expose any intelligence-gathering methods or capabilities that are not already on the public record. The fact that the government eavesdrops on those suspected of terrorist connections is well-known. The fact that the N.S.A. can legally monitor communications within the United States with a warrant from the Foreign Intelligence Surveillance Court is also public information. What is new is that the N.S.A. has for the past three years had the authority to eavesdrop on Americans and others inside the United States without a warrant. It is that expansion of authority — not the need for a robust anti-terror intelligence operation — that prompted debate within the government, and that is the subject of the article.*

Q6: Do you believe that the individuals who leaked the information, wrote the article, and who were responsible for the publication of this information violated section 798 of title 18, United States Code which states in pertinent part, with respect to procedures and methods used in the interception of communications:

"whoever knowingly and willfully... publishes... in any manner prejudicial to the safety or interest of the United States... any classified information... concerning the communication of intelligence activities of the United States... shall be fined under this title or imprisoned not more than ten years, or both"?

A6: I believe the individuals who wrote the article and who were responsible for its publication did not violate the Espionage Act, 18 U.S.C. § 798, because the article as written and published was: truthful and accurate, based on information not illegally obtained by them; and was written and published by individuals who were acting to help fulfill the newspaper's constitutional duty of informing the public about a very newsworthy subject. In the final analysis, if a prosecution on the same (or sufficiently similar) facts were ever brought under 18 U.S.C. § 798, the question of whether there has been a violation of law would be determined by a judge and jury.

I am not aware who the sources were, nor the information they provided. Therefore, I do not have sufficient information to determine whether the sources violated the statute.

Q7: What was your recommendation regarding the decision to publish the story? Please provide the Committee with any written memoranda relating to this issue which you drafted or otherwise concurred in.

A7: As stated above, I was not involved in providing legal advice in connection with this article. To the extent that the legal department may have created written memoranda with respect to this article, I do not have access to these documents.

Q8: If you are confirmed and appointed as General Counsel of the Department of the Army, would you recommend prosecution of a Department of the Army military member or civilian employee who leaked information to the press about a classified intelligence gathering program that you considered to be of questionable legality?

A8: Yes, in all probability, to the extent the General Counsel of the Army makes such recommendations. Let me state unequivocally that I consider the leak of classified information to be an extremely serious matter. If confirmed and appointed as the General Counsel of the Army, to the extent it is my place to do so, I would ensure that all leaks are fully investigated and where wrongdoing is found, the leakers be prosecuted to the fullest extent of the law. Even where the classified program may in the view of some be of questionable legality. As General Counsel of the Army I would not condone the leaking of information on a classified program.

If confirmed and appointed as General Counsel of the Army, I recognize that I will be serving a very different client with very different interests than previously. If confirmed and appointed, I pledge to always put the interests of the Country and the Army above all others in dealing with classified information and all other legal matters, doing so out of loyalty as well as professional responsibility.

Q9: Describe in detail your involvement as General Counsel or Chief Legal Officer of the New York Times in the review, evaluation, and decision to publish the article by Eric Lichtblau and James Risen on June 23, 2006, about the SWIFT facilitated surveillance program ("SWIFT Program").

A9: By June 2006, I had become Chief Legal Officer of The New York Times Company, and Kenneth A. Richieri had replaced me as General Counsel. As Chief Legal Officer I focused on corporate issues such as governance and compliance, relations with the board of directors, and transition planning. I personally had no involvement in the review or evaluation of this article. However, as Chief Legal Officer I take ultimate responsibility for any legal advice given in connection with its publication.

Q10: To your knowledge, was information about the existence of the SWIFT Program classified under national security laws and were you aware of that fact before publication of the story?

A10: I was not aware of the SWIFT Program prior to publication of the article. To the extent I later engaged in communications about the program with our client, The New York Times, and subordinate lawyers, such communications are protected by the attorney-client privilege.

Q11: To your knowledge, did the New York Times make a decision to publish the information despite the classified nature of the SWIFT Program?

A11: As stated above, I was not aware of the SWIFT Program prior to the publication of the article. To the extent that I later became aware of the circumstances surrounding the publication of the story, the attorney client privilege prevents me from discussing such information. However, from public statements made by the reporters who wrote the SWIFT story and by the executive editor who approved its publication, it appears that they understood before publication of the SWIFT story that the existence of the program was classified. Please refer to Letter from Bill Keller on The Times's Banking Records Report (published June 25, 2006), reproduced (in pertinent part) in partial response to Q13 below.

Q12: What information did you have prior to the publication of the story about the harm to national security, actual or potential, that would take place if the existence of the SWIFT Program was revealed publicly, or, even if information had been made known through other means, published by the New York Times?

A12: As stated above, I was not involved in the review or evaluation of this article prior to its publication.

Q13: Explain the rationale that was relied on by you and others in the New York Times to justify publication of the article on June 23, 2006, despite actual or potential harm to national security.

A13: Any legal determination made by The New York Times Company legal department is attorney work product and protected by the attorney client privilege. However, the journalistic rationale for publishing the SWIFT story is included in, among other things, Bill Keller's letter to readers mentioned above. From this writing it is clear that the executive editor took into consideration actual or potential harm to national security as part of the decision to publish. The letter states (in pertinent part):

> *Letter From Bill Keller on The Times's Banking Records Report, published June 25, 2006*
>
> *The following is a letter Bill Keller, the executive editor of The Times, has sent to readers who have written to him about The Times's publication of information about the government's examination of international banking records:*
>
> *I don't always have time to answer my mail as fully as etiquette demands, but our story about the government's surveillance of international banking records has generated some questions and concerns that I take very seriously. As the editor responsible for the difficult decision to publish that story, I'd like to offer a personal response.*
>
> *Some of the incoming mail quotes the angry words of conservative bloggers and TV or radio pundits who say that drawing attention to the government's anti-terror measures is unpatriotic and dangerous. (I could ask, if that's the case, why they are drawing so much attention to the story themselves by yelling about it on the airwaves and the Internet.) Some comes from readers who have considered the story in question and wonder whether publishing such material is wise. And some comes from readers who are grateful for the information and think it is valuable to have a public debate about the lengths to which our government has gone in combating the threat of terror. (text omitted)*
>
> *The power that has been given us is not something to be taken lightly. The responsibility of it weighs most heavily on us when an issue involves national security, and especially national security in times of war. I've only participated in a few such cases, but they are among the most agonizing decisions I've faced as an editor. (text omitted)*
>
> *Since September 11, 2001, our government has launched broad and secret anti-terror monitoring programs without seeking authorizing legislation and without fully briefing the Congress. Most Americans seem to support extraordinary measures in defense against this extraordinary threat, but some officials who have been involved in these programs*

have spoken to the Times about their discomfort over the legality of the government's actions and over the adequacy of oversight. We believe The Times and others in the press have served the public interest by accurately reporting on these programs so that the public can have an informed view of them.

Our decision to publish the story of the Administration's penetration of the international banking system followed weeks of discussion between Administration officials and The Times, not only the reporters who wrote the story but senior editors, including me. We listened patiently and attentively. We discussed the matter extensively within the paper. We spoke to others — national security experts not serving in the Administration — for their counsel. It's worth mentioning that the reporters and editors responsible for this story live in two places — New York and the Washington area — that are tragically established targets for terrorist violence. The question of preventing terror is not abstract to us.

The Administration case for holding the story had two parts, roughly speaking: first that the program is good - that it is legal, that there are safeguards against abuse of privacy, and that it has been valuable in deterring and prosecuting terrorists. And, second, that exposing this program would put its usefulness at risk.

It's not our job to pass judgment on whether this program is legal or effective, but the story cites strong arguments from proponents that this is the case. While some experts familiar with the program have doubts about its legality, which has never been tested in the courts, and while some bank officials worry that a temporary program has taken on an air of permanence, we cited considerable evidence that the program helps catch and prosecute financers of terror, and we have not identified any serious abuses of privacy so far. A reasonable person, informed about this program, might well decide to applaud it. That said, we hesitate to preempt the role of legislators and courts, and ultimately the electorate, which cannot consider a program if they don't know about it.

We weighed most heavily the Administration's concern that describing this program would endanger it. The central argument we heard from officials at senior levels was that international bankers would stop cooperating, would resist, if this program saw the light of day. We don't know what the banking consortium will do, but we found this argument puzzling. First, the bankers provide this information under the authority of a subpoena, which imposes a legal obligation. Second, if, as the Administration says, the program is legal, highly effective, and well protected against invasion of privacy, the bankers should have little trouble defending it. The Bush Administration and America itself may be unpopular in Europe these days, but policing the byways of international terror seems to have pretty strong support everywhere. And while it is too early to tell, the initial signs are that our article is not generating a banker backlash against the program. (text omitted)

A secondary argument against publishing the banking story was that publication would lead terrorists to change tactics. But that argument was made in a half-hearted way. It has been widely reported — indeed, trumpeted by the Treasury Department — that the U.S. makes every effort to track international financing of terror. Terror financiers know this, which is why they have already moved as much as they can to cruder methods. But they also continue to use the international banking system, because it is immeasurably more efficient than toting suitcases of cash.

I can appreciate that other conscientious people could have gone through the process I've outlined above and come to a different conclusion. But nobody should think that we made this decision casually, with any animus toward the current Administration, or without fully weighing the issues.

Thanks for writing.

Regards,
Bill Keller

Q14: Do you believe that the individuals who leaked the information, wrote the article, and who were responsible for the publication of this information violated section 798 of title 18, United States Code which states in pertinent part, with respect to procedures and methods used in the interception of communications: "whoever knowingly and willfully... publishes... in any manner prejudicial to the safety or interest of the United States... any classified information... concerning the communication intelligence activities of the United States... shall be fined under this title or imprisoned not more than ten years, or both"?

A14: I believe the individuals who wrote the article and who were responsible for its publication did not violate 18 U.S.C. § 798. Section 798 was adopted to cover the disclosure and publication of classified information about specific matters such as codes, cryptographic systems and communications intelligence systems. I believe the statute is inapplicable because the information published about the bank transfers which were the subject of the article was not the kind of prohibited information covered by the statute. In addition, see A6 above. I do not have sufficient substantive information about specific individuals who communicated classified information about the program nor about any specific information leaked by any of them to conclusively determine whether they violated the statute.

Q15: What was your recommendation regarding the decision to publish the SWIFT Program story? Please provide the Committee with any written memoranda relating to this issue which you drafted or otherwise concurred in?

A15: As stated above, I was not involved in the review or evaluation of this article.

Q16: In 2008, Admiral Mike McConnell, then-Director of National Intelligence, stated that public discussion of American surveillance capabilities "means that some Americans are going to die, because we do this mission unknown to the bad guys because they're using a process that we can exploit and the more we talk about it, the more they will go with an alternative means."

Do you agree with Admiral McConnell's statement? What do you consider to be the justification for the decision by the New York Times to publish various articles revealing information, classified or unclassified, of information that revealed and discussed the nature and capabilities of intelligence gathering methods?

A16: As a citizen I support and defend the role that public debate must by necessity play in our democracy and recognize that there are aspects of our military and intelligence operations which should not be in the public domain. That said, I do not have sufficient information to agree or disagree with the Admiral's statement.

I am a proponent of a strong national security, including a robust and effective intelligence service. As a citizen I support and defend the role that public debate must by necessity play in our democracy and recognize that there are aspects of our military and intelligence operations which should not be in the public domain. As a former soldier in a long-ago war, the son of a Gold Star mother and a resident of New York City who lost members of an extended corporate family in the heinous 9/11 World Trade Center attack, I grieve every death of an American in the war on terror.

Q17: Please describe how you believe your 32 years of employment by the New York Times in the various capacities you held and the working relationships you formed would affect your performance of duties as General Counsel of the Department of the Army?

A17: If confirmed and appointed as General Counsel of the Department of the Army, I would draw primarily on my professional experiences as a lawyer and executive, principally as General Counsel of The New York Times Company, as well as on personal characteristics, some of which derive from my military service. I have practiced law in such areas as antitrust, employee benefits, corporate acquisitions, and public company reporting and disclosure. I have strong leadership, management and administrative skills and, throughout my career, have adapted to changing legal, regulatory and economic environments, important factors as the Army is undergoing its transformation.

In my role as General Counsel of The Times Company I have advised the board of directors and the senior management of the company on a broad range of issues including compliance, legal and enterprise risk, governance, conflicts of interest and human resources. Additionally, as a member of the company's senior management team, I have had experience in strategic planning, management, acquisitions and organizational design.

In addition to my legal and executive experience, I believe that my personal characteristics of maturity, judgment, and integrity, along with my military service, contribute to my qualifications to manage the complex legal issues facing the Department of the Army at this time. As a personal matter, I believe strongly in the concepts of "duty, honor, and country" and seek to serve as General Counsel of the Army in that light.

I interact with former colleagues at The New York Times Company very infrequently and those whom I do see are typically on the business side of the company. I do not have any working or personal relationships with anyone at The New York Times (including the Supreme Court reporter for The Times who was once a member of the company's legal department) that would affect my performance of duties as General Counsel of the Department of the Army, if confirmed and appointed.

I am very sensitive to the importance of protecting classified information. As a Lieutenant in the Military Police Corps, I did so while stationed in the United States and while stationed in Vietnam (1967-1968). For my service in Vietnam I was awarded the Bronze Star Medal. For my actions on the night of November 26, 1967, in search of classified information at an ambush site, I was awarded the Army Commendation Medal for heroism (see attached).

I am hopeful that I have answered your questions and concerns sufficiently and am available to respond to any additional questions you may have.

Respectfully submitted,

Solomon B. Watson IV

Solomon B. Watson IV

cc: Robert Bauer
The White House
Washington, DC 20500

C I T A T I O N

BY DIRECTION OF THE SECRETARY OF THE ARMY

THE ARMY COMMENATATION MEDAL
(FIRST OAK LEAF CLUSTER)
IS PRESENTED TO

FIRST LIEUTENANT SOLOMON D. WATSON IV 05234885 MILITARY POLICE CORPS

UNITED STATES ARMY

First Lieutenant Solomon D. Watson IV is cited for outstanding achievement during the period 22 October 1967 to 3 January 1968, while serving with the 9th Military Police Company, 9th Infantry Division.

Through his unswerving efforts and professional ability, he obtained outstanding results despite the adverse conditions incident to a combat environment. With a sense of urgency to complete the mission, he set an example that inspired his associates to strive for maximum performance. His outstanding actions materially contributed to the efforts of the United States in its counterinsurgency role in the Republic of Vietnam. His praiseworth achievement and dedicated initiative were in keeping with the highest traditions of the military service and reflect great credit upon himself, the 9th Infantry Division and the United States Army.

Senator MCCAIN. I will ask him some additional questions today, in view of his nomination for this important DOD position, about his views regarding the release of this information and how he, as chief legal officer of the Department in the Army, would respond to public disclosures that endanger U.S. citizens, neutralize the effectiveness of classified defense programs, and harm national security.

I acknowledge the government service and private-sector accomplishments of Mr. McCord, Ms. McGrath, Ms. Burke, and Ms. Hammack, and, again, thank them for their willingness to serve in these important positions in DOD.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

Senator Warner, we're going to call on you first, for your introduction so that you can be excused and go about your work.

STATEMENT OF HON. JOHN WARNER, FORMER U.S. SENATOR FROM THE STATE OF VIRGINIA

Senator WARNER. I'm required to take the oath of office. [Laughter.]

Chairman LEVIN. I think for us to administer an oath of office to you, Senator Warner, would suggest——

Senator WARNER. The law requires you to——[Laughter.]

Chairman LEVIN. If you could share what the oath is with me, I'd be happy to——[Laughter.]

Senator WARNER. The whole truth and nothing but the truth, so help you God.

Chairman LEVIN. I do. [Laughter.]

Senator WARNER. I thank you, distinguished chairman. It's an unusual framework of laws that will greet you when you depart the U.S. Senate, but I've lived by them very carefully, as each of you have.

Chairman LEVIN. As always, you abide by the law. Frankly, I was not aware of that. Now we're going to have to look it up. But, we're glad that you pointed it out to us, because it's important that we abide by law. You're known for that, and we admire you for that, and we thank you for doing what your duty requires you to do this morning.

Senator WARNER. Mr. Chairman, needless to say, it's a very moving experience for me to appear in this capacity before this distinguished committee. I thank you and my dear friend for so many years, Senator John McCain.

We go way back, Senator.

Senator Inhofe, I duly report again to you and remember your distinguished Committee on Environment and Public Works. Senator Chambliss, Senator Thune.

To our new members, you don't really appreciate, at this juncture, how fortunate you are to be a member of this committee. This committee has an extraordinary reputation, long in the history of the Senate, for its ability to handle issues of national security in the best interests of this country. I commend each of you and wish you well in the future.

I shall be brief, and I'll ask unanimous consent that my statement be included in the record.

Chairman LEVIN. It will be, of course.

Senator WARNER. I'm privileged to introduce this very fine professional to be the Director of Operational Energy Plans and Programs. I commend these committees, the military committees, for creating this new position, because if there's one issue that's important to this Nation today, I know of no greater than the subject of energy. DOD is the single largest user of energy of any entity, not only in the United States, but the entire world. To be a good shepherd of this responsibility in the Department is important. This position was created for that purpose.

What the public may not know—and I say this with a sense of humility—is the extraordinary record of DOD and the military departments, in the past several years, to be in the very forefront of all issues related to energy. When a member of this committee and the Senate Environment and Public Works Committee, I followed

the leadership shown by the Department, and have continued to keep myself informed in the ensuing years.

I first met this very fine professional, when she, in the capacity as the vice president of her distinguished organization, held an extensive dinner meeting for about 25 individuals, from the National Guard to every department of the military, to listen to them—what they're trying to do in the area of energy and, indeed, some on climate security. You may recall, Mr. Chairman, that I was privileged to join the distinguished former Senator, now Secretary of State, Mrs. Clinton, in sponsoring the legislation directing the Secretary of Defense to, in the forthcoming Quadrennial Defense Review (QDR), make certain provisions for these subjects, and I commend her for that foresight that Senator Clinton had at that time. The Department has moved out. The announcement of the QDR has a distinct provision in it on these subjects.

The Department's record is a great story of public service. I would urge the committee this may be an opportunity to make that public. But, there's much more to be done, and this fine nominee, if confirmed, will give that leadership. She's ideally and uniquely qualified, to the credit of the President that he selected this candidate, where she's been working in the private sector to promote many of the varied goals on energy that DOD today is attaining and planning for the future. On a number of occasions, I've had the privilege to be with her when this candidate has publicly addressed a wide range of energy issues and, most significantly, come up with some suggested solutions.

She's widely respected by her peer group of nongovernmental organizations, as well as being admired and trusted on her views by government leaders. Her exceptional career had its roots with membership on the staffs of two very distinguished former Members of the U.S. Senate, Senator Paul Sarbanes and Senator Chuck Hagel. As you stated, Mr. Chairman, she's currently the vice president of the Center for New American Security, where she directs the Center's work on the national security implications of global energy security. She held appointed positions in the U.S. Government as a member of the policy planning staff at the Department of State and as a country director in DOD's Office of Near Eastern and South Asian affairs. She also served on the staff of a former member of this committee, our esteemed friend, former Secretary of Defense William Cohen.

Understandably, this exceptional professional, has been awarded many recognitions by both public and private institutions for her distinguished accomplishments, and I'm sure that's part of the record.

If confirmed, she will become a national leader in the field of energy and add another chapter to her distinguished public service for the greater benefit of the American public.

I thank the chair, the ranking member, and members of the committee.

Chairman LEVIN. Thank you so much, Senator Warner. Thanks for coming here for that introduction. I know how important it is to the nominee and to us, and it is always great seeing you.

Senator WARNER. I thank you.

Chairman LEVIN. Now, we're going to ask all of you standard questions, and you can answer them all together.

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

[All five nominees answered in the affirmative.]

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

[All five nominees answered in the negative.]

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

[All five nominees answered in the affirmative.]

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

[All five nominees answered in the affirmative.]

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

[All five nominees answered in the affirmative.]

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

[All five nominees answered in the affirmative.]

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?

[All five nominees answered in the affirmative.]

Chairman LEVIN. Thank you very much.

As we call upon each of you, we'll call upon you in the order that you're listed on the amended notice here, please feel free to introduce members of your family or friends who have accompanied you here today.

First we'll call upon Elizabeth McGrath, who has been nominated to be Deputy Chief Management Officer of DOD.

Ms. McGrath.

STATEMENT OF ELIZABETH A. MCGRATH, NOMINEE TO BE DEPUTY CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE

Ms. MCGRATH. Mr. Chairman, thank you and good morning. Ranking Member McCain, distinguished members of the Senate Armed Services Committee, I'm truly honored to be here today, humbled to be nominated by the President as the Department's first Deputy Chief Management Officer, and deeply appreciative of both Secretary Gates' and Deputy Secretary Lynn's support for my nomination.

I want to extend a special thanks to Senator Akaka for his kind introduction. I've enjoyed our partnership on this committee and on others, and I look forward to continuing to pursue our shared goal of serving the needs of the American people.

I also want to thank the members of this committee for all you have done for the troops and their families, whose efforts and sacrifice preserve the freedoms we enjoy today. If confirmed, I will

work in partnership with this committee to ensure their mission is supported and enabled, the best it can be.

I'm grateful to have my family here with me this morning, supporting me today, as they have done throughout my life. I would like to introduce to you my parents, Jim and Liz Bullock, and my two children, James and Christine. My father is a 1960 graduate of the United States Naval Academy. His 20 years' dedicated service as a surface warfare officer instilled in me a deep respect for public service which inspires me to this day. I'm also pleased for James and Christine to have this chance to see our Federal Government in action. I'm certain they are happy to be here too, and not only because it's a day off of school.

The committee's emphatic work in establishing the positions of both chief and deputy chief management officer highlights the challenges the Department faces in managing the business of defense. Current contingency operations and projections of complex future operating environments require processes and institutions that are more agile, innovative, and streamlined. The Department faces a clear mandate to modernize its business systems, and supporting processes, as part of an enterprise-wide approach to business transformation. This is an enormous undertaking.

To successfully modernize the business of defense, we must energize not only those who work in the business areas, but also other key leaders of the Department. In my 20-plus years working various business disciplines across DOD, I have observed that clear goals and sustained leadership commitment are critical to success. If confirmed, I would ensure that our business goals were well understood and that leadership engagement was sustained.

The breadth and complexity of the Department's business operations would challenge the most qualified executive. Yet, despite their scope and scale, our business operations must efficiently and effectively enable the larger national security mission.

DOD has the responsibility to secure our Nation, enable our warfighters, and steward the taxpayers' dollars. I'm keenly aware that defense dollars spent on duplicative, inefficient efforts is money not available to take care of our people, to win the wars we're in, and improve our capabilities. If confirmed, I would be honored to serve in the position of the Deputy Chief Management Officer, doing everything in my abilities to make the business of defense better.

Mr. Chairman, members of the committee, I'd be pleased to answer your questions.

Chairman LEVIN. Thank you very much.

Mike McCord. Mike?

STATEMENT OF MICHAEL J. MCCORD, NOMINEE TO BE PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE (COMPTROLLER)

Mr. MCCORD. Thank you, Chairman Levin, Senator McCain, and members of the committee. It's a pleasure to be back here with the committee, where I served for so many years and had the opportunity to learn from the outstanding public servants who have led the full committee as chairman and ranking member during my time here, such as Chairman Levin and Senator McCain today, and

former Chairman Sam Nunn and John Warner, as well as those who served as my chairman and ranking member on the Readiness Subcommittee, Senator Akaka, and former Senators John Glenn and Chuck Robb.

I thank Senator Akaka for his kind words, which are so characteristic of him.

I also want to recognize my friends and colleagues on the staff, including those who continue today to uphold the committee's high standards, such as Rick DeBobes and Chris Cowart, as well as their predecessors over the years, including especially people like David Lyles and John Hamre, who took the time to mentor me when I was new here, quite awhile ago now.

Whether we serve in the executive or legislative branch, I think we all feel that sense of shared responsibility for our national security. During my career, I have often felt that the two common images, of partisanship or ineffectiveness, that serve as caricatures of Washington, bore little, if any, resemblance to what I saw here inside the committee.

It's impossible for me to do justice today to all those that I've worked with or for, or what this committee has accomplished during all those years, but I would pick just one thing, and that's the opportunity to work with former Senator John Glenn, who was my first subcommittee ranking member when Senator McCain was chairman of the Readiness and Management Support Subcommittee in the 1990s. John Glenn is a hero to so many Americans, but especially to those of us, like my mother and I, who grew up in Ohio. To have had the opportunity to work with such a dedicated public servant and wonderful human being was a treat I never could have imagined when I graduated from Ohio State University, years ago.

I would like to introduce my family. My mother, Anne, has come from Ohio to be with me today, and I'm grateful for her guidance and support. I'm especially pleased that both of my wonderful daughters could be here with me today, Alejandra, who's here from Boston, and Meredith, from Virginia. They grew up during my career on the Senate Armed Services Committee, and although that path was my choice, and not theirs, they shared in the sacrifice that the long hours, required on the committee, imposes on a family. I thank them for their understanding.

I'm grateful to the President for appointing me, last year, to the position I currently hold, and then for nominating me to that same position after it changed to a confirmable one by last year's authorization bill. I'm proud to be part of the team serving under the President, Vice President Biden, Secretary Gates, and Deputy Secretary Lynn.

It's also a great pleasure to serve under the Comptroller, Bob Hale, who was confirmed by this committee last year. We in the comptroller family are fortunate to have a boss of his caliber.

There's a strong sense of mission in DOD that I've felt since I've been there. You cannot help but feel it when you're in the presence of Secretary Gates or when you're with our men and women in uniform, especially those who are in harm's way, and I think that sense flows from the troops to our Secretary and back again.

The staff of the comptroller team that Bob and I are privileged to lead are very capable and work extremely hard to do their part to ensure the Department can accomplish its missions; in particular, to respond to the ever-changing needs of the military at war. We have no shortage of challenges.

Should I be confirmed, I will continue to do my best to support our military, the comptroller organization that supports them, our Secretary, our Commander in Chief, and our Constitution.

Thank you.

Chairman LEVIN. Thank you very much, Mr. McCord.

Ms. Burke.

STATEMENT OF SHARON E. BURKE, NOMINEE TO BE DIRECTOR OF OPERATIONAL ENERGY PLANS AND PROGRAMS

Ms. BURKE. Thank you, Mr. Chairman, Senator McCain, members of the committee. I very much appreciate the opportunity to appear before you today and that you will consider my nomination to be the Director of Operational Energy Plans and Programs at DOD.

I'm grateful for the confidence that President Obama has shown in me by nominating me for this position, and I thank Secretary Gates, Deputy Secretary Lynn, and Under Secretary Carter for their support for my nomination.

Of course, I owe special gratitude to Senator Warner. He had a remarkable career here in the Senate, and it's even more remarkable that he continues his service to the Nation as a private citizen. I'm very grateful to him for all of his support.

I also deeply appreciate the encouragement and enthusiasm of my family, and especially, my husband Paul Fagiolo, and my sons, Anthony and Thomas, who are here today; along with my father-in-law, Romeo Fagiolo; he's here today, as well. His service to the Nation in the Rainbow Division during World War II continues to be a great inspiration to me, along with that of my own late father, Tom Burke, who was a marine in the Cold War. In fact, I hope that, if I am confirmed in this position, that my service to the Nation will make them as proud of me as I am of them.

This committee and Congress have shown an acute interest in the issues of operational energy by creating this new position for which you are considering me today. The President and the Secretary of Defense have, likewise, placed a very high priority on the energy security of the Nation, and specifically to energy posture of DOD. I believe that my experience in national security, energy security, and in the Office of the Secretary of Defense have prepared me well to help advance these priorities. If I am confirmed, I will be tremendously honored to work with this committee, with Congress, as well as partners across the defense enterprise and in the private sector, to address and advance these important issues.

I thank you again for the opportunity to appear here today.

Chairman LEVIN. Thank you very much, Ms. Burke.

Mr. Watson.

STATEMENT OF SOLOMON B. WATSON IV, NOMINEE TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE ARMY

Mr. WATSON. Thank you, Mr. Chairman, Ranking Member McCain, and distinguished members of the Senate Armed Services Committee. It's a great honor to have been nominated by President Obama to be General Counsel of the Army, and to be before this committee today.

I'm also very grateful for the confidence and support of Secretary of the Army McHugh.

I want to thank my extended family for their support. Brenda Watson, my wife of 25 years, is with me today, and I want to introduce her and to note my appreciation for her. My twin daughters are here, along with their husbands and children. I note that my 4-year-old twin granddaughters are learning to recite the Pledge of Allegiance in their pre-K school. Two sisters, a brother, and a nephew round out the family contingent. All together, they are a great and supportive unit, and I owe them a debt of gratitude for the patience that they've shown me over the years.

I have had an almost lifelong affinity for the Army, starting out by seeing photos of our father, an Army veteran, in uniform. Two of my brothers served the military honorably. One of my brothers, a marine, paid the ultimate sacrifice, resulting in our mother's being among the Gold Star Mothers.

My formal relationship with the Army began with advance Reserve Officers' Training Corps (ROTC) at Howard University. After graduating in 1966, I entered the Army as a 2nd Lieutenant. I did a tour in Vietnam during 1967 and 1968. While there, I met Captain Steve Swartz and Lieutenant Michael Cahill. It was Swartz that persuaded me to go to law school. It was Cahill who served with me in the 9th Division Military Police (MP) Company, and I'm honored that my colleagues are here with me today.

I've been a lawyer in the private sector for 35 years. Anyone who has worked with me know that the Army and its soldiers are not far from my heart or from my mind. Indeed, I have always maintained that my military experience was very important in my success as a lawyer and an executive.

Our Army, the world's greatest, is undergoing a substantial transformation as it fights two contingency operations and deals with the many changes and challenges of the 21st century. Throughout my career, I have worked successfully in challenging and changing legal, regulatory, and business environments. I'm here today as a volunteer, because, if confirmed, I would like to make a contribution, in any way I can, to support our Army's efforts. If confirmed, I pledge to work with the outstanding civilian and military lawyers in the Department to ensure the provision of quality, candid legal advice. If confirmed, I will put the interests of our country, our Army, and the rule of law, above all others.

Thank you for the opportunity to be here today. I look forward to your questions.

Chairman LEVIN. Thank you, Mr. Watson.

Ms. Hammack.

STATEMENT OF KATHERINE G. HAMMACK, NOMINEE TO BE ASSISTANT SECRETARY OF THE ARMY FOR INSTALLATIONS AND ENVIRONMENT

Ms. HAMMACK. Mr. Chairman, Ranking Member McCain, and distinguished members of the Senate Armed Services Committee, it is an honor and a privilege to appear before you today. I am humbled and deeply honored that President Obama had the confidence and Secretary McHugh supported my nomination to be Assistant Secretary of the Army for Installations and the Environment.

Before I go much further, I would like to recognize my family and friends who have joined me here today. First of all, my son, Alex, who is going to Arizona State University, majoring in sustainability, and also skipping school today. My mother, Mary Kate Dellett, also traveled here from Arizona, and my brother, Steve Dellett, traveled here from Illinois. Three friends have also joined me—Rebecca Truelove, Gopika Parikah, and David Matthew. I'm very honored and grateful for their encouragement and their support.

Coming to Washington, DC, will be a return to the place where I was born. My father, who is now deceased, was a captain in the Air Force, stationed at Fort Myer while my mother worked in Washington, DC, at the State Department. I was born after my father left the Air Force and was studying law at George Washington University College of Law.

The Army is tackling many challenges today. First of all, there's a need to complete the Base Realignment and Closure (BRAC) process in a timely manner while still supporting our troops' unit readiness in an era of persistent conflict. Providing quality housing for soldiers, wounded warriors, and their families is critical to restoring a sense of balance in the Army. In addition, the 2010 QDR highlighted the importance of crafting a strategic approach to climate and energy. The White House, in addition, has identified a goal of a 28-percent reduction in greenhouse gas emissions by 2020, as called for in Executive Order 13514, and an objective of zero net energy in all new Federal facilities by 2030.

I have almost 30 years of experience in energy and the environment in the private sector. In the varieties of experience I've had over my career, I've obtained many lessons learned and seen best practices. It is the application of those best practices, leadership experience, and the knowledge gained, that I look forward to bringing to the role of Assistant Secretary of the Army for Installations and the Environment.

Over the weekend, I was able to take my son to Arlington Cemetery to view the burial place for both of my grandparents. While there, we visited the John F. Kennedy Memorial, where we saw the quote "Ask not what your country can do for you, but what you can do for your country." I'm here today to ask for the confirmation of my role to serve my country as Assistant Secretary of the Army for Installations and the Environment.

Thank you very much.

Chairman LEVIN. Thank you very much, Ms. Hammack.

We have a lot of nominees, but let's try 8 minutes of questioning for our first round, and hopefully we'll have time for a second round, should that be needed.

First, Ms. McGrath, let me ask you this question. Over the decades, we have made many efforts to get DOD's business systems to function efficiently and in a coordinated way. It seems that almost every time we try to acquire a new business system which could operate that way for the Department, it is over budget, comes in behind schedule, doesn't meet user expectations. The Defense Integrated Military Human Resources System (DIMHRS) is just the latest example of that failure. What, in your judgment, Ms. McGrath, are the most important steps that the Department needs to take to get better results out of business systems acquisitions?

Ms. MCGRATH. Sir, thank you for the question. DIMHRS, I would agree, is an example proving our ability not to deliver on-time, large-scale, information technology (IT) implementations. A lot of the issues associated with the IT of acquisitions stem from the lack of business process reengineering. In the National Defense Authorization Act for Fiscal Year 2010, specifically section 1072, now provides that requirement for us in the Department to ensure that we conduct appropriate level of business process reengineering. That will be paramount to ensuring effective delivery.

Requirements creep, or appetites suppressant in terms of requirements, is also an area that we have struggled with. Our IT implementations tend to look 5 to 7, 10 years toward final implementation. A different approach, focused on more near-term, incremental improvements—18 months is what industry typically fields—is absolutely necessary to ensure the user gets what they want, that they stay closer to the budget, as planned, and that we actually have an effective IT solution.

Chairman LEVIN. It's important that you keep in touch with this committee. This is, frankly, been a long and very frustrating road. We've appropriated a lot of money, authorized a lot of money, in the case of this committee, to put together some business processes which work, and we have, so far, really not had much success. Would you, if confirmed, get back to this committee with a report, within 60 days, as to progress that you're making, what the challenges are, what your plans are, and also tell us whether or not you have consulted with some of the great IT geniuses that we have in this country? Obviously, they can't be part of companies which would bid on anything, so you'd have to be talking to people who would not have that kind of a conflict of interest. But, we have such incredible geniuses in America in this area, the idea that we've been unable to get the job done inside DOD's business systems, to me, is totally unacceptable. Will you get back to us within 60 days?

Ms. MCGRATH. Yes, sir, if confirmed, I'd be happy to do that.

Chairman LEVIN. Thank you.

Mr. McCord, let me talk to you about a similar problem. In last year's authorization bill, we required DOD to work towards an auditable financial statement by the end of 2017—if my eyes are not deceiving me, 2017. What is the Department going to need to do to accomplish that objective, which seems awfully minimal,

nominal? What role are you going to play, when you're confirmed, in this effort?

Mr. MCCORD. Thank you, Mr. Chairman. Yes, the date is 2017. In my view, there's three things you need to achieve that. You need correct data, you need the systems that produce that data, and you need trained people. I think you can't do it with just two, you need all three.

Mr. Hale, the Comptroller, has laid out his priorities for how to get there. His focus is to concentrate on the information that managers in the Department use most. That information is particularly in what's called the Statement of Budgetary Resources. That's his priority of how to start down the path to get there. If confirmed, my role would be to support Mr. Hale, who is the Chief Financial Officer, and our Deputy Chief Financial Officer (DCFO) and his team. The DCFO is part of our comptroller organization that plays the lead role in that, and I would support them, as Mr. Hale directs.

Chairman LEVIN. Since September 11, DOD has paid for much of the cost for the wars in Afghanistan and Iraq through supplemental appropriations. This is addressed to you, Mr. McCord. The current administration has responded to congressional concerns by submitting full-year funding requests for 2010 and 2011. The budget for 2011 includes a 2010 supplemental request of $33 billion for an additional 30,000 troops in Afghanistan, bringing the total 2010 funding for overseas contingency operations to $163 billion. Second, the budget for 2011 includes a full-year war funding request of $159 billion for fiscal year 2011. Third, a placeholder request of $50 billion for overseas contingency operations for each year after 2011—$50 billion in 2012, $50 billion in 2013, $50 billion in 2014, and $50 billion in 2015.

Number one, why is the Department including placeholder war funding total for the out years? Second, why $50 billion? What is the basis for that kind of a placeholder number? Why not $100 billion or some other amount? I'll leave it at that.

Mr. MCCORD. Thank you, Mr. Chairman. As you said, it has been the practice of the administration to try and budget as accurately as we can for the budget year that we're in and that is before Congress at any time. We've done that for fiscal year 2011, as we did last year. The supplemental to which you referred, for fiscal year 2010, was solely because of the surge, which was a later decision by the President.

The placeholder in the out years was a subject of great debate internally last year. This year, we basically followed the decision we reached last year, which was to not attempt to forecast with great precision, precision that really was not available to us, what would happen that many years in advance, and to clearly communicate to the public, to Congress, and to people in Afghanistan and Iraq, that we were not making a particular projection, and to clearly state that it was a placeholder that was not intended to make a policy judgment about events of 2012 or 2013 or 2014, today. The number 50, I think that was a decision by the Director of OMB, primarily. As you state, it could have been some other number, but we felt that it was important to have it not be zero, as in the past, but to make it a hundred would have sent, maybe, a message that

was not intended. So, we decided to make it something that was clearly a placeholder, and to so state in the budget documents of the President.

Chairman LEVIN. Thank you very much, Mr. McCord.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

Ms. McGrath, how far off is the Department from being able to produce a clean audit?

Ms. MCGRATH. I understand the Department's current projection is 2017.

Senator MCCAIN. You think they'll make that?

Ms. MCGRATH. I think that, each year, they'll make progress against that goal. I think that the focus that Mr. Hale has put on, in terms of their prioritization of the efforts and the leadership attention and management controls within that Department, gives them a higher probability than they had previous to that.

Senator MCCAIN. So, you think we'll make the goal.

Ms. MCGRATH. I think that they will make progress against the goal. I think time will tell as to whether or not they're able to hit the 2017 goal. I will also include that it is an aggressive goal and it is tied to the successful implementation of our IT systems, as the question that was previously asked of me. Enterprise resource planning. The success of the Department lies not only on the internal controls, but the ability of our systems to deliver.

Senator MCCAIN. I think most Americans would be astonished to know that we have never been able to have an audit of the largest expenditure of taxpayers' dollars, a half trillion dollars. I hope you work on it. It's a lot more complicated than we know, including the legacy systems that are not even recording transactions. It's a very frustrating thing, and I hope you'll give it a very high priority.

Mr. McCord, the appropriations bill from last year contained a last-minute earmark that was air-dropped in, in the final days of the conference, for $300 million to be spent by DOD for "medical transportation infrastructure." Are you familiar with that earmark?

Mr. MCCORD. Yes, Senator.

Senator MCCAIN. Yet, I understand the general counsel says it doesn't allow the Department to expend those monies as directed by the legislation. Is that true?

Mr. MCCORD. The Department believes it cannot execute the money, as written currently, that is correct.

Senator MCCAIN. You are aware of the situation. Are you aware of anyone in DOD who is working with the Appropriations Committee to find a way to spend these monies?

Mr. MCCORD. I believe the Deputy Secretary met with some Members of Congress last week, including members of the Appropriations Committee, to discuss the problem, that the money could not be executed as spent.

Senator MCCAIN. In other words, they're trying to spend the money.

Mr. MCCORD. Congress enacted the funds, and, as with most funds, I think Congress intended them to be spent as enacted. Yes.

Senator MCCAIN. Have you figured out what "medical transportation infrastructure" means, except that it has to be spent in Maryland and Virginia?

Mr. MCCORD. The statute does not speak to Maryland, Virginia, or any other place. I think "medical infrastructure"—"transportation infrastructure" is generally taken to mean roads.

Senator MCCAIN. I think you ought to double check. I think that is earmarked for Maryland and Virginia, Mr. McCord. But, do you know what it means, "$300 million for medical transportation infrastructure"?

Mr. MCCORD. Again, I think "transportation infrastructure" is—generally, in the United States, roads, which is the primary mean of transportation in this country. But, it could be transportation encompasses buses and subways and things, as well.

Senator MCCAIN. So, we throw $300 million at "medical transportation infrastructure." No wonder Americans are steamed.

Mr. Watson, in your response to my letter, you cited the rationale for publication that was given by the executive editor of the New York Times, whom you stated made the decision to publish these stories, the Terrorist Surveillance Program and the SWIFT program. I'd like to know your personal opinion, today, with the benefit of hindsight, about whether publication of these stories was justified.

Mr. WATSON. Thank you, Senator. I think it's important for me to state for this committee that, as a public citizen and a former defender of this country, that I do not like to see information based on classified information in the public domain. That relates both to our national security and our military intelligence processes.

Senator MCCAIN. Again, I'd appreciate it if you'd answer the question. Do you believe that the publication of these stories was justified?

Mr. WATSON. Senator, the publications of those stories were consistent with the law as it stood at the time they were published. There was not a violation of the law to publish those stories.

Senator MCCAIN. I'd ask one more time. Your personal opinion, with the benefit of hindsight, do you believe that the publication of these stories was justified?

Mr. WATSON. Senator, that puts me in a sensitive position of commenting on discussions related to a story that I'm responsible for the lawyering on, and I have somewhat of a tough legal line to tow on that. But, I wish I could emphasize sufficiently my concern and to state that, were I fortunate enough to be confirmed in this position, I would take an aggressive action against anyone in the Department of the Army who leaked classified information.

Senator MCCAIN. Mr. Watson, when we have hearings here for nominees to the administration, no matter what the administration is, we ask for people's personal opinion on issues. I don't see any reason why you couldn't respond to the question, and I'll ask it for the fourth time. I'd like to know, in your personal opinion, with the benefit of hindsight, about whether publication of these stories was justified. I'm simply asking for your personal opinion.

Mr. WATSON. Senator, my opinion is that the decision to publish them was justified. Were it my decision to make, I would not have made that decision. I take that as to say that, "No."

Senator MCCAIN. I thank you. Did you have any role or responsibility for decisions made by the New York Times in the role of general counsel, did you have any role or responsibility for decisions,

made by the New York Times, which involved disclosure of classified national security information?

Mr. WATSON. The role of the general counsel is merely to provide legal advice to the newsroom department which makes an editorial decision. As the general counsel, I'd be responsible for the legal advice that was given. In connection with reviewing such a story, I'm sure that there would be a discussion about the potential impacts of that story on national security, sir.

Senator MCCAIN. You had a role and responsibility for these decisions?

Mr. WATSON. Not for these specific decisions. I was not involved in reviewing these particular stories. The person responsible for reviewing these stories was the deputy general counsel, who succeeded me as general counsel.

Senator MCCAIN. I say with great respect, I would think that a decision of this impact, two highly classified programs, that perhaps the general counsel would have at least played an advisory role. But, I thank you.

I thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCain.

Senator Hagan.

Senator HAGAN. Thank you, Mr. Chairman.

I just wanted to thank each of you for your willingness to take these jobs and these nominations. I appreciate your time here, and I appreciate all of your family members being here with you today.

Ms. Burke, I wanted to also mention that one of my nephews recently had you in a class, and said that you were an excellent professor. I just thought I'd share that with you.

Secretary Mabus has committed the Navy and the Marine Corps to a series of ambitious goals that are aimed at reducing the energy footprint of our Nation's expeditionary forces. Senator Warner, in his opening comments, made the comment about how much energy that our military uses across the world.

Ms. Burke, as Director of Operational Energy Plans and Programs, what contributions will you be able to make in assisting the Navy and Marine Corps towards reaching these objectives?

Ms. BURKE. Thank you, Senator. I can say that your nephew Tyler was also an excellent student.

The Director of Operational Energy Plans and Programs, by statute, has a role in coordinating, overseeing, and helping to manage all of the Services in their energy postures, on the operational side. If I were confirmed in this job, it would be my job to oversee all of their planning in this area, and also to be the lead agent for an operational energy strategy for DOD. I would have oversight and would help them define better what the mutual goals are. I think the challenge there is to make sure that it works across the Services and also differentiates for the different roles and missions.

Senator HAGAN. Do you have any specifics, that you could share with us today, that you would like to see beginning to be implemented?

Ms. BURKE. Yes, Senator. One of my top priorities, if I'm confirmed, is to make sure that deployed forces have the opportunity to be as effective as possible in their missions. I believe that right

now energy is a vulnerability and a constraint on our deployed forces, and that we can do better in that area.

Senator HAGAN. Meaning the energy for the deployed forces—can you give me an example of what you're talking about?

Ms. BURKE. Sure. For example, forces who are deployed in Afghanistan have a long fuel supply line. The convoys that are taking out are either run by contractors or a required version of combat forces for protection. It's a burden on the force, and also it can compromise mission effectiveness if you're not able to get the fuel you need. These are very fuel-intensive operations.

I think our first mission in this job, if confirmed, is to make sure that our deployed forces have better options available to them.

We also need to look at the business processes of the Department, make sure that they account for the full cost and the full burden of energy.

Senator HAGAN. One other question. There are currently a number of offices within DOD, as well as the Department of Energy and the national labs, that have an interest in capturing the benefits associated with any innovation that we have in energy research. If confirmed, do you envision your office playing a leadership role within DOD in research, development, and advancement of alternative energy technologies? How do you expect to reconcile the efforts of your office with those of the other stakeholders?

Ms. BURKE. Senator, my office, by statute, would have a lead role, if I'm confirmed, in that regard. I believe it will be very important to work with Ms. Hammack, if she's confirmed, and with all of her colleagues, to leverage the expertise and the experience that we already have in the Department and across the Government in these issues. There was a Defense Science Board report in 2008 on this topic, and it identified as one of the major missing elements in the Department's energy posture is leadership. I believe that Congress was very smart in creating this job so that it could catalyze the leadership necessary, and that's what, if confirmed, I would look forward to providing.

Senator HAGAN. Thank you.

Ms. Hammack, I served for 10 years in the State Senate in North Carolina, and during those years we were obviously involved in the BRAC work. We were concerned about the encroachment of development taking place around military bases. We wanted to be sure to do whatever we could to protect those areas, so that they weren't developed, so that our military bases had room to conduct the training and exercises that needed to be done at our bases. If confirmed, what measures do you intend to pursue in order to address the pressures of encroachment at our military installations?

Ms. HAMMACK. Thank you, Senator. I understand that there are several measures that the Army is already taking on encroachment. Some of them have to do with alternative uses, so that the land around it is put to a usable purpose, yet is defined as not available for development. I think some of those are successful, and, if confirmed, I look forward to expanding those programs and investigating other alternatives.

Senator HAGAN. How about the funding stream?

Ms. HAMMACK. Some of the funding streams could be through the enhanced-use lease or through other mechanisms already in

place. But, that certainly is a challenge that I will look into, if confirmed. Thank you.

Senator HAGAN. Mr. Watson, in your response to the committee's advance policy questions regarding whether or not the Uniform Code of Military Justice (UCMJ) provides appropriate jurisdiction over alleged criminal actions in areas of combat operations, you noted that both the Department of Justice and DOD play a role in determining appropriate jurisdiction. With respect to contractor employees in areas of combat operations, what do you believe to be the determining factors for whether DOD or the Department of Justice should exercise jurisdiction?

Mr. WATSON. Thank you, Senator. I've not studied that area in depth, but would do so, if confirmed. My view is that the decision would have to be made on a case-by-case basis, perhaps depending on the nature of the allegation, the jurisdiction that the allegation took place in, and the kinds of issues that it would raise, either consistent with those which had been tried under the UCMJ or those which had been handled by the Department of Justice.

Senator HAGAN. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Hagan.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

Ms. Burke, in my office we talked a little bit about alternative fuel sources, that we have to continue the research in the cellulosic and algae landfill waste and other biofuel options. I voiced my concern that we must, in the near term, in the mid-term, develop and produce alternative fuels using proven technologies. Now, I'm talking about your gas-to-liquid and your coal-to-liquid. Unfortunately, section 526 creates a cloud over some of the Federal agencies from entering into a contract for an alternative or synthetic fuel of any mobility-related use, other than for research. In other words, to actually use in combat. When asked about potential impact on national security in the near- and mid-term, if this country did not start the development of the organic production capabilities of alternative fuels—correct me if I'm wrong on what you stated twice—that you didn't see that we're going to have a supply problem. Is that correct? Or, that we do not have a supply problem?

Ms. BURKE. Senator, I would say that we have volatility problems with our supply, and certainly tactical issues with supplies, with deployed forces that are actually independent of any alternative fuels. Our supply problems on the front have nothing to do with any alternatives. As for whether or not we have a supply problem, I believe what I said, if I recall correctly, is that I believe our military forces will not have a supply problem in the near- to mid-term, regardless of what happens in the larger market. That does not mean that we shouldn't be concerned about volatility and other issues with supplies, but I don't believe our military forces will——

Senator INHOFE. All right. In the fiscal year 2010, of our authorization bill, in our conference report, the conferees acknowledged that section 526 was not intended to preclude DOD from purchasing the fuel it needs, and that clarification is required. Do you think clarification is required?

Ms. BURKE. Senator, I would have to study that and also would want to look at that, if confirmed, in the context of what people at DOD think.

Senator INHOFE. Okay, do you believe, Ms. Burke, that importing the majority of our oil supplies put this country at risk? Our dependency on foreign oil?

Ms. BURKE. Senator, I do. I think it's a security risk.

Senator INHOFE. Yes, and I agree. I agree with that.

Now, in October of this past year, 2009, a report from the Congressional Research Service revealed that America's combined recoverable natural gas, oil, and coal endowment is the largest on Earth, larger than Saudi Arabia, China, and Canada, combined. Now, I'd be in a position to make a statement, and back it up, that if we did not restrict our own development of our own resources, that between Canada and United States we would not have to import oil from other countries. Right now, in terms of natural gas at the rate of use, we have enough natural gas to meet our demand for the next 90 years. We have all of these opportunities. Right now in Canada, in 2008, they had 1.3 million barrels a day; it should be up around 2 and a half million barrels a day today. So, coming to that conclusion, along with compressed natural gas and what we're doing, I believe that we could be energy independent from outside of the North American continent today. Do you agree with that?

Ms. BURKE. Senator, first of all, I would say that our military forces will not be energy independent, because we do procure our fuel where the forces are deployed, so my focus, if I'm confirmed in this job, is our military forces.

Second, I know that you and I have a difference of opinion on this, but I consider the security risks of added greenhouse gases to be important, as well, and would not promote the use of fuels that are carbon intensive.

Senator INHOFE. We have a job description. Part of your job is to look after our national security, in terms of having an adequate oil supply. I'm going to read what DOD stated just recently, "Finally, even a narrow interpretation of 526, in an effort to reduce the uncertainty and the scope of section 526, could still limit the Department's flexibility in making emergency fuel purchases—overseas fuel purchases and purchases at commercial stations and airports. Currently, there is no method to determine whether fuel purchased at these locations meet the requirements of section 526."

The question I'd ask you is, how could they know? How could they know that they would meet the requirements?

Ms. BURKE. Senator, I think it's an excellent question that I'm not able to answer at this time, and would certainly want to look into, to find out whether or not section 526 restricts military operations in that way.

Senator INHOFE. Okay. Why don't you do that, because in the event that it does restrict military operations, there's no way that they can know, because we know that they have to purchase fuel in places where they can't really determine in advance—could be South Africa, it could be any place else. We know that there are no means of making a determination as to whether or not these fuels that they purchase are consistent with the requirements of

526. The question I would have of you is, assuming that's true, would you have any problem authorizing the use of fuels, where you don't know for certain whether or not they comply with 526?

Ms. BURKE. Senator, I would have to look into that, to be able to answer that question better. But, I will say that, if I'm confirmed in this job, I see my top priority would be mission effectiveness of our force. That would certainly be a guiding principle. But, as to the specific question, I would have to find out the answer to that.

[The information referred to follows:]

Combined effect on military operations dealing with the National Defense Authorization Act for Fiscal Year 2010, section 526, the findings of an October 2009 Congressional Research Service (CRS) report on American natural gas, oil, and coal resources, and sole-sourcing domestic energy.

My understanding is that the Department of Defense (DOD) is looking into concerns about section 526 of the 2007 Energy Independence and Security Act; as this is a matter of internal deliberation, I do not know the details. In my view, although DOD should of course comply with the law, I do not believe it was the intent of this law to constrain military operations in any way. If confirmed, I would seek to clarify —and correct, if need be —this matter.

Concerning the October 2009 CRS report, I do not see an operational energy connection between the report's findings and DOD's compliance with Section 526, given the inability of DOD or the commercial sector to differentiate among sources of fuels that go into the United States and global distribution chain. The CRS report does do a good job of highlighting the potential for domestically-produced fuels, as well as the concerns and constraints. Generally, the report finds that while the United States has significant technically recoverable fossil fuel resources, the expense involved in recovering them also will be significant, to be borne by industry and consumers or by the Federal Government and taxpayers.

Nonetheless, the United States, including the U.S. military, is now overwhelmingly dependent on fossil fuels and is likely to be for some time. All fueling options need to be on the table and given due consideration: DOD has to be able to procure whatever fuels the military needs to conduct its operations, in a way that is as reliable as possible while minimizing opportunity costs. In my view, in today's military operations, there are energy alternatives, on the supply and demand sides, that the Services should be adopting in order to lower operational risks and improve effectiveness. In the longer term, the military's dependence on petroleum products constitutes a stark vulnerability and it is appropriate and even necessary that in addition to pursuing demand management today, the Department research and develop other energy alternatives.

Senator INHOFE. All right. In your written statement, you said, "One of my job priorities would be force protection in these areas—and a global operation against terrorist organizations." I would assume, then, that you believe that national defense is one of your top priorities, in terms of the availability of fuel to carry out the missions that we have to carry out.

Ms. BURKE. Yes, Senator, I believe that this job, as it's defined in the statute, its role is to improve the mission effectiveness of U.S. forces.

Senator INHOFE. Okay.

Ms. BURKE. Both the future force and the current force.

Senator INHOFE. All right.

Mr. Watson, I was trying to follow along here, and I'm looking at your background. You were with the New York Times for how many years?

Mr. WATSON. Thirty-two, Senator.

Senator INHOFE. Thirty-two years, and you were general counsel from 1989 to 2005. Is that correct?

Mr. WATSON. Yes, Senator.

Senator INHOFE. It was during that timeframe that we had a lot of problems that came up, that surfaced, where the New York Times was notified, in terms of some of the things that they were using, and what they were reporting, that this could be a problem with our security, specifically talking about the Terrorist Surveillance Program (TSP) and other classified materials. You're aware that the New York Times, during that period of time, was notified by DOD, or the Pentagon—I'm not sure who actually did it—that the release of this information could impair our national security. Is that correct?

Mr. WATSON. Yes, Senator.

Senator INHOFE. You—with your job—are not stating, I don't believe, that you could not have stopped this, as the general counsel for the New York Times during that same timeframe. You're not saying that, are you?

Mr. WATSON. Senator, I think it would be helpful if I could explain how the organization worked. It was the New York Times newspaper, which is kind of a separate organization, with its own culture and with its own protocol and its own chain of command. There is the corporate side of the business, which I worked on. The process, which has always been the case at the New York Times, when an executive editor, a senior editor, believes that there's a story that's going to run with a legal issue, lawyers are brought in to give their legal advice on the story, and the final decision, if running the story is not, on its face, illegal, is made by, in this case, the publisher and/or the executive editor.

Senator INHOFE. When you say "lawyers are brought in," were you brought in at that point?

Mr. WATSON. No, the way we were organized is that we have experts in various subject-matter areas. I had, at that time, three experts in the First Amendment area, including the deputy general counsel. They were the lawyers who engaged in what we call "prepublication review." They had responsibility for that from the publisher and from me. I'm responsible for the legal advice that is given.

Senator INHOFE. Okay.

Mr. WATSON. Thank you.

Senator INHOFE. My time has expired. But, I am going to ask that you put down in writing for us, for the record, just exactly what your role was, and was not, during those specific inquiries that were made by DOD.

Mr. WATSON. I'll do that, Senator.

[The information referred to follows:]

Solomon B. Watson IV
341 West 87 Street, Apt. G
New York, NY 10024

April 13, 2010

Senator James M. Inhofe
United States Senate
453 Russell Senate Office Building
Washington, DC 20510 -3603

Dear Senator Inhofe:

During my confirmation hearing you requested that I write a letter for the record describing my role in the publication of two specific articles published in The New York Times newspaper ("The Times"). The first article, published on December 15, 2005, was about the "Terrorist Surveillance Program" and the second article, published on June 23, 2006, was about the "SWIFT Program." As I stated at the hearing, and in my letter to Senator McCain, I was not involved in the legal review of either article.

As General Counsel and Chief Legal Officer of The New York Times Company (the "Company"), I was ultimately responsible for all legal judgments and opinions provided by the Company's Legal Department (the "Department") to the Company and its operating units, including The Times. The Department is part of the corporate structure of the Company and is independent of The Times which has a unique and distinct mission, culture and chain of command.

The Department was organized with practice area teams designed to provide independent legal advice and service both to the Company as a public corporation and to its various operating units. As General Counsel I was familiar with all legal areas relevant to the Company and its operations, including First Amendment and litigation, but I did not participate in prepublication review. I was responsible for the work of each practice area team and was frequently updated as to their matters. However, during my tenure, I primarily focused on broader corporate issues of interest to the Company, such as acquisitions, governance and compliance and relations with the board of directors.

The First Amendment and litigation team provided the legal analysis involved in the prepublication review of stories for The Times. The team consisted of three experienced First Amendment and litigation lawyers, including the Deputy General Counsel and two Assistant General Counsel, each of whom was expert in providing advice and counsel in these areas. The Deputy General Counsel, who possessed extensive experience and expertise in the First

Amendment area, had delegated authority to make decisions in this area of practice, advising me when necessary.

The ultimate decision to publish a given story in The Times - whether legal advice is provided or not - is a journalistic decision made by the executive editor of The Times, in some cases with the consent of the publisher. Similarly, it is part of the editorial function to determine whether an article should be reviewed by a lawyer prior to publication.

As part of prepublication review, a lawyer, consistent with the code of professional responsibility, provides advice as to whether the article presents any identified legal issues and, if so, whether those issues can be mitigated. The lawyer may also be called upon to evaluate the potential risks of litigation and the potential defenses available to the publication in the event of any such litigation. When an article is selected for prepublication review, the executive editor, or his designee, makes the final determination as to what, if any, changes will be made to the story in response to any legal advice received, and whether and when that story will be published. Issues such as newsworthiness, timeliness and the potential effect that the publication of truthful and accurate information may have on individuals, corporations or national security are all editorial matters to be determined solely by the executive editor and, at times, the publisher.

I consider the leaking of classified information to be a very serious matter. If confirmed and appointed, I would ensure that any leaks in my area of responsibility were fully investigated and, if found, the leakers would be subject prosecution to the fullest extent of the law. If confirmed as the General Counsel of the Army I would not condone the leaking of information on any program.

I recognize that as General Counsel of the Army, I would be serving a very different client with very different interests than in the past. If confirmed and appointed, I pledge to always put the interests of the country and the Army above all others, not only in dealing with classified information, but in all other legal matters.

Respectfully submitted,

Solomon B. Watson IV

Solomon B. Watson IV

Chairman LEVIN. Thank you. Thank you, Senator Inhofe.

Senator Begich.

Senator BEGICH. Thank you, Mr. Chairman.

Thank you all for your willingness to serve.

I want to actually follow up on what Senator Inhofe was bringing forward, Ms. Burke. First I want to remind everyone—I appreciate he mentioned Canada, but don't forget Alaska and that mix that we provide. We have one-third of the gas reserves of this country, still untapped and full. I know we both have talked about this, we recognize that it's an important asset for this country.

But, Ms. Burke, your comment, which I thought was interesting—I want to make sure we have a little followup—and that is, you slipped in a comment that you're also concerned about greenhouse gases. I recognize that. Alaska is ground zero, when it comes to this issue, so we understand this. We're also one of the largest producers of oil and gas, so we understand the balance

that's necessary. Gas is, in my view, one of the best alternative fuels, in the sense of as we move to alternative fuels, the transition fuel. Are you looking at, or will you be looking at, within DOD, how to utilize gas in a much more aggressive way as a part of the equation?

Ms. BURKE. Senator, I think natural gas is a very important bridge fuel, especially for this country and for the world. I think that the responsibilities of this position I'm being considered for is operational energy, and that natural gas, in general, is probably not going to be very appropriate for those purposes, for deployed forces and tactical uses. It is certainly worth looking at, and I think we should explore all options. I do believe that, on the facility side, that we have been looking at opportunities there to bring in more natural gas.

Senator BEGICH. If you can expand a little bit, when you talk about operational energy plans that you'll be responsible for in developing, how do you see DOD moving from where they are now, which is the largest consumer of fuel, both in structure as well as mobile operations—how do you see, and what do you see—if you could measure 5 years from now or 10 years from now—where are we at?

Ms. BURKE. Senator, I think that on the facilities side, as Senator Warner indicated, we've had a lot of success in cutting fuel use and in being more efficient. I'm sure we'll have a great deal more if we're fortunate enough to have Ms. Hammack confirmed. So, I think we have lessons we can learn there that we can transfer over.

On the operational side, DOD has not been subject to executive orders or directives or laws in cutting energy use there. I think there are a number of opportunities in weapons platforms, in tactical vehicles, in how we're deployed in using alternative energy sources, renewable fuels. I think, particularly for deployed forces, there are some very interesting opportunities. I think, in the way that our business processes run and the requirements process, in the acquisition process, that we could be considering energy use as a performance parameter and incorporating it into how we do business, and cutting energy use without compromising performance at all. I think there are a lot of opportunities for doing that, and there are a number of people in the Department who are willing to do so. What we need, at this point, is just the momentum and a way to tie it all together. I'm very optimistic that in 5 years, we'll see some improvements.

Senator BEGICH. We talk about energy probably every other committee meeting, in some form or another; someone has some issues, or so forth. Do you think we should have an opportunity for you, as well as mobile but stationary operations, to lay out what you are planning to do and how that would impact? Because, in reality, where DOD goes in this effort is a huge market force. Just as we know, with the solar panel work that the military is doing, the Air Force is doing, and others, that where you go could drive the economy, one way or another, into a new clean-energy economy. Is that a worthwhile discussion that we should have, specifically around this area, to elevate the importance of it within DOD?

Ms. BURKE. Senator, I think, to be fair, you've already done that by creating this position. We will have a discussion about it, I hope. I believe that, if confirmed, I have 180 days to produce a strategy with goals—near-, mid-, and long-term goals—which will be a good point of discussion, as well as the metrics for measuring success. We will have something to talk about, if I'm confirmed.

I do think that the Department can provide important demand pull and innovation pull, particularly when the Department is solving its own problems. When we look at what we need, in terms of our military forces, I believe we have tremendous ability to affect research development and commercial development, as well.

Senator BEGICH. Very good.

If I may, Ms. McGrath, I want to go back to you, in regards to the payroll system and some of the business systems. To be honest with you, I'm relatively new to the committee, a year-plus. When I heard the discussion—I think Senator Burris brought it up one day—the comment was, "We killed off the program because it wasn't working or didn't do what it needed to do, after spending at least a half a billion dollars, maybe more." I have a great many questions. For me, that's just outrageous, to be very frank with you, and I'm trying to rationalize, my mind, how we deal with this.

I know, in your written testimony, you talked about the "core IT base of it," and I'm not sure exactly the right phrase, but some of it might be utilized in the process of each area doing their own payroll development or their own business systems. How much of that work do you really believe will be utilized? Do it on a percent scale.

Ms. MCGRATH. Each of the military departments—actually, the Services are pursuing their integrated military pay and personnel solution for their respective service. The Marine Corps will continue to utilize their existing system, which is the Marine Corps Total Force system. So, today, I don't expect the Marine Corps to adopt any of——

Senator BEGICH. Any of that.

Ms. MCGRATH.—any of that. However, that said, I do know that the Department of the Navy, which includes both Services, is looking at how to best integrate pay and personnel for their entire department, focusing first on the Navy, because they don't have an integrated solution within the Navy.

Senator BEGICH. But give me a percentage, out of the 100 percent we spent, 10 percent of that might be used?

Ms. MCGRATH. I think that each are in a different stage, if you will, of assessing what I refer to as the Core IT Solution, which is the pay-related and entitlements that affect pay.

The Department of the Army has come on the wire to indicate that they intend to utilize the Core IT investment; and, according to their numbers, they are approximately 86 percent fit, if you will, with the Core. What they're doing is, then, doing the analysis surrounding the rest of their environment to then determine if they could use more.

To be complete, the Air Force is doing an analysis of alternatives using the Core IT investment as the basis of that.

Senator BEGICH. In one of your written responses, it says, "Unfortunately, many of these communities and organizations were reluctant to adopt the uniform processes and business rules with the

commercial off-the-shelf (COTS) product," so forth, so on. What do you think drove the communities or organizations not to adopt those processes? What drove that decision? Was it just that they were ingrained in a certain way of doing business, or that change is not of interest to them?

Ms. MCGRATH. I really think that whenever you're trying to adopt a COTS out of the box, it's a commercial product that certainly would be foreign to DOD. But, recall, that particular solution was trying to get every Military Service aligned completely, and then utilize the COTS. Not only did you have the enormous culture challenge—getting all four Services and millions of people to adopt the same approach to military personnel and pay—but then, you also had a new IT solution, which required us to then do things more commercial-like. I think it was a combination of the two.

Senator BEGICH. Let me end there. I have plenty more questions, but I'll stop, and just leave you with one question.

Who was at fault for waiting so long? Half a billion dollars, to me—I don't know, maybe to DOD, is not a lot of money, but to me, it seems like a lot of money. Why wait that long until the decision's made to say, "Pull the plug"? Some cases, up to a billion dollars. I'm not sure what the right number is, but it's somewhere in there.

Ms. MCGRATH. I think each program is different, and there are certainly decision points, in every acquisition program, where a——

Senator BEGICH. Do you think DOD had a responsibility here to pull the plug earlier?

Ms. MCGRATH. I think DOD made the decision to terminate the program, again, the large-scale program, when the determination was made that it was not going to go well.

Senator BEGICH. Okay.

Let me end there, Mr. Chairman.

Senator LEVIN. Thank you, Senator Begich.

Senator Chambliss.

Senator CHAMBLISS. Thank you, Mr. Chairman.

To each of you, we thank you for your willingness to serve your country in this capacity. Some of you, obviously, have been involved in public service. We thank you for that. But, to all of you, going forward, we're appreciative of your willingness to serve.

Ms. Hammack, you may or may not be aware of the fact that at Fort Benning, GA, we're undergoing a significant expansion as a result of the BRAC process. It's critical that our armor training elements be able to make a smooth transition from Fort Knox, KY, to Fort Benning so that we can prepare our second lieutenants, basic trainees, and mid-career leaders for future battles and maneuver warfare.

Recently, there's been one slight problem with this transition, and it involves an Ecological Society of America issue regarding the red cockaded woodpecker. Don't have those in many places in the country, but we have them in South Georgia. Although I am told that both the Sierra Club and the Southern Environmental Law Center are satisfied with Fort Benning's efforts to accommodate this rare and important bird with the mitigation process that they have gone through and will continue to go through, I'd simply like your assurance that, if confirmed, you will do everything you can to ensure our infantry and Army units have adequate space to con-

duct critical training exercises on their tanks and Bradleys, and also with their individual and crew-served weapons, and that the integration of the armor and infantry schools at Fort Benning is not delayed due to any environmental or habitat-related issues.

Ms. HAMMACK. Yes.

Senator CHAMBLISS. Thank you.

Ms. Burke, in your testimony to the Senate Foreign Relations Committee last year, on July 21, you stated that any recovery in Afghanistan would depend on the restoration of natural resources and that achieving U.S. goals in the region may well depend on our ability to tie natural resources into national security. In your opinion, how important is military success in Afghanistan, in comparison to the restoration of natural resources there? Do you think economic, civil, and political restoration in the region should rank above that of the concerns of climate change and biodiversity laws?

Ms. BURKE. Senator, the goals that we have for Afghanistan right now for stabilizing the country to the point where terrorists organizations would no longer find a hospitable home there, that will require some economic development in the country. It is a very agricultural country. In order to restore those lands, it is going to require some restoration of the soils and some improvement in the conditions. Those are studies that have been done by the United Nations and also here in the United States. We know that's an important part of our effort to help stabilize the country and keep us safe.

As for the question about whether those sorts of issues are more important than climate change, I would say that they're all linked together and that anything we do to strengthen our hand, relative to future climate changes, should also strengthen our hand, relative to water use, to our energy use, to minerals—strategic minerals—all of those things. Those all should be consistent. They should not be in opposition.

Senator CHAMBLISS. Are you aware of any issues, relative to climate change, that are being studied or undertaken by DOD within Afghanistan?

Ms. BURKE. I am not.

Senator CHAMBLISS. Okay.

If confirmed, what role, if any, would you suggest the military play in confronting these global environmental threats?

Ms. BURKE. Senator, I think the 2010 QDR does a very good job of laying out an appropriate role for military forces, and I think that it ranges from things like partnerships with other countries to develop capacities to develop military forces that can do disaster relief in their own countries, to also being prepared for effects that we may see on our own coastal installations. I think the QDR does a very good job of laying out a very credible and reasonable role for U.S. forces in that arena.

Senator CHAMBLISS. In this new position that's been created and that you've been nominated for, what specific goals would you set for the military, in terms of mitigating any potential climate change factors?

Ms. BURKE. That's not actually in the statute for this job, Senator, so I would be doing the job that is statutorily defined, which is improving the operational energy security of military forces. I be-

lieve, if we do it right, that will be one of the results, that we will be cutting greenhouse gas emissions. But, that's not the role of this job.

Senator CHAMBLISS. Do you have an opinion, relative to whether or not DOD should be engaged in research and development (R&D) on the use of alternative fuels?

Ms. BURKE. Senator, yes. I believe DOD should be, and to my knowledge, is involved in such R&D.

Senator CHAMBLISS. Okay.

As the largest user of energy, whether it's gasoline or electricity for that matter, DOD is going to be key in our ability to wean ourselves, in this country, off the importation of foreign oil. What is your opinion, relative to any actions that should be taken by the Department to move us in that direction?

Ms. BURKE. Senator, I believe that we have a number of actions that we could be taking, including some that are required in the law that created the position, such as implementing the fully-burdened cost of fuel and the Energy Efficiency Key Performance Parameter, which are mechanisms that can help DOD appropriately value energy in its business processes, from the requirements in war planning, to acquisition and procurement. I believe that would go a long way towards helping, and that we can improve the efficiency of our platforms and our people and our operations, and we can also look into alternatives that will improve our mission effectiveness.

Senator CHAMBLISS. Okay. Thank you.

Mr. Watson, as a member of the Senate Select Committee on Intelligence, I think you can understand that I was very much troubled by the New York Times article—both the one in 2005, again the one in 2006—and the revelations of some very sensitive programs that were disclosed. I concur with what Admiral Mullen said, relative to those disclosures, that it not only had the potential for American lives to be lost, but may have, in fact, caused that.

You were the top lawyer at the New York Times Company, and as a lawyer, I can appreciate the fact that you had other lawyers working for you who were giving opinions, relative to significant issues, whether they were First Amendment, or whatever. But, Mr. Watson, at the end of the day, the buck stopped with you, and you readily state that in your responses to Senator McCain, in your letter dated January 7, 2010.

What troubles me about your responses in that letter, and again today, are the fact that once this article was written in the New York Times, it received worldwide attention. It was a very explosive story; the one about the TSP program particularly. As I understand what you've said, you did not know anything about that story being published, until after the fact, and that, basically, even after the fact, when you became aware of that story and the information released in that story, that, as a top lawyer at the New York Times Company, you were not involved in any discussions relative to how you go forward, which also meant that you were not involved in the decision of whether or not to publish the SWIFT article in 2006. Am I correct there? Can you explain your involvement, or your lack of involvement, but yet, lawyers under you were making very critical decisions to the national security of the United States?

Mr. WATSON. Thank you, Senator, I would like to try to explain that the way we were organized was that the deputy general counsel, who was my designated successor, was the person in our chain of command, both on the corporate side and on the newspaper side, with respect to the publisher, who was empowered and authorized to make those decisions. At the time of the TSP story, for example, he was the lead lawyer on reviewing that; he's a nationally known expert. I became aware of it after the fact. We had some discussion about it. I presumed that there was discussion with the newsroom about how to deal with these particular matters. But, at that time, the state of the law was that if a newspaper had information which was newsworthy, which was truthful and accurate, and the newspaper itself had not violated the law in acquiring that information, that it was not illegal to publish that information. Once the decision was made that it was not illegal, it would have been, in my experience, impossible for a lawyer to stop the publication of that story, because to publish or not is the decision which was made by the publisher and the executive editor.

Senator CHAMBLISS. I understand that's what you said in response to Senator McCain, but I have to tell you, it really does trouble me, particularly when the TSP article was delayed for months. I don't remember the exact time period, but I do remember that the previous administration went to the New York Times and asked them not to publish that article, and there was a period of time when they agreed that it was too sensitive to be published. It bothers me, as a top lawyer in that firm, so to speak, that you weren't engaged and weren't involved in the decisionmaking process on that. Now you're going to be in a position to be the top lawyer at the Army, and you're going to be on the other side of the issue; you're going to be charged with making sure that no secrets are released. I have grave concerns about the fact that you weren't engaged with your subordinates to the point to where you weren't involved. Are you going to be engaged with your subordinates, your other lawyers that are under you at the Department of the Army, to make sure that this type of story does not get released in the future? You can comment, or not.

Mr. WATSON. No, Senator, I very much appreciate your question, because it's one that seems to be circulating. I'm here because I believe in the Army. I believe in national security. I'm a patriot. I do not, as a professional, abide people leaking classified information. I certainly wouldn't be a leaker, if that's a question for me. As General Counsel of the Army, I certainly wouldn't abide anyone within my jurisdiction leaking classified information. My view is that there are rules, regulations, and the laws against it, and that those rules, regulations should be enforced. There should be no question about that in the mind of anyone here. If I'm confirmed, Senator, that would be my view.

I also want to state that in my career as a lieutenant, I have had access to classified information. My first duty station was on a classified mission. I will also state, for the record, that when I was a Military Police lieutenant, in 1967, I took a group of volunteers out on a highway in Vietnam to retrieve classified information from some soldiers who had been killed.

I can't emphasize enough how committed I would be, if confirmed, to providing my personal duty and my professional loyalty to the mission of the Army.

Thank you, Senator, for your question.

Senator CHAMBLISS. Thank you.

Thanks, Mr. Chairman.

Senator LEVIN. Thank you, Senator Chambliss.

Senator Sessions.

Senator SESSIONS. Mr. Watson, I had the unfortunate duty—it seemed to me—to be on the Senate Judiciary Committee and Senate Armed Services Committee, and to deal with leaks and laws and matters for the last 4 years. I believe that aspects of the media and aspects of Congress did not conduct themselves with high standards in this process. You've repeated—what I think you wrote Senator McCain—that the article in New York Times revealing the existence of the highly important and classified TSP was "truthful and accurate, based on information not illegally obtained by them, and was written and published by individuals who were acting to fulfill the newspaper's constitutional duty of informing the public about a very newsworthy subject."

How would you evaluate the Espionage Act, title 18, section 798 provides that, "Whoever knowingly and willfully publishes, in any manner prejudicial to the safety or interests of the United States, any classified information concerning the communication of intelligence activities of the United States shall be fined, imprisoned, or both"?

How is it that you would contend that this action wouldn't violate that statute?

Mr. WATSON. Thank you, Senator. That was my opinion. I read the story. I read the statute. I don't have either one of them in front of me, but my reading of the story and my reading of the statute led me to believe that there was an arguable position, a defensible position, that the statute was not violated.

Senator SESSIONS. Okay.

Mr. WATSON. If I may. I understand that there are reasonable people who disagree. I understand that there are reasonable lawyers who disagree. In the final analysis, in our situation, whether there was a violation or not is a judgment for a judge and/or a jury. I do understand that there were some investigations with respect to who may have leaked or maybe even whether there should be a prosecution after the publication of the stories. But, there was no prosecution, to my knowledge.

Senator SESSIONS. The statute says, "If you knowingly publish, in any manner prejudicial to the safety or interest of the United States, classified information concerning the communication, intelligence activities of the United States shall be fined or imprisoned." But, you say, as long as it's truthful and accurate, based on information not illegally obtained, and written and published by individuals who are fulfilling the newspaper's constitutional duty of informing the public about a very newsworthy subject, that's the standard. Which one is the standard, your statement, or the statute of the United States?

Mr. WATSON. The statute is the final determinant on that, but the state of the law, as announced by the Supreme Court, is what

was stated in my letter. There's not, to my knowledge, been a case prosecuting a newspaper under 798. There's clearly, Senator, I agree with you, a tension between those two matters. But, in our system of freedom of the press, and in our system of classifying defense information, there is a tension there. I want to make it clear, I'm on the side of protecting—as a citizen and, if confirmed, as the general counsel of the Army—I'm on the side of protecting classified information.

Senator SESSIONS. I believe that you were the chief counsel of New York Times when all of this occurred, and they were not on that side. Once it's leaked—it's hard for the Government to do anything about it—whether they want to go back and try to prosecute it or not, it's a very difficult thing to take on folks who buy ink by the barrel. This was not a happy day in our country, I have to tell you.

Having said this, do you believe that you can be an effective advocate for defending the legitimate covert activities of the Department of Army?

Mr. WATSON. Oh, Senator, without question. Without question.

Senator SESSIONS. Forgive me if I have concerns about it. Did you ever express concerns to the New York Times about what they were doing and the policies they were executing, and advise against it?

Mr. WATSON. I was not involved in these particular stories, but my views, I think, are relatively well known throughout the New York Times Company—that I'm a strong defender of the military and national security.

Senator SESSIONS. But, were you ever part of a discussion—any internal lawyer meetings in which questions were raised about the wisdom of publishing these stories?

Mr. WATSON. There were discussions within the legal department, yes.

Senator SESSIONS. Were you in on some of those?

Mr. WATSON. Yes, Senator.

Senator SESSIONS. Did you say, "I vote to go ahead," or did you say, "I don't think we should publish this"?

Mr. WATSON. The discussions I participated in were after the fact, after the TSP story was published.

As I've said before, from my personal view, I don't like to see that kind of information in the public domain, and that, if I wouldn't have done it.

Senator SESSIONS. There's a saying, you have the fox guarding the henhouse. You were the leading lawyer for the institution that is a leading advocate of going the other way. Now, that's a fact. Now you're seeking to be the top lawyer for the Army, which I think should have a different view.

Thank you for your testimony.

Thank you, all of you, for your willingness to serve.

We have a great Defense Department. It has tremendous challenges, is exceedingly large. It's difficult to manage it well. I hope all of you will seek to manage it—get the best value for the warfighter, and do it in a way that protects our interests.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Sessions.

Let me just ask a couple questions of you, Mr. Watson, separate and apart from these two matters which have been raised, those two particular publications.

As counsel to the New York Times, was it your duty—and, again, I'm not asking about any particular article, including these two—but, was it your duty to give advice to the New York Times as to what was legal, to the best of your ability?

Mr. WATSON. Yes, Senator, that was the responsibility of the general counsel.

Chairman LEVIN. As I understand your testimony, it was not your job as to advise the New York Times as to what should be legal or what should be published.

Mr. WATSON. That's correct. The decision on whether to publish a story or not was not a legal decision. It's always been a decision made by—in extreme cases or serious cases—the executive editor and the publisher.

Chairman LEVIN. I just have a few more questions.

Ms. Burke, I have a longstanding interest and concern about the Department's failure to fully develop renewable energy resources on military installations. What is your understanding as to who has the lead role on that issue at the DOD level? Would it be you or would it be the Deputy Under Secretary for Installations and Environment?

Ms. BURKE. Senator, first of all, Under Secretary Carter has responsibility for both offices. He would be the senior official of record. But, for fixed installations, Dr. Robyn, who is currently the Deputy Under Secretary for Installations and Energy, would have the lead role.

Chairman LEVIN. Mr. Watson, the Defense Task Force on Sexual Assault in the Military Services recently recommended enactment of a comprehensive military justice privilege for communications between victim advocates and victims of sexual assault.

The Task Force found that some victims of sexual assault were reluctant to use the services of a victim advocate, because their communications with the victim advocate could be available to the defense in criminal prosecutions.

Now, if you're confirmed, would you carefully consider the value of a comprehensive military justice privilege for communications between a victim advocate and a victim of sexual assault?

Mr. WATSON. Yes, if confirmed, Senator, I would.

Chairman LEVIN. Ms. Hammack, finally, the statutory deadline for completing all work on BRAC recommendations is September 15, 2011. That deadline is fast approaching, but only 28, I believe, of the 222 recommendations have been certified as complete. Obviously there's many that are not yet complete; they're in the process. But, nonetheless, that is worrisome to me. What is your view as to the acceptability of missing the deadline for BRAC recommendations?

Ms. HAMMACK. Senator, I don't believe it is acceptable to miss the deadline. Certainly, completing BRAC in a timely manner will be a priority.

Chairman LEVIN. We thank you all.

I'm going to turn this over to Senator Begich, for his questions and then to close it out, if he is willing to do that, because I must leave.

But, I just want to close with, again, thanks to all of you for your service, your prior service, your future service.

We hope to get these nominations up to a vote before the committee as soon as we can.

We, again, thank your families. We particularly thank the younger kids and those middle-aged kids who have sat through this fairly long hearing, trying to look very interested at all times, but, in any event, being extremely patient. We always like to see the kids here. I think it adds a great deal to the hearings. I think it also will have an impact on their lives—hopefully, a positive impact—when they see government at work and they see their relatives or their friends testifying before a democratically-elected Senate body.

For those parents who are here, for those parents who can't be here because they're either gone or otherwise, we thank them for their interest and their support of their children.

We now turn this over to Senator Begich.

Senator BEGICH [presiding]. Thank you, Mr. Chairman.

Again, I want to echo the chairman's comments. Thank you all for your willingness to serve and being part of the Federal Government in the process of helping us move this country forward, especially in DOD.

Mr. Watson, I just want to follow up and I appreciate your comments. Again, I'm new to this whole process. No disrespect to lawyers. I'm not a lawyer. Don't intend to be one. I come from a very commonsense approach of how I look at things. What I hear you saying is that you've given advice. The publisher makes the final call.

Mr. WATSON. That's correct, Senator.

Senator BEGICH. It's no different than me, as when I was mayor; managed 3,000 people for 5 years. That's why I also encourage my colleagues—no disrespect to them—that they should all be mayor just once in a lifetime, rather than just legislators, because it gives you a good balance of managing people, and how it works.

I think, in my case, for example, I had a municipal attorney, who I appointed, but he was in charge of criminal and civil division. Rarely did he get engaged—and I mean rarely—in the criminal division section, even though he was the top dog; he was in charge of it. He depended on his deputy to handle that and make decisions on very high-profile legal cases which ended up in the paper, sometimes to my chagrin of how they were handling it, but that's the way it worked. Would that be the same process you went through in the New York Times?

Mr. WATSON. Very similar.

Senator BEGICH. Also, the comment that was made earlier about "the fox guarding the henhouse." Here's what I did when I was mayor: I had a sergeant, who was the head of the police union, complained a lot about how the police department operated. What do you think I did? He became my deputy police chief, and then later, the chief of police. We had a 28-year low, in the history of our city, in crime. We had the most police officers hired. Very little, if any, corruption of any kind.

Sometimes you want to grab someone from the other side, just like I did with the president of the NAACP—she always complained to me when I was on the Assembly, so she ended up in charge of the Office of Equal Opportunity, and incredible scores that we got, nationally, because of that. I don't have any problem with that. Sometimes you want to grab from the other side as quickly as possible. I'm looking forward to your work in the Army and DOD, and doing what's right as an attorney. You have an oath that you follow, and your new client would be the U.S. Government. Is that fair to say?

Mr. WATSON. Yes, Senator. Thank you for your comments.

Senator BEGICH. You bet. I sit here a lot and listen patiently to a lot of the politicking that goes on, and it does bother me at times, because to be frank with you, you're associated with the New York Times. Some people don't like their opinions. My view is, they'll have their opinions. Some days I like them, some days I don't. But, that is life. We select this job we're in, and we get subjected to those opinions as they come forward.

Again, thank you for your willingness to serve.

I actually have one question here, which I'm going to submit to the record for you, because I don't want to burn any more of your time. It's on a whole other issue, but it just kind of bothered me, some of the questioning that was going on.

Ms. Hammack, I want to ask you, if I can, a separate question. In the authorization bill last year, I proposed, along with my colleagues, an evaluation of the housing stock that exists in the military bases. Because also what goes on here is, everyone tries to grab a piece of the pie for their own district whether they may need it or not. But, I believe housing stock in the military is substandard in some areas and very high quality in others. I've asked for a report to be done so we can manage this process a more rational way, rather than just who has the muscle and who has the political clout.

As we move forward, I know, in our State, we have some very high quality, but we also have, up in the north section, for example, 200 relocatables for housing and offices, in an arctic climate, which, I will tell you, is good for a short period, not good for a long period.

Would you have any comment in regards to this issue of housing stock and how we go about this in a very systematic way to actually do it right, rather than just who can pull the lever the hardest?

Ms. HAMMACK. At this point in time, Senator, it's my understanding the two-thirds of the family housing has already been improved and privatized, and there's an evaluation of the balance. I have also been led to believe that there's an evaluation going on, on the barracks and the other housing, and that is something that is going to get my attention, if confirmed.

Senator BEGICH. Very good. We had a timetable within the authorization report. I forget when it actually expires. But, I would like, if you do get confirmed, that you could give us feedback on how you see that going and the timetable on that. Because it goes to those issues you just brought up.

Let me end there. I'm not going to take up any more of your time. You've been very patient.

Again, I appreciate all of you being here today.

With that, the hearing is adjourned.

[Whereupon, at 11:31 a.m., the committee adjourned.]

[Prepared questions submitted to Elizabeth A. McGrath 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. At this time, I do not believe changes are warranted. If confirmed, I would consult with Congress on any modification I found potentially useful.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. If confirmed, I would consult with Congress on any modification I found potentially useful.

RELATIONSHIPS

Question. What is your understanding of the relationship between the Deputy Chief Management Officer (DCMO) of the Department of Defense (DOD) and each of the following?

The Secretary of Defense.

Answer. The Secretary of Defense is responsible for all matters within DOD. By law, the Secretary of Defense shall assign such duties and authorities to the DCMO he deems necessary for the DCMO to assist the Chief Management Officer (CMO) (the Deputy Secretary of Defense) to effectively and efficiently organize the business operations of DOD. If confirmed, I would faithfully carry out all duties assigned to me by the Secretary of Defense.

Question. The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense assists the Secretary of Defense in carrying out his responsibilities and duties and also performs duties either assigned by the Secretary of Defense or by law. By law, the Deputy Secretary of Defense also functions as CMO, and is responsible for the daily operations of the Department on matters including financial management, personnel policies, and acquisition management. The Deputy Secretary of Defense delegates duties and authorities to the DCMO to effectively and efficiently organize the business operations of DOD. If confirmed, I would carry out all duties assigned to me by the DOD CMO.

Question. The Defense Business Systems Management Committee (DBSMC).

Answer. The DBSMC is a governance body designed to oversee Department decisions on its business operations, including investments in business systems, in order to maximize benefits to the warfighter. The DBSMC is chaired by the CMO. The DCMO is the vice chair and functions as executive secretary. If confirmed, I would be the vice-chair of the DBSMC.

Question. The Under Secretary of Defense for Financial Management (Comptroller) (USD(C)).

Answer. If confirmed, I look forward to continuing work with USD(C) on financial management improvement, development of the Department's annual performance budget and report, and modernization of the Department's financial systems.

Question. The Other Under Secretaries of Defense.

Answer. The Office of the DCMO works with the Under Secretaries of Acquisition, Technology & Logistics, Personnel & Readiness, Intelligence, and Policy in a number Department-wide management and business modernization and improvement initiatives. If confirmed, I look forward to continuing those efforts.

Question. The Assistant Secretaries of Defense (ASDs).

Answer. The Office of the DCMO works with a variety of ASDs on matters including acquisition decisions, process improvement, performance management and transparency initiatives. The interaction occurs in one-on-one meetings and governance council settings.

Question. The Director of the Business Transformation Agency (BTA).

Answer. BTA facilitates Department-wide transformational business operations to support the warfighter and systematically improve business processes, enterprise resource planning systems, and investment management. If confirmed, the Director of BTA would directly report to me.

Question. The Secretaries of the military departments.

Answer. If confirmed, I will work closely with the Secretaries of the military departments to help carry out the business management and modernization objectives of the Secretary of Defense and Deputy Secretary of Defense.

Question. The CMOs of the military departments.

Answer. The Under Secretaries of the military departments are the CMOs of their respective organizations and, as such, have enterprise responsibility for overseeing business operations within their departments. The Office of the DCMO interacts routinely with these officials on business transformation initiatives. The military department CMOs also serve on the DBSMC. If confirmed, I look forward to developing strong working relationships with each of the CMOs of the military departments.

Question. The Investment Review Boards (IRBs).

Answer. The IRBs, along with the DBSMC, constitute a governance and oversight framework for effective investment decisionmaking, enabling the Department's senior leadership to guide investments to maximize benefits to the warfighter. The Office of the DCMO provides direction and guidance to the IRB chairs to ensure consistency and rigor in the investment management process. If confirmed, I would continue to drive robust investment management for defense business systems.

Question. The Comptrollers of the military departments.

Answer. If confirmed, I would engage with the Comptrollers of the military departments in their capacities as the functional sponsors of many of DOD's financial systems. If confirmed, as a member of the Financial Improvement and Audit Readiness Governance Board, and in collaboration with the USD(C), I would work with the Comptrollers of the military departments to further their efforts toward achieving financial audit readiness.

Question. The Business Transformation Offices (BTOs) of the military departments.

Answer. The Military Departments now have CMOs in place, who oversee newly-established BTOs. The Office of the DCMO has an ongoing relationship with the Service BTOs through the formulation of the Strategic Management Plan (SMP) and various business system issues. If confirmed, I would work to further interactions between the Office of the DCMO, BTA, and the CMOs of the Military Departments.

Question. The Inspector General of the Department of Defense (IG, DOD).

Answer. The Office of the DCMO responds to inquiries by the Government Accountability Office (GAO) and the IG, DOD relating to defense business operations. These inquiries pertain to the status of recommendations regarding a variety of business issues. If confirmed, I will continue to respond to these GAO and IG, DOD inquiries.

If confirmed, I will refer all appropriate matters to the Inspector General.

Question. The General Counsel of the Department of Defense.

Answer. If confirmed, I will seek advice from the General Counsel on all relevant subjects.

Question. The Directors of the Defense agencies.

Answer. The Office of the DCMO and its subordinate agency, BTA, have effective relationships with many Defense agencies to further the Department's strategic goals. Additionally, the Office of the DCMO and BTA are also Department resources for broad business transformation guidance. If confirmed, I would look for opportunities to improve the Department's business operations both through and within the Defense agencies.

DUTIES OF THE DEPUTY CHIEF MANAGEMENT OFFICER

Question. Section 132 of title 10, U.S.C., provides that the Deputy Secretary of Defense serves as the CMO of DOD. The Deputy Secretary is to be assisted in this capacity by a DCMO.

What is your understanding of the duties and responsibilities of the CMO and DCMO of DOD?

Answer. The duties and responsibilities of the CMO and DCMO are prescribed by the Secretary of Defense so that they may effectively and efficiently organize the business operations of the Department. The CMO's primary duties are to (a) ensure that the Department can carry out its strategic plan, (b) ensure the core business missions of the Department are optimally aligned to support the warfighting mission, (c) establish performance goals and measures for improving and evaluating overall economy, efficiency, and effectiveness and monitor and measure the progress of the Department, and (d) develop and maintain a Department-wide strategic plan for business reform. In general, the duty of the DCMO is to assist the CMO in carrying out those objectives and, if delegated, assume primary responsibility for those functions.

Question. What specific duties and responsibilities do you expect the Deputy Secretary to assign to you in your capacity as DCMO?

Answer. While the specific duties and responsibilities of the DCMO remain at the discretion of the Deputy Secretary of Defense, if confirmed, I would expect that the Deputy Secretary would empower me to: (1) develop the Strategic Management Plan (SMP) as the primary vehicle for strategic planning of the Department's business operations; (2) drive the development and implementation of the Business Enterprise Architecture (BEA); (3) implement a robust performance management and improvement framework through the development and tracking of outcome-focused measures and metrics; (4) synchronize, integrate and coordinate the Department's cross-functional business stakeholders and operations; and (5) oversee day-to-day operations of the DBSMC. Additionally, I believe that, if confirmed, the Deputy Secretary of Defense may ask me to oversee the defense business systems investment management process and to serve as acquisition Milestone Decision Authority for certain Major Automated Information Systems.

Question. What background and expertise do you possess that you believe qualify you to perform these duties and responsibilities?

Answer. If confirmed, I will bring over 20 years of DOD business experience to the position. During my tenure as a civil servant with the Department, I have served across a broad array of organizations and business areas, which would provide a solid foundation for performing the duties of the DCMO. During my career I have been part of a military department, a Defense Agency, and the Office of the Secretary of Defense (OSD)—and I have worked extensively in the interagency environment. I have operational experience in supply chain management, business financial management (to include Planning, Programming, Budget, and Execution), and acquisition (to include contracting and program management). These experiences have given me significant insight into how the Department's business operations must work together in a cross-functional manner – knowledge that would be invaluable as the DCMO.

Additionally, I recently led the stand-up of the Office of the DCMO within DOD and currently serve as the Assistant DCMO and the Department's Performance Improvement Officer. In these roles, I lead, on behalf of the CMO, the Department's effort to better synchronize, integrate, and coordinate its business operations and I serve an advisor to the Secretary and Deputy Secretary of Defense for matters relating to the management and improvement of DOD business operations. I led the Department's development of the 2008 and 2009 SMPs, have established performance goals and measurements for the Department's business operations, am responsible for implementing DOD's Continuous Process Improvement/Lean Six Sigma efforts, work extensively with the many business stakeholders in the Department to drive the adoption of end-to-end business processes; and am frequently called upon to work interagency initiatives.

Question. Do you believe that the CMO and DCMO have the resources and authority needed to carry out the business transformation of DOD?

Answer. I believe the CMO and DCMO have the resources and authority needed to carry out the business transformation of the Department. If confirmed, I would consult with the CMO if I discovered that those resources and authorities were insufficient.

Question. What role do you believe the CMO and DCMO of DOD should play in the planning, development, and implementation of specific business systems by the military departments?

Answer. I believe the CMO and DCMO of DOD should set policy, based on sound best practices, regarding planning, development, and implementation of business systems, including those in the military departments, and verify those policies are being followed appropriately. Importantly, this includes development of business architectures. The CMO and DCMO, utilizing the DBSMC, IRBs, and BTA, should work to ensure the Department manages its entire suite of business systems, including those in the military departments, from an enterprise portfolio perspective—

eliminating redundant system development, transferring lessons learned, and integrating the work of all components to build enterprise capabilities. If confirmed, I would work with the military department CMOs to help them institute rigorous investment management and business process reengineering (BPR) procedures for their organizations' business systems.

Question. Do you believe that the DCMO should have clearly defined decision making authorities, or should the DCMO serve exclusively as an advisor to the Deputy Secretary in his capacity as CMO?

Answer. The 2008 National Defense Authorization Act left it to the Secretary of Defense to assign the DCMO specific duties and authorities necessary to assist the Deputy Secretary of Defense in the execution of his responsibilities as CMO. While a primary function of the DCMO is to provide advice to the CMO, the Department, through the formal charter of the DCMO position, signed October 2008, gave the DCMO specific authority to set Departmental policy on issues within the position's purview.

Question. What changes, if any, would you recommend to the statutory provisions establishing the positions of CMO and DCMO?

Answer. At this time, I do not believe that any changes are necessary, but if confirmed, I would consult with Congress if my experience led me to believe that changes were warranted.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the DCMO?

Answer. In my view, the biggest challenge confronting the DCMO is overcoming the size and complexity of the Department to affect enduring transformation. Additionally, for business transformation to be successful there needs to be a shift in the culture of DOD to move from improving business operations within organizations to improving them across organizations.

Question. If confirmed, what plans do you have for addressing these challenges?

Answer. While these challenges are profound, I believe they can be overcome through the use of strong governance; active performance management; utilization of standards; and improved processes. If confirmed, I would continue to drive the use of these methods throughout the Department.

PRIORITIES

Question. What broad priorities would you establish, if confirmed, with respect to issues which must be addressed by the DCMO?

Answer. If confirmed, I would assist the CMO on the five business priorities established in the 2009 SMP: (1) support the All-Volunteer Force; (2) support contingency business operations; (3) reform the DOD acquisition and support processes; (4) enhance the civilian workforce; and (5) strengthen DOD financial management.

Additionally, I would strengthen the governance of the Department's business operations, work with stakeholders to establish a better approach to the acquisition of information technology systems, ensure that sufficient BPR has been conducted before investing in a system modernization, further develop and implement the BEA, drive the use of Continuous Process Improvement methodology, and seek opportunities to achieve greater efficiencies throughout the Department.

MANAGEMENT GOALS

Question. If confirmed, what key management performance goals would you want to accomplish, and what standards or metrics would you use to judge whether you have accomplished them?

Answer. If confirmed, my focus would be on ensuring the Department's performance goals drive support to the Warfighter and that this support is an effective and efficient use of the taxpayers' money. The 2009 SMP and the Department's High Priority Performance Goals, which were included as part of the fiscal year 2011 President's budget, and their associated performance measures, reflect the Department's key performance goals and measures. If confirmed, I would continue to drive active performance management throughout the Department.

Question. The Government Performance and Results Act (GPRA) is intended to provide managers with a disciplined approach—developing a strategic plan, establishing annual goals, measuring performance, and reporting on the results—for improving the performance and internal management of an organization. The Government Accountability Office has reported that DOD's initial SMP, issued in July 2008, fails to meet statutory requirements to address performance goals and key initiatives to meet such goals.

What is your understanding of the role of the DCMO in the development and implementation of the Department's SMP?

Answer. With regard to the development of the SMP, the role of the DCMO is to provide the vision for the document, enable the supporting strategic planning process, and compose the document itself. This includes analysis of, and alignment with, higher level strategic documents and creation of a framework for development of the SMP that will facilitate collaboration with the military department CMOs, combatant commanders, Under Secretaries, and other leadership elements. In terms of implementation, I believe, the role of the DCMO is to facilitate the Department's performance management framework by assisting the components and agencies to embed the SMP's goals and outcomes into their own strategic plans and rigorously track results.

Question. What is your assessment of adequacy of the current version of the Department's SMP?

Answer. The 2008 SMP served as a primer that described governance structures and processes used to support the warfighter through the improvement of the Department's business operations. It lacked strategic business objectives and key supporting initiatives. However, the 2009 SMP provided a key building block for institutionalizing active performance within DOD. The document defined five strategic priorities and supporting goals, outcomes, measures, and key initiatives. It was a significant step forward toward providing strategic business focus and direction. If confirmed, working with the rest of the Department, I would seek to build upon this effort.

Question. What improvements, if any, would you like to see the Department make in its SMP?

Answer. If confirmed, the next steps I would take to improve the SMP would be to: (a) institutionalize a more formal strategic planning process for the Department's business operations; (b) focus on the alignment and synchronization of the SMP with other DOD planning and budgeting processes (Policy, Planning, Budgeting and Execution system) and strategic guidance documents such as the QDR; (c) work to enable execution of cross-functional, end-to-end processes through the SMP and in the Department's BEA; and (d) further develop performance outcome measures.

Question. What steps would you take, if confirmed, to ensure that the Department meets statutory requirements for its SMP?

Answer. While I believe the 2009 SMP is compliant with statutory requirements, if confirmed, I would seek to further strengthen the link between the priorities and goals contained in the SMP and the Department's established budgeting process to ensure we are properly aligning resources with desired outcomes.

STAFFING AND RESOURCES

Question. Do you believe the Office of the DCMO has the staffing and resources needed to effectively carry out its mission?

Answer. I believe the Office of the DCMO, established in October 2008, has sufficient manpower authorizations and resources to carry out its current responsibilities. If confirmed, I will work with the CMO to ensure the office continues to have sufficient resources to effectively carry out its mission.

Question. What types of expertise do you believe the office of the DCMO needs to effectively carry out its mission?

Answer. The Office of the DCMO requires experts in business processes and process improvement, strategic planning, change management, performance management and measurement, enterprise architecture, enterprise business systems implementation, and governance and investment management. If confirmed, I would ensure the Office of the DCMO has staff with the right skills to carry out its mission.

Question. What mix of employees, contractors, and individuals detailed from other organizations in DOD has the DCMO relied upon to provide it with needed expertise?

Answer. While the Office of the DCMO is predominately staffed by its own government employees, the office also leverages the expertise of other DOD organizations, such as BTA, Federally Funded Research and Development Centers, contractors, and inter-agency resources, as appropriate. If confirmed, I would ensure the Office of the DCMO maintains the right mix of employees, contractors, and detailees to carry out its mission.

Question. To what extent do you believe that it is appropriate and effective for the DCMO to rely upon contractors to provide it with needed expertise?

Answer. Expertise in business operations resides in both industry and government. I believe it is important to appropriately utilize both resources. However, if

confirmed, I will ensure that inherently governmental functions are performed by government employees.

Question. To what extent do you believe that it is appropriate and effective for the DCMO to rely upon other organizations within DOD to provide it with needed expertise?

Answer. While it is important for the Office of the DCMO to maintain a core staff with the expertise detailed above, I believe it is appropriate and effective for the Office to leverage the vast expertise that already exists within the Department to achieve our collective business operations improvement goals. If confirmed, I look forward to working with other organizations to achieve success.

BUSINESS ENTERPRISE ARCHITECTURE AND TRANSITION PLAN

Question. Section 2222 of title 10, U.S.C., requires that the Secretary of Defense develop a comprehensive BEA and transition plan to guide the development of its business systems and processes.

What is your understanding of the role of the DCMO in the development and implementation of the BEA and transition plan required by section 2222?

Answer. The DCMO is directly responsible for the development and implementation of the BEA and transition plan. The DCMO must establish the strategic direction and priorities for the Department's business operations which the BEA and transition plan must align to, and has ultimate responsibility for their publication. If confirmed, further development and implementation of the BEA and transition plan will be one of my highest priorities.

Question. Do you believe that a comprehensive, integrated, enterprise-wide architecture and transition plan is essential to the successful transformation of DOD's business systems?

Answer. In my view and experience, a single architecture for an organization as large and complex as DOD is impractical, which is why I support DOD's approach of architecture federation. However, the layer of architecture OSD maintains through the BEA must include all standards, policies, and processes needed at the enterprise-level. Additionally, to be effective, it is critical OSD provides appropriate technical guidance and policy to the Services, components, and agencies on how to build and federate their architectures. If confirmed, this would be a key focus area for me.

Question. What steps would you take, if confirmed, to ensure that DOD's enterprise architecture and transition plan meet the requirements of section 2222?

Answer. In order to meet the requirements of section 2222, the established processes for the architecture and transition plan must continue to be strengthened and enforced. If confirmed, I would work to strengthen the alignment between the SMP and the BEA and use the IRBs to ensure we are investing our business system modernization dollars on the Department's most important cross-functional business management challenges.

Question. What are your views on the importance and role of timely and accurate financial and business information in managing operations and holding managers accountable?

Answer. Timely and accurate financial and business information is essential in managing the Department's business operations. In order to make informed decisions, the Department's senior leaders must have authoritative information at the right time.

Question. How would you address a situation in which you found that reliable, useful, and timely financial and business information was not routinely available for these purposes?

Answer. If confirmed, and if I found reliable, useful, and timely financial and business information was not routinely available, I would work with the appropriate DOD leaders to rectify the situation.

Question. What role do you envision playing, if confirmed, in managing or providing oversight over the improvement of the financial and business information available to DOD managers?

Answer. If confirmed, improving the information available to the Department's leaders regarding the performance of DOD's business operations would be a key part of my responsibilities. With better information the Department will be able to better target business improvement opportunities and address deficiencies through the BEA and transition plan and through the use of Continuous Process Improvement methodology.

Question. The Department has chosen to implement the requirement for an enterprise architecture and transition plan through a "federated" approach in which the BTA has developed the top level architecture while leaving it to the military depart-

ments to fill in most of the detail. The Comptroller General has testified that "the latest version of the [business enterprise architecture] continues to represent the thin layer of DOD-wide corporate architectural policies, capabilities, rules, and standards" and "well-defined architectures [do] not yet exist for the military departments."

If confirmed, would you continue the federated approach to BEA and transition plan?

Answer. If confirmed, I would continue the federated approach to the BEA and transition plan.

Question. What is your understanding of the extent to which the military departments have completed their share of the federated architecture and transition plan?

Answer. The military departments are each at different stages and levels of maturity in developing their architectures and transition plans and significant gaps remain. However, there are positive signs as well. If confirmed, I would work with the military department CMOs on initiatives to enhance federation.

Question. What is your assessment of the organization and staffing of the military departments to address this issue?

Answer. The military department organizations that support their CMOs are each at different stages of maturity in their ability to develop architectures and transition plans. If confirmed, I would monitor their ability to effectively deliver on their responsibilities under section 2222.

Question. What steps do you believe the military departments need to take to improve their BEAs and transition plans?

Answer. I believe it is important for the military departments to leverage the experience of BTA gained while building the BEA. If confirmed, I would work with the military department CMOs to ensure this happens.

Question. What steps do you believe the military departments need to take to improve their organization and staffing in this area?

Answer. I believe the military department CMOs are vitally important to successful federation of the Department's architecture. The Office of the DCMO, BTA, and the military department CMOs, working together, can drive the necessary uniformity of approach to business practices across each organization and development of the architecture to ensure interoperability of business systems and services, and effective sharing of business data, which is the ultimate goal of section 2222.

Question. If confirmed, how would you work with the Secretaries and CMOs of the military departments to ensure that a federated architecture meets the requirements of section 2222?

Answer. In addition to the actions outlined above, if confirmed, I would work to ensure regular communication between the military department CMOs and the IRB Chairs to ensure there is an integrated approach to managing and constraining our defense business system investments.

Question. Section 2222 requires that the DBSMC review and approve all major defense business system modernization programs to ensure that they are in compliance with the Department's BEA and transition plan.

What is your understanding of the extent to which the process for DBSMC review and approval has ensured that business system modernization programs are fully coordinated with the BEA and transition plan, as intended?

Answer. The investment review process that supports the DBSMC review and approval of business system modernization investments is extensive. Every system that has come before the DBSMC has been assessed by both the component Pre-Certification Authority and appropriate IRB as being compliant to the BEA. If confirmed, I would establish an audit capability within the Office of the DCMO to ensure the review process is accomplishing the outcomes that are intended.

Question. How meaningful do you believe DBSMC review and approval has been, in light of GAO's assessment that the Department's BEA and transition plan has not yet been completed to the statutory standards?

Answer. Despite GAO's findings regarding the BEA and transition plan, I believe the Department's investment review process is meaningful. The BEA is a long way from being complete, but is recognized as one of the more refined architectures in the Federal Government, and won an award just last year from the 1105 Government Information Group. As we continue to mature the target architecture, the value of this review will become even more meaningful in leveraging information technology for strategic outcomes. Also, the addition of the requirement for the review process to assess systems' BPR efforts will add further value to the review.

Question. Do you believe that the DBSMC has the expertise and resources needed to conduct a meaningful, independent review of proposed business system modernization programs, or is the DBSMC reliant on the representations made by the military departments and their program managers?

Answer. I believe the DBSMC, supported by the IRB process, has the expertise and resources needed to conduct these reviews. If confirmed, I would establish an audit capability within the Office of the DCMO to ensure the review process is accomplishing the outcomes that are intended.

Question. What recommendations, if any, do you have for improving the DBSMC review process?

Answer. If confirmed, I would establish an audit capability within the Office of the DCMO to ensure the review process is accomplishing the outcomes that are intended. If confirmed, I would also work with the IRBs to further standardize their processes and procedures to ensure each of them are providing a similarly rigorous review of a system before it came to the DBSMC. Finally, if confirmed, I would initiate a detailed analysis of the performance of the review process over the past 5 years to better inform our decisionmaking and policy setting in the future.

FINANCIAL MANAGEMENT

Question. What is your understanding of the efforts and progress that have been made in DOD toward the goal of being able to produce a clean audit?

Answer. Overall, I believe DOD is making progress toward a clean audit, but significant improvements are still needed—including efforts to address some of the most difficult challenges. The recent successful audit of the U.S. Army Corps of Engineers and ongoing audit of the Marine Corps Statement of Budgetary Resources are both important steps forward. Another improvement the Department made recently is increasing senior leadership attention to this effort. In my current role as assistant DCMO, I participate as a member of the DOD Financial Improvement and Audit Readiness Governance Board that Under Secretary Hale chairs. Importantly, the military department CMOs are also members of this board. If confirmed, I will work closely with Under Secretary Hale to support his efforts to improve the financial management of the Department.

Question. Do you believe that the Department can achieve a clean audit opinion through better accounting and auditing, or is the systematic improvement of the Department's business systems and processes a perquisite?

Answer. I believe improved business systems are necessary to achieve and sustain a clean audit opinion. This is because our legacy systems are not capable of recording financial activity at the transaction level. In order to achieve a clean audit opinion, we need to both reengineer our underlying business processes and implement new systems that provide transaction level detail. Each of the military departments is in the process of installing a new Enterprise Resource Planning (ERP) system that will move us significantly forward. The Department will rely heavily on the military department CMOs to help ensure proper governance is in place within each military department to successfully field these systems.

Question. What is your assessment of the current version of the Financial Improvement Audit Readiness (FIAR) plan prepared by DOD?

Answer. I agree with Under Secretary Hale and GAO that the last FIAR plan and associated report prepared by the Department lacked sufficient strategic objectives and priorities and systematic means of achieving them. I believe the next FIAR plan should include better strategic direction, utilize standard methodology, implement results-oriented metrics, and identify accountable people and organizations. Implementing these changes would be a step in the right direction.

Question. What steps do you believe the Department should take to improve the FIAR plan?

Answer. I believe the changes I detailed above would be significant improvements to the FIAR Plan. Additionally, if confirmed, I will work with Under Secretary Hale to better integrate the ERP implementations and FIAR efforts.

Question. What role do you expect to play, if confirmed, in the Department's efforts to achieve a clean audit?

Answer. If confirmed, I would work with Under Secretary Hale and the military department CMOs to ensure the Department's underlying business processes and information technology investments support the goal of achieving a clean audit opinion. I would also work to synchronize the efforts of the cross-functional business community in support of Under Secretary Hale's efforts.

Question. When do you believe the Department can achieve a clean audit?

Answer. If confirmed, I will work to assist Under Secretary Hale as the Department seeks to achieve a clean audit by fiscal year 2017, as required by the National Defense Authorization Act for Fiscal Year 2010.

ACQUISITION OF BUSINESS SYSTEMS

Question. Most of the Department's business transformation programs are substantially over budget and behind schedule. In fact, the Department has run into unanticipated difficulties with virtually every new business system it has tried to field in the last 10 years.

What is your assessment of the extent of the problems the Department faces in its acquisition of new business systems?

Answer. I believe the Department's biggest problems in this area are that we take a weapon systems approach to the acquisition of information technology capabilities and our business system investments are often aligned to a specific business area within the Department and do not reflect how we truly perform our daily business. If confirmed, I would work with key stakeholders in the Department to find better approaches for the acquisition of business systems.

Question. What do you see as the root causes of these problems?

Answer. There are a number of root causes for these problems, including:

- Need for Cross-Functional Governance: Our business systems must operate across traditionally stovepiped communities with disparate interests making integrated governance a challenge because there is not a single process owner.
- Lack of Business Process Re-Engineering: Too often the Department pursues business systems investments without taking a hard enough look at improving the underlying business processes. Business system investments are therefore frequently tied to legacy business processes.
- Weak Performance Measures: Performance measures must be tied to specific and measurable business outcomes and linked to the Department's SMP. Proposed business system acquisitions are indeed linked to Key Performance Parameters but these measures are not usually tied to how the Department conducts its day-to-day business
- Rigid Funding Processes: Private industry is able to deliver information technology capability in 12 to 18 month cycles yet the planning, programming, and budgeting process requires a program manager to forecast budget needs at least 2 years in advance of need.

Question. Do you believe that unique problems in the acquisition of business systems require different acquisition strategies or approaches?

Answer. Yes. While there are indeed overall improvements that could be made to the Defense Acquisition System, I believe there are unique characteristics associated with acquisition of business systems that require focused attention.

Question. What is your understanding of the role of the DCMO in the management and oversight of specific business transformation programs?

Answer. If confirmed, I believe it would be my responsibility to ensure that business process re-engineering is completed, that programs are aligned with strategic business priorities, and that these programs comply with the BEA.

Question. If confirmed, what steps would you take to help address the shortcomings in the Department's business transformation programs?

Answer. If confirmed, I would work with key stakeholders in the Department to find better approaches for acquisition of business systems.

Question. Section 1072 of the National Defense Authorization Act for Fiscal Year 2010 requires DOD to undertake business process reengineering efforts before initiating business system modernization efforts. The Department is required to review ongoing business system modernization programs to ensure that appropriate business process reengineering efforts have been undertaken on these programs as well.

Do you believe that the Department has undertaken appropriate business process reengineering efforts before initiating business system modernization efforts in the past?

Answer. I believe section 1072 builds on what is currently mandated in the Clinger-Cohen Act. Specifically, it recognizes BPR involves more than just information technology and deliberately ties BPR to the military department CMOs and the DCMO who are also responsible for broader business dialogue. This will help to drive necessary functional business involvement in a system's BPR efforts. If confirmed, I will continue to enhance BPR implementation.

Question. What is your understanding of the current status of the Department's efforts to comply with the requirements of section 1072?

Answer. The Office of the DCMO issued initial BPR guidance in February 2010. The military department CMOs and the Office of the DCMO are now moving deliberately to comply with this guidance.

Additionally, since section 1072 became law on October 28, 2009, every system certified by the DBSMC has had a condition placed upon it that once guidance was issued, the system would be required to comply with it.

Question. What role do you expect to play, if confirmed, in the Department's efforts to comply with the requirements of section 1072?

Answer. If confirmed, I would continue to drive implementation of section 1072.

BUSINESS TRANSFORMATION AGENCY

Question. Five years ago, the Secretary of Defense established the BTA to ensure an organizational focus for business transformation efforts within the Department. The Director of the BTA reports to the DCMO in his capacity as vice chairman of the Defense Business Systems Management Committee.

What role do you believe the BTA should play in improving the business operations and business systems of DOD?

Answer. I believe that BTA plays a crucial role in the transformation of the Department's business operations—specifically in five areas:

- Managing the acquisition of a portfolio of enterprise business systems that are utilized across the entire Department.
- Engaging with deployed warfighters and combatant commands to assist them to improve processes and systems in direct support of their missions.
- Working with the principal staff assistants to identify business requirements and policies that will generate business benefit for the Department.
- Providing expertise and assistance to the component business system modernization efforts to drive best practices.
- Developing and maintaining the BEA and Enterprise Transition Plan.

BTA provides critical and complimentary support to the DCMO and provides DOD a unique execution agency designed to look across the enterprise and drive improvement. If confirmed, I would work to ensure BTA is properly equipped with the resources it needs to continue to be successful.

Question. What role do you expect to play, if confirmed, in the supervision and management of the activities of the BTA?

Answer. If confirmed, the Director of BTA, consistent with section 192 of title 10 and the DCMO's chartering directive, would report directly to me. As described above, BTA is the lynchpin of the Department's business transformation efforts and, if confirmed, I would work to ensure BTA's efforts are strategically aligned with our overall business strategy and that the agency is attentive and responsive to the requirements of its organizational customers, both internal and external to DOD.

Question. Do you see the need for any changes in the BTA, or the statutes authorizing the BTA? If so, what changes would you recommend?

Answer. If confirmed, I would work to ensure BTA is properly equipped with the resources, to include senior personnel, and expertise it needs to be successful.

CANCELLATION OF DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM

Question. The Defense Integrated Military Human Resources System (DIMHRS) was an enterprise program of the BTA's Defense Business Systems Acquisition Executive. As the largest enterprise resource planning program ever implemented for human resources, DIMHRS was to subsume or replace over 90 legacy systems. After 10 years of development and expenditure of approximately $850 million, DOD cancelled the program. At the DOD posture hearing on February 2, 2010, Admiral Mullen stated: "This program has been a disaster." Secretary Gates stated: "Many of the programs that I have made decisions to cut have been controversial within DOD. This one was not. I would say that what we've gotten for a half billion dollars is an unpronounceable acronym."

What is your understanding of the DOD goals that DIMHRS was intended to achieve?

Answer. The overall goal for DIMHRS was to provide a fully integrated military personnel and pay capability for all components of the Military Services of DOD.

Specifically DIMHRS was to address five major problem areas:

- Timely and accurate data for combatant commanders
- Standardization of Human Resources data
- Issues surrounding mobilization of Reserve and National Guard members
- Tracking of personnel into and within a theater of operations
- Elimination of multiple redundant systems.

Question. What plan is in place within DOD to address the requirements for a human resources management system, now that DIMHRS is no longer considered a viable answer?

Answer. As part of the restructuring of the DIMHRS program, the Department proceeded with completing a DIMHRS Core IT Investment, which was defined as those common data and process elements, along with DOD enterprise-level inbound and outbound interfaces required to achieve timely and accurate military pay. Each Service will now deploy a Service-level integrated personnel and pay system that uses the DIMHRS Core IT Investment to the maximum extent practical.

The Service-level systems will provide the opportunity to include Service specific requirements and will still address problem areas such as standardization of Human Resources data, issues surrounding mobilization of Reserve and National Guard members, tracking of personnel into and within a theater of operations, and elimination of multiple redundant systems.

Additionally, if confirmed, I would oversee deployment of an Enterprise Information Warehouse which will meet the requirements for enterprise-level information visibility.

Question. What is your understanding of why this system became a "disaster," and what steps would you take, if confirmed, to prevent it from happening again?

Answer. I believe the key problems with DIMHRS related to a lack of strategic alignment, governance, requirements management, and the overall size and scope of the effort. Successful implementation would have required many traditionally separate communities and organizations—personnel management and payroll services, each of the Services, Active, Reserve, and Guard Forces—to adopt uniform business practices to support the single, integrated personnel and pay system. Unfortunately, many of these communities and organizations were reluctant to adopt the uniform processes and business rules within the commercial-off-the-shelf product.

Many of the Department's large scale business system modernization efforts face similar challenges. If confirmed, I would take the following actions to increase the probability of success with a DIMHRS-like implementation: First, I would task the CMOs within the military departments to take an active role in governance. Second, I would seek alignment on the core business processes that truly can be operated in an integrated manner. Third, I would seek a process owner to manage the end-to-end business processes. Fourth, I would require in-depth BPR to define the to-be process. I would create performance based metrics aligned to the business process to ensure clear alignment around the desired outcomes of the re-engineered process. I would also require the redesigned processes to be fully documented and DOD policy to be changed (if necessary) before pursuing an information technology solution. Finally, I would document and enforce data standards to ensure information can be effectively exchanged between information consumers.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the DCMO?

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTION SUBMITTED BY SENATOR ROLAND W. BURRIS

COST OVERRUNS

1. Senator BURRIS. Ms. McGrath, cost overruns for the Joint Strike Fighter (JSF) and little or no oversight of billion dollar contracts to support the war are examples of poor or mismanagement. What is your philosophy on the role of the Secretariat within DOD to provide management oversight over policy making and enforcement of standards?

Ms. MCGRATH. I believe the Office of the Secretary of Defense (OSD) has a clear role to play in terms of management oversight, policy making and enforcement of standards. In fact, I believe that it is OSD's primary responsibility. This includes oversight of Major Defense Acquisition Programs (MDAPs), such as the JSF, and also the large service contracts. While these specific examples fall within the immediate realm of the Under Secretary of Defense for Acquisition, Technology & Logistics (USD AT&L), it is true across the board. If confirmed, I look forward to working with the USD(ATL), and the rest of the Department's senior management team, to improve the management oversight and the enforcement of standards.

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

FINANCIAL MANAGEMENT

2. Senator MCCAIN. Ms. McGrath, although DOD continues to have the largest budget in the Federal Government (with over a half trillion dollars in fiscal year 2010), it has not been able to produce reliable, auditable financial statements in the 20 years that it has been required by law. Do you agree that a lack of effective financial management processes and strong internal controls exposes the Department to continued risk of fraud, waste, and abuse?

Ms. MCGRATH. I agree that strong internal controls embedded into documented, repeatable processes, is important.

While the Department has not yet received a clean audit opinion, stewardship of public funds has always been a priority. As the Department makes investments in business systems, it is important to ensure that thorough process reengineering has been accomplished that enable entity-wide controls.

3. Senator MCCAIN. Ms. McGrath, how do the Quadrennial Defense Review (QDR) and the fiscal year 2010 budget request address that problem?

Ms. MCGRATH. While the QDR did not address specific financial management improvement initiatives, the Department has subsequently incorporated these items into several strategic planning efforts, is devoting significant management attention to the issue, and is actively working to execute against these plans. For example, the DOD Strategic Management Plan includes the strategic priority, "Strengthen DOD Financial Management."

The fiscal year 2010 budget does include funding to support financial improvement initiatives to include system implementations that are intended to support auditability. Also, it is my understanding that the fiscal year 2011 budget request specifically identifies dollars that that are aligned to the auditability milestones in the Financial Improvement Audit Readiness (FIAR) plan.

4. Senator MCCAIN. Ms. McGrath, how far off is the Department from being able to produce a clean audit?

Ms. MCGRATH. If confirmed, I will work with Under Secretary Hale and the military department Chief Management Officers (CMOs) as the Department seeks to achieve a clean audit by fiscal year 2017, as required by the National Defense Authorization Act for Fiscal Year 2010. Additionally, we will continue to utilize the FIAR Governance Board to manage the progress of the effort against the milestones established in FIAR plan.

5. Senator MCCAIN. Ms. McGrath, how much of a prerequisite to a clean audit is the improvement of the Department's business systems to its ability to achieve a clean audit opinion?

Ms. MCGRATH. I believe improved business processes and systems are necessary to achieve and sustain a clean audit opinion. If confirmed, I will work closely with the components to ensure that adequate business process reengineering has been conducted prior to systems implementation.

FINANCIAL IMPROVEMENT AUDIT READINESS PLAN

6. Senator MCCAIN. Ms. McGrath, the FIAR plan (which describes the Department's progress in achieving clean auditable financial statements) was not issued for the period ended September 2009. Why not?

Ms. MCGRATH. The National Defense Authorization Act of 2010 required the FIAR Plan Status Report for the first time. The Act requires reports from the Under Secretary of Defense (Comptroller) (USD(C)) by November 15 and May 15 of each year. There was not sufficient time between the signing of the act and November 15 to produce a meaningful report. The Department was also in the process of modifying the FIAR Plan to address the strategic priorities established by the USD(C) and approved by the CMO.

7. Senator MCCAIN. Ms. McGrath, when will the plan be issued?

Ms. MCGRATH. My understanding is that USD(C) will issued the FIAR Plan Status Report on or before the required date of May 15, 2010.

8. Senator MCCAIN. Ms. McGrath, until the plan is issued, how is OSD holding the agencies and the Services accountable for progress?

Ms. MCGRATH. The USD(C) established a FIAR Governance Board of which I am a member. This body meets regularly to monitor progress and hold components accountable. Additionally, the OUSD(C) holds monthly meetings of the components' Senior Executive Servicemembers responsible for achieving audit readiness. These bodies use progress, schedule, and outcome metrics to monitor progress. Also, status of financial management progress is also presented to the Defense Business Systems Management Committee, chaired by the Deputy Secretary.

9. Senator MCCAIN. Ms. McGrath, what progress has been made to date?

Ms. MCGRATH. Overall, I believe DOD is making progress toward a clean audit, but significant improvements are still needed—including efforts to address some of the most difficult challenges. The recent successful audit of the U.S. Army Corps of Engineers and ongoing audit of the Marine Corps Statement of Budgetary Resources are both important steps forward. Another improvement the Department made recently is increasing senior leadership attention to this effort. In my current role as assistant DCMO, I participate as a member of the DOD Financial Improvement and Audit Readiness Governance Board that Under Secretary Hale chairs. Importantly, the military department CMOs are also members of this board. If confirmed, I will work closely with Under Secretary Hale to support his efforts to improve the financial management of the Department.

10. Senator MCCAIN. Ms. McGrath, where do significant weaknesses continue to exist?

Ms. MCGRATH. There is a substantial amount of work still to be done, including efforts to address some of the most difficult challenges. These challenges include successfully implementing Enterprise Resource Planning systems with the internal controls needed to support audits and maintaining supporting documentation sufficient for audit of transactions.

If confirmed, I will pursue appropriate actions to ensure continued progress toward meeting clean audit goals.

BUSINESS ENTERPRISE ARCHITECTURE AND TRANSITION PLANNING

11. Senator MCCAIN. Ms. McGrath, the Department is implementing the legal requirement for an enterprise architecture and transition plan through a federated approach—whereby the Business Transformation Agency has developed a top-level architecture while leaving it to the military departments to fill in most of the details. How far along is each of the military departments in completing their part of the federated architecture and transition plan?

Ms. MCGRATH. Although by definition, architecture and transition plans are never complete, we continue to make progress. We learn from each iteration of the architecture and make improvements in both the process of building architecture and transition plans and in content. In general, each of the Services has now federated each of its major (Tier 1,2,3) business systems with the DOD Business Enterprise Architecture (BEA) as part of the annual statutory certification process and reflects the relationship between their systems and the BEA in their Service Enterprise Architectures. This is a positive step.

With respect to the Enterprise Transition Plan, each of the military departments is synchronizing their own transition plans with the Enterprise Transition Plan and is a full partner in its development, maintenance, and use.

12. Senator MCCAIN. Ms. McGrath, which departments are being most challenged and why do you think they are being challenged?

Ms. MCGRATH. In my opinion, the size and complexity of the military department makes business transformation challenging. However, the establishment and appointment of a CMO in each of the military departments, has created an opportunity to enable progress across their respective enterprises in the areas of governance, process reengineering, and systems implementation. If confirmed, I will work closely with military department CMOs to enable better business outcomes.

[The nomination reference of Elizabeth A. McGrath follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
March 10, 2010.

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

Elizabeth A. McGrath of Virginia, to be Deputy Chief Management Officer of the Department of Defense. (New position.)

[The biographical sketch of Elizabeth A. McGrath, which was transmitted to the committee at the time the nomination was referred, follows:]

RÉSUMÉ OF CAREER SERVICE OF ELIZABETH A. MCGRATH

Education:

- George Mason University (1988)
  - Bachelor of Science, Economics
- Federal Executive Institute
  - Graduate
- Program Management
  - Certified Acquisition Level III

Employment Record:

- Department of Defense, Office of the Secretary of Defense
  - Assistant Deputy Chief Management Officer
  - October 2008–Present
- Department of Defense, Office of the Secretary of Defense Acquisition, Technology, and Logistics
  - Assistant Deputy Under Secretary of Defense for Business Integration (served as Principal Deputy during supervisor's absence)
  - May 2005–October 2008
- Department of Defense, Office of the Secretary of Defense Comptroller
  - Deputy Director, Business Modernization/Systems Integration
  - January 2004–May 2005
- Department of Defense, Defense Finance and Accounting Service
  - Deputy Director, Systems Integration
  - June 1999–January 2004
- Department of Defense, Department of the Navy
  - Business Financial Manager/Logistics Management Specialist
  - July 1990–June 1999
- Department of Defense, Department of the Navy
  - Naval Sea Systems Command, Logistics Intern Program
  - July 1988–June 1990

Honors and Awards:

- ODNI—Meritorious Unit Award (2009)
- Presidential Rank Award, Meritorious Senior Professional (2008)
- Presidential Rank Award (2008)
- DOD Civilian Service Award (2008)
- Federal 100 Award (2007, 2008)
- Navy Logistics Intern Program (1988–1990)
- Superior Performance Awards (numerous)

[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 Elizabeth A. McGrath 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.)
Elizabeth Anne McGrath
Elizabeth Anne Bullock (maiden)
Nickname: Beth.

2. **Position to which nominated:**
Deputy Chief Management Officer, Department of Defense.

3. **Date of nomination:**
March 10, 2010.

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 20, 1964; Long Beach, CA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Divorced.

7. **Names and ages of children:**
James McGrath, 14.
Christine McGrath, 12.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Secondary: Langley High School, High School Diploma; June 1982.
George Mason University, B.S., Economics, Dates Attended: Aug. 1985–Dec. 1987, Degree granted: January 1988.

Also attended Radford University, Aug. 1982–Dec. 1984.

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.

Assistant Deputy Chief Management Officer; Department of Defense, OSD; 9010 Defense Pentagon, Washington, DC; October 2008–Present.

Assistant Deputy Under Secretary of Defense for Business Integration (served as Principal Deputy during supervisor's absence); Department of Defense, OSD Acquisition Technology and Logistics; Defense Pentagon, Washington, DC; May 2005–October 2008 (Note: this organization was subsumed into my current organization in accordance with National Defense Authorization Act 2008—which established the Deputy Chief Management Officer position).

Deputy Director, Business Modernization/Systems Integration; Department of Defense, OSD Comptroller; 801 South Bell Street, 10th floor, Arlington, VA; January 2004–May 2005.

Deputy Director, Systems Integration; Department of Defense, Defense Finance and Accounting Service; 801 South Bell Street, 4th Floor, Arlington, VA; June 1999–January 2004.

Business Financial Manager/Logistics Management Specialist; Department of Defense/Department of the Navy; Crystal Park 3, Crystal Drive, Arlington, VA; July 1990–June 1999.

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.

American Society of Military Comptrollers, 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.

Presidential Rank Award.

DOD Civilian Service Award.

ODNI—Meritorius Unit Award.

Federal 100 Award, 2007.

Federal 100 Award, 2008.

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.

No formal speeches.

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

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

ELIZABETH A. MCGRATH.

This 17th day of March, 2010.

[The nomination of Elizabeth A. McGrath was reported to the Senate by Chairman Levin on May 5, 2010, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on June 22, 2010.]

[Prepared questions submitted to Michael J. McCord 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 the Goldwater-Nichols Act was and continues to be an important and effective defense reform enacted by Congress. At this time, I do not see any need for modifications. However, if confirmed, I will keep an open mind regarding changes.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. I do not see any need for modifications at this time.

RELATIONSHIPS

Question. What is your understanding of the relationship between the Principal Deputy Under Secretary of Defense (Comptroller) and each of the following?

The Secretary of Defense.

Answer. The Under Secretary of Defense (Comptroller) is the principal assistant and advisor to the Secretary and Deputy Secretary of Defense on fiscal and budgetary matters. If confirmed, I would support the Secretary in any aspect of the responsibilities of the Comptroller that the Secretary or the Comptroller may prescribe.

Question. The Deputy Secretary of Defense.

Answer. If confirmed, I would support the Deputy Secretary in any matter within the purview of the Comptroller that the Deputy Secretary or the Comptroller may prescribe.

Question. The Under Secretary of Defense (Comptroller).

Answer. The Principal Deputy supports the Under Secretary in all aspects of his responsibilities. As Principal Deputy, I perform such tasks as the Comptroller directs, and act for the Comptroller as needed, and would continue to do so if confirmed.

Question. The other Under Secretaries of Defense.

Answer. If confirmed, I will work closely with the other Under Secretaries, as directed by the Comptroller, the Secretary, or the Deputy Secretary, to carry out the policies and guidance of the Secretary and Deputy Secretary.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. If confirmed, I intend to work closely with the Chairman, the Vice Chairman, and the Joint Staff on resource and financial management issues.

Question. The Secretaries of the military departments.

Answer. If confirmed, I would work with the Secretaries of the military departments on a wide range of resource allocation, execution, and other financial management issues. Much of this work is carried out through interactions with their Assistant Secretaries for Financial Management, as described below.

Question. The heads of the defense agencies.

Answer. As the Department's Comptroller and Chief Financial Officer, the Under Secretary works closely with the heads of the defense agencies, and specifically, with our financial management counterparts in those agencies. If confirmed, I will perform such duties in support of these efforts as the Comptroller may direct.

Question. The Assistant Secretaries for Financial Management of the military departments.

Answer. The Comptroller and I meet regularly with these Assistant Secretaries to ensure that they are aware of the President's and the Secretary of Defense's policies and priorities, to exchange information, and to assist them in contributing to the successful development and implementation of effective Department of Defense (DOD) policies and programs.

Question. The General Counsel of DOD.

Answer. The Office of the Under Secretary of Defense (Comptroller), including the Comptroller and the Principal Deputy, work closely with the Office of the General Counsel on a daily basis, in particular on matters that require decisions by the Secretary or Deputy Secretary of Defense. I will, if confirmed, rely on the General Counsel, who is the Chief Legal Officer of DOD, on all legal matters, and will consult and coordinate with the General Counsel on all matters relating to financial management that may have legal implications.

Question. The Director, Office of Program Analysis and Evaluation.

Answer. The Office of the Under Secretary of Defense (Comptroller), including the Comptroller, the Principal Deputy, and our career staff, work closely with the Director and the Office of Cost Assessment and Program Evaluation throughout the program and budget review process.

Question. The Deputy Chief Management Officer (DCMO).

Answer. If confirmed, I would, as directed by the Comptroller, establish an appropriate relationship with the DCMO, once an official is confirmed to that position, and work to improve management of the Department's complex operations and organization. I anticipate the greatest interaction between our organizations would lie in the realm of financial management, the systems that provide management information, particularly financial management information, and the development of appropriate metrics in those areas.

Question. The Director for Force Structure, Resources, and Assessment on the Joint Staff.

Answer. The Office of the Under Secretary of Defense (Comptroller), including the Comptroller and the Principal Deputy, have and will maintain a close working relationship with the office of the Director for Force Structure, Resources, and Assessment of the Joint Staff, in particular with respect to matters relating to operating tempo, force structure, and overseas contingency operations.

Question. The Director, Office of Management and Budget.

Answer. The Office of the Under Secretary of Defense (Comptroller), including the Comptroller and the Principal Deputy, have and will maintain a close working relationship with the Office of Management and Budget. That relationship is carried out primarily through near-daily interaction with the National Security Division of OMB.

Question. The Comptroller General.

Answer. If confirmed, I would perform such duties with respect to interactions with the Comptroller General and the Government Accountability Office regarding DOD matters as the Comptroller may prescribe for me.

DUTIES OF THE PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE (COMPTROLLER)

Question. The Deputy Under Secretary of Defense (Comptroller) assists the Under Secretary of Defense (Comptroller) in the performance of his or her duties and acts for him when the Under Secretary is absent. The duties of the Comptroller of DOD are set forth in section 135 of title 10, U.S.C., and in DOD Directive 5118.3. Among the duties prescribed in statute are advising and assisting the Secretary of Defense in supervising and directing the preparation of budget estimates of DOD, establishing and supervising Department of Defense accounting policies, and supervising the expenditure of DOD funds.

Assuming you are confirmed, what duties do you expect that Secretary Gates and Under Secretary Hale will prescribe for you?

Answer.

- To assist the Comptroller in providing high quality, timely advice to the Secretary of Defense and Deputy Secretary on issues related to the financial management of the Department.
- To assist the Comptroller in ensuring that the men and women in the military services, especially those engaged in overseas contingency operations, have the resources they need to meet national security objectives.
- To assist the Comptroller in ensuring that funds are spent in accordance with laws and regulations and that the American taxpayers get the best possible value for their tax dollars.
- To assist the Comptroller in accounting in an accurate manner for the funds spent by the Department.
- To serve as the Department's Senior Accountable Official for implementation of the American Recovery and Reinvestment Act of 2009.

Question. What background and experience do you possess that you believe qualifies you to perform the duties of the Principal Deputy Under Secretary of Defense (Comptroller)?

Answer. I was appointed to the position for which I have been nominated in January 2009, and have now served in that position for 14 months. I believe my experience performing the duties of the position for which I have been nominated, and the manner in which I have performed those duties, demonstrates my qualification for this position.

I have more than 25 years of experience in the field of defense budget and financial management analysis including:

- Twenty-one years as a professional staff member of the Senate Armed Services Committee overseeing the DOD budget, including many of the same issues that I continue to work on, from a different perspective, in DOD, including funding the cost of overseas contingency operations, analysis of the fiscal impact of legislation, reprogramming of funds to meet emerging needs, questions of fiscal law and financial management, the analysis of alternative courses of action with respect to specific programs, and knowledge of the Federal budget process.
- Two years at the Congressional Budget Office working as an analyst performing tasks very similar to those performed by the staff of the Office of the Under Secretary of Defense (Comptroller).
- Service on the staff of the House Budget Committee working topline funding issues for both DOD and Veterans Affairs, which enhanced my understanding of benefit issues and the areas of interaction between the two Departments, as well as the analysis of the cost of contingency operations and the overall Federal budget process.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform these duties?

Answer. I believe I can continue to increase my expertise by continuing to gain experience on current, specific DOD budget and financial management issues.

CHIEF FINANCIAL OFFICER

Question. DOD Directive 5118.3 designates the Comptroller as the Chief Financial Officer of DOD.

Has Secretary Gates designated Under Secretary Hale as the Chief Financial Officer of DOD?

Answer. Yes.

Question. If so, what role do you expect to play, if confirmed, in assisting Secretary Hale with these duties and acting for him when he is absent?

Answer.

- To assist the Comptroller/Chief Financial Officer in overseeing all financial management activities relating to the programs and operations of DOD;
- To assist the Comptroller/Chief Financial Officer in developing and maintaining integrated agency accounting and financial management systems;
- To assist the Comptroller/Chief Financial Officer in managing and providing policy guidance and oversight of DOD's financial management personnel, activities, and operations;
- To assist the Comptroller/Chief Financial Officer in preparing audited financial statements; and

• To assist the Comptroller/Chief Financial Officer in monitoring the financial execution of budgets.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the Principal Deputy Under Secretary of Defense (Comptroller)/Chief Financial Officer?

Answer.

• To prepare and manage defense budgets so that the Department obtains the resources necessary to accomplish national security objectives—especially the resources needed to meet wartime requirements and for our military forces to successfully conduct their operations.
• Responding to the needs of our operational commanders for additional resources or flexibility within the constraints imposed by laws and regulations.
• Improving the financial information most needed by DOD managers.
• Managing our workforce through the challenges of converting out of the National Security Personnel System.

Question. If confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I will work closely with other senior officials in DOD and the Comptroller staff, military departments, defense agencies, Office of Management and Budget, and Congress to develop policies to meet these challenges.

I will also provide strong leadership and support for our staff in meeting these priorities of the Comptroller.

AUTHORIZATION FOR NATIONAL DEFENSE PROGRAMS

Question. Do you believe that an authorization pursuant to section 114 of title 10, U.S.C., is necessary before funds for operation and maintenance, procurement, research and development, and military construction may be made available for obligation by DOD?

Answer. It has been the Department's practice to work with all the oversight committees to resolve matters relating to the authorization or appropriation of DOD activities. If confirmed, I will respect the prerogatives of the Department's oversight committees and will work closely with the committees to achieve a consensus necessary to meet our defense needs.

SUPPLEMENTAL FUNDING FOR MILITARY OPERATIONS

Question. Since September 11, 2001, DOD has paid for much of the cost of ongoing military operations through supplemental appropriations. The fiscal year 2010 and fiscal year 2011 budget included full-year requests for overseas contingency operations.

What are your views regarding the use of supplemental appropriations to fund the cost of ongoing military operations?

Answer. The Department and the administration are striving to eliminate the use of planned supplemental funding and have worked hard to put known requirements for ongoing operations into the overseas contingency operations portion of the budget request and to limit the use of supplementals to unanticipated needs.

The primary focus of this effort is to estimate the requirements for the budget year as accurately possible. As a general rule, I do not believe it is possible to achieve that same standard of accuracy for the out-year projections.

PROGRAM AND BUDGET REVIEW

Question. The Department has operated under a planning, programming, and budget (PPBS) system for decades. The programming and budgeting functions have sometimes been combined in a single reporting chain and at other times, as is currently the case, been run by distinct offices (Program Analysis and Evaluation and the Comptroller, respectively) that report separately to the Secretary of Defense. The program and budget review processes have also been revised in recent years and have been made more concurrent than was previously the case.

Based on your experience working in the Comptroller's office for the last year, what are your views on the proper relationship between the program and budget processes and the offices responsible for those functions?

Answer. I believe there must be regular and effective coordination and communication between the Comptroller and Cost Assessment and Program Evaluation organizations. I believe both organizations have an important role to play in the PPBS system.

Question. What role do you expect to play, if confirmed, in the PPBS system and the program and budget review processes?

Answer. If confirmed, I would represent the Office of the Under Secretary of Defense (Comptroller) in any or all parts of the program and budget review process as directed by the Comptroller.

Question. Do you anticipate changes in these relationships and processes?

Answer. The Department is currently assessing potential changes to the PPBS process. Those decisions will be made by the Secretary and Deputy Secretary.

MANAGEMENT OF DEFENSE SPENDING

Question. In November 2008, the Government Accountability Office (GAO) released its list of "urgent issues" for the next administration and Congress. Among those issues was defense spending. According to GAO, "The department's current approach to planning and budgeting is based on overly optimistic planning assumptions and lacks a strategic, risk-based framework for determining priorities and making investment decisions. As a result, it continues to experience a mismatch between programs and budgets, and it does not fully consider long-term resource implications and the opportunity cost of selecting one alternative over another." Since GAO published that statement the Defense Department has crafted two budgets and completed the 2009 Quadrennial Defense Review.

What are your views on the concerns raised by GAO?

Answer. The concerns raised by GAO are valid, and this administration has taken action to establish a new approach to planning and budgeting. Congress has also mandated reforms in this area in the Weapon Systems Acquisition Reform Act of 2009 which I believe will, when fully implemented, improve our future outcomes.

The Quadrennial Defense Review and related studies give us a strategic, risk-based framework for determining priorities and making investment decisions. Our program-budget process has incorporated those priorities into our fiscal year 2011 budget request, and will continue those efforts in future budgets.

DOD also is doing much more to consider long-term resource implications and opportunity costs, e.g., by more rigorous analysis by our Cost Assessment and Program Evaluation office in partnership with our Comptroller staff.

Question. Has the Office of Comptroller addressed these issues over the last year?

Answer. Yes. Besides the general actions highlighted above, there are several specifics:

To make better use of acquisition funding, the Department has taken some bold action, beginning with the Secretary's decision last year to discontinue several unneeded or underperforming programs, including the F–22, and to focus on achieving a better balance between capabilities needed to succeed in the wars we are in and capabilities needed to prepare for potential future conflicts. This approach has continued in the fiscal year 2011 budget request, which proposes to cancel the Joint Strike Fighter alternate engine and end further production of the C–17 aircraft.

The Department has also invigorated the acquisition reform process by taking steps to strengthen the acquisition workforce and improve contract execution. The objective is to provide our warfighters with the capabilities they need while also serving as good stewards of taxpayer dollars.

Question. Are there additional efforts that need to be taken that with respect to those aspects of the management of the Department that are within the purview of the Comptroller that may be relevant to the concerns raised by GAO?

Answer. Yes, we need to continue our efforts to scrutinize requirements, costs, schedules, and program direction—in cooperation with other DOD offices—to manage defense spending effectively.

EARMARKS

Question. On January 29, 2008, President Bush signed Executive Order 13457, which stated that agency decisions to commit, obligate, or expend funds may not be "based on language in any report of a committee of Congress, joint explanatory statement of a committee of conference of Congress, statement of managers concerning a bill in Congress, or any other non-statutory statement or indication of views of Congress, or a House, committee, Member, officer, or staff thereof."

What is your understanding of the current status of Executive Order 13457 (has it been rescinded or modified)?

Answer. Executive Order 13457 has not been rescinded or modified by the current administration. Until the President rescinds or modifies the executive order, it is still in effect.

Question. What is your understanding of the current direction from the White House on earmarks?

Answer. The President believes that transparency is crucial to improving government. The President outlined his principles for earmark reform on March 11, 2009. Two key principles of his approach are maximizing the transparency of earmarks and the use of competition in earmarks for for-profit entities. I believe Congress has taken significant steps on earmark reform in the past few years, in particular to increase such transparency. As a member of the staff of the Armed Services Committee, I personally participated in implementing some of the transparency reforms undertaken by Congress in recent years such as the inclusion of the disclosure tables for member requests beginning with the fiscal year 2008 authorization bill.

Question. If confirmed, what steps would you expect to take to ensure that DOD abides by congressional funding decisions and that funds available to the Department are expended only for the purposes for which they have been appropriated?

Answer. If confirmed, I will work to ensure that DOD carries out funding decisions in accordance with the law.

FUNDING TABLES

Question. The 2010 National Defense Authorization Act included funding tables in both report and bill language. Concern has been expressed that incorporating funding tables into the bill could limit the flexibility of DOD to transfer funds to meet emerging high-priority needs.

What is your view on funding tables in the text of bills authorizing and appropriating funds for DOD?

Answer. The Department does require flexibility. No matter how carefully we prepare our budget, requirements change. The Department should continue to work with Congress to seek the right balance of DOD flexibility and congressional oversight.

CHIEF MANAGEMENT OFFICER

Question. The positions of Chief Management Officer (CMO) of DOD and DCMO of DOD were established by section 904 of the National Defense Authorization Act for Fiscal Year 2008. In accordance with section 904, the purpose of these new positions is to improve the overall efficiency and effectiveness of the business operations of DOD and to achieve an integrated management system for business support areas within DOD.

Do you believe that a comprehensive, integrated, enterprise-wide architecture and transition plan is essential to the successful transformation of DOD's business systems?

Answer. I think an effective architecture and transition plan to guide the needed overhaul of DOD business systems should be our goal. The more ambitious the goal, however, the more difficult it is likely to be to achieve.

Question. What is your understanding of the role of the Comptroller in implementing such a business enterprise architecture and transition plan?

Answer.

- To work with and support the CMO and DCMO in building such an architecture and transition plan.
- In implementing the architecture and plan, the Comptroller would have a key role for the areas of its responsibilities—notably, budgeting and financial management.

Question. Do you believe that the Department needs senior leadership from a CMO and DCMO to cut across stovepipes and ensure the implementation of a comprehensive, integrated, enterprise-wide architecture for its business systems?

Answer. Yes.

Question. Over the last year, how has the Comptroller's office worked with the CMO and the DCMO to improve the business operations of DOD?

Answer. The President has pledged to bring change to Washington, and we at DOD are working to carry out his policies such as increasing the transparency of government. A key first step in this effort has been to promulgate this administration's management priorities, which include the High Priority Performance Goals contained in the fiscal year 2011 budget request and the Deputy Secretary's Strategic Management Plan. The Office of the Under Secretary of Defense (Comptroller) has worked with the DCMO office on those goals and management priorities that fall within our purview.

Question. Are there responsibilities performed by the Comptroller that you believe should be reassigned to the CMO or the DCMO of DOD?

Answer. I believe that once an official is confirmed as the first DCMO, it would be appropriate for our office to work with the DCMO office to address any gaps or

areas of overlap and to make such changes in our respective charters as may be mutually agreed.

Question. Are there responsibilities performed by the CMO that you believe should be performed by the Comptroller?

Answer. No, not that I have identified so far in my tenure here, but my answer to the previous question applies here as well.

INCREMENTAL FUNDING VERSUS FULL FUNDING

Question. Do you believe DOD should continue to adhere to the longstanding practice of fully funding the purchases of major capital assets, including ships and aircraft, in the year the decision to purchase the asset is made, or do you believe incremental funding of such purchases is justified in some cases?

Answer. Yes, I agree with longstanding Office of Management and Budget policy on full funding. However, I believe incremental funding may be appropriate in limited circumstances—such as for aircraft carrier procurement or for large, complex construction projects such as hospitals that take several years to complete.

FINANCIAL MANAGEMENT

Question. What is your understanding of the efforts and progress that have been made in DOD since 1999 toward the goal of being able to produce a clean audit?

Answer. I believe DOD is making progress toward a clean audit. The large trust funds for retiree benefits and several Defense Agencies have received positive audit results. Recently the U.S. Army Corps of Engineers earned a clean audit opinion and the U.S. Marine Corps' Statement of Budgetary Resources is currently under audit.

There is, however, a substantial amount of work still to do, including efforts to address some of the most difficult problems. The Department recently implemented a new strategy to achieve a clean audit that focuses improvement efforts on the financial information most used to manage. If confirmed, I will pursue appropriate actions to ensure continued progress toward meeting clean audit goals.

Question. Do you believe the Department's Financial Improvement and Audit Readiness (FIAR) plan will lead to achieving a clean audit opinion for DOD, or are changes in that plan necessary in order to achieve that goal?

Answer. The Department's progress toward achieving a clean audit opinion has been slower than we would like. The Department needs to agree on common goals and priorities in the audit readiness area. Toward that end, last August the Comptroller issued his guidance to the Department on his audit priorities. Our office is implementing this new approach, which is focused on improving the quality, accuracy and reliability of the financial and asset information that we use every day to manage the Department. Specifically, we plan to focus initially on two types of information—budgetary information and the existence and completeness of assets. It is too early to assess whether further changes will be needed to achieve this goal.

Question. What are the roles and responsibilities of the Office of the Comptroller toward realizing a clean audit?

Answer. The Under Secretary of Defense (Comptroller) (USD(C)) provides the vision, goals, and priorities of the FIAR Strategy. We then work with the Military Services and Defense Agencies to make the process and system improvements needed to achieve financial management improvement and clean audits. The Comptroller organization supports the components and is charged with the responsibility of managing development and implementation of DOD-wide financial management systems and overseeing financial management activities relating to the programs and operations of the DOD.

The Office of the USD(C)'s oversight responsibilities relevant to a clean audit include: (1) holding components accountable for meeting DOD financial management improvement goals; (2) establishing financial management policies for DOD including its Reporting Entity parts; (3) ensuring compliance throughout DOD with applicable accounting policy, standards and principles, as well as financial information and systems functional standards; (4) establishing, reviewing, and enforcing internal control policies, standards, and compliance guidelines involving financial management; (5) providing oversight of financial management activities and operations including preparation and revision of the FIAR Plan Status Report.

Question. What role do you expect to play, if confirmed, in the Department's efforts to achieve a clean audit?

Answer. If confirmed, I would perform such duties with respect to these matters as the Comptroller may prescribe for me.

Question. When do you believe the Department can achieve a clean audit?

Answer. While many significant challenges remain we now have focused financial improvement and audit readiness efforts on information we use to manage. We believe that this makes the business case for improving financial information clear. The combination of this business case and increased resources will lead to better results. We are required to provide regular reports to Congress, and beginning with our May 2010 report the Comptroller will provide more details on the plan.

FULLY FUNDING THE DEFENSE HEALTH PROGRAM

Question. For the fiscal years 2010 and 2011, Secretary Gates has recognized the importance of fully funding medical care requirements for military personnel, retirees, and their families.

If confirmed, would you ensure that budget requests presented to Congress continue to fully fund all known medical requirements?

Answer. If confirmed, I would do my utmost to ensure that DOD budget requests fully fund all known healthcare requirements.

Question. Secretary Gates has also stated that he wishes to engage with Congress on ways to sustain the military health care benefit in the future, with the goal of achieving reasonable trade-offs between the cost of premiums and the cost of the program.

What is your understanding of the major cost drivers in the defense health program?

Answer.

- Enrollment fees for the TRICARE Prime program have not been modified since its inception in fiscal year 1995.
- Increases in users—many beneficiaries are returning to the Military Healthcare System (MHS), opting to use their more generous TRICARE benefits versus using other health plans (e.g. other health insurance either through employer's or a spouse's plan);
- Increases in utilization—the MHS continues to see increases in the number of health care visits per user.
- Greater benefits authorized by Congress (e.g., TRICARE for Life and expanding TRICARE for reservists).

Question. If confirmed, what approach would you recommend to achieve the Secretary's goal?

Answer. If confirmed, I would recommend continuing to work closely with our Military Services and health care leaders to ensure that all healthcare requirements are identified and analyzed during each year's program and budget review. Changes in health care policies also require a consensus with Congress.

MYCAA PROGRAM PAUSE

Question. The Department initiated The Military Spouse Career Advance Account Program (MyCAA) to help military spouses obtain credentials and training needed to begin or advance their careers, especially in high demand fields which are portable across communities. DOD abruptly halted the program on February 16, 2010, citing the need to conduct a review of "software applications, financial assistance documents and overall program." Subsequent explanations indicated that the program had unexpectedly reached its budget threshold. It appears that inadequate financial management of the program may have been a root cause for the program's floundering.

What was the budget threshold for the MyCAA program in fiscal year 2010 and what were the factors that led to rapid halting of the program?

Answer. The amount budgeted for MyCAA in fiscal year 2010 was $65 million. This was a new program which began in March 2009. There was no accurate way to gauge interest or participation levels when the fiscal year 2010 budget was built. After some months of lower participation, it is my understanding that participation rates started increasing substantially. The $65 million budgeted for the program in fiscal year 2010 proved to be inadequate to meet this higher demand. The participation levels increased to the point where the program was on the verge of exceeding the available funding.

Question. What is your understanding of the fiscal health of the MyCAA program and the reasons that necessitated a pause in the program's operation?

Answer. The fiscal health of the MyCAA program must be addressed quickly. The current program funding levels are inadequate to meet the demand.

The pause was initiated by the MyCAA program office in order to limit the Department's potential funding liability and to evaluate the program's near-term funding options.

We are currently preparing a reprogramming action to provide adequate funding for those spouses already enrolled in the program. We will need the assistance of Congress to fully fund our current enrollees. We will monitor the program's demand, and will prepare another reprogramming action this fiscal year if necessary to ensure the fiscal health of the MyCAA Program.

Question. What measures, if any, has the DOD Comptroller instituted to ensure the MyCAA program proceeds on a sound financial footing in the future?

Answer. The DOD Comptroller and the Under Secretary of Defense (Personnel and Readiness) are currently working with other stakeholders on options to ensure the program is adequately funded in the future to meet the needs of the military spouses. In my view, the key to this effort is forecasting demand as accurately as possible.

A longer-term solution may entail changes to the program parameters that allow for maximum participation within a more adequate fixed budget level. As we gain more experience with the program participation levels, further budget adjustments will be made to keep pace.

TRACKING AND TIMELINESS OF DOD REPORTS

Question. The responsibility for tracking congressionally-required reports largely is the responsibility of the USD(C).

Based on your experience in both the legislative and executive branches, how do you evaluate DOD's current system for tracking, evaluating the sufficiency of reports required by Congress, and delivering required reports in a timely fashion?

Answer. The Assistant Secretary of Defense for Legislative Affairs is responsible for tracking reports due to Congress. I believe the tracking system is basically sound. Some of the reports are difficult to deliver within the stated deadlines given the scope of work required and the limits of the resources available to respond.

The Department's response time could be improved. If confirmed, I intend to look for ways to make such improvements.

Question. If confirmed, would you support efforts on behalf of the Department to review current reporting requirements and, where appropriate, recommend elimination of reporting requirements?

Answer. Yes. Both Congress and DOD would benefit from eliminating unneeded reports.

Question. If so, how would you intend to implement such a plan in order to achieve efficiencies?

Answer. I would recommend that Congress and DOD each identify reporting requirements that seem unnecessary and seek agreement on eliminating them.

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 (Comptroller)?

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR ROLAND W. BURRIS

COST OVERRUNS

1. Senator BURRIS. Mr. McCord, during the March 11, 2010, hearing on the Joint Strike Fighter (JSF), the witnesses confirmed that the unit cost has increased from $50 million in 2002 to a cost of $112 million in today's dollars. Additionally, the total cost to complete the Pratt F135 engine is now estimated to be $7.28 billion, an overrun of $2.5 billion. Programs such as JSF provide an example of how the Department of Defense (DOD) is not being a good steward of the taxpayers' money. How will you enforce fiscal responsibility?

Mr. MCCORD. To enforce better fiscal responsibility in programs like the JSF, the Department has embarked on a comprehensive effort to reform the acquisition process. That effort includes an overarching strategy to expand and improve the capabilities of the DOD acquisition workforce including our ability to conduct contract planning, execution, and oversight. Consistent with that strategy, we are growing our acquisition workforce by 20,000 positions over the fiscal years 2010–2015—including over 9,000 contracting, cost estimating, pricing, and contract oversight personnel. Our intent is to improve our capacity and technical ability to conduct component and independent cost estimates.

2. Senator BURRIS. Mr. McCord, given the continued cost overruns with the JSF program, how will you look at writing and enforcing future contracts?

Mr. MCCORD. DOD plans to explore greater use of fixed-price development contracts, when appropriate. To align profitability with performance, we will align incentive fees to contractor performance. Under an incentive fee contract, the contractor will maximize its fee when it delivers a product that demonstrates the required capability, on-time and within cost. Alternatively, the fee will be reduced when it fails to deliver. Finally, contractors that have validated poor performance will have that adverse information captured in the past performance database and will negatively impact opportunities to be successful in future competitions. These efforts, combined with other acquisition process initiatives, are designed to ensure that our programs are based on firm technical foundations, executable requirements, rigorously estimated costs, and thoughtfully designed and executed contracts.

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

FINANCIAL INTEGRITY AND COST ACCOUNTING IN THE DEFENSE HEALTH PROGRAM

3. Senator MCCAIN. Mr. McCord, a congressionally-mandated task force chartered in 2007 to examine the future of military health care found DOD's medical cost accounting system, in use since 1986, "highly inaccurate and inadequate". Among the reasons cited for this finding were: (1) it does not capture all DOD health care costs; (2) it is inconsistent in how labor costs are allocated; and (3) it relies on self-reporting on policies that are inconsistent across the Services. Do you agree that the Department's $50 billion medical program care warrants modernization and standardization of medical cost accounting systems?

Mr. MCCORD. The cost of the healthcare provided by the Department to servicemembers and their families is a key concern of the Secretary of Defense since it makes up a significant and rising portion of the DOD budget each year. Controlling these costs is important to the Department's ability to meet its mission in a way that we can afford to sustain over time. I agree that modernizing our medical cost accounting processes and systems is one part of the larger effort the Department and Congress need to make to control DOD health care costs.

4. Senator MCCAIN. Mr. McCord, if confirmed, what will you do to achieve the long overdue improvements?

Mr. MCCORD. I chair the Department's Senior Assessment Team, which oversees financial reporting controls and addresses the Department's material financial reporting weaknesses. Accounting for military health care costs and related liabilities is one of the weaknesses we have identified and are working to fix. The Office of the Assistant Secretary of Defense for Health Affairs has the primary responsibility for these medical cost accounting systems. I intend to continue working through this group to ensure this issue has the appropriate support and attention within the financial management community.

[The nomination reference of Michael J. McCord follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
March 1, 2010.

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

Michael J. McCord of Virginia, to be Principal Deputy Under Secretary of Defense (Comptroller). (New Position)

[The biographical sketch of Michael J. McCord, which was transmitted to the committee at the time the nomination was referred, follows:]

RÉSUMÉ OF CAREER SERVICE OF MICHAEL J. MCCORD

Education:

- The Ohio State University (September 1977–June 1981). Bachelor of Arts in Economics with honors in the liberal arts, June 1981
- University of Pennsylvania, Master of Arts in Public Policy Analysis, May 1984

Employment Record:

- Department of Defense, Principal Deputy Under Secretary of Defense (Comptroller), January 2009–present
- Committee on Armed Services, U.S. Senate, Professional Staff Member, January 1987–January 2003 and March 2004–January 2009
- Committee on the Budget, U.S. House of Representatives, Budget Analyst, January 2003–February 2004
- Congressional Budget Office, Assistant Analyst, December 1984–January 1987

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Michael J. McCord 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.)
Michael John McCord.

2. **Position to which nominated:**
Principal Deputy Under Secretary of Defense (Comptroller).

3. **Date of nomination:**
March 1, 2010.

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 23, 1959; Marion, OH.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Divorced.

7. **Names and ages of children:**
Alejandra E. McCord, age 24.
Meredith J. McCord, age 22.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
River Valley High School, Marion, Ohio, fall 1972–spring 1977, high school degree received May 1977
The Ohio State University, September 1977–June 1981, Bachelor of Art in Economics with honors in the liberal arts, June 1981
The University of Pennsylvania, September 1981–May1984, Master of Arts in Public Policy, May 1984

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.
January 2009–present, Principal Deputy Under Secretary of Defense (Comptroller), U.S. Department of Defense, The Pentagon, Washington DC
March 2004–January 2009, Professional Staff Member, Committee on Armed Services, U.S. Senate, Washington DC
January 2003–February 2004, Budget Analyst, Committee on the Budget, U.S. House of Representatives, Washington DC
January 1987–January 2003, Professional Staff Member, Committee on Armed Services, U.S. Senate, Washington DC

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.
President-Elect's Transition Team, Department of Defense Agency Review Team, The Pentagon, Washington DC, November–December 2008 (on detail from the Senate Armed Services Committee staff)

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.
Unitarian Universalists for Social Justice, Silver Spring, MD. Board member, Secretary, and member of the Executive Committee
Member, Accotink Unitarian Universalist Church, Burke VA
Member, Communities of Faith United for Housing, Fairfax County, VA
Member, American Society of Military Comptrollers, 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.
No formal offices held.

Services:

Canvassing for Obama Presidential campaign, Columbus, OH, October 2008

Volunteer member of defense policy team, Obama campaign, 2007–2008
Canvassing for Marsden for Delegate campaign, Fairfax County, VA, November 2005

(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.

My contributions that aggregate to $100 or more during the 5-year period covering calendar years 2005–2009 are as follows:

Democratic Senatorial Campaign Committee (2005–2009) $598
Obama for America (2007–2008) $560
Democratic National Committee (2005–2009) $495
Democratic Party of Virginia (2005, 2007–2009) $380
Democratic Congressional Campaign Committee (2006–2009) $357.80
Mark Warner for Senate (2007/2008) $150
Webb for Senate (2006) $140
Deeds for Governor (2009) $120
Forward Together PAC (Mark Warner) (2006) $100

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

National Merit Scholarship, The Ohio State University, 1977–1981
Member, Phi Beta Kappa, The Ohio State University, 1981
Stennis Congressional Staff Fellow, 110th Congress, The Stennis Center for Public Service Leadership, 2007–2008

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.

Remarks on Managing the Future of DOD Acquisition to the Defense Acquisition University Business Managers' Conference, Fort Belvoir, VA, May 19, 2009.
Remarks on DOD Budget and Financial Management Priorities to the Association of Government Accountants/American Society of Military Comptrollers Professional Development Institute Conference, Honolulu, HI, October 14, 2009.
Copies to be provided separately.

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

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

MICHAEL J. MCCORD.

This 18th day of March, 2010.

[The nomination of Michael J. McCord was reported to the Senate by Chairman Levin on May 5, 2010, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on June 22, 2010.]

[Prepared questions submitted to Sharon E. Burke 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. Currently, I see no specific changes in the act that I would recommend.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. See above.

DUTIES

Question. Section 139b of title 10, U.S.C., establishes the duties and functions of the Director of Operational Energy Plans and Programs (DOEPP).

What is your understanding of the duties and functions of the DOEPP?

Answer. My understanding of the duties and functions of the DOEPP, as established by the law, are as follows:

- Provide leadership, facilitate communication, and conduct oversight of operational energy plans and programs within the Department of Defense and the Army, Navy, Air Force, and Marine Corps;
- Establish an operational energy strategy;
- Coordinate and oversee planning and program activities of the Department of Defense and the Army, Navy, Air Force, and the Marine Corps related to implementation of the operational energy strategy; the consideration of operational energy demands in defense planning, requirements, and acquisition processes; research and development investments related to operational energy demand and supply technologies; and monitor and review all operational energy initiatives in the Department of Defense;
- Serve as the principal adviser to the Secretary of Defense and the Deputy Secretary of Defense regarding operational energy plans and programs and as the principal policy official within the senior management of the Department of Defense regarding operational energy plans and programs.

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

Answer. With more than 20 years of relevant experience, I have extensive background in energy security policy and Department of Defense programs and priorities. I first worked in energy policy at the Office of Technology Assessment of the U.S. Congress, where I researched a range of energy and public works issues. In the 1990s, after graduate education that focused on energy policy, I was selected to join the Office of the Secretary of Defense as a Presidential Management Intern. This program involved a 2-year period of postings across the Defense Department, including the Office of the Under Secretary for Acquisition and Technology. After joining the civil service, I served as a Country Director for South Asia in the Office of the Under Secretary of Defense for Policy, where I was the lead in coordinating U.S. defense policy toward the region with defense agencies, the Joint Staff, the military departments, and the interagency. Subsequently, I served as an aide to the Secretary of Defense and then the Deputy Secretary of State, with direct exposure to leadership challenges during military operations. Most recently, as an executive at a small non-profit business, I directed a research program on energy security and related issues, such as critical minerals, and have conducted research on national energy security strategy, energy security roles and missions in the Federal Government, Department of Defense use of operational fuels, and how climate change may affect strategic planning in the Department of Defense.

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

Answer. If confirmed, I will need to take actions common to many new officials, such as deepening my knowledge of the portfolio and developing partnerships with key stakeholders across the Department, in other agencies, and in the private sector. In addition, if confirmed, I will need to take actions that may be less common for incoming officials in standing up a new office fully capable of executing a new mission for the Department of Defense.

Question. Assuming you are confirmed, what duties and functions do you expect that the Secretary of Defense would prescribe for you?

Answer. If confirmed, I expect that the Secretary of Defense will prescribe duties and functions in accordance with the requirements in the law. He may also expect me to play a supporting role in addressing other Department of Defense energy challenges.

Question. What is your vision for how the DOEPP should interface with the installations and environment community to tie together installation and operational energy policy and goals?

Answer. If confirmed, I intend to build a close partnership with the installations and environment community. There are fairly clear delineations in law and regulation on the responsibilities of these communities within DOD, but there is a high degree of collaboration in practice. First, given the way the term "operational energy" was defined in law, there is operational energy used by both deployed forces and at installations in the United States and around the world. Second, the DOEPP will need to leverage the expertise and experience the Department has amassed on the full range of defense energy challenges within the installations and environment community, both in the Pentagon and across the country. Indeed, the Department's energy strategy must make common cause in improving the capabilities of our forces and assuring their access to essential resources while reducing our energy costs and demonstrating leadership on climate change. If confirmed, I look forward to collaborating with Dr. Dorothy Robyn, the DUSD(I&E), and the many other OSD, Service, and Defense agency officials dedicated to these goals.

Question. How should DOEPP interface with the Services' existing and new energy offices?

Answer. If confirmed, I will work closely with the Services' energy offices to integrate their respective efforts, including by developing strategy, overseeing energy-related budgets, and promoting the improved energy performance of our forces as directed in the law.

RELATIONSHIPS

Question. In carrying out your duties, what would be your relationship with:

The Secretary of Defense.

Answer. If confirmed, I would serve as the Secretary's principal advisor on operational energy matters. In keeping with statute, I would communicate directly with the Secretary to convey timely advice grounded in sound energy strategy.

Question. The Deputy Secretary of Defense.

Answer. If confirmed, I would serve as the Deputy Secretary's principal advisor on operational energy matters. In keeping with statute, I would communicate directly with the Deputy Secretary to convey timely advice grounded in sound energy strategy.

Question. The Service Secretaries.

Answer. If confirmed, I would engage with the Service Secretaries and their senior operational energy officials to ensure that operational energy concerns are addressed in their policy priorities and inputs into joint planning.

Question. The Service Chiefs.

Answer. If confirmed, I would engage with the Service Chiefs, their staffs, and their operational commanders to help incorporate operational energy concerns into their statutory responsibilities to recruit, organize, train, equip, and maintain military forces.

Question. The Under Secretary of Defense for Acquisition, Technology, and Logistics.

Answer. If confirmed, I would directly support the USD(AT&L) in incorporating operational energy considerations throughout the acquisition process, research and development priorities, and logistics planning.

Question. The Assistant Secretary of Defense for Logistics and Material Readiness.

Answer. If confirmed, I would seek to collaborate with the ASD(L&MR) to reduce the logistics burden that high energy consumption can place on our forces.

Question. The Deputy Under Secretary of Defense for Installations and Environment.

Answer. If confirmed, I would seek to collaborate with the DUSD(I&E) in a wide variety of ways, but primarily in setting a comprehensive DOD energy strategy that helps advance the capabilities, cost-effectiveness, and environmental stewardship of the Department of Defense to the greatest degree possible.

Question. The Deputy Under Secretary of Defense for Science and Technology.

Answer. N/A (this position was absorbed into the Research Director under DDR&E)

Question. The Director of Defense Research and Engineering.

Answer. If confirmed, I would work closely with the Director on DOD's energy-related research and development portfolio, and to promote investment in energy technologies and design innovations that may lead to a more capable, more cost-effective and sustainable force. Further, I would seek a partnership in the oversight of the energy-related budget in DOD, consistent with the requirements of the DOEPP under law.

Question. The Director of Systems Engineering.

Answer. If confirmed, I would support the Director's, the Department's, and Congress' efforts to strengthen systems engineering practice and oversight in DOD's acquisition process.

Question. The Director of Force Transformation.

Answer. N/A (this office was disbanded in the last administration and its functions were split between NII and OSD Policy.)

Question. The Joint Requirements Oversight Council.

Answer. If confirmed, I would support the USD(AT&L)'s participation on the Joint Requirements Oversight Council (JROC), focusing on the incorporation of operational energy concerns into the requirements process. I would work with the key Joint Staff members who manage and contribute to the JROC's work to also ensure that concepts of operation and other doctrinal documents they review and approve are giving adequate consideration of fuel demand in the force and the value of efficiency and alternatives.

Question. The Combatant Commanders.

Answer. If confirmed, I would seek lessons learned from both the regional and functional combatant commands in on-going and past operations related to operational energy challenges and solutions. I would also seek to work together to promote experimentation with new energy capabilities.

Question. The Service Acquisition Executives of the military departments.

Answer. If confirmed, I would work closely with the Service Acquisition Executives to promote the use of energy management tools, such as the Energy Efficiency Key Performance Parameter and the Fully Burdened Cost of Fuel, in the acquisition programs they oversee.

Question. The Director of the Defense Logistics Agency.

Answer. If confirmed, I would work with the Director, DLA to ensure compliance with DOD policies, executive orders, and current laws that seek to reduce energy burdens on the force. Further, I would work with the Director of the Defense Energy Support Center, a subordinate entity within DLA, to ensure the implementation of the DOD operational energy strategy.

Question. The program executive officers and program managers of major defense acquisition programs.

Answer. If confirmed, I would offer support on the use of energy planning and management tools, such as the Energy Efficiency Key Performance Parameter and the Fully Burdened Cost of Fuel. This would include soliciting their ideas for how to ensure program executive officers and program managers have greater incentives to drive towards more energy efficient technology, alternative fuels, and other design options to improve energy use.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront DOEPP?

Answer. The primary challenge confronting DOEPP will be to change a long-standing, underlying assumption across the defense enterprise that energy will always be relatively cheap and available where it is needed, when it is needed. Moreover, in addressing this challenge, DOEPP will have to confront the reality that there is no one-size-fits-all solution. A successful operational energy strategy for the Department will have to place high priority on improving the energy posture of deployed forces, both in forward operating positions and in support bases, for example, at the same time that it incorporates energy considerations into DOD's normal business processes, from wargaming to requirements to budgeting. If confirmed, I expect to find these challenges eased by the growing, pervasive awareness of the importance of the Department's energy posture, given experiences in Operations Enduring Freedom and Iraqi Freedom. If DOD incorporates energy as both an enabler and as a liability in how it designs and builds the force, we can make major improvements in our capability, flexibility, effectiveness, affordability, and sustainability. In this way, energy can be a strategic and tactical advantage for U.S. forces, rather than a significant source of risk.

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

Answer. If confirmed, I would work with the Department's senior leadership to improve the operational energy posture of current deployments as well as incorporating operational energy considerations into the Department's planning and strategy development, requirements, acquisition, and budgeting processes on an ongoing and long-term basis.

Question. What do you consider to be the most serious problems in the coordination of operational energy efforts across the Services?

Answer. At this time I do not have first-hand knowledge of what may be the most serious problems in the coordination of operational energy efforts across the Services, though I am certainly aware that each Service has its own roles, missions, materiel, training, and cultures. If confirmed, I would plan to work closely with Service energy executives and other key stakeholders to ensure that the Department's energy strategy allows for implementation that can promote coordination and also accommodate differentiation.

ORGANIZATION AND STAFFING

Question. Managing operational energy is vitally important but will be challenging because of the cross-cutting nature of the problem which permeates DOD and the Services. The authorizing language for this position prescribes certain tools such as budgetary certification to ensure that the Director has the access and ability to conduct oversight needed to be successful.

Are there any additional tools you feel you might need to be successful?

Answer. Not at this time but I will examine this question if I am confirmed.

Question. What is your understanding of the extent to which the Department has made the changes necessary to establish the office of DOEPP, in accordance with the statutory requirements?

Answer. Although I have limited knowledge of the arrangements already made, I believe that the Department has taken steps to establish the office of DOEPP and other energy policy infrastructure as required in the law.

Question. Do you see the need for any changes in the structure, organization, or reporting relationships of the office of DOEPP?

Answer. No, not at this time.

Question. What steps do you plan to take, if confirmed, to assess the staffing needs of your office and ensure that you have sufficient staff of appropriately qualified and trained personnel to carry out your duties and responsibilities?

Answer. If confirmed, I will carefully consider the best way to fully establish this new office in order to meet the statutory requirements. That will include determining the optimal office organization, creating or fine-tuning position descriptions, adopting success metrics, and recruiting qualified individuals.

Question. What is your view of the current staffing of operational energy plans and programs of the military departments and defense agencies?

Answer. If confirmed, I will review the resources allocated to operational energy plans and programs across the defense enterprise.

Question. If confirmed, what role if any do you expect to play in ensuring that the operational energy planning and program functions of the military departments and defense agencies have sufficient staff of appropriately qualified and trained personnel to carry out their duties and responsibilities?

Answer. If confirmed, I plan to work with leadership to assess the capability and capacity of the Department to execute the Department's energy strategy. This assessment would include an appraisal of staff qualifications.

Question. Do you think that the Department is currently doing an adequate job of coordinating operational energy planning and programming across the services?

Answer. No, not at this time. Military and civilian leadership in the Department have done an admirable job of identifying concerns about operational energy and beginning to put in place the policies and staffing to deal with these concerns, but these efforts are still in their early stages, particularly when it comes to implementation. Coordination across the services, Combatant Commands, the Office of the Secretary of Defense and Joint Staff will be a high priority for me, if confirmed.

TRAINING

Question. Section 332 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 requires consideration of fuel logistics support requirements in planning, requirements development, and acquisition processes.

What is your view of the steps that should be taken to ensure wargames, planning processes, other training, and acquisitions appropriately consider the operational impacts of systems that create energy and fuel demand?

Answer. The key mission of the DOEPP office will be to make sure planning processes, wargaming, and acquisitions consider the operational impacts of energy consumption. If confirmed, I and my staff will best accomplish this by deepening relationships and partnerships with key stakeholders across the building, contributing to these processes and activities, and providing useful expertise and information, to include best practices and lessons learned. Also, key leadership statements and strategy documents can be useful tools, especially the 2008 Defense Science Board Task Force report on DOD Energy Strategy and the 2010 Quadrennial Defense Review, which set important baselines.

RESEARCH AND DEVELOPMENT

Question. What do you see as the role or need for research and development to meet DOD's operational energy needs?

Answer. Research and development related to operational energy and force capability is of great importance in meeting the Department's operational energy needs. If confirmed, I look forward to working with the Director, Defense Research and Engineering, the Services, the Department of Energy and the national labs, and the commercial sector to drive and/or capture the benefits of innovation in energy research.

Question. What is your current understanding of the way that the Office of the Secretary of Defense and the military departments coordinate budgets for operational energy research and development?

Answer. My understanding is that the Under Secretary of Defense for Acquisition, Technology, and Logistics, supported by the Director, Defense Research and Engineering, oversees the RDT&E investment accounts and programs of the Services and Defense Agencies and coordinates their budget requests with their sponsors.

Question. Do you believe that any of the military department's research and development programs in this area are redundant or overlapping?

Answer. I do not have sufficient information about the programs to make an informed judgment at this time.

Question. If confirmed, what steps would you take to coordinate the research and development efforts of the military departments for operational energy?

Answer. If confirmed, I will work closely with the Services, Department leadership, and other stakeholders to ensure that energy research needs are being performed where the best capability exists, and to coordinate efforts to make the most progress as quickly as possible.

Question. Do you believe that specific areas of responsibilities should be assigned to each military department? If so, how would you go about defining those areas of responsibility?

Answer. I believe the military departments should have a lead role in determining the capabilities they need to meet military missions and support military forces. If confirmed, I would support OSD and Joint Staff efforts to facilitate collaboration and/or reduce overlap in military R&D responsibilities.

Question. What role do you believe DARPA should play in research and development to meet operational energy needs?

Answer. DARPA has a major role to play in pursuing leap-ahead, often high risk, technological advancements to improve U.S. forces' capabilities. This is true for energy-related technologies just as it is for other areas.

Question. In your view, should DOD accelerate research and technology development efforts related to renewable energy and efficiency, procurement of equipment, and conservation efforts? If so, what steps would you take, if confirmed, to accelerate such efforts?

Answer. I believe that DARPA, and DOD writ large, should accelerate research and technology efforts in any area with strong promise for improving our forces' capability, capacity, and efficiency, particularly where DOD has a unique mission-critical need that cannot be served by the commercial sector. Concerning energy, I am mindful of the fact that DOD has been most successful in driving innovation when DOD is focused on meeting military needs. If confirmed, I would work with the Director, Defense Research and Engineering, the Deputy Under Secretary of Defense for Installations and Environment, and the relevant military department leadership to ensure we are investing in energy innovations to advance our warfighter's capabilities.

Question. In your view, should DOD accelerate demonstration programs with respect to renewable energy platforms to better aid deployed forces in combat zones

where energy and resources are derived solely from power generators and convoy/airlift support? If so, what steps would you take, if confirmed, to accelerate such programs?

Answer. If confirmed, one of my top priorities will be to improve the capabilities, force protection, effectiveness, and efficiency of deployed forces in Iraq, Afghanistan, and global operations against terrorist organizations. I believe that energy innovations can further that goal.

Question. What specific metrics would you use, if confirmed, to assess funding targets and priorities for DOD's long term research efforts and determine whether DOD is making adequate investments in its basic research programs?

Answer. I do not have sufficient knowledge or perspective yet to make such a judgment. However, if confirmed, I would plan to work with key stakeholders to develop a prioritization scheme for energy-related reforms and their implementation, complementing and informed by the Quadrennial Defense Review and other relevant strategy and guidance. This would provide the strongest context for making informed resource allocation and funding target assessments.

DEPARTMENT OF ENERGY

Question. If confirmed, how would you work with the Department of Energy (DOE), including the Advanced Research Projects Agency-Energy, on the development of new or advanced approaches for operational energy requirements?

Answer. If confirmed, I would look forward to working closely with the Department of Energy, including the Advance Research Projects Agency-Energy, to develop new or advanced approaches for meeting operational energy requirements where opportunities for collaboration exist.

Question. Are there any specific areas where you think DOD or the Services are best suited to partner with DOE?

Answer. At this time, I do not have specific thoughts on technologies or other areas that are best suited to a partnership.

Question. The Secretary of Energy recently outlined plans to invest up to $366 million to establish and operate three new Energy Innovation Hubs focused on accelerating research and development in three key energy areas. Each Hub, to be funded at up to $122 million over 5 years, will bring together a multidisciplinary team of researchers in an effort to speed research and shorten the path from scientific discovery to technological development and commercial deployment of highly promising energy-related technologies.

In your view, would similar plans and efforts within DOEPP similarly benefit DOD?

Answer. If confirmed, this is a concept I would discuss with the Director, Defense Research and Engineering and the appropriate Service points of contact.

BIOFUELS

Question. What do you see as the advantages and disadvantages of the use of biofuels by DOD?

Answer. Although I do not know the specifics of DOD's current or planned biofuels use, I believe the advantages and disadvantages of the Department of Defense biofuels programs likely mirror those of the civilian economy. The chief advantages are: the ability to improve U.S. energy security and cut operating and economic vulnerabilities by decreasing reliance on foreign energy sources; the benefit to the U.S. economy and provision of jobs that come with a domestic industry; improvements in climate security through lower greenhouse gas emissions; and the promotion of a long-term transition away from fossil fuels. The disadvantages include: competition with other uses (such as food) depending on the feedstock used; challenges with meeting technical specifications and performance standards; high capital and/or lifecycle costs; insufficient gains in cutting greenhouse gas emissions; and opportunity costs for investment in other energy innovations.

Question. What are the costs and benefits (including environmental costs and benefits) associated with the use of biofuels?

Answer. The costs and benefits of biofuels are complex and depend on the feedstock, water demands of the feedstock and fuel production, byproducts, and total lifecycle greenhouse gas emissions. A thorough and objective cost-benefit analysis of all these considerations will be vital to capturing the benefits and minimizing the costs of biofuels.

Question. If confirmed, how will you help ensure that the use of biofuels by the services do not result in prolonged increased energy costs, detract from operational readiness, or unduly burden existing logistics systems?

Answer. If confirmed, I will ensure that the Department's energy strategy considers all of these factors and will work with the Defense Energy Support Center to ensure any alternative fuels contracts DOD enters into conform with EISA Section 526 and protect the taxpayer against excessive costs. I will also ensure any alternative fuel purchased for deployable systems are fully fungible with conventional fuels and do not compromise performance or sustainment of our forces.

Question. In your view, does the Department need any additional statutory or contract authorities to increase the production of biofuels?

Answer. I do not yet have access to sufficient information to make an informed judgment.

EXPEDITIONARY ENERGY

Question. In a deployed environment, forward operating bases rely on ground-based and air logistical support and generators to function, produce electricity, and accomplish their combat mission, often at the risk of casualties and high costs. One alternative is the use of solar and wind renewable energy resources in theater to provide energy to units.

In your view, which of the concepts and technologies that are currently available or under development provide the most promising sources of energy for deployed units?

Answer. If confirmed, I will seek more information on the technical and demonstration data particular to combat missions in order to make informed judgments on this issue. This would be a priority issue I expect to discuss with the Director, Defense Research and Engineering and the appropriate Service points of contact.

Question. Another alternative currently in use to conserve energy and operational costs is the foaming of tents and structures. The Marine Corps tends to favor insulating fabric layers rather than foam to provide a more lightweight and maneuverable capability to shelters.

What is your understanding of the advantages and disadvantages to using foam as insulation?

Answer. My understanding is that the foaming of tents and some more permanent structures overseas is a great success story in terms of reduced fuel demand. There have also proven to be some challenges related to mobility, disposal, ventilation, and flammability. If confirmed, I will review this program and work with the Services and COCOMs to develop clear and consistent guidance.

Question. What is your understanding of the extent to which tents and structures currently use foaming technology?

Answer. I am not aware of the total number or proportion of operational structures that have been foamed, or that are planned to be insulated in some way.

Question. What is your understanding of DOD's goals for use of foaming in the future?

Answer. I am not aware of any goals or current contracts to further foam any structures. If confirmed, I will collect this data from the Services and COCOMs and discuss options with them to set clear guidance for the future.

Question. In 2007, the Joints Chiefs of Staff rejected an urgent request for renewable power stations in Iraq on the grounds that solar and wind-powered technologies were "not mature enough" to deploy. As a result such potentially beneficial technologies have generally been limited to demonstration programs and deployed units are left without renewable and independent energy sources that could ease the threat and burden of logistical support convoys and airlifts.

If confirmed, what steps would you take to overcome such problems?

Answer. If confirmed, I would work with senior civilian and military leaders to ensure we are better supporting our warfighters in the field. This means testing and fielding operational energy solutions as quickly and as prudently as possible in order to enhance the ability of deployed forces to achieve their missions. In assessing any urgent operational needs, the Department must balance the quick and the prudent; for urgent operational needs with energy as a factor, I would expect the Director for Operational Energy to have a role in such assessments.

Question. Do you consider energy conservation and the use of renewable energy to be a combat multiplier or key performance parameter?

Answer. Both. Improved energy efficiency and use of renewables can be important combat multipliers, if they are implemented in ways that improve the capability of systems and military units, or if they reduce the total logistics footprint in the theater of operations. At the same time, I believe the energy efficiency key performance parameter will be a vital factor in requirements and acquisition decisions going forward.

Question. In your view, is there a need for a cultural change in the mindset of our Armed Forces with respect to renewable energy, efficiency, and conservation?

Answer. Yes. My impression is that a cultural change is underway but is in the early stages of taking hold. A number of factors are spurring this change. First, U.S. and partner forces have faced great challenges in securing and maintaining supply lines in Iraq and Afghanistan, along with high costs. This has underscored the need to cut the consumption of fuel and develop energy alternatives. The Quadrennial Defense Review explicitly and firmly identified energy security as an important national security goal, which will provide a baseline for new thinking. It is my understanding that some wargames and other defense planning activities have also begun to incorporate challenges to energy supplies.

FULLY BURDENED COST OF FUEL

Question. The fully burdened cost of fuel accounts for not only the fuel price but all other costs associated with delivery, often to forward operating locations. It can vary depending on the region and operating platform, but moving fuel by convoy and airlift is often very expensive depending on the analysis.

Do you believe that the fully burdened cost of fuel provides a useful metric for the Department's operational energy programs?

Answer. I believe it can be a useful metric. Right now, the costs of fuel consumption are not fully accounted for; developing a credible metric for the fully burdened cost of fuel will help assign the appropriate value to energy efficiency, conservation, and other alternatives. It can be a vital tool for making smarter decisions on both the performance and sustainment of our future force, but also on the total ownership costs of the forces DOD is developing. If confirmed, I look forward to working within OUSD(AT&L), with the Director of Cost Analysis and Program Evaluation, and with the military departments to find the best way to implement the fully burdened cost of fuel in the DOD acquisition process.

Question. If confirmed, what steps if any would you take to ensure that the fully burdened cost of fuel is accurate, incorporated into funding requests, and becomes efficient as possible?

Answer. I understand that the development and implementation of the fully burdened cost of fuel methodology is a core responsibility of the Director's office. If confirmed, I would work closely with my colleagues in OUSD(AT&L), the Office of the Director, Cost Analysis and Program Evaluation (CAPE) and their equivalents in the military departments to ensure their estimates are developed consistent with acquisition policy, and that they are applied properly within the established acquisition decision processes.

Question. If confirmed, what technologies, programs, and efforts would you advocate to help reduce the fully burdened cost of fuel?

Answer. If confirmed, I would work with the Director, Defense Research and Engineering, in particular, but also with the Service acquisition and research and development commands, to pursue leads with the most promise for improving U.S. forces' endurance, sustainment in the field, and mission capability. I believe that by keeping the improvement of our forces' mission capability as our central focus, we will advance DOD's energy innovation to the greatest degree possible.

CONTINGENCY PLANS

Question. Most military installations rely on energy provided by the local civilian energy grid, which is owned and operated outside of military jurisdiction. The risk of power outages in the civilian energy grid may pose significant threats to their readiness and ability of some installations to perform their mission.

Do you believe that the security and reliability of energy provided to military installations is a significant source of concern?

Answer. Yes. I believe the overall security of the U.S. electric grid is a significant source of concern—for the civilian economy as well as for the Department of Defense. Although I have read reports that there may be unappreciated risks to DOD critical missions from electric grid vulnerabilities, I do not have sufficient exposure to classified and technical data to make an informed judgment on the matter. If confirmed, I expect to work with the assistant Secretary of Defense for Homeland Defense, the Deputy Under Secretary of Defense for Installations and Environment, and the other DOD organizations with equities concerning this issue to better understand current policies and practices.

Question. What role if any do you see for DOEPP in initiatives to improve the security and reliability of energy provided to military installations both in the United States and abroad?

Answer. My understanding is that the responsibilities for ensuring reliable energy supply to military installations cross-cuts numerous policy, oversight, and operational organizations. Given that the definition of "operational energy" includes energy consumed at military bases in the United States in execution of mission critical tasks supporting forward deployed forces and other operational functions, it would be appropriate for DOEPP to be involved in policy formulation and coordination in this area.

Question. In Afghanistan, fuel convoys must pass through unstable regions and single points of entry through mountain passes.

What role if any do you see for DOEPP in the development of contingency plans to ensure energy support to the warfighter in the case of the disruption of lines of supply?

Answer. I am not aware of any authority or requirement in statute, regulations, or policy for DOEPP to review and approve contingency plans, which are the responsibility of the Under Secretary of Defense for Policy and the relevant Combatant Commands. The same is true for planning on current operations, although the USD(AT&L) has a role in logistics oversight in current operations. If confirmed, I plan to collaborate with the Office of the Under Secretary of Defense for Policy, the Joint Staff J8, the Director, Cost Analysis and Program Evaluation (CAPE), and the related offices in the military departments to ensure energy support to warfighters.

RENEWABLE ENERGY

Question. What is your understanding of the extent to which military operational energy is currently derived from renewable energy sources?

Answer. I have not seen an assessment of current operational use of renewable energy. If confirmed, this is a question I will seek hard data on.

Question. If confirmed, what steps if any will you take to increase the percentage of operational energy from renewable sources?

Answer. I believe it is in the Department's interest to assess which renewable sources may reliably meet operational energy needs before setting percentages or targets. An accurate assessment may well demonstrate that there are circumstances in which renewable sources will improve performance and/or reliability and/or lower costs, especially once management tools such as the fully burdened cost of fuel are implemented. I am not aware of whether an assessment has been done to date, but if confirmed, I will examine how decisions are being made about fielding renewable energy sources and technologies to support operational activities.

Question. In your view, are renewable energy technology and other alternatives to fossil fuels too expensive to compete with refined petroleum sources of energy?

Answer. In my view, it would not be prudent to make any blanket statements about the cost competitiveness of alternatives to fossil fuels, especially since the full cost of these fuels is not reflected in the price. Moreover, in the context of military operations, performance is the most important metric, with reliability and cost being important but not necessarily decisive considerations. I do think it is important for the Department to factor into its decisions, especially its procurement decisions, considerations such as "total ownership cost" and the fully burdened cost of fuel, which can help accurately incorporate full energy costs.

Question. If confirmed, what approach will you take to ensure that any efforts to reduce energy demand or shift to renewable energy alternatives will not degrade mission effectiveness?

Answer. If confirmed, one of my driving concerns will be to improve mission effectiveness, especially for deployed forces. I will advocate for energy policies that do so. I will not advocate for any energy option that has a negative effect on mission effectiveness of U.S. forces. If confirmed, I will work diligently to ensure that the way DOD measures the capability, cost, and other implications of energy alternatives is done consistently and rigorously, in line with the other capability considerations.

Question. One common criticism of renewable energy platforms and technologies relates to a lack of power storage or concerns with battery capabilities.

If confirmed, what steps if any would you expect to take to address such potential issues and concerns?

Answer. If confirmed, I will collaborate with the Director, Defense Research and Engineering, as well as the military department research and development and energy lead officials, to ensure our energy storage and related technology investment and testing is keeping up with our forces' operational needs.

Question. DOD has significant experience in partnering with industry to develop renewable power resources—such as solar or geothermal power—for military installations.

Do you see a role for similar partnerships with industry for the development of renewable fuel approaches to operational energy requirements?

Answer. Yes. Partnerships with industry are likely to be crucial to meeting operational energy requirements.

ENERGY GOALS

Question. How would you define operational energy security for DOD?

Answer. Section 331 of the 2009 National Defense Authorization Act defines operational energy as "the energy required for training, moving, and sustaining military forces and weapons platforms for military operations. The term includes energy used by tactical power systems and generators and weapons platforms."

Question. If confirmed, what goals would you establish for DOEPP in achieving operational energy security for DOD?

Answer. If confirmed, I will have a top goal to identify and implement energy policies that can improve the mission effectiveness of deployed forces in Afghanistan, Iraq, and in the global fight against terrorist organizations. Another top goal will be to better integrate energy policy into the Department's business approaches in the research and development, requirements, and procurement processes, to include implementing tools required by law and regulation, such as the Energy Efficiency Key Performance Parameter and the Fully Burdened Cost of Fuel. If confirmed, I will also make assessing, assisting with, and reporting on energy-related budgets across DOD a priority. Finally, an important goal will be to integrate a full understanding of energy security into the Department's strategic planning, force planning, and logistics, raising awareness of energy challenges and opportunities across the defense enterprise and identifying ways and means to improve DOD's energy security in the near, mid, and long term.

Question. What is your understanding of the responsibilities of DOEPP for setting and implementing energy goals, including energy conservation goals and goals for alternative and renewable types of energy, within DOD?

Answer. My understanding is that, if confirmed, I would have a leading role in drafting the Departmental operational energy strategy and policy, in support of the Secretary. I would plan to work with all DOD entities with operational energy in their own portfolios to devise goals and specific changes that advance the capability, affordability, and sustainability of U.S. forces, now and into the future. I would also coordinate with the DUSD(I&E) on ensuring that the operational energy strategy is compatible with the sustainability management plan and other departmental energy management goals.

Question. In your view, are existing DOD energy goals, including energy conservation goals and goals for alternative and renewable types of energy, realistic and achievable?

Answer. From my experience in the private sector, I understand the Department's current goals to be focused on installations and compliance with current laws and the new Executive Order 13514 regarding greenhouse gas emissions from energy use. To my knowledge, those issues will be overseen by the USD(AT&L) with the DUSD(Installations & Environment) as his primary staff lead. I am not aware of any systematic assessment that has been done on whether these goals are sufficient for DOD's purposes but have read anecdotal success stories.

Concerning operational energy, I believe there will be differences in how the Department will measure operational energy benefits in current operations from how it measures energy benefits in the design of future capabilities. I am aware of no specific DOD energy goals in either domain at this time, but if confirmed, I would anticipate having a role in developing those within a DOD energy strategy.

Question. What changes, if any, would you recommend to these goals?

Answer. I am not in a position to recommend proposed changes at this time.

EXECUTION OF EXECUTIVE ORDER

Question. On October 8, 2009, the President signed Executive Order 13514, Federal Leadership in Environmental, Energy, and Economic Performance, to establish the policy that Federal agencies shall increase energy efficiency and measure, report, and reduce their greenhouse gas emissions. The Secretary of Defense has designated the Under Secretary of Defense for Acquisition, Technology, and Logistics to serve as the Senior Sustainability Officer responsible for ensuring compliance with the directives in this executive order.

Are you familiar with the Department of Defense's integrated Strategic Sustainability Performance Plan required by the executive order?

Answer. Yes, I am familiar with the requirement in the executive order.

Question. What role do you expect to play, if confirmed, in working with the Under Secretary of Defense to carry out the requirements of the executive order?

Answer. I believe that, if confirmed, I would partner with the DUSD(I&E) in supporting the USD(AT&L) to meet these requirements.

Question. What issues, if any, do you anticipate for the Department of Defense in satisfying the goals in the executive order?

Answer. Beyond noting the recent announcement of greenhouse gas emissions targets, I do not have sufficient insight into how the Department is planning to implement the executive order to anticipate such issues.

COMPLIANCE WITH SECTION 526 OF THE U.S. ENERGY INDEPENDENCE AND SECURITY ACT

Question. Section 526, which was signed into law in December 2007, prohibits Federal agencies from entering into procurement contracts of alternative or synthetic fuel for any mobility-related use, other than for research or testing, unless the contract specifies that the lifecycle greenhouse gas emissions are less than or equal to emissions from the equivalent conventional fuel produced from conventional petroleum sources.

What is your understanding of the Department of Defense's concerns associated with the implementation of section 526?

Answer. I am not aware of any Department of Defense concerns about this matter.

Question. If confirmed, how would you address these concerns?

Answer. If confirmed, I believe that my responsibilities would include addressing concerns or legislative initiatives related to section 526.

ARMY ENERGY POLICY

Question. In your view, what renewable technologies and fuel types have the most potential for certification and use by tactical vehicles?

Answer. I do not have sufficient technical information at this time to make an informed judgment on which technologies have the most potential for tactical vehicle use. However, if confirmed, I will seek information from the relevant acquisition and technology development authorities in DOD, the R&D labs, and industry to gain a better perspective. I strongly believe, though, that there is great promise in developing, proving, and adopting more energy efficient designs and technologies and renewables, if we can show that they improve the capability of platforms, lower the total ownership cost of forces, and/or reduce the scale of the logistic support required to sustain missions.

Question. What is your view of the feasibility and advisability of using alternative and renewable technologies for tactical vehicles?

Answer. I believe there is a bright future for incorporating technologies and designs that improve efficiency and utilize alternative power sources in tactical vehicles. My intent, if confirmed, is to ensure DOD's planning processes incorporate technologies and designs that maximize capability while minimizing the limitations our systems have due to their demand for energy.

Question. In your view, what applications for hybrid-electric drives, if any, could be applied to tactical vehicles?

Answer. I consider it very important to find ways to lighten the logistics burden on deployed forces, including the fuel burden of tactical vehicles. I believe there may be some applications for hybrid-electric drives, but also that current technologies may not be suitable for all tactical vehicles. Though I do not have detailed information on this subject, I am aware that the U.S. Army Tank Automotive Research, Development and Engineering Center (TARDEC) is currently evaluating Hybrid-Electric (HE) technologies and look forward to learning more about their findings.

Question. What is your understanding of the Department's current plan for certification of tactical vehicles for alternative fuel use?

Answer. The Air Force began a significant effort in 2007 to start certifying its entire fleet of aircraft on blends of synthetic and conventional fuels. From what I have read, most of their aircraft have since been certified. Secretary of the Navy Mabus has issued a policy regarding the Navy's certification of surface ships and aircraft for use of synthetic fuels, but I am not sure of the status of this effort. I understand the Army is currently evaluating synthetic and renewable fuel blends for some systems. I am unaware of any Marine Corps plans to certify their tactical vehicles for alternative fuel use. I am not aware of a DOD-wide policy on alternative fuel certification.

Question. If confirmed, would you support such efforts and what similar policies and initiatives would you support?

Answer. If confirmed, I would work with the Deputy Under Secretary of Defense for Installations and Environment and the military departments' installation and energy officials to promote the use and testing of initiatives that reduce costs, improve the resilience of installations to perform critical missions, and to improve DOD's greenhouse gas emissions.

AIR FORCE ENERGY POLICY

Question. In your view, what renewable technologies and fuel types have the most potential for certification and use by aircraft?

Answer. I strongly support policies in place that address reducing carbon emissions, reducing dependence on foreign oil, promoting alternative energy sources, and increasing energy efficiency. I believe renewable technologies and fuels can play a role in helping the Department succeed in these areas. Therefore, if confirmed, I will perform a comprehensive review of current Air Force and other Service efforts regarding specific technologies and fuel types and recommend to the Secretary of Defense those alternative fuel sources that I believe are in the best interest of the Department.

Question. What is your view of the feasibility and advisability of using alternative and renewable energy technologies for aircraft?

Answer. If confirmed, I will consult with the Air Force and other Services regarding the feasibility of specific alternative and renewable energy technologies being considered for aviation use. I will recommend to the Secretary of Defense those technologies which show the most promise to enhance mission capability while meeting or exceeding the Department's energy goals.

Question. What is your view of the cost effectiveness of alternative and renewable fuels for use as aviation fuels?

Answer. Although there are promising scientific and technological developments, the market for alternative and renewable aviation fuels is not yet mature. It is still early to speculate on the cost effectiveness of these fuels. It will be up to industry to produce alternative and renewable fuels for the Department that can be obtained cost-competitively.

Question. How much of a premium if any do you believe the Department should be willing to pay for the use of alternative and renewable fuels for aircraft?

Answer. If confirmed, I will consult within the Department and the Defense Logistics Agency to determine the feasibility of considering premiums for the purchase of alternative and renewable fuels.

NAVY ENERGY POLICY

Question. In October 2009, Secretary Mabus announced various energy goals for the Navy including the creation of a "Green Strike Group" powered by biofuels by 2012 and deploying by 2016; by 2015, reducing petroleum use in its 50,000 commercial vehicle fleet by 50 percent by phasing in hybrid fuel and electric vehicles; producing at least half the shore-based energy requirements from renewable sources, such as solar, wind and ocean generated by the base; and by 2020, ensuring at least 40 percent of the Navy's total energy consumption comes from alternative sources.

What is your understanding of the "Green Strike Group"?

Answer. I am pleased that Secretary Mabus has given operational energy such a prominent place on his list of priorities, and if confirmed, I would look forward to working closely with him on improving the capability, sustainability, and cost-effectiveness of the forces under his purview. My understanding of his "Green Strike Group" concept is that he will meet the targets he has through a combination of nuclear powered vessels, efficiency improvements, and the use of alternative fuels.

Question. What is your understanding of the anticipated cost and schedule for the implementation of the "Green Strike Group" and associated energy goals?

Answer. I have not seen a cost estimate or specific schedule of its implementation plan, besides those target dates mentioned above.

Question. What is your understanding of the role and responsibility of DOEPP for establishing and implementing Navy energy policy within the DOD?

Answer. My understanding of the role and responsibility of DOEPP in this case is fourfold. While the Navy should establish and implement its own energy policy, the DOEPP will provide leadership, facilitate communication, and conduct oversight of operational energy plans and programs within the Navy, as well as the Army, Air Force, Marine Corps, and defense agencies. Second, DOEPP will establish an operational energy strategy that will guide the Navy and other Services and defense agencies in establishing their plans. Third, DOEPP is responsible for coordinating and overseeing planning and program activities of the Navy and across the defense enterprise in the implementation of the operational energy strategy. Finally,

DOEPP has other statutory responsibilities to review and certify the energy portions of budget submitted by the Navy, the other Services, and across the Department.

Question. In your view, what renewable technologies and fuel types have the most potential for certification and use by ships?

Answer. To date, I have not seen a technical assessment that would give me sufficient information on which to base such a judgment.

LOGISTICS

Question. If confirmed, what would be your priorities with respect to logistical and materiel support, supply chain management, and sustainment efforts as they pertain to operational energy?

Answer. Responsibility in OSD for these issues rest with the USD(AT&L), supported by the assistant Secretary of Defense for Logistics and Materiel Readiness(ASD(L&MR)). If confirmed, I hope to work closely with the ASD(L&MR) on ways to reduce energy demand in the current and future force, and to promote energy solutions that will improve the supportability, flexibility and mobility of U.S. forces.

Question. What is your view of the role DOEPP will play in addressing logistical support challenges associated with the delivery of energy to deployed units, particularly in harsh environments like Afghanistan?

Answer. My view is that DOEPP should play a lead role in DOD in advocating for aggressive testing, demonstration, and fielding of energy solutions that can reduce the resupply burdens on U.S. forces wherever they are operating. According to the 2010 Quadrennial Defense Review, our forces face anti-access challenges from near-peer competitors and others in the future as well, which could put fuel and logistics resupply in the air and at sea at much greater risk.

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 DOEPP?

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR MARK UDALL

OPERATIONAL ENERGY SECURITY AND MILITARY CULTURE

1. Senator UDALL. Ms. Burke, in a deployed environment, forward operating bases rely entirely upon ground-based and air logistical support and electric generators to produce power, often at the risk of casualties and high costs. Secure and renewable energy sources without a risky logistical tail, vulnerabilities, or burden on combat capability would greatly benefit our Armed Forces. Recently, the Department has made some progress in setting renewable and sustainable energy goals but we still have a long way to go. If confirmed, how do you plan to transition from well-intentioned goals, small scale demonstrations, and good ideas on paper, and make the leap to rapidly test, evaluate, and field expeditionary energy platforms?

Ms. BURKE. If confirmed, I would place high priority on improving fuel demand management at deployed locations. As part of the strategy development required by legislation, I would seek to assess the technologies and practices that have already been fielded in current deployments and in U.S.-based military installations, col-

lecting information on best practices and lessons learned that can be applied to operational energy. This assessment would especially look for tested strategies and technologies that can be scaled for wider use. My understanding is that this may include but is not limited to: smarter and more resilient power management systems and approaches, more efficient or efficient use of generators, improved energy storage (batteries), insulation of tents and generators, solar panels for structures or individuals, small wind turbines, and a range of options for mobility. In addition, if confirmed, I would cooperate with the Director of Defense Research and Engineering (DDR&E), other defense components, the Military Services, the Department of Energy, and the private sector to identify promising technologies and push the pace of research, development, demonstration and deployment. The operational energy strategy itself can provide an important roadmap to help prioritize areas for investment, experimentation, field testing, and further development.

2. Senator UDALL. Ms. Burke, how can Congress assist you in that endeavor?

Ms. BURKE. Congress took important action in creating the office for which I am being considered, but in my current position it would be difficult to know if any further action is required. If I am confirmed as the Director, I would consider an ongoing dialogue with Congress to be crucial to the success of my office.

3. Senator UDALL. Ms. Burke, how do you plan to reduce demand and improve efficiencies through changing military culture while providing them with renewable and sustainable battlefield solutions that reduce vulnerability but also increase expeditionary capability?

Ms. BURKE. If confirmed, my top priority would be to harness military culture to improve the military's energy security. The Military Services focus fiercely on mission effectiveness and have strong leadership traditions, and I believe it is possible to demonstrate to soldiers, sailors, marines, and airmen—and their leadership—that changing their energy use will improve their mission effectiveness. At the same time, I would keep in mind that organizational cultures change when the incentives and policies change, with clear leadership support. If confirmed, I would seek to work with the Department's leaders to change policies and incentives, including by committing adequate resources to and rewards for demand management and integrating operational energy concerns into the strategy, planning, and procurement processes.

FULLY BURDENED COST OF FUEL

4. Senator UDALL. Ms. Burke, the logistical efforts to deliver our troops the fuel and other resources they need to fight are dangerous and expensive. The Fully Burdened Cost of Fuel (FBCF) accounts for all costs associated with delivery to forward operating locations, such as combat outposts in Afghanistan. While some of the Services differ on the exact price of FBCF, estimates range into the hundreds of dollars per gallon, and logistical convoys often dedicate well over half of their load to fuel and water. What is your understanding of FBCF today in Afghanistan?

Ms. BURKE. Military missions, from training to combat, tend to be dangerous and expensive; the challenge is to eliminate unnecessarily high risks and costs. Indeed, the Nation's leaders owe it to the men and women in uniform to be aggressive about doing so. I believe the patterns of operational energy use today in Afghanistan incorporate far more risk than they need to and that there are alternatives and approaches that will cut the risk and also potentially support broader strategic goals in theater. To the best of my knowledge, the "Fully Burdened Cost of Fuel" has not been explicitly used as a tool to help cut these risks in Afghanistan. The Department's leaders are clearly aware, however, that fuel costs and logistics vulnerabilities in Afghanistan are too high. The variances in the estimates of FBCF that you cite are due to calculations based on different methods of fuel delivery.

5. Senator UDALL. Ms. Burke, if confirmed, what steps would you take to ensure that FBCF is accurate and incorporated into funding requests and the acquisition process?

Ms. BURKE. If confirmed, I would first look at all studies and pilot programs that have been completed to date on how the Fully Burdened Cost of Fuel might be calculated and then lead a collaborative effort with the Joint Staff, relevant defense agencies, the military services, and the private sector, if appropriate, to delineate a reasonable process and implementation plan.

6. Senator UDALL. Ms. Burke, do you believe that current Department of Defense (DOD) requirements and acquisition processes adequately consider the fully-burdened life-cycle costs of energy?

Ms. BURKE. No.

7. Senator UDALL. Ms. Burke, if confirmed, what technologies, programs, and efforts would you advocate to help reduce FBCF?

Ms. BURKE. Generally, I believe the Director of Operational Energy Plans and Programs should focus on making the link between improved energy security and improved mission effectiveness and force capabilities. In that regard, if confirmed, I would look forward to working with the Director, Defense Research and Engineering, the Service senior energy officials, industry, and interagency partners to advocate for technologies, programs and efforts that minimize current and future energy risks and costs to U.S. forces. At the same time, it is my belief that the Director of Operational Energy Programs and Plans should use tools that incentivize and identify rather than prescribe the best mix of technologies and approaches for improved mission effectiveness and force capabilities.

8. Senator UDALL. Ms. Burke, what expeditionary renewable energy platforms could help reduce the logistical burden of fuel and water for deployed combat units?

Ms. BURKE. The majority of fuel used in current military operations is for tactical vehicles, aircraft, and generators (for space heating and cooling, lighting, and communications on bases or in forward operating positions). Renewable energy platforms that target these end uses, either on the supply or demand side, may reduce the logistical burdens on deployed forces. I believe the Department should be careful not to focus, however, on a single or solely high-tech set of tools and solutions; there has to be room for unexpected developments and options. For example, the Government Accountability Office showcased in a recent report a variety of ongoing initiatives, from the testing of a "renewable energy tent city" to one commander who achieved significant energy savings just by rearranging the "network" of his generators. Indeed, this study and others suggest that the practices of energy consumers on defense installations and at forward positions can affect energy usage as much as the design of equipment. If confirmed, I would review all studies and ongoing pilot efforts on the use of renewable technologies and collect information on promising developments in this area for currently deployed forces.

ALTERNATIVE FUELS

9. Senator UDALL. Ms. Burke, DOD has begun to research and certify renewable fuels such as algae and camelina to create alternatives to petroleum products. These renewable alternatives could increase energy security, reduce operational demand and dependence on petroleum products, and reduce greenhouse gas emissions, which could result in a plethora of benefits for DOD and by extension other Federal agencies and academia. How do you define energy security and how does energy security tie into the operational requirements of the military?

Ms. BURKE. For the Nation, I define energy security as having reliable, affordable, and sustainable energy supplies to support a robust economy. For the Department specifically, I concur with the definition of energy security in the Quadrennial Defense Review (QDR): "energy security for the Department means having assured access to reliable supplies of energy and the ability to protect and deliver sufficient energy to meet operational needs." Given the QDR wording, it is fair to say that energy security ties into the military's operational requirements geostrategically, strategically, and tactically. These considerations can range from the way relations with oil-producing nations may affect U.S. military commitments, to the role of energy availability in campaign planning, to the opportunity cost of volatile and high energy prices, to the vulnerability of fuel convoys to attacks from Improvised Explosive Devices and ambush.

10. Senator UDALL. Ms. Burke, how can the Department improve the security and reliability of energy provided to our military abroad and in the United States?

Ms. BURKE. The Department can improve the security and reliability of energy provided to the military by managing demand, especially by improving energy efficiency and promoting conservation. The Department also needs to promote diversity of fuel sources so that it relies on a portfolio of energy sources and suppliers, lessening its vulnerability to disruption, price volatility, and the unintended security consequences of relying on problematic and insecure suppliers. In addition, my un-

derstanding is that the Department is considering a full range of risk management strategies for domestic U.S. bases, which rely on the commercial electric grid.

11. Senator UDALL. Ms. Burke, if confirmed, what specific metrics would you establish to monitor DOD's progress with respect to alternative fuels?

Ms. BURKE. If confirmed, my first task would be to develop a strategy that identifies goals against which to measure success and set priorities—both for the Department and more specifically for the Office of Operational Energy Plans and Programs. I think it is important to do this before identifying specific metrics for alternative fuels or overall operational energy security. Generally speaking, though, I believe metrics should be developed in cooperation with stakeholders, should measure inputs, outputs, outcome, and impact, and they should be clear, limited in number, and flexible and iterative enough to adjust for changing circumstances. Of course, the bottom line in measuring DOD's energy progress will be how energy impacts military effectiveness, and I anticipate implementing metrics along those lines, as well as on cost and other issues.

QUESTIONS SUBMITTED BY SENATOR ROLAND W. BURRIS

ENERGY TECHNOLOGY

12. Senator BURRIS. Ms. Burke, a recent Government Accountability Office (GAO) report stated, "DOD relies overwhelmingly on commercial electrical power grids for secure, uninterrupted electrical power supplies to support its critical assets and DOD is the single largest consumer of energy in the United States." Additionally, Secretary Gates and each of the Service Secretaries have stated in their fiscal year 2011 testimony that energy and conservation overall is a priority effort. What are the plans to use more clean energy technologies within DOD?

Ms. BURKE. The Deputy Under Secretary of Defense for Installations and Environment has responsibility for energy policies related to fixed installations, and environmental quality of the whole Department, including for fleet vehicles. For installations, the Department is preparing plans to meet the greenhouse gas (GHG) and other "sustainability" targets described in Executive Order 13514 of 2009, which will require more aggressive use of clean energy sources. If confirmed, I would expect to work closely with the DUSD(I&E) and the Service senior energy leaders to promote experimentation and adoption of renewable energy solutions and more efficient distribution systems to help mitigate risks from prolonged outages, to reduce environmental impact, and to help advance the state of the art for these technologies in the civil sector.

13. Senator BURRIS. Ms. Burke, what are the plans to reduce reliance on commercial electrical power?

Ms. BURKE. I know the Department is looking at how to improve its security relative to the commercial electric grid, but I do not know the specifics of the Department's plans or whether reducing reliance on commercial electrical power would meet DOD's energy security goals. DOD must ensure it retains the ability to complete its critical missions even in the event of failure by the commercial power grid. Although the Director of Operational Energy Plans and Programs has no explicit responsibility for this issue by statute, I understand that if confirmed, I would likely play a supporting role in improving the Department's energy security at domestic installations.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

DOD ENERGY

14. Senator INHOFE. Ms. Burke, in a July 2008 letter to my office, DOD stated that section 526 "is overly broad both in design and application. . . . The provision opens the Department up to court or administrative challenges to every fuel purchase it makes, with the inherent potential for an adverse decision that would cover fuels the military already relies on as well as potential reliable sources of fuel that could be developed in the future." Do you believe section 526 has the potential to affect the availability of alternative and conventional fuel sources which the military may procure? Why or why not?

Ms. BURKE. At this time, I do not have sufficient information to answer this question. If confirmed, I would review the letter, the findings that informed it, and confer with appropriate leadership in order to fully answer this question. Generally, if

confirmed, I would see it as my job to help ensure that U.S. forces always have access to the energy they need to conduct current and future military operations.

15. Senator INHOFE. Ms. Burke, do you believe DOD should have the option of utilizing alternative fuels to include coal-to-liquid or gas-to-liquid fuels?
Ms. BURKE. Yes.

16. Senator INHOFE. Ms. Burke, in the hearing you said that you "would not promote the use of fuels that are carbon intensive". In your opinion, are fuels derived from Canadian oil sands carbon intensive?
Ms. BURKE. In the hearing, I was referring to current research, development, and demonstration of alternative fuels by the Department of Defense and the need to balance operational capability gains with environmental costs. While I am not privy to the latest research on fuels derived from the Canadian oil sands, they are commonly understood to have a higher carbon intensity than fuels already in use by DOD. I believe U.S. forces should procure fuels that contribute to mission success and am open to evaluating whether fuel from Canadian oil sands would do this.

17. Senator INHOFE. Ms. Burke, what fuels do you consider carbon intensive?
Ms. BURKE. I consider fuels that generate relatively high carbon dioxide emissions per unit of energy produced to be carbon intensive. Fossil fuels (and, in some cases, biomass fuels) tend to be carbon intensive, absent carbon capture and sequestration.

18. Senator INHOFE. Ms. Burke, to what degree could mission effectiveness reasonably be sacrificed due to what you consider "the security risks of added greenhouse gases"?
Ms. BURKE. Mission effectiveness should never be sacrificed; at the same time, I do not believe that mission effectiveness is a zero sum game. DOD needs to do everything possible to ensure mission success in current deployments and also engage in the strategy development, planning, and procurement that will prepare the military and the Nation for future mission success.

19. Senator INHOFE. Ms. Burke, in the National Defense Authorization Act for Fiscal Year 2010 conference report, the conferees acknowledged that section 526 was not intended to preclude DOD from purchasing the fuel it needs and that clarification is required. Do you believe that simple report language is sufficient in this regard?
Ms. BURKE. I do not know, but I believe it will be important to clarify this matter with the leadership at the Department, if confirmed. As the Senator notes, it was clearly not the intent of the legislation to inhibit military operations in any way.

20. Senator INHOFE. Ms. Burke, if the security of our troops comes into conflict with avoiding the use of carbon intensive fuels or addressing climate change, which, in your view, should take priority?
Ms. BURKE. DOD's energy decisions should always support the welfare and mission success of our soldiers, sailors, airmen, and marines. If I am confirmed, it would be my job to help make sure U.S. forces always have the energy they need to achieve operational objectives. One way to accomplish this goal is to reduce the amounts of fuel needed to support current military operations, given that our supply lines are vulnerable, difficult to protect, present unnecessarily high mission risks, and are costly to operate and protect in dollars and in lives. Therefore, in my view, the security of American troops will not come into conflict with avoiding the use of carbon intensive fuels or addressing climate change. In fact, I believe the security of our troops will be enhanced by the prudent consideration of these factors, as delineated in the 2010 QDR.

21. Senator INHOFE. Ms. Burke, in your answers to the advance policy questions, you said one of your top priorities with respect to renewable energy will be to improve the capabilities, force protection, effectiveness, and efficiency of deployed forces in Iraq, Afghanistan, and global operations against terrorist organizations. The question specifically addressed energy and resources derived solely from power generators and convoy/airlift support. Power to operate equipment 24/7 in all of our areas of responsibilities (AORs) is critical to mission success. Please provide specific examples of alternative sources of energy you would be looking at in Afghanistan.
Ms. BURKE. I agree with what I believe to be the basic premise of this question, which is that reliability is essential in deployed energy supply. It is my belief, however, that current supply lines are not as reliable as they could be or need to be. If confirmed, I would plan to work with the Military Services to improve the energy

security of deployed forces, both by looking for alternative sources of energy, but also by reducing the demand for energy. If confirmed, I would start by assessing supply and demand options that have already been tested or fielded. My understanding is that these options include, but are not limited to: smarter and more resilient power management systems and approaches, more efficient or efficient use of generators, improved energy storage (batteries), insulation of tents and generators, solar panels for structures or individuals, small wind turbines, and a range of options for mobility. I believe there will be important lessons learned, both about what works and what does not work, which can help guide more systematic decisions and leadership support for energy security in theater. I also believe that military bases in the United States may have experience with energy innovations that can be applied in theater and should be included in an assessment of the range of possibilities.

22. Senator INHOFE. Ms. Burke, how do size of footprint on the ground, logistics support, and threats from attack play into using and accelerating such programs?

Ms. BURKE. Today's U.S. forces and support operations are energy intensive and require significant logistics support. In addition to the 2010 QDR, recent studies by the Government Accountability Office, the Defense Science Board, Deloitte Consulting, Global Green USA, and others have found that supply convoys have been heavily targeted in current operations both in Iraq and in Afghanistan and that the majority of these convoys are moving fuel. That vulnerability is exacerbated, ironically, by our strength: it is my belief that U.S. forces are likely to outclass any enemy for the foreseeable future, and one result of that asymmetry is that our foes will continue to try to attack and block our logistics "tail" and other relatively soft targets, regardless of the size of our military "footprint." Strategies, technologies, and approaches that can lessen the reliance of U.S. forces on frequent resupply and lighten the logistics burden will help make our operations more robust and resilient. In that sense, operational energy use is as much an opportunity to improve mission effectiveness as it is a vulnerability.

[The nomination reference of Sharon E. Burke follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
December 11, 2009.

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

Sharon E. Burke, of Maryland, to be Director of Operational Energy Plans and Programs. (New Position)

[The biographical sketch of Sharon E. Burke, which was transmitted to the committee at the time the nomination was referred, follows:]

RÉSUMÉ OF CAREER SERVICE OF SHARON E. BURKE

Education:

- Williams College
  - September 1984–June 1988
  - Bachelor of Arts Degree awarded June 1988
- Columbia University, School of International and Public Affairs
  - September 1992–June 1994
  - Master of International Affairs Degree awarded June 1994
  - Certificate of Middle Eastern Studies awarded June 1994

Employment Record:

- Center for a New American Security
  - Vice President for Natural Security
  - Senior Fellow
  - July 2007–present
- Third Way

- Director of the National Security Project
- February 2006–July 2007

- Corporation for National and Community Service
  - Speechwriter
  - September 2005–February 2006
- Independent Consultant
  - Speechwriting consultant
  - January 2005–October 2006
- U.S. Department of State
  - Member, Policy Planning Staff
  - Special Assistant to the Deputy Secretary of State
  - July 2002–January 2005
- Amnesty International USA
  - Advocacy Director for the Middle East and North Africa
  - March 2001–July 2002
- U.S. Department of Defense
  - Speechwriter to the Secretary of Defense
  - Country Director for South Asia, Office of Near Eastern and South Asian Affairs (OUSDP)
  - Presidential Management Intern
  - October 1994–January 2001
- Office of Technology Assessment of the U.S. Congress
  - Research Analyst, Energy and Transportation programs
  - September 1989–July 1992
- Office of U.S. Senator Paul Sarbanes
  - Staff Assistant
  - October 1988 (approx)–September 1989

Honors and Awards:

- Leadership Team, Next Generation Project, American Assembly (2007)
- Next Generation Fellow, American Assembly (2006)
- Department of State Superior Honor Award (2004)
- Department of Defense Exceptional Public Service Award (2001)
- Department of Defense Meritorious Service Group Award (1995)
- Presidential Management Intern, U.S. Department of Defense (1994–1996)
- Foreign Language and Areas Studies Fellow, Georgetown University (1993)
- International Fellow, Columbia University (1993)
- Zuckerman Fellow, Columbia University (full tuition and stipend, 1992–1994)
- Dean's List, Williams College and St. Lawrence University.

[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 Sharon E. Burke 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.)
Sharon Eileen Burke.

2. **Position to which nominated:**
Director of Operational Energy Plans and Programs, U.S. Department of Defense.

3. **Date of nomination:**
December 11, 2009.

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 12, 1966; South Laguna, CA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Paul Anthony Fagiolo.

7. **Names and ages of children:**
Thomas Romeo Fagiolo, age 9.
Anthony Foster Fagiolo, age 5.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Palos Verdes High School, 1980–1984, high school diploma received June 1984.
Williams College, 1984–1988, BA degree received June 1988.
Columbia University, 1992–1994, Master of International Affairs degree received June 1994.
Certificate of Middle Eastern Studies received June 1994.

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.
Center for a New American Security, Senior Fellow 2007–2008, Vice President, 2008–present.
Director of the National Security Project, Third Way, Washington, DC, February 2006–July 2007.
Speechwriter, Corporation for National and Community Service, Washington, DC, September 2005–February 2006.
Independent Speechwriting Consultant, January 2005–present (note that in this capacity, was on the Senate payroll working for U.S. Senator Chuck Hagel from February 2005–September 2005). Note that though technically I am still open to working on such contracts, but I have not accepted any such work since October 2006.
Member, Policy Planning Staff and Special Assistant to the Deputy Secretary of State, U.S. Department of State, July 2002–January 2005, Washington, DC.
Advocacy Director for the Middle East and North Africa Amnesty International USA, March 2001–July 2002, Washington, DC.

Speechwriter to the Secretary of Defense, November 1998 (approximately)–January 2001, Washington, DC.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

Naval Studies Board, National Security Implications of Climate Change on U.S. Naval Forces, September 2009–present.

Member, Emergency Preparedness Committee, City of Takoma Park, MD, 2006–2008.

Consultant to Senator Chuck Hagel, February 2005–September 2005 (on U.S. Senate payroll in that capacity).

Department of Defense, Country Director for South Asia and for North Africa in OSD (Policy) 1996–1998; Presidential Management Intern 1994–1996.

Research Analyst, Office of Technology Assessment, September 1989–July 1992.

Staff Assistant, Office of U.S. Senator Paul Sarbanes, September 1988 (approx)–September 1989.

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.

Center for a New American Security, Senior Fellow 2007–2008, Vice President, 2008–present.

Project 2049, Board of Directors, 2009–present.

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

Women in International Security, Member 1996 (approximately)–present.

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

$250 to Chap Petersen for Lieutenant Governor of Virginia, 2004
$500 to Forward Together PAC 2/23/2006
$500 to Obama Victory Fund 10/22/08
$200 to Jack Reed for Senate, September 2007

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

Leadership Team, Next Generation Project, American Assembly (2007)
Next Generation Fellow, American Assembly (2006)
Department of State Superior Honor Award (2004)
Department of Defense Exceptional Public Service Award (2001)
Department of Defense Meritorious Service Group Award (1995)
Presidential Management Intern, U.S. Department of Defense (1994–96)
Foreign Language and Areas Studies Fellow, Georgetown University (1993)
International Fellow, Columbia University (1993)
Zuckerman Fellow, Columbia University (full tuition and stipend, 1992–1994)
Dean's List, Williams College and St. Lawrence University

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

"China is Calling for your Cell Phone," Defense News, October 12, 2009.

Occasional contributor to Natural Security Blog at www.cnas.org since June 11, 2009.

Natural Security, Center for a New American Security, June 11, 2009.

Climate Change Wargame: Major Findings and Background, Center for a New American Security, June 1, 2009.

Clout and Climate Change Wargame: Participant Briefing Book, Center for a New American Security, May 29, 2009.

Clout and Climate Change Wargame: Materials Generated by the Game, Center for a New American Security, May 29, 2009.

Uncharted Waters: the U.S. Navy and Climate Change, Center for a New American Security, March 30, 2009.

Remodeling the U.S. Government for Energy Security: Initial Findings from the Big Energy Map, Center for a New American Security, December 4, 2008.

A Strategy for American Power: Energy, Climate, and National Security, Center for a New American Security, June 11, 2008.

With Campbell et al., Climatic Cataclysm: The Foreign Policy and National Security Implications of Climate Change, Brookings Institution Press, 5/22/2008.

With Kamarck and Galston, Security First: A Strategy for Defending America, Third Way, 2007.

With Matt Bennett, Beyond Bush: A New Strategy of Constriction to Defeat al Qaeda and its Allies, Third Way, 2007.

With Harlan Geer, The Neo Con: The Bush Defense Record by the Numbers, Third Way, 2006.

With Matt Bennett, Addressing Iraq in a Charged Political Environment, Third Way, 2006.

With Matt Bennett and Jim Kessler, Winning the National Security Debate: Lessons from a New Poll, Third Way, 2006.

With Matt Benett, Tough and Smart: A Winning National Security Strategy, Third Way, 2006 (A message memo series that includes focused pieces on Latin America, China, the U.S. military, WMD, and homeland security).

Occasional contributor to Third Way "Dispatch," 2006–2007, at www.thirdwav.org.

Research contributor to U.S. Congress, Office of Technology Assessment, Energy in Developing Countries, OTA–E–486, Washington, DC, U.S. GPO, January 1991.

With Joy Dunkerley et al., U.S. Congress, Office of Technology Assessment, Fueling Development: Energy Technologies for Developing Countries, OTA–E–516, Washington, DC, U.S. GPO, April 1992.

Contributor to U.S. Congress, Office of Technology Assessment, Rebuilding the Foundations: A Special Report on State and Local Public Works Financing and Management, OTA–SET–447, Washington, DC, U.S. GPO, March 1990.

Contributor to U.S. Congress, Office of Technology Assessment, Delivering the Goods: Public Works Technologies, Financing, and Management, OTA–SET–477, Washington, DC, U.S. GPO, April 1991.

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.

Please see attached.

October 29, 2009 Remarks to the Asia-Pacific Chiefs of Defense, U.S. Pacific Command

October 22, 2009 Talking Points for Remarks to the Sandia National Laboratory Leadership Conference

July 23, 2009 Testimony before the Senate Foreign Relations Committee

June 11, 2009 CNAS Annual Meeting Remarks on Natural Security

June 11, 2008 CNAS Annual Meeting Remarks on Energy Security

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

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

SHARON E. BURKE.

This 18th day of March, 2010.

[The nomination of Sharon E. Burke was reported to the Senate by Chairman Levin on May 5, 2010, with the recommendation that

the nomination be confirmed. The nomination was confirmed by the Senate on June 22, 2010.

[Prepared questions submitted to Solomon B. Watson IV 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. Although I believe that the framework established by Goldwater-Nichols has significantly improved inter-Service and joint relationships and promoted the effective execution of responsibilities, the Department, working with Congress, should 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 to identifying any areas in which it can be improved upon, and then to consider with Congress whether the act should be revised.

DUTIES

Question. What is your understanding of the duties and functions of the General Counsel of the Department of the Army?

Answer. Title 10, U.S.C., section 3019 provides that the General Counsel of the Army shall perform such functions as the Secretary of the Army may prescribe. The Secretary has done so through general orders, regulations, and memoranda. The General Counsel provides legal advice to the Secretary of the Army, the Under Secretary, the Assistant Secretaries, and other offices within the Army Secretariat. As the chief legal officer of the Department of the Army, the General Counsel determines the controlling legal positions of the Department of the Army. The General Counsel's responsibilities extend to any matter of law and to other matters as directed by the Secretary. I understand that examples of specific responsibilities currently assigned to the General Counsel include providing professional guidance to the Army's legal community, overseeing matters in which the Army is involved in litigation, serving as the Designated Agency Ethics Official, exercising the Secretary's oversight of intelligence and other sensitive activities and investigations, providing legal advice to the Army Acquisition Executive, and taking final action on certain claims filed against the Army.

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

Answer. The duties and responsibilities of the General Counsel of the Department of the Army are broad and far-reaching. Consequently, the General Counsel must possess sound legal and analytical skills along with absolute integrity and mature judgment. As the diversity and complexity of the legal and policy issues confronting the Army are such that no one lawyer can have in-depth experience in all of them, the General Counsel must have strong interpersonal and leadership abilities and a willingness to work collaboratively with experts in numerous areas. I believe that, if confirmed, my background and diverse legal and executive experiences have well prepared me to execute the duties of General Counsel of the Department of the Army.

I received my undergraduate degree in 1966 from Howard University where I was in Advanced Army ROTC and, after graduation, was commissioned a Second Lieutenant in the Military Police (MP) Corps. I served with the 9th Infantry Division MP Company for almost 1 year in Vietnam and received the Bronze Star and Army Commendation Medals for my service. After completing my military service in 1968, I entered Harvard Law School and received a JD degree in 1971. I have been a practicing lawyer for more than 35 years.

I was an associate at a large Boston law firm for 3 years before joining the legal department of The New York Times Company (a public company) in 1974. I have held various legal and executive positions during 32 years of service at the company, including 12 years as Corporate Secretary and, more recently, 16 years as General Counsel. In the latter role I was responsible for the legal affairs of The Times Company and its operating units. I have practiced law in such areas as antitrust, employee benefits, corporate acquisitions, and public company reporting and disclosure, and have adapted to changing legal, regulatory and economic environments throughout my career.

As General Counsel, I have regularly advised the board of directors and the senior management of The Times Company on a broad range of issues including compliance, legal and enterprise risk, governance, conflicts of interest and human resources. Additionally, as a member of the company's senior management team, I have participated in strategic planning, management development, organizational design and acquisitions/dispositions.

I believe that my military, legal and executive experiences have helped prepare me for the extraordinary challenge of serving as General Counsel of the Department of the Army and overseeing the delivery of quality legal services. I recognize the legal and policy issues that face the Department of the Army in this time of war and transformation. If confirmed, I commit to diligently and effectively perform the duties of General Counsel of the Department of the Army.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the General Counsel of the Department of the Army?

Answer. I am confident that I have the requisite legal experience, analytic abilities and leadership skills to serve as the General Counsel of the Department of the Army. If confirmed, I will work to broaden my expertise and further my understanding and knowledge of the major legal challenges facing the Army, including its personnel and its organizations. Additionally, if confirmed, I will undertake to establish and maintain collaborative and productive professional working relationships with the career civil servants in the Office of the General Counsel as well as with the Judge Advocate General of the Army and with other related offices dealing with matters of mutual interest. If confirmed, I would expect to benefit from their knowledge as we work collaboratively to provide the best possible legal services to all members of the Department of the Army.

Question. Assuming you are confirmed, what duties and functions do you expect that the Secretary of the Army would prescribe for you?

Answer. Although the Secretary of the Army has not discussed with me the duties and functions he will expect of me, I anticipate that he will rely on me to provide accurate and timely legal advice to help ensure that the Army complies with both the letter and spirit of the law. I would expect the current enumeration of General Counsel responsibilities set forth in the General Order prescribing the duties of each principal official of Headquarters, Department of the Army, generally to remain in effect. Apart from such formally prescribed duties, I believe the Secretary of the Army would expect me to continue a collegial and professional relationship with the General Counsels of the Department of Defense, the other military departments, and the Defense agencies and the legal staffs of other Federal agencies. I anticipate that the Secretary of the Army will expect me to continue the extraordinarily effective and professional working relationship that exists between the Office of the General Counsel and The Judge Advocate General and his staff. Finally, I anticipate that the Secretary of the Army will expect me to manage the General Counsel's office efficiently and effectively, and to ensure that the Army legal community is adequately resourced to perform its important mission.

Question. In carrying out your duties, how will you work with the General Counsel of the Department of Defense?

Answer. The General Counsel of the Department of Defense is the Chief Legal Officer and final legal authority for the Department of Defense. The General Counsel of the Department of Defense, Mr. Jeh Johnson, has made clear in his testimony before this Committee and in his actions in the Department, that he intends to work closely with the Service General Counsels. If confirmed, I anticipate having a close and professional relationship with Mr. Johnson, characterized by continuing con-

sultation, communication, and cooperation on matters of mutual interest, in furtherance of the best interests of the Department of Defense.

MAJOR CHALLENGES

Question. In your view, what are the major challenges that will confront the General Counsel of the Department of the Army?

Answer. In my opinion, one major challenge will be to consistently provide responsive, accurate legal advice on the broad array of complex issues likely to arise in connection with the Army's role in the prosecution of contingency operations while simultaneously transforming our business operations. Although the current environment makes it difficult to anticipate specific legal questions, I expect to confront issues relating to operational matters, acquisition reform, privatization initiatives, military and civilian personnel policies, compliance with environmental laws, and oversight of Department of the Army intelligence activities. I am not aware of any problems in the current delivery of legal services. However, if confirmed, I will work hard to ensure that the Army legal community is adequately staffed and resourced to provide the responsive, accurate, and timely legal advice necessary to ensure success in all of the Army's endeavors.

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

Answer. If confirmed, I will prioritize legal issues in the manner that best serves the Department of the Army. I will also ensure that the talented and dedicated lawyers comprising the Army legal community continue to provide timely, value-added legal and policy advice of the highest possible quality, executing the Department's recurring legal responsibilities and anticipating and responding to the numerous issues that the Army confronts every day. I will endeavor to keep Army lawyers involved at all stages of the decisionmaking process, because I believe that preventive law, practiced early in the formulation of departmental policies, will undoubtedly facilitate the Department's adaptation to the changing operational environment. Additionally, if confirmed I will work diligently to resource adequately and staff expertly the Army legal community, in order to guarantee decisionmakers at all levels access to the best possible legal advice.

Question. What broad priorities will you establish in terms of issues which must be addressed by the Office of the General Counsel of the Department of the Army?

Answer. If confirmed, I will focus foremost on the issues that directly impact soldiers, their families, readiness, and the support of military operations. I anticipate that the other legal issues of highest priority will arise from the Army's operational readiness to meet the challenges posed by today's dynamic security environment while simultaneously transforming the business operations of the institutional Army. I will ensure that expert advice is provided to those engaged in the Army's efforts to improve the acquisition process and to eliminate fraud, waste, and abuse. I will also ensure that the Army legal community continues to provide timely legal advice of the highest possible quality, executing the Department's recurring legal responsibilities and anticipating and responding to the numerous issues the Army confronts every day.

RELATIONSHIP WITH THE JUDGE ADVOCATE GENERAL

Question. In carrying out your duties if you are confirmed, how will you work with the Judge Advocate General of the Army?

Answer. I believe that close, professional cooperation between the civilian and uniformed members of the Army's legal community is absolutely essential to the effective delivery of legal services to the Department of the Army. If confirmed, I will seek to ensure that the Office of the General Counsel and The Judge Advocate General and his staff, as well as The Judge Advocate General and I, work closely together to deliver the best possible legal services to the Department of the Army.

Question. How are the legal responsibilities of the Department of the Army allocated between the General Counsel and the Judge Advocate General?

Answer. The Army General Counsel is the chief legal officer of the Department of the Army. The Office of the Army General Counsel is a component of the Army Secretariat, and provides legal advice to the Secretary of the Army and other Secretariat officials on all legal matters. The Judge Advocate General is the legal adviser of the Chief of Staff of the Army, members of the Army Staff, and members of the Army generally. In coordination with the Army General Counsel, The Judge Advocate General serves as military legal adviser to the Secretary of the Army. The law expressly prohibits interference with the ability of The Judge Advocate General to give independent legal advice to the Secretary of the Army. Even in the absence of that statutory requirement, I would always welcome the expression of independent

views about any legal matter under consideration. The Judge Advocate General also directs the members of the Judge Advocate General's Corps in the performance of their duties. By law, he is primarily responsible for providing legal advice and services regarding the Uniform Code of Military Justice and the administration of military discipline. The Office of the Army General Counsel and the Office of The Judge Advocate General have developed and maintain a close and effective working relationship in performing their respective responsibilities. If confirmed, I will work to continue this synergistic partnership.

Question. If confirmed, how would you ensure that legal opinions of your office will be available to Army attorneys, including judge advocates?

Answer. It is my understanding that the majority of legal opinions provided to Army attorneys and judge advocates are issued by the Office of The Judge Advocate General, and that many of these opinions are coordinated with the Office of the Army General Counsel. The close, professional cooperation between the civilian and uniformed members of the Army's legal community is absolutely essential to ensure that legal opinions issued by the Office of the Army General Counsel will be available to all Army attorneys and Judge Advocates and vice versa. If confirmed, I will seek to ensure that the Office of the General Counsel appropriately makes available any legal opinions that it issues.

Question. In response to attempts within the Department of Defense to subordinate legal functions and authorities of the Judge Advocates General to the General Counsels of the Department of Defense and the military services, Congress enacted legislation prohibiting any officer or employee of the Department of Defense from interfering with the ability of the Judge Advocates General of the military services and the legal advisor to the Chairman of the Joint Chiefs of Staff to provide independent legal advice to the Chairman, service secretaries, and service chiefs.

What is your view of the need for the Judge Advocate General of the Army to have the authority to provide independent legal advice to the Secretary of the Army and the Chief of Staff of the Army?

Answer. The Judge Advocate General's statutory responsibility and authority to provide independent legal advice, set forth in title 10, U.S.C., section 3037, has repeatedly been recognized as essential to the effective delivery of legal services. Uniformed attorneys bring another perspective to the practice of law, providing insight and advice shaped by years of service across the Army. In today's environment, our senior leaders both demand and deserve independent advice from their counsel.

Question. What is your view of the responsibility of Army judge advocates to provide independent legal advice to military commanders?

Answer. I believe that Army Judge Advocates in the field are vested with a critical responsibility: to provide quality, candid, legal advice to military commanders. Army commanders need and deserve the best legal advice and judgment available—that is in part made possible when Judge Advocates operate independently, with appropriate advice and guidance from supervising attorneys in their technical chain.

Question. If confirmed, would you propose any changes to the current relationships between the Judge Advocate General of the Army and the Army General Counsel?

Answer. Based upon my knowledge and understanding to date, I believe that The Judge Advocate General and the Army General Counsel have an excellent working relationship. If confirmed, I will continue to foster this professional and collaborative relationship with The Judge Advocate General and his staff to ensure the effective delivery of legal services to the Department of the Army.

Question. Article 6 of the Uniform Code of Military Justice gives primary jurisdiction over military justice to the Judge Advocates General of the Army, Navy, and Air Force.

How do you view the responsibilities of the Army General Counsel in the performance of military justice matters with regard to the Judge Advocate General of the Army?

Answer. The Judge Advocate General's responsibilities to ensure the proper administration of the military justice system require his direct and independent advice to the Secretary of the Army on military justice matters. I look forward to providing The Judge Advocate General with whatever support and coordination I can in this respect. I will, if confirmed, consult with The Judge Advocate General on matters of mutual interest or concern relating to military justice, recognizing his statutory duties and special expertise in this area. I will also work with The Judge Advocate General in safeguarding the integrity of the military justice system.

ATTORNEY RECRUITING AND RETENTION ISSUES

Question. If confirmed, how do you assess your ability to hire and retain top quality attorneys and provide sufficient opportunity for advancement?

Answer. I understand that the Army continues to recruit and retain top quality military and civilian attorneys and provide them opportunities for advancement. If confirmed, I will continue to monitor and assess recruitment, retention, and advancement programs for our military and civilian attorneys.

Question. In your view, does the Department of the Army have a sufficient number of civilian and military attorneys to perform its missions

Answer. I understand that new and enhanced mission requirements in recent years have fueled growth in the Army's legal community. If confirmed, I will evaluate whether the number of attorneys in the Department of the Army is sufficient to accomplish the Army's missions.

Question. In your view, what incentives to successful recruiting and retention of attorneys, if any, need to be implemented or established?

Answer. In my view, retention of top military and civilian attorneys is essential to the current and future success Army legal services. Although I am unfamiliar with the full scope of attorney retention programs available in the Army, if confirmed, I intend to review these programs carefully and support those incentives and initiatives that affect the retention of the best attorneys to support the Army mission.

DETAINEE ISSUES

Question. What role do you expect to play, if confirmed, in addressing legal issues regarding detainees?

Answer. Properly addressing legal and policy issues associated with detainees and detention operations is of vital importance to the Department of Defense and the Nation as a whole. I understand that the Office of the General Counsel and the Office of The Judge Advocate General support the DOD General Counsel in executing elements of the President's Executive Orders related to detainee operations. Additionally, if confirmed, and in coordination with The Judge Advocate General, I will provide advice to the Secretary of the Army in his role as the Department of Defense Executive Agent for the administration of detainee operations policy, with particular focus on our obligation to treat all detainees humanely.

Question. Section 1403 of the National Defense Authorization Act for Fiscal Year 2006 provides that no individual in the custody or under the physical control of the United States Government, regardless of nationality or physical location, shall be subject to cruel, inhuman, or degrading treatment or punishment.

In your view, is the foregoing prohibition in the best interest of the United States? Why or why not?

Answer. Yes, I firmly believe that this prohibition is in the best interest of the United States. This prohibition is consistent with the long-standing military tradition of applying the humanitarian provisions of the Law of War to those individuals who, for whatever reason, are no longer actively participating in hostilities and find themselves in custody. Moreover, this prohibition is consistent with international standards to which the United States is a party. As President Obama recently noted, "[a] democracy as resilient as ours must reject the false choice between our security and our ideals." Prohibiting the cruel, inhumane, or degrading treatment or punishment of individuals in our custody or under our physical control upholds our ideals and reinforces our moral authority around the world.

Question. Do you believe that the phrase "cruel, inhuman, or degrading treatment or punishment" has been adequately and appropriately defined for the purpose of this provision?

Answer. Although the phrase "cruel, inhuman, or degrading treatment" is, on its face, susceptible to broad interpretation, the proscriptions on such conduct contained in the Department's implementing directives, as well as the provisions of the Geneva Conventions that are embodied in those directives, make it clear to soldiers what conduct is prohibited. If confirmed, I will ensure the Army's implementation of this policy in doctrine, to include training manuals, is clearly understood.

Question. What role do you believe the General Counsel of the Army should play in the interpretation of this standard?

Answer. The appropriate role of the General Counsel is to provide advice to the Secretary of the Army and his staff on detention and interrogation policies that implement this standard. If confirmed, I will ensure Army implementation is consistent with the law, the intent of the administration, and the guidance issued by the Secretary of Defense.

Question. What role do you believe the Judge Advocate General of the Army should play in the interpretation of this standard?

Answer. The appropriate role of The Judge Advocate General is to provide advice to the Chief of Staff of the Army and the Army staff on detention and interrogation policies that implement this standard. The Judge Advocate General should also continue to train and supervise the Judge Advocates in the field, who are so instrumental in attaining and maintaining this standard.

Question. If confirmed, will you take steps to ensure that all relevant Army directives, regulations, policies, practices, and procedures fully comply with the requirements of section 1403 and with Common Article 3 of the Geneva Conventions?

Answer. I will. I believe the requirements of section 1403 and Common Article 3 of the Geneva Conventions are essential to maintaining a disciplined Army, whose actions are grounded in the rule of law.

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. I do. These standards have been instrumental in restoring the confidence of the American people in the Army and have been and will continue to be important in guiding our soldiers' actions in contingency operations.

Question. Section 2441 of title 18, U.S.C., as amended by the Military Commissions Act of 2006, defines grave breaches of common Article 3 of the Geneva Conventions, including torture and cruel and inhuman treatment.

In your view, does section 2441 define these terms in a manner that provides appropriate protection from abusive treatment to U.S. detainees in foreign custody and to foreign detainees in U.S. custody?

Answer. These sections of the War Crimes Act were necessary to define the "serious crimes," or "grave breaches," of Common Article 3 to the Geneva Conventions. Defining these felony-level offenses in our domestic law manifested our international law obligations to define, with specificity, the grave breaches which must be prosecuted under the law of war. In addition, I believe that we must continue to enforce these standards through the promulgation of doctrine, training, and oversight, and that we must hold soldiers accountable for violations of these standards.

CONTRACTORS ON THE BATTLEFIELD

Question. U.S. military operations in Iraq have relied on contractor support to a greater degree than any previous U.S. military operations. The extensive involvement of contractor employees in a broad array of activities—including security functions—has raised questions about the legal accountability of contractor employees for their actions.

Do you believe that current Department of Defense and Department of the Army regulations appropriately define and limit the scope of security functions that may be performed by contractors in an area of combat operations?

Answer. It is my understanding that Department of Defense Instructions 1100.22 and 3020.41 currently define the limit and scope of security functions that may be performed by contractors in an area of combat operations; however, I have been advised that these instructions are presently under review. Accordingly, it would be premature for me to offer an opinion at this time regarding whether current Department of Defense and Department of the Army regulations on this subject are adequate. If confirmed, however, I will support this review, as appropriate. Additionally, Section 321 of the National Defense Authorization Act for Fiscal Year 2009 directed the Office of Management and Budget (OMB) to review whether the definition of the term "inherently governmental" is "sufficiently focused to ensure that only officers or employees of the Federal Government or members of the Armed Forces perform inherently governmental functions or other critical functions necessary for the mission of a Federal department or agency." I understand that the Office of the Assistant Secretary of the Army for Manpower and Reserve Affairs is participating in this review, which I too will support, if confirmed.

Question. What changes, if any, would you recommend to such regulations?

Answer. It would be premature for me to recommend any changes to Department of Defense or Department of the Army regulations. If confirmed, I will consider the findings and recommendations of the reviews of this subject matter and make appropriate recommendations to the Secretary of the Army.

Question. Do you believe that current Department of Defense and Department of the Army regulations appropriately define and limit the scope of contractor participation in the interrogation of detainees?

Answer. I understand that the current Department of Defense and Department of the Army regulations define and, as properly implemented, limit the scope of contractor participation in the interrogation of detainees. However, the National Defense Authorization Act for Fiscal Year 2010 significantly limits DOD's authority to use contractors in an interrogation role. DOD and Army policies must be reviewed and amended to comply with the new law. If confirmed, I will support this review process.

Question. What changes, if any, would you recommend to such regulations?

Answer. Although I have no basis of knowledge on which to propose changes at this time, I will, if confirmed, review applicable Department of Defense and Department of the Army regulations to determine what, if any, changes may be necessary and appropriate.

Question. OMB Circular A–76 defines "inherently governmental functions" to include "discretionary functions" that could "significantly affect the life, liberty, or property of private persons."

In your view, is the performance of 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 an inherently governmental function?

Answer. I understand that support services that require the exercise of substantial discretion or prudent judgment are inherently governmental. That said, there are many factors that must be considered in assessing whether a particular mission or set of duties is inherently governmental. If I am confirmed, I intend to examine this issue in greater depth.

Question. In your view, is the interrogation of enemy prisoners of war and other detainees during and in the aftermath of hostilities an inherently governmental function?

Answer. Currently, DOD policy allows properly trained and cleared contractors to conduct government-approved interrogations, provided they are supervised and closely monitored throughout the process by properly trained DOD military or civilian personnel. However, the National Defense Authorization Act for Fiscal Year 2010 significantly limits DOD's authority to use contractors in an interrogation role. DOD and Army policies must be reviewed and amended to comply with the new law. If confirmed, I will support this review process.

Question. What role do you expect to play, if confirmed, in addressing the issue of what functions may appropriately be performed by contractors on the battlefield?

Answer. If confirmed, I will provide advice to the Secretary of the Army and the Assistant Secretaries regarding the functions that contractors may legally perform on the battlefield. I will assist them in implementing policies regarding the use of contractors that are consistent with applicable statutory and regulatory constraints.

Question. The Military Extraterritorial Jurisdiction Act (MEJA) was enacted in 2000 to extend the criminal jurisdiction of the U.S. courts to persons employed by or accompanying the Armed Forces outside the United States.

In your view, does MEJA provide appropriate jurisdiction for alleged criminal actions of contractor employees in Iraq, Afghanistan, and other areas of combat operations?

Answer. I understand that MEJA was intended to address a jurisdictional gap in U.S. criminal law as applied to civilians employed by or accompanying the Armed Forces outside the United States, members of the Armed Forces, and former members of the Armed Forces, including their dependents. In my opinion, MEJA provides an effective means of exercising extraterritorial criminal jurisdiction over contractor employees in Iraq, Afghanistan, and other areas of operation, who engage in conduct that would constitute a felony-level Federal crime in the United States.

Question. What changes, if any, would you recommend to MEJA?

Answer. I understand that legislation has been proposed in the past that would expand MEJA to cover individuals employed under a contract (or subcontract at any tier) awarded by any department or agency of the United States, where the work under such contract is carried out in an area, or in close proximity to an area (as designated by the Department of Defense), where the Armed Forces are conducting contingency operations. If confirmed, I will assess whether this or any other change to MEJA may be appropriate.

Question. What role would you expect to play, if confirmed, in developing administration recommendations for changes to MEJA?

Answer. If confirmed, I would play an active role in the development of any proposals to change MEJA. I would also coordinate closely with The Judge Advocate General in the development of any such proposals given the complementary and sometimes competing availability of criminal jurisdiction under the Uniform Code of Military Justice.

Question. Section 552 of the National Defense Authorization Act for Fiscal Year 2007 extended criminal jurisdiction of military courts-martial under the Uniform Code of Military Justice (UCMJ) to persons serving with or accompanying an armed force in the field during time of declared war or a contingency operation, such as our current operations in Iraq and Afghanistan.

In your view, does the UCMJ provide appropriate jurisdiction over alleged criminal actions of contractor employees in Iraq, Afghanistan, and other areas of combat operations?

Answer. The UCMJ provides commanders the tools necessary to maintain good order and discipline and the morale, welfare and safety of all those under their jurisdiction during military operations. Because misconduct by contractors may undermine good order and discipline, Congress extended UCMJ jurisdiction to cover such individuals. The Secretary of Defense, in turn, published guidance on the prudent exercise of such jurisdiction. This guidance ensures that the Department of Justice and the Department of Defense each play an appropriate role in resolving whether, and under which system, jurisdiction might be better exercised in each potential case.

Question. What is your view of the procedures agreed upon by the Department of Defense and the Department of Justice to reconcile jurisdictional responsibilities under MEJA and the UCMJ?

Answer. I have not had an opportunity to review the procedures agreed upon by the Department of Defense and the Department of Justice to reconcile jurisdictional responsibilities under MEJA and the UCMJ. If confirmed, in coordination with The Judge Advocate General, I will monitor cases in which MEJA and the UCMJ are employed to assess the effectiveness of the procedures and whether further refinements of these procedures may be necessary.

Question. What changes, if any, would you recommend to the UCMJ to ensure appropriate jurisdiction for alleged criminal actions of contractor employees?

Answer. At this time, I am not aware of any specific provisions in the UCMJ that need change in this area.

Question. What are your views on the impact of Article 12 of the Status of Forces Agreement between the United States and Iraq on U.S. jurisdiction over contractor personnel pursuant to either MEJA or the UCMJ?

Answer. As I understand it, Article 12, paragraph 2 of the "Agreement Between the United States of America and the Republic of Iraq On the Withdrawal of United States Forces from Iraq and the Organization of Their Activities during Their Temporary Presence in Iraq" provides that Iraq shall have the primary right to exercises jurisdiction over U.S. contractors and U.S. contractor employees. This will not preclude the U.S. from exercising jurisdiction over such a person pursuant to MEJA or the UCMJ in the event that Iraq agrees to waive its primary right of jurisdiction in a particular case.

Question. How are jurisdictional matters arising out of Article 12 being addressed?

Answer. I have been informed that the United States will cooperate with Iraq to address jurisdictional matters on a case-by-case basis when such issues arise.

ATTACKS AT FORT HOOD

Question. The recent attack that resulted in the deaths of 12 soldiers and one civilian employee and the wounding of many more at Fort Hood was allegedly carried out by a Muslim Army medical officer. Media reports indicate that warning signs of the Major's extremist views were observed but not documented in official personnel records that were shared with the FBI.

In your view, do current Army policies limit the ability to include information in official records that may assist in the identification of potential threats?

Answer. At this time, I am not sufficiently familiar with current Army policies regarding the filing of information in official records to permit me to express an opinion on this important question. I am informed, however, that the issues associated with the identification of potential threats are being addressed in the course of the reviews currently underway within the Army and the Department of Defense. If confirmed, I will look closely at this issue, in coordination with the Assistant Secretary of the Army for Manpower and Personnel; the Deputy Chief of Staff, G–1; and the Deputy Chief of Staff, G–2.

Question. Do current Army procedures hinder the ability to share this type of information with other official agencies charged with identifying and monitoring potential extremist or terrorist activities?

Answer. I am not aware of any problems in this area at the present time. However, if confirmed, I will ensure that this matter is included in the Army's review

of its procedures for sharing potential threat and other force protection-related information both internally (e.g., with the Army Criminal Investigation Command), and with other Department of Defense or Federal law enforcement or intelligence agencies, as appropriate.

Question. What is your understanding of how the Army balances the need to identify and respond to potentially harmful extremist views held by soldiers against individual privacy and respect for the right of soldiers to hold and express personal beliefs?

Answer. It is my understanding that the Army currently has a robust policy that proscribes participation in extremist organizations and activities. Commanders have been empowered to maintain good order and discipline in their units, and enforcement of this policy is a function of command; I further understand that the Army mandates reporting of suspected or possible international or domestic terrorist activity, espionage, compromises of security or classified information, and similar activities. I have been informed that the Army regulation addressing counterintelligence awareness and reporting is currently under revision, and that in the interim, the Army has published guidance to commanders that includes a list of indicators of potential terrorist-associated threats that may arise inside the Army. If confirmed, I will work closely with the proponents of force protection policies to ensure that Army programs addressing potential threats maintain the proper balance between the need for commanders to maintain good order and discipline and protect the force, and soldiers' rights to privacy and to hold and express personal beliefs.

Question. Do you see a need for a change in this balance?

Answer. At this time, I have no basis of knowledge on which to formulate an opinion on this important issue. As noted above, however, it is my understanding that the ongoing reviews within Army and Department of Defense will attempt to determine whether existing policy in this area may have contributed to the circumstances surrounding the incident at Ft. Hood. If confirmed, I would examine the review panel's report in detail, and participate in the Army's efforts to address the report's findings and recommendations.

RELIGIOUS GUIDELINES

Question. What is your understanding of current policies and programs of the Department of Defense and the Department of the Army regarding religious practices in the military?

Answer. It is my understanding that the Army's policies support religious tolerance and mutual respect. If confirmed, I would continue the Army's firm commitment to upholding the Constitutional tenets of the "free exercise" and "establishment" clauses and review policies as necessary to assure continued compliance with the First Amendment.

Question. 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. I have been informed that current Army policies require chaplains to support all unit personnel, regardless of their beliefs. It is my view that these Army policies do accommodate free exercise of religion. If confirmed, I am willing to study this issue further to determine if changes in policy are necessary and appropriate.

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 belief?

Answer. I understand that during mandatory official functions, chaplains are not compelled to offer prayers that are inconsistent with their faith, but are expected to remain sensitive to the pluralistic Army and society they serve. In my opinion, these policies strike an appropriate balance, given the diversity of religious views in the Army. If confirmed, I would be willing to study this issue further to determine if changes in policy are necessary and appropriate.

ROLE IN THE OFFICER PROMOTION AND CONFIRMATION PROCESS

Question. What is your understanding of the role of the General Counsel of the Department of the Army in ensuring the integrity and proper functioning of the officer promotion process?

Answer. I have been informed that under title 10, U.S.C., chapter 36, the Secretary of the Army is responsible for the proper functioning of the Department of the Army's promotion selection process. In addition to the legal review of memoranda of instruction and selection board reports to ensure they comport with statu-

tory standards, the Army General Counsel must also ensure the conduct of the board process conforms to all legal requirements. The diligent execution of this function requires advising the Secretary of the Army of any case in which a selection board report or selection board process fails to adhere to the statutory standards, either generally or with regard to a particular officer being considered for promotion. In advising the Secretary of the Army and the Office of the Assistant Secretary of the Army (Manpower and Reserve Affairs), the General Counsel helps to ensure that Army promotion policies properly implement applicable laws and regulations and are fairly applied. In these matters, the Office of the Army General Counsel coordinates closely with The Office of the Judge Advocate General.

Question. Do you see a need for change in this role?

Answer. It is my understanding that the current process is working well; however, if I am confirmed and determine that a change is necessary, I would work closely with the Assistant Secretary of the Army (Manpower and Reserve Affairs), The Judge Advocate General, and the Assistant Chief of Staff, G–1, to effect such change, while maintaining both the integrity of the Army's promotion process and the trust of the officer corps, Congress, and the American people.

GENERAL AND FLAG OFFICER NOMINATIONS

Question. Under DOD Instruction 1320.4, adverse and alleged adverse information pertaining to general and flag officers must be evaluated by senior leaders in the Services and in the Office of the Secretary of Defense prior to nomination for promotion and certain assignments.

If confirmed, what role, if any, would you play in the officer promotion system, particularly in reviewing general officer nominations?

Answer. I have been informed that for all officer promotions, including general officer promotions, the Office of the Army General Counsel, in coordination with the Office of The Judge Advocate General, reviews the following:

a. Memoranda of Instruction that govern the conduct of promotion selection boards and subsequent promotion selection board reports.
b. Adverse information that is not in an officer's official military personnel file that may be presented to the promotion selection board. I have been advised that this information is reviewed to ensure it is accurate and comports with the requirements of Title 10 in that it is "substantiated, relevant information that could reasonably affect the deliberations of the selection board."
c. Adverse information related to general officers. In general officer cases, the standard for adverse information that must be presented to a promotion selection board is "any credible information of an adverse nature." I have been advised that the Office of the Army General Counsel participates in a detailed screening process in which a panel of senior officials reviews all credible information related to officers whose records will be reviewed by a promotion selection board for promotion to a general officer grade. The panel ensures that all adverse information is properly identified for presentation to the promotion selection board.
d. Adverse information that becomes available after a promotion selection board makes its recommendations. I have been advised that the Office of the Army General Counsel and the Office of The Judge Advocate General coordinate in providing legal advice to the Secretary of the Army so that he may determine whether a promotion review board should be convened to consider whether to continue to support the promotion of the considered officer or take steps to remove the officer from the promotion list.

Question. What is your understanding of the role of the General Counsel of the Department of the Army in ensuring the legal sufficiency of statutory selection board processes?

Answer. I understand that under title 10, the Secretary of the Army is responsible for the proper functioning of the Department of the Army's promotion selection process. Prior to approval by the Secretary of the Army, all Memoranda of Instruction for officer promotion selection boards are reviewed by the Office of the Army General Counsel, in coordination with the Office of The Judge Advocate General, to ensure the Secretary's instructions conform to statutes and accurately reflect his guidance regarding attributes necessary for service in the next grade. All reports of promotion selection boards are processed through the Office of the Army General Counsel prior to final action on the report by the Secretary. The Army General Counsel must satisfy himself or herself that the Army has met applicable statutory standards and that individual selection board reports conform to the law. The Army General Counsel must advise the Secretary of the Army of any case in which a selection board report fails to adhere to the statutory standards, either generally or with re-

gard to a particular officer being considered for promotion. In advising the Secretary of the Army and the Office of the Assistant Secretary of the Army (Manpower and Reserve Affairs), the General Counsel helps to ensure that Army promotion policies properly implement applicable laws and regulations and are fairly applied.

Question. What is the role, if any, of the General Counsel of the Department of the Army in reviewing and providing potentially adverse information pertaining to a nomination to the Senate Armed Services Committee

Answer. It is my understanding that under current Department of the Army practice, the Office of the Army General Counsel reviews each selection board report, as well as Departmental communications to the Committee, the President, and the Secretary of Defense, to ensure that the reports and communications comply in form and substance with law and regulation. The Office of the Army General Counsel gives special attention to cases of nominees with substantiated or potentially adverse information and cases with reportable information in order to ensure that such information is reported to the Senate Armed Services Committee in a timely, accurate, and comprehensible manner.

MILITARY PERSONNEL POLICY AND CASES

Question. In your view, what role, if any, should the General Counsel and civilian attorneys assigned to the Office of General Counsel play in military personnel policy and individual cases, including cases before the Board for Correction of Military Records?

Answer. If confirmed, I will work with the Secretary of the Army, the Assistant Secretary of the Army (Manpower and Reserve Affairs), and other senior leaders to ensure that the Army properly develops and fairly applies military personnel policies. Were I to become aware that the Department did not fairly and lawfully apply military personnel policies, I would take appropriate action to ensure that the Army properly resolves the issue. If confirmed, I would coordinate with the Assistant Secretary of the Army (Manpower and Reserve Affairs), who provides oversight for the Army Review Boards Agency, regarding the legal sufficiency of Army Board for the Correction of Military Records recommendations to the Secretary of the Army. In addition, I am aware of and fully respect the independent role that the Army Board for the Correction of Military Records plays in the correction of military records.

SEXUAL ASSAULT PREVENTION AND RESPONSE POLICY

Question. Numerous cases of sexual misconduct involving soldiers have been reported from Iraq, Kuwait, and Afghanistan 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. They asserted that the military failed to respond appropriately by providing basic services, including medical attention and criminal investigations of their charges.

What is your understanding of the resources and programs the Army has in place in deployed locations to offer victims of serious sexual assaults the medical, psychological, and legal help they need?

Answer. This is an extremely important issue for the Army and, if confirmed, I will focus significant attention on it. Although I am not fully aware of all Army initiatives or resources to help sexual assault victims, I understand that the Army has taken significant steps to improve the assistance to all victims of sexual assaults, with specific attention to victims in a deployed environment. If confirmed, I will study this matter in greater depth with a view to ensuring the Army continues to take appropriate steps to provide medical, psychological, and legal help to soldiers who are victims of sexual assault, both in garrison and in deployed locations.

Question. What is your view of the steps the Army has taken to prevent sexual assaults on female soldiers at their home stations and when they are deployed?

Answer. It is my view that the Army has taken several extremely important steps in its campaign to prevent sexual assaults on female soldiers at their home stations and when deployed. I am aware that the Army launched a new comprehensive sexual assault prevention campaign in 2008. If confirmed, I will ensure that the legal community fully supports this initiative.

Question. What is your view of the adequacy of the training and resources the Army has in place to investigate and respond to allegations of sexual assault?

Answer. At this time I am not familiar with all of the Army's training and resources to investigate and respond to allegations of sexual assault. If confirmed, I will assess whether additional steps should be taken to support victims and hold offenders accountable.

Question. Do you consider the Army's current sexual assault policies and procedures, particularly those on confidential reporting, to be effective?

Answer. I have been advised that the Army has focused both on eliminating sexual assault from its ranks and on victim support—both key elements of an effective program to address sexual assault. I have been advised that part of the focus on victim response was the implementation of confidential reporting (also called "restricted" reporting), which I understand allows sexual assault victims to disclose confidentially the details of their assault to specified individuals and receive medical treatment and counseling, without triggering the official investigative process. If confirmed, I will work with knowledgeable professionals to assess and ensure the continuation of effective Army programs.

Question. Specifically, do you think that Sexual Assault Response Coordinators should be attended a confidentiality privilege in order to help them perform their duties more effectively?

Answer. I am advised that the Army is currently considering whether a confidentiality privilege should be extended to communications with Sexual Assault Response Coordinators. If confirmed, I will work with knowledgeable professionals to determine whether extending a confidentiality privilege to Sexual Assault Response Coordinators would allow them to perform their duties more effectively.

HOMOSEXUAL CONDUCT POLICY

Question. The current Homosexual Conduct Policy, commonly referred to as "Don't Ask, Don't Tell," went into effect in February 1994 after months of congressional hearings and debate resulting in the enactment of a Federal statute (10 U.S.C. section 654). Although there have been some changes in how this policy has been implemented, the basic policy has not changed. President Obama has made it clear that he intends to work with the military and with Congress to repeal the policy.

What is your view of the current policy, as stated in section 654?

Answer. I recognize the effort that went into the enactment of title 10, U.S.C., section 654, and I respect the decisions of Congress and the President on this issue. I have been informed that, as implemented within the Department of Defense, the policy has met the general intent of Congress.

Question. What is your view on the merits of repealing or changing this policy?

Answer. I understand that a review of the policy has been initiated by the President and, if I am confirmed, I would work closely with my counterparts in the other Services, The Judge Advocate General, and the General Counsel of the Department of Defense to assess the current policy and to make recommendations for appropriate changes that are consistent with law and promote good order and discipline in the Armed Forces.

Question. In your view, would changing this policy have an adverse impact on good order and discipline in the military?

Answer. It is my understanding that good order and discipline are fundamental to the success of our Nation's military. Consequently, if I am confirmed, and were changes to the policy to be approved, I would work diligently to ensure that the implementation of any new law or policy did not adversely impact the good order and discipline of the Army.

Question. If confirmed, what role would you play in efforts to repeal or change this policy?

Answer. As noted above, if confirmed, and as directed by the President, I would work closely with my counterparts in the other Services, The Judge Advocate General, and the General Counsel of the Department of Defense to assess the current policy and to make recommendations for appropriate changes.

Question. If the policy is changed by Congress, would you recommend a phase-in period for implementation of the new policy?

Answer. If Congress and the President were to amend current policy, the incremental implementation of the new policy should be carefully considered. The potential impact on good order and discipline, military necessity, and the intent of Congress are important factors to be considered in the analysis of whether a phase-in of any new policy is appropriate.

Question. If confirmed, what role will you play in implementing a new policy?

Answer. If confirmed, and were a new policy approved, I would work closely with The Judge Advocate General and our counterparts to ensure that its implementation within the Army accorded with all applicable laws, regulations, and directives.

WHISTLEBLOWER PROTECTION

Question. Section 1034 of title 10, U.S.C., prohibits taking retaliatory personnel action against a member of the Armed Forces as reprisal for making a protected communication. By definition, protected communications include communications to certain individuals and organizations outside of the chain of command.

If confirmed, what actions will you take to ensure that senior military leaders understand the need to protect servicemembers who report misconduct to appropriate authorities within or outside the chain of command?

Answer. Whistleblower protections for military personnel affirm that members of the Armed Forces must be free from reprisal for making or preparing a protected communication to a Member of Congress; an Inspector General; a member of a DOD audit, inspection, investigation, or law enforcement organization; or any other person or organization (within or outside the chain of command) designated under regulations or established procedures to receive such communications. I believe that these protections are essential. If confirmed, I will work with The Judge Advocate General to ensure that senior military leaders are fully and accurately advised of the whistleblower protections accorded by law and regulation to all soldiers, and that they understand their legal responsibilities in this important area. In addition, I will ensure that any individual cases involving allegations of illegal reprisal that may come to my attention are fully addressed in accordance with the law.

SUPPORT TO ARMY INSPECTOR GENERAL

Question. What role, if any, do you think the General Counsel of the Army should have in reviewing the investigations and recommendations of the Army Inspector General?

Answer. If confirmed as the chief legal officer of the Department of the Army and counsel to the Secretary and other Secretariat officials, I will establish and maintain a close, professional relationship with The Inspector General, and will communicate with him directly and candidly. I will provide independent and objective legal advice to the Inspector General and the Secretary with regard to all matters that relate to Inspector General programs, duties, functions, and responsibilities. In coordination with The Judge Advocate General, I will oversee the provision effective legal guidance to the Office of the Inspector General in conducting investigations and making recommendations. Further, as part of my responsibility to review legal and policy issues arising from the Army's intelligence and counterintelligence activities, I will advise The Inspector General concerning proper reporting of the Army's intelligence oversight activities.

WOMEN IN COMBAT

Question. Current DOD policies regarding the combat role of women in uniform have been in effect since 1994.

What is your understanding of the conclusions and lessons that have been learned from Operation Iraqi Freedom and Operation Enduring Freedom about the feasibility of current policies regarding women in combat?

Answer. At this time, I do not have enough information to make an informed assessment of the conclusions and lessons learned from OIF or OEF in regard to women in combat. It is my understanding that the Army is in compliance with the DOD policy relating to the assignment of women.

Question. What is your assessment of the Army's compliance with the requirements of law relating to women in combat?

Answer. It is my understanding that the Army is in compliance with the requirements of the DOD policy relating to women in combat. Women have and will continue to be an integral part of the Army team, performing exceptionally well in all specialties and positions open to them.

Question. In your view, should the current policy regarding assignment of women in combat be revised to reflect the realities of the modern battlefield, effective counter-insurgency requirements, and changing societal expectations regarding roles for female soldiers?

Answer. At this time, I do not have enough information to make an informed judgment about whether the policy should be changed. If confirmed, and if after careful study and deliberation, the Army determines that a change to the policy is appropriate in the current operating environment, I will provide the Secretary with cogent legal advice on this matter and work closely with Department of Defense officials to implement any approved changes.

CIVILIAN ATTORNEYS

Question. Judge advocates in the Armed Forces benefit from an established career progression, substantial mentoring and training opportunities, and exposure to a broad spectrum of legal areas and leadership responsibilities. By contrast, civilian attorneys in the military departments normally do not have established career programs and may do the same work for many years, with promotion based solely upon longevity and vacancies.

What is your understanding of the personnel management and career development system for civilian attorneys?

Answer. It is my view that robust attorney career development programs result in excellence in client service, the recruitment and retention of high-performing professionals, and building the bench for the future. If confirmed, I will be in a position to examine this issue closely to ensure comprehensive and effective personnel management and career development programs for civilian attorneys.

Question. In your view does that system need revision? If so, what do you see as the major problems and what changes would you suggest?

Answer. I understand that there is a Working Group in the Army for the purpose of assessing and recommending programs for the professional development of civilian attorneys. If confirmed, I will assess the current situation and the Working Group's recommendations.

CLIENT

Question. In your opinion, who is the client of the General Counsel of the Department of the Army?

Answer. The client of the General Counsel of the Department of the Army is the Department of the Army, acting thorough its authorized officials.

ACQUISITION ISSUES

Question. What role should the General Counsel play in ensuring that Army procurement programs are executed in accordance with the law and DOD acquisition policy?

Answer. If confirmed, I will work closely with the Secretary of the Army, the Assistant Secretary of the Army (Acquisition, Logistics and Technology), and other senior Department of the Army leaders to ensure that the Department of the Army's acquisition and procurement programs are executed in accordance with applicable provisions of the United States Code, as well as controlling regulations and policies. Today's acquisition professionals face the challenge of managing their programs' cost, schedule, and performance while remaining in compliance with a myriad of legal and policy requirements. I believe it is the responsibility of Army lawyers to proactively assist their acquisition clients in meeting that challenge. From the earliest stages of program development, counsel should be involved in identifying potential issues and, where appropriate, legally-compliant alternative courses of action. In those rare situations where an issue cannot be satisfactorily resolved, it is incumbent on counsel to promptly elevate their concerns in order to protect the Department's overarching interests.

Question. What role should the General Counsel play in ensuring that ethics provisions on conflict of interest are followed both by Army personnel and by Army contractors?

Answer. Structuring Departmental business practices to avoid both personal and organizational conflicts of interest should be one of the Army's highest priorities. If confirmed, I will work closely with the Secretary of the Army, the Assistant Secretary (Acquisition, Logistics, and Technology) and other senior Departmental officials to promote an organizational climate that is sensitive to the need to avoid conflicts of interest and that reacts appropriately when specific issues arise. I believe that Army lawyers can make a significant contribution to this endeavor through the provision of acquisition ethics training and through early and sustained involvement in the Department's acquisition programs and procurement activities.

Question. Allegations of fraud and abuse during contingency contracting in Iraq and Afghanistan have been wide-spread.

What role should the General Counsel play in ensuring that Army personnel are properly trained in contingency contracting and are supervised in the performance of their duties?

Answer. I understand that during his tenure as the Secretary of the Army, Pete Geren created a commission, led by Dr. Jack Gansler, to assess the current state of the Army's acquisition and contracting system in support of expeditionary operations and to provide long-term strategic-level recommendations for improvement. If confirmed, I will work closely with the Secretary of the Army, the Assistant Secretary of the Army (Acquisition, Logistics, and Technology), and other senior Department of the Army personnel to ensure that the legal community continues to fully support the initiatives recommended and currently being implemented as a result of the Gansler Commission's assessment. I would also work closely with the Army Judge Advocate General and the other Army legal qualifying authorities to ensure that adequate legal resources are available to support the contingency contracting mission.

DETECTING CONFLICTS OF INTEREST

Question. Personal and organizational conflicts of interest have become a major concern. DOD's expanded use of private contractors being tasked to perform key functions that the services had formerly performed in-house and the new requirement to fill thousands of DOD civilian positions with experienced, qualified individuals present challenges in preventing conflicts of interest and the appearance of conflicts of interest.

What do you think the Army should do, and what should the General Counsel's role be, in ensuring that the Army identifies personal and organizational conflicts of interests and takes the appropriate steps to avoid or mitigate them?

Answer. If confirmed, I would closely examine the Army's process for reviewing and preventing both personal and organizational conflicts of interest. I believe that ethics awareness and instruction for all personnel is vitally important, and I would ensure that ethics training is a priority at all echelons. Bringing functions back "in-house" must be closely monitored with respect to former contractor employees and their relationships to their former employers. If confirmed, I would place special emphasis on review of these employment actions to prevent conflicts of interest at the inception.

Question. What is your understanding of the steps the Army takes to identify and address potential conflicts of interest during the hiring process?

Answer. I understand that financial disclosure reporting is a primary source of information to identify and prevent conflicts of interest. If confirmed, I would emphasize the importance of properly identifying positions requiring financial disclosure reporting and ensure that rigorous and timely review of the reports is accomplished by both ethics counselors and supervisors. If confirmed, I will emphasize education in conflicts of interest in the Army's ethics training program.

Question. Recent reports have raised concerns about potential personal conflicts of interest by contractor employees, including retired general and flag officers ("senior mentors") who advise senior government officials.

What is your understanding of existing statutes and regulations pertaining to personal conflicts of interest by contractor employees who advise senior government officials?

Answer. I understand that concerns have been raised in media reports about the Services' "senior mentor" programs. I have been told that there are a variety of ways such mentors may be obtained through contracts or Government employment arrangements. The laws and regulations applicable to such arrangements are different for contracts and Government employment. If confirmed, I would place a high priority on examining the various ways that the Army might tap this wealth of experience and expertise for the ultimate benefit of the war-fighter. I would also emphasize the importance of finding acceptable employment or contract arrangements that would minimize conflicts of interest or any appearance thereof that could undermine the public's confidence in the integrity of this program.

Question. Do you see any need for changes to these statutes and regulations?

Answer. At the present time, I believe that the statutes and regulations on personal and organizational conflicts of interest adequately protect the public interest. If confirmed, I would monitor this issue and, if I concluded that any changes were warranted, I would proceed through the Department's procedures for proposing legislative and regulatory changes.

Question. What role do you see for the General Counsel in identifying and addressing potential conflicts of interest by employees of Army contractors?

Answer. In my opinion, the General Counsel should work closely with the Assistant Secretary of the Army for Acquisition, Logistics and Technology to ensure compliance with restrictions imposed by the Federal Acquisition Regulation pertaining to organizational conflicts of interest. I also would ensure that Army lawyers emphasize this area as part of the Department's program for annual ethics training.

LEGAL ETHICS

Question. What is your understanding of the action a Department of the Army attorney or an Army judge advocate should take if the attorney becomes aware of improper activities by a Department of the Army official who has sought the attorney's legal advice and the official is unwilling to follow the attorney's advice?

Answer. Army attorneys generally provide legal advice to Army officials in their capacity as representatives of the Department of the Army. The Department of the Army is the attorney's client, and no attorney-client privilege is established between the attorney and the Army official. When an Army attorney advises an Army official, the official may use that advice to exercise official functions and duties. If an Army attorney suspects that the individual Army official, either in exercising such

functions or in failing to do so, violates a law or standard of conduct, I believe the attorney has an obligation to report the potential violation. Potential violations of the conflict of interest laws may be reported to Army criminal investigators; potential violations of provisions of the Federal Acquisition Regulation may be reported to the appropriate contracting officer; and potential violations of ethics standards may be reported to an Army ethics counselor, the head of the Army command or organization, the individual's or attorney's supervisor, or the Army Inspector General, as appropriate. At all times, Army personnel and attorneys may report any allegation of misconduct to the Inspector General or to criminal investigators, either in person or anonymously.

Question. Do you believe that the present limits on pro bono activities of government attorneys are generally correct as a matter of policy or does the policy need to be reviewed and revised?

Answer. I understand that government attorneys may participate in pro bono activities so long as the representation is consistent with general governmental ethical rules and with the rules of professional responsibility applicable to attorneys. I understand that Army civilian attorneys may, for instance, perform pro bono work with supervisory approval so long as the representation does not occur on Government time or at its expense, does not interfere with official duties, and does not create a conflict of interest or the appearance of a conflict of interest. I understand the Army also operates a legal assistance program for soldiers and families, providing free services in areas such as family law, wills and estate planning, tax law, landlord/tenant matters, contract disputes, consumer law, and assistance during the disability evaluation system. If confirmed, I would review the current policies in coordination with The Judge Advocate General and recommend revisions, if appropriate.

Question. In your view, do the laws, regulations, and guidelines that establish the rules of professional responsibility for attorneys in the Department of the Army provide adequate guidance?

Answer. The Army has comprehensive regulations, based upon the American Bar Association Model Rules of Professional Conduct, that govern the ethical conduct of Army lawyers, both military and civilian. All Army attorneys must, at all times, be in good standing with the licensing authority of at least one state, territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico. This regulatory system would appear to provide adequate guidance; however, if confirmed, I would review the current policy in coordination with The Judge Advocate General and, as appropriate, recommend revisions.

LITIGATION INVOLVING THE DEPARTMENT OF THE ARMY

Question. What is your understanding of the relationship between the Department of the Army and the Department of Justice with respect to litigation involving the Department of Defense?

Answer. The Department of Justice represents the Department of the Army in civil litigation. In general, it is my understanding that coordination between the Justice Department and the Army is timely and consistent on every level. If confirmed, I will work with The Judge Advocate General to ensure the continuation of a collaborative relationship with the Department of Justice with respect to litigation involving the Department of the Army.

Question. In your view, does the Department need more independence and resources to conduct its own litigation or to improve upon its current supporting role?

Answer. The Army's interests in civil litigation are effectively protected and defended by the Department of Justice. If confirmed, I will work with The Judge Advocate General to ensure that adequate resources are available to ensure that the Army is able to provide the appropriate level of support to the Department of Justice and to protect the Army's interests and equities in civil litigation in which the Army is involved.

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 General Counsel of the Department of the Army?

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR ROLAND W. BURRIS

DON'T ASK, DON'T TELL POLICY

1. Senator BURRIS. Mr. Watson, during the fiscal year 2011 budget request hearing both Secretary Gates and Chairman of the Joint Chiefs of Staff Mullen voiced their support to conduct a study of how to repeal the current Don't Ask, Don't Tell (DADT) policy. In their fiscal year 2011 budget request hearing, the Army leadership, Secretary McHugh and General Casey, endorsed this approach as well. What role will you play in the DADT study that the Secretary of Defense plans to direct the Services to conduct?

Mr. WATSON. If confirmed and appointed as General Counsel of the Army, I will provide any necessary legal advice to the Secretary of the Army with respect to this issue.

2. Senator BURRIS. Mr. Watson, what role will you play in the enforcement of a moratorium for DADT, if directed by Congress?

Mr. WATSON. Until such time as Congress changes the law, it would be my obligation as General Counsel of the Army to ensure that the current law was being faithfully executed.

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

INVOLVEMENT IN THE NEW YORK TIMES PUBLICATION DECISIONS

3. Senator MCCAIN. Mr. Watson, you indicated in your response to my letter that you were not aware of either the Terrorist Surveillance Program or the SWIFT program prior to the publication of the articles about them. This seems strange in view of your responsibilities as General Counsel. Certainly, after the controversy that erupted after the New York Times' publication of the Terrorist Surveillance Program article in December 2005, I would think you would have insisted on having a voice in subsequent decisions of this nature. Did you have any role or responsibility for decisions made by the New York Times which involved disclosure of classified national security information?

Mr. WATSON. I was not involved in the decisions made by the New York Times which involved disclosure of classified national security information. As was the case with the TSP, the ultimate decision to publish a given story in The Times—whether legal advice is provided or not—is a journalistic decision made by the executive editor of The Times, in some cases with the consent of the publisher. Similarly, it is part of the editorial function to determine whether an article should be reviewed by a Times Company lawyer prior to publication. The role of the lawyer in such prepublication review relates to resolving any identified legal issues.

As earlier stated, I was not aware of or involved in providing legal advice in connection with these articles. In January 2006, I became Chief Legal Officer and while I was familiar with all legal areas relevant to the Company and its operations, including First Amendment and litigation, I did not participate in prepublication review. To the extent that the legal department was asked for pre-publication review of these articles, the newly-appointed General Counsel (formerly the Deputy) provided that advice. As an organizational matter, the General Counsel was an experienced practitioner in the First Amendment area and was authorized to make decision therein, advising me when necessary.

4. Senator MCCAIN. Mr. Watson, were you involved in or aware of the negotiations with the White House and others with respect to the newspaper's decisions to publish these articles?
Mr. WATSON. No.

5. Senator MCCAIN. Mr. Watson, were you consulted in any way about the significance of the decision to publish these articles, including the harm that would be done, by the New York Times?
Mr. WATSON. No. Please refer to answer to QFR #3.

PUBLICATION OF LEAKED CLASSIFIED INFORMATION

6. Senator MCCAIN. Mr. Watson, you make it clear in your letter dated January 7 that, if confirmed, you would ensure that all leaks are fully investigated and where wrongdoing is found, the leakers prosecuted. Do you think a newspaper has the prerogative under law to publish any information that its reporters obtain through unauthorized leaks of classified information?
Mr. WATSON. Under applicable case law, publication of classified information is legal where the article is truthful and accurate, based on information not illegally obtained by the newspaper; and was written and published by individuals who were acting to help fulfill the newspaper's constitutional duty of informing the public about a very newsworthy subject. In the final analysis, if a prosecution were ever brought, the question of whether there has been a violation of law would be determined by a judge and jury.
As stated during my testimony, I am very troubled anytime classified information is published. There are aspects of our military and intelligence operations that should not be in the public domain. It is my personal belief that executive editors and publishers have a substantial obligation to weigh the impact on national security when considering the publication of articles based on classified information.

7. Senator MCCAIN. Mr. Watson, what factors do you think should be applied by a newspaper in making the decision whether to publish information that is classified?
Mr. WATSON. Please refer to answer to QFR #6.

8. Senator MCCAIN. Mr. Watson, if you are confirmed as General Counsel of the Department of the Army and you were asked to participate in negotiations with a newspaper aimed at preventing publication of classified information, what factors would you consider most important going into those negotiations?
Mr. WATSON. If confirmed and appointed as General Counsel of the Department of the Army, I would work aggressively and diligently to prevent the leaking and the publication of classified information. With our nation fighting two wars and combating global terrorism, the safety of our troops and the American people must be our paramount objective. The publication of classified information that would jeopardize either is a matter of great concern.
Such a negotiation should start with discussion of any statute that arguably might be violated by such publication. If, based on the current state of the law or otherwise, that were not persuasive, the discussion should include the following: the harm to national security and the known bases on which certain newspapers, at the request of government, have been known to omit some articles completely, or to delay publication of articles, and/or to omit potentially harmful information from articles that were published. I understand that such cases have included both circumstances in which there was potential immediate harm (such as troop movements) as well as potential harm to longer term aspects of national security (such as elements of intelligence and diplomacy).
Please note that as a signatory to the ethics pledge, I would be prohibited from participating in any matters involving the New York Times.

PROSECUTION FOR PUBLICATION OF CLASSIFIED INFORMATION

9. Senator MCCAIN. Mr. Watson, in the information you included in your letter regarding the rationale for publication of these stories, it is clear that the Executive Editor of the New York Times believes that he has the authority, if not the obligation, to publish classified information which comes before him if it meets his criteria. Do you think that there are any circumstances under which the editor or publisher of a newspaper could be successfully prosecuted under existing criminal laws for publishing classified information?

Mr. WATSON. Under applicable case law, publication of classified information is legal where the article: is truthful and accurate, based on information not illegally obtained by the newspaper; and was written and published by individuals who were acting to help fulfill the newspaper's constitutional duty of informing the public about a very newsworthy subject. I believe that there may be circumstances under which an employee of a newspaper could be successfully prosecuted. For instance, a newspaper employee could be found criminally liable if the employee engaged in illegal activity to obtain the information.

LEAKING OF CLASSIFIED INFORMATION

10. Senator INHOFE. Mr. Watson, while you were General Counsel and Chief Legal Officer for the New York Times, the paper published 10 articles that revealed highly classified information about the existence of the Terrorist Surveillance Program and the Terrorist Finance Tracking Program. In response to a written letter from Senator McCain, you said that even though you were ultimately responsible for your department's legal judgments, in this case, you were "not involved in providing the legal advice in connection with this particular article." In addition to articles about the Terrorist Surveillance Program and the Terrorist Finance Tracking Program, the New York Times published at least three more articles about classified military information in 2006. On June 25, 2006, the Times published an article about a classified briefing to reduce troop levels in Iraq. On September 24, 2006, the Times published an article about the National Intelligence Estimate. On November 1, 2006, it published an article detailing a classified briefing about the level of violence in Iraq. Please describe in detail the decisionmaking process for publishing all the articles referenced above.

Mr. WATSON. As was the case with the TSP and the SWIFT Program, the ultimate decision to publish a given story in The Times—whether legal advice is provided or not—is a journalistic decision made by the executive editor of The Times, in some cases with the consent of the publisher.

As stated above, I was not involved in providing legal advice in connection with these articles. In January 2006, I became Chief Legal Officer and while I was familiar with all legal areas relevant to the Company and its operations, including First Amendment and litigation, I did not participate in prepublication review. To the extent that the legal department was asked for pre-publication review of these articles, the newly-appointed General Counsel (formerly the Deputy) provided that advice. As an organizational matter, the General Counsel was an experienced practitioner in the First Amendment area and was authorized to make decision therein, advising me when necessary.

11. Senator INHOFE. Mr. Watson, please describe in detail what role you, as General Counsel and Chief Legal Officer, played regarding the publishing of these articles as well as the role you played in discussions after each of the articles were released?

Mr. WATSON. I was not involved in the legal review of the articles and became aware of each of the articles after it was published. The ultimate decision to publish a given story in The Times—whether legal advice is provided or not—is a journalistic decision made by the executive editor of The Times, in some cases with the consent of the publisher. Similarly, it is part of the editorial function to determine whether an article should be reviewed by a Times Company lawyer prior to publication. The role of the lawyer in such prepublication review relates to resolving any identified legal issues.

After such a review, the executive editor, or his designee, makes the final determination as to what, if any, changes will be made to the story in response to any legal advice received, and whether and when that story will be published. An issue such as the potential effect that the publication of the article may have on national security is an editorial matter to be determined solely by the executive editor and, at times, the publisher.

Any legal opinion or communication I may have made to the New York Times leadership, before or after the publication, is subject to the Attorney-Client privilege and I am therefore not allowed to disclose such information. As I stated during my testimony, I am very troubled anytime classified information is published.

12. Senator INHOFE. Mr. Watson, please describe in detail what was your legal and personal opinion of the decision to publish each of these articles?

Mr. WATSON. Any legal opinion or communication I may have made to the New York Times leadership is subject to the Attorney-Client privilege and I am therefore

not allowed to disclose such information. As I stated during my testimony, I am very troubled anytime classified information is published.

13. Senator INHOFE. Mr. Watson, did you make your opinions known to the New York Times leadership? If yes, how did you make them known?
Mr. WATSON. Please refer to answer to QFR #12.

14. Senator INHOFE. Mr. Watson, what were their responses to your opinions?
Mr. WATSON. Please refer to answer to QFR #12.

15. Senator INHOFE. Mr. Watson, did you issue any memoranda or other general guidance regarding the publication of any of these articles?
Mr. WATSON. As stated above, I was not involved in providing legal advice in connection with these articles. To the extent that the legal department may have created written memoranda with respect to these articles, I do not have access to these documents.

16. Senator INHOFE. Mr. Watson, even if you knew nothing about the Terrorist Surveillance Program before the first article was published, why did you permit the paper to continue to run additional stories after you learned the information was classified?
Mr. WATSON. The ultimate decision to publish a given story in The Times—whether legal advice is provided or not—is a journalistic decision made by the executive editor of The Times, in some cases with the consent of the publisher. Similarly, it is part of the editorial function to determine whether an article should be reviewed by a Times Company lawyer prior to publication. The role of the lawyer in such prepublication review relates to resolving any identified legal issues.
After such a review, the executive editor, or his designee, makes the final determination as to what, if any, changes will be made to the story in response to any legal advice received, and whether and when that story will be published. An issue such as the potential effect that the publication of the article may have on national security is an editorial matter to be determined solely by the executive editor and, at times, the publisher.

17. Senator INHOFE. Mr. Watson, do you still think the New York Times' decision to publish the classified information related to the Terrorist Surveillance Program was appropriate?
Mr. WATSON. As I stated during my testimony, I am very troubled anytime classified information is published.

18. Senator INHOFE. Mr. Watson, do you still stand by your assertion that "the individuals who wrote the article and who were responsible for its publication did not violate the Espionage Act"?
Mr. WATSON. Yes.

19. Senator INHOFE. Mr. Watson, is it your position that the New York Times had a constitutional duty to publish the classified information contained in its December 15, 2005, article?
Mr. WATSON. A constitutional duty of a newspaper in such a circumstance is to balance the newsworthiness of the subject and the importance of informing the public against the potential harm to national security in publishing the article. This is a journalistic determination which in the case of the TSP was made by the executive editor with the consent of the publisher.

20. Senator INHOFE. Mr. Watson, under what circumstances, in your opinion, should the public interest in a very newsworthy subject outweigh national security interests?
Mr. WATSON. Your question is hypothetical and requires a highly fact specific analysis. As a citizen I support and defend the role that public debate must by necessity play in our democracy and recognize that there are aspects of our military and intelligence operations which should not be in the public domain. Further, I am a proponent of a strong national security, including a robust and effective intelligence service.

21. Senator INHOFE. Mr. Watson, Jack Goldsmith, who led the Justice Department's Office of Legal Counsel from 2003 to 2004, has argued that the Times' December 2005 article regarding the Terrorist Surveillance Program, and a June 2006 article regarding the Terrorist Finance Tracking Program, seriously damaged na-

tional security interests because the articles "helped terrorists to avoid forms of communication that we were good at monitoring, and instead switched to channels of communication in which we lack comparative advantage." Do you agree that the New York Times' decision to publish classified information damaged national security interests? Why or why not?

Mr. WATSON. As a citizen I support and defend the role that public debate must by necessity play in our democracy and recognize that there are aspects of our military and intelligence operations which should not be in the public domain. Further, I am a proponent of a strong national security, including a robust and effective intelligence service. That said, I do not have sufficient information to agree or disagree with Mr. Goldsmith's comments.

QUESTION SUBMITTED BY SENATOR DAVID VITTER

LEGAL RESPONSIBILITIES

22. Senator VITTER. Mr. Watson, in your letter responding to Senator McCain's questions, you said you were not involved in providing legal advice in connection to the New York Times article on the Terrorist Surveillance Program, and the Deputy General Counsel provided advice "to the extent that the legal department was asked for advice on this particular matter." However, the Executive Editor of the New York Times wrote a memo stating that the newspaper worked on this story for months and had considerable interaction with the Bush administration arguing against its publication. So I am surprised that a story that clearly received a significant amount of internal debate and discussion, including the initial decision against running the story, never came to your attention and was delegated down, and that you were never consulted on this issue and story. If confirmed, will you accept complete responsibility for all legal advice and determinations made by the Army Office of the General Counsel?

Mr. WATSON. Yes.

[The nomination reference of Solomon B. Watson IV follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
November 20, 2009.

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

Solomon B. Watson IV, of New York, to be General Counsel of the Department of the Army, vice Benedict S. Cohen, resigned.

[The biographical sketch of Solomon B. Watson IV, which was transmitted to the committee at the time the nomination was referred, follows:]

RÉSUMÉ OF CAREER SERVICE OF SOLOMON B. WATSON IV

Education:

- Woodstown High School; 1958 to 1962
- Howard University; 1962 to 1966; BA, 1966
- Harvard Law School; 1968 to 1971; JD, 1971

Employment Record:

- I have been retired since December 2006
- The New York Times Company, New York; 1974 to 2006
  - Senior Vice President and Chief Legal Officer: 2005–2006
  - Senior Vice President & General Counsel: 1996–2005
  - Vice President & General Counsel: 1990–1996
  - General Counsel: 1989
  - Corporate Secretary: 1979–1989 (and 2000–2002)
  - Corporate Counsel: 1974–1979
- Associate, Bingham, Dana & Gould, Boston; 1971 to 1974

Honors and Awards:

- Army Commendation and Bronze Star medals for Service in the Republic of Vietnam (RVN)
- Media Law Resource Center's First Amendment Leadership Award
- NAACP Legal Defense & Education Fund National Equal Justice Award
- Minority Corporate Counsel Association's Pioneers of the Profession Award
- American Corporate Counsel Association (Greater NY Chapter) Distinguished Service Award

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[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Solomon B. Watson IV 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.)
Solomon B. Watson IV.

2. **Position to which nominated:**
General Counsel of the Department of the Army.

3. **Date of nomination:**
November 20, 2009.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
April 14, 1944; Salem, NJ

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to the former Brenda J. Hendricks.

7. **Names and ages of children:**
Katitti Watson Williams; age 40.
Kira Watson LeBlanc; age 40.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Woodstown High School; 1958 to 1962; Diploma, 1962
Howard University; 1962 to 1966; BA, 1966
Harvard Law School; 1968 to 1971; JD, 1971

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

I was employed by The New York Times Company in various legal positions from 1974 to 2006 until my retirement in December 2006.

The New York Times Company, New York; 1974 to 2006

- Senior Vice President and Chief Legal Officer: 2005–2006
- Senior Vice President & General Counsel: 1996–2005

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.

Lieutenant, U.S. Army Military Police Corps; 1966 to 1968

Court-appointed Special Master in the Appellate Division of the New York State Supreme Court from 2008 to date.

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.

The Howard University Institute on Entrepreneurship, Leadership & Innovation: advisory board member

Whitney Realty Corp.: director, president of the board

Hudson River Foundation, New York, NY: director

ReServe Elder Service: director

Skadden Fellowship Foundation: trustee

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

In addition to those provided in response to 11:

Sigma Pi Phi Fraternity: member

The Executive Leadership Council: member

The American Bar Association: member

Association of the Bar of the City of New York: 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.

Obama for America, 4/15/2008, $300.

Obama for America, 2/28/2008, $250.

Obama for America, 9/18/2007, $1,000.

Obama Victory Fund, 9/30/2008, $500.

Corey Booker for Mayor, 8/21/2009, $500.

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

Army Commendation and Bronze Star medals for Service in the Republic of Vietnam (RVN)

Media Law Resource Center's First Amendment Leadership Award

NAACP Legal Defense & Education Fund National Equal Justice Award

Minority Corporate Counsel Association's Pioneers of the Profession Award

American Corporate Counsel Association (Greater New York Chapter) Distinguished Service Award

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

None.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None.

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

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

SOLOMON B. WATSON IV.

[The nomination of Solomon B. Watson IV was reported to the Senate by Chairman Levin on May 5, 2010, with the recommendation that the nomination be confirmed. On December 22, 2010, this nomination was returned to the President under the provisions of Senate Rule XXXI, paragraph 6, of the Standing Rules of the Senate.]

[Prepared questions submitted to Katherine G. Hammack 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. Although I believe that the framework established by Goldwater-Nichols has significantly improved interservice and joint relationships and promoted the effective execution of responsibilities, the Department, working with Congress, should 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 to identifying any areas in which it can be improved upon, and then to consider with Congress whether the act should be revised.

DUTIES

Question. What is your understanding of the duties and functions of the Assistant Secretary of the Army for Installations and Environment?

Answer. I have been informed that the Assistant Secretary of the Army for Installations & Environment has primary staff responsibility for policy development, program oversight and coordination of a wide variety of Army activities relating to installations, energy and environmental matters, to include resource management and requirements validation. These include (but are not limited to): design, construction, operations, maintenance and management of Army installations; base realignment and closure (BRAC) execution; energy security and management; sustainability; pri-

vatization of Army family housing, lodging, real estate, utilities and other infrastructure programs; environmental compliance, clean-up and site disposal programs; and management of the Army's safety and occupational health programs. Inherent in those responsibilities is the requirement to ensure the Army complies with law, policy and regulations within the Assistant Secretary's area of responsibility, ensuring Reserve component integration and providing guidance and oversight to the Assistant Chief of Staff for Installation Management.

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

Answer. I have almost 30 years of experience in energy and the environment in the private sector. While employed by Carrier Air Conditioning, I was part of a small group that founded the U.S. Green Building Council and the Leadership in Energy and Environmental Design (LEED) certification program, which is now a requirement for all new Federal Buildings. This program sets sustainability guidance for facilities design, construction, maintenance, utilities and operations.

For the last 4 years I have been involved in developing a new energy and environmental building code. Currently, with Ernst & Young, I lead projects to certify some of the largest green buildings in the world to the LEED certification program which involves renewable energy, energy efficiency, water efficiency, indoor environmental air quality and building material selection. If confirmed, I will apply my leadership to installation improvement, energy management and privatization efforts in the Army.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the Assistant Secretary of the Army for Installations and Environment?

Answer. Yes. If confirmed, I would seek to learn more about the installations and facilities within my purview, as well as to understand the installation and environment related issues, challenges and initiatives relating to them. Using my significant private sector experience with large building projects, I would expect to work with the Secretary of the Army and my counterparts in the other military departments to develop efficient and effective policies for the Army's benefit. If confirmed, I would also plan to meet with key members of agencies such as the Environmental Protection Agency, Department of Energy and General Services Administration to determine how we can work together to leverage best practices, technologies and programs. I would also seek the advice and counsel of the Army institutional and operational commands to find ways to better serve the needs of soldiers and families.

Question. Assuming you are confirmed, what duties and functions do you expect that the Secretary of the Army would prescribe for you?

Answer. If confirmed, I would address the scope of my duties with the Secretary of the Army at the earliest available opportunity. I would expect the Secretary of the Army might ask me to use my background in the energy and sustainability fields to support the Army's Energy Security and Sustainability Programs, as well as policy and program oversight of all areas of installation management, to include BRAC execution. If confirmed, I would look forward to implementing the Secretary of the Army's guidance on how best to meet the needs of soldiers and families and to further Army and President's goals and priorities.

RELATIONSHIPS

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

The Secretary of the Army.

Answer. As the 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. As the Assistant Secretary of the Army for Installations and Environment, if confirmed, I would strive to establish and maintain a close, professional relationship with the Secretary of the Army, openly and candidly discussing with him all issues that arise as I execute the responsibilities he has assigned to me. I would expect the Secretary of the Army will discuss the roles and responsibilities he wishes me to assume in furthering the goals and priorities of the President.

Question. The Under Secretary of the Army.

Answer. The organizational relationship between the Assistant Secretary of the Army for Installations and Environment and the Under Secretary of the Army is defined by the Secretary of the Army, and published in Army General Orders. The Under Secretary is the Secretary of the Army's principal civilian assistant and most senior civilian advisor, and designated Chief Management Officer of the Army. If confirmed, I would establish a strong, cooperative and open relationship with the

Under Secretary, keeping him informed of any and all significant issues, and supporting his business transformation efforts.

Question. The Chief of Staff of the Army.

Answer. If confirmed, I would work closely with the Chief of Staff of the Army, the senior military leader of the Army, as well as the Army Staff in areas of mutual interest and shared responsibility. I expect that I would coordinate closely with the Army Staff regarding the duties assigned to the Assistant Chief of Staff for Installation Management.

Question. The Deputy Under Secretary of Defense for Installations and Environment.

Answer. If confirmed, I look forward to establishing a cooperative and professional relationship with the Deputy Under Secretary of Defense for Installations and Environment in all areas of mutual interest. If confirmed, I would work collaboratively with the Deputy Under Secretary in the development and implementation of Department of Defense (DOD) policies relating to installations, environment, and safety and occupational health.

Question. The Other Assistant Secretaries of the Army.

Answer. If confirmed, as part of the "One Army" team, I would work closely, openly, and collaboratively with the other Assistant Secretaries of the Army in executing the Army's missions, goals, and objectives.

Question. The Assistant Secretaries of the Navy and Air Force for Installations and Environment.

Answer. I look forward to establishing a cooperative and professional relationship with the Assistant Secretaries of the Navy and Air Force for Installations and Environment, pursuing opportunities to enhance cooperation among the Military Services. If confirmed, I would work collaboratively with the other Service Secretaries in the development and implementation of DOD policies relating to installations and environment, including joint-base operations.

Question. The General Counsel of the Army.

Answer. The General Counsel is the chief legal officer of the Army and serves as counsel to the Secretary and other Secretariat officials. Were I to be confirmed, my relationship with the General Counsel of the Army would involve close and regular consultation, given the legal complexities of the programs assigned to the Assistant Secretary of the Army for Installations and Environment. If confirmed, I would actively seek the General Counsel's guidance in order to ensure that the policies and initiatives of the Assistant Secretary of the Army for Installations and Environment are in strict accord with all laws and regulations and the highest principles of ethical conduct.

Question. The Judge Advocate General of the Army.

Answer. If confirmed, I would work closely with The Judge Advocate General of the Army and in areas of shared responsibility and mutual interest. I expect that I would coordinate closely with The Judge Advocate General of the Army regarding the duties assigned to the Assistant Chief of Staff for Installation Management.

Question. The Army Chief of Engineers.

Answer. If confirmed, I would work closely with the Chief of Engineers and the U.S. Army Corps of Engineers' Districts and Divisions in areas of shared responsibility. I expect that I would coordinate closely with the Chief of Engineers regarding the military programs executed by the U.S. Army Corps of Engineers including military construction, BRAC, real property management and disposal, energy security, and environmental matters.

Question. The Assistant Chief of Staff of the Army for Installation Management.

Answer. If confirmed, I look forward to establishing a close and professional relationship with the Assistant Chief of Staff of the Army for Installation Management, one based on mutual trust and confidence. If confirmed, I would work collaboratively with the Assistant Chief of Staff of the Army for Installation Management and his staff to provide oversight in developing and implementing Departmental policies relating to management of the Army's real property assets, installations, and in particular, the Army's military family housing and barracks.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that confront the Assistant Secretary of the Army for Installations and Environment?

Answer. It is my understanding that the next Assistant Secretary of the Army for Installations and Environment will face a number of challenges. The most significant challenges relating to soldiers and families will include sustaining our installation facilities, services and programs in support of an Army at war and returning from war; achieving Energy Security and Environmental Sustainability; and suc-

cessful implementation of BRAC 2005—all in the most cost-effective manner possible. As this committee is well aware, the soldiers and families of the Army have answered their nation's call to duty and we must ensure we deliver to them a quality of life that befits their service and preserves the All-Volunteer Force.

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

Answer. If confirmed, I would work closely with Congress, the Office of the Secretary of Defense, Service counterparts, State and local governments, and other partners to develop and implement solutions to address our challenges and achieve administration objectives.

Question. What do you consider to be the most significant problems in the performance of the functions of the Assistant Secretary of the Army for Installations and Environment?

Answer. At this time, I have not been informed of any significant issues or problems related to the performance of the functions of the Assistant Secretary of the Army for Installations and Environment.

Question. If confirmed, what management actions and timelines would you establish to address these problems?

Answer. If confirmed, I would work closely with the Secretary and the Under Secretary of the Army to review and develop a strategic plan and appropriate processes to address issues that may arise.

PRIORITIES

Question. If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the Assistant Secretary of the Army for Installations and Environment?

Answer. If confirmed, I would review Army programs immediately and establish priorities consistent with those of the President, the Secretary of Defense, and the Secretary of the Army. I would work closely with my counterparts within DOD and the Army, as well as members of Congress, to develop and maintain our facilities, services, and programs in support of mission readiness, soldiers, and families.

Question. Do you have any specific plans to help improve the quality of life for Army families who are under considerable strain as a result of repeated deployments?

Answer. I am not in the position at this time to address specific plans, but I am very aware of the impact of repeated deployments on our soldiers and families. If confirmed, I would be completely committed to supporting Army quality of life initiatives.

Question. The Assistant Secretary of the Army for Installations and Environment has responsibility for, among other things, two largely distinct programs—the military construction program and the environmental program.

In the competition for resources inherent in the Defense Department budget process, which of these two major programs do you believe should have priority in terms of funding?

Answer. Although I have not been fully briefed on these programs, my preliminary sense is that it may not be prudent to separate these programs as they complement each other in many ways.

Question. Why?

Answer. Based on my current knowledge and understanding, all Army construction is predicated on sound environmental planning. To be good stewards of resources, I believe we must consider sustainability and energy security, as well as support for operational readiness, as we manage our facilities and installations. Construction and environmental programs must work in harmony to achieve Army goals and objectives.

MILITARY CONSTRUCTION

Question. DOD currently uses a range of facility assessment metrics to determine adequate levels of annual funding for military construction, modernization, and repair accounts. In recent budget years, investment goals were established by determining annual rates of capitalization of the physical plant to justify the levels of annual investment required for facilities and infrastructure. While the goal was annual funding for military construction and facility modernization equal to a recapitalization rate of 67 years, the military services consistently fell short of this rate of investment in their budget submissions.

Do you believe that current metrics provide an accurate assessment of the condition of facilities in order to allow military leaders to assess the impact on military readiness of annual budget investment decisions?

Answer. If confirmed, I would take time to gain a detailed understanding of the metrics and goals currently being used by the Army before taking any initiative to propose additions or modifications to them.

Question. If confirmed, what other goals and metrics, if any, would you consider establishing to assess the rate of facility recapitalization?

Answer. If confirmed, I would take time to gain a detailed understanding of the metrics and goals currently being used by the Army before taking any initiative to propose additions or modifications to them. I would ensure the Army is effectively measuring facilities recapitalization in a manner that supports addressing the worst facilities first.

BASE CLOSURE AND REALIGNMENTS

Question. The Department of the Army is in the process of implementing the decision of the 2005 Defense BRAC round. The DOD installation closure process resulting from BRAC decisions has historically included close cooperation with the affected local community in order to allow these communities an active and decisive role in the reuse of property.

What would your role be, if confirmed, in carrying out these responsibilities?

Answer. If confirmed, and subject to the guidance of the Secretary of the Army, I would work closely with the Office of Economic Adjustment, Local Redevelopment Authorities, the Governors, and other appropriate State and local officials to accelerate the property disposal process whenever possible.

Question. If confirmed, what priorities would you set for the process of disposal of any property at Army bases affected by BRAC decisions?

Answer. If confirmed, my priority would be to support the acceleration of the property disposal process as much as possible so that affected communities can begin to redevelop the property. I understand that the Army is committed to the economic principles of redevelopment which dictate that capital investment is best achieved in the marketplace.

Question. If confirmed, what goals would you establish to assist affected communities with economic development, revitalization, and re-use planning of property received as a result of the BRAC process?

Answer. If confirmed, I would work to understand communities' redevelopment plans and schedules. In my view, the Army needs to work closely with the Office of Economic Adjustment to ensure that affected communities have the resources necessary to accomplish their comprehensive planning for the reuse of installation property. I will evaluate the Army's BRAC Master Plan and environmental cleanup program to ensure they are in line with community development planning.

Question. Although the Services have made solid progress in turning over properties from prior rounds of BRAC to local communities, there remain several properties that are both valuable and problematic. Congress provided new authority in the National Defense Authorization Act (NDAA) for Fiscal Year 2010 aimed at expediting the process and at removing legislative impediments that have caused friction between the Department and local communities.

Do you believe that those new authorities will be sufficient to jump start these long stalled negotiations?

Answer. Yes, I do. I understand that the changes made to the NDAA for Fiscal Year 2010 expand and broaden the Department's property disposal authorities, and if confirmed, I look forward to working with affected communities to expedite property disposal actions.

Question. What is your understanding of a reasonable period of time to show substantial progress?

Answer. I have not had an opportunity to review the status of all conveyances, so I am unable to make such an assessment at this time. If confirmed, I would study each conveyance, particularly those at critical stages of negotiation, to set forth a reasonable period of time in which to show substantial progress.

Question. The Department of the Army submitted to Congress a 2005 BRAC Implementation Plan that included specific decisions for military construction requirements and mission realignment plans in order to complete all moves by September 15, 2011.

If confirmed, would you ensure that Army BRAC actions are carried out in accordance with the plans submitted to Congress?

Answer. If confirmed, I would ensure the Army has the proper resources and policies in place to properly implement the BRAC 2005 decisions.

Question. What steps, if any, do you believe the Army should take to update the 2005 BRAC Implementation Plan before spending amounts authorized by Congress

specifically for BRAC construction projects on requirements that were not originally included in the Plan?

Answer. I understand that the Army submits a budget justification book every year to Congress that lists its BRAC projects for the fiscal year. I also understand that if changes become necessary the Army submits notification in accordance with the procedures established by Congress.

Question. In your opinion, can the Department of the Army implement all BRAC decisions by the statutory deadline of September 15, 2011?

Answer. I understand that the Department of the Army has an aggressive set of plans and milestones to implement BRAC 2005; it is my understanding that the Department is on track to meet the 2011 BRAC statutory deadline.

INVESTMENT IN DEFENSE INDUSTRIAL INFRASTRUCTURE

Question. Witnesses appearing before the committee in the past have testified that the military services underinvest in both the sustainment and recapitalization of depots, arsenals, and ammunition plants compared to private industry standards. Decades of under-investment in our industrial facilities has led to substantial backlogs of facility maintenance activities, created substandard working conditions, and made it harder to take advantage of new technologies that could increase productivity.

If confirmed, what recommendations would you have for restoring and preserving the quality of our defense industrial infrastructure?

Answer. I have not had an opportunity to study the quality of the Army's industrial base. If confirmed, I would work closely with the Assistant Secretary of the Army for Acquisition, Logistics and Technology and the Army Chief of Staff to develop a plan that ensures the viability of our defense industrial infrastructure and facilities.

Question. This underinvestment in infrastructure is particularly acute in Army arsenals and ammunition plants.

If confirmed, how would you plan on addressing this shortfall?

Answer. If confirmed, I would work closely with my counterpart, the Assistant Secretary of the Army for Acquisition, Logistics and Technology and with the Army Staff to ensure resources are available to adequately invest in industrial facilities.

ENHANCED USE LEASES

Question. Congress has provided the authority for each of the Service Secretaries to lease underutilized non-excess property and to use revenues generated by those leases to enhance infrastructure and operating costs on those installations. This so-called "enhanced use lease" (EUL) authority is being used in different ways and for different purposes by each of the military departments.

What is your understanding of the EUL authority?

Answer. I understand that Congress provided EUL authority to the military departments and that it applies to underutilized property that has not been declared excess. I understand that the revenue from these leases may be used, in part, to supplement installation maintenance and repair expenses and can even be used for the construction of facilities.

Question. What do you see as the future of the Army's EUL program?

Answer. I understand that the Army has completed several EUL projects and has several more in various stages of completion. This program is a significant asset management tool that creates needed revenue for the Army.

Question. What EUL projects do you see as most viable in the near term?

Answer. I am not in a position to know what EUL projects are presently being considered by the Army. Nevertheless, if confirmed, I intend to become fully informed about this program in order to make such an assessment.

Question. What is your understanding of the main concentration of the Army's EUL program?

Answer. I am not currently in a position to know the specifics of the Army's EUL program. However, if confirmed, I would study the program closely.

Question. Do you think the authority should be used to provide support to energy initiatives?

Answer. Yes. Given what I know at this time, I believe that the EUL authority can be an effective tool in putting energy initiatives in place at Army installations. If confirmed, I would consider such initiatives wherever it was in the best interests of the Army.

Question. If confirmed, would you continue the Army's focus on the construction of facilities and in-kind reimbursement to base operating costs?

Answer. The construction of facilities and the receipt of in-kind reimbursement to installation operating costs are proven approaches to lease consideration. Nevertheless, each EUL proposal is unique and, if confirmed, I would focus on those proposals that are in the best interest of the Army.

Question. The Congressional Budget Office has expressed concern that EUL authority could be used to acquire expensive facilities through long-term leases that commit DOD to make payments (rather than receiving payments) over an extended period of time.

Do you believe that it would be appropriate to use EUL authority to commit future years DOD funds for long-term projects to acquire facilities that have not received approval through the normal budgeting process?

Answer. No. My understanding of the EUL authority is that acquiring facilities through long-term leasing that commits future-year funding is not allowed.

Question. If confirmed, how would you address proposals to use EUL authority in this manner?

Answer. If confirmed, and based upon my current understanding of the EUL authority, I would not support such proposals.

FACILITY SUSTAINMENT, RESTORATION, AND MODERNIZATION ACCOUNTS

Question. The Army has historically budgeted for facility sustainment accounts at 90 percent of the annual requirement. Much of this funding is then used to address emerging facility repair and modernization requirements during the year of execution.

How would you assess the level of funding actually carried out for facility sustainment on an annual basis to maintain Army facilities and infrastructure?

Answer. I have not had the opportunity to review facility sustainment accounts in detail, so I cannot make specific assessment about their use. My understanding is that facility sustainment, restoration and modernization are crucial to the Army's mission given the current initiatives to grow the Army. If confirmed, I would review the current funding level, and if necessary, develop a strategy to ensure that adequate funding is garnered for restoration and modernization.

Question. If confirmed, what would you do to address adequate levels of facility sustainment, repair, and modernization?

Answer. I would continue the ongoing development of a Facility Investment Strategy to ensure future infrastructure requirements are properly identified.

BASE OPERATING SUPPORT

Question. What is your understanding of the processes used by the Department of the Army to determine annual requirements for "must pays" and discretionary base operating support?

Answer. It is my understanding the Department of the Army "must pays" are those that the Army is legally obligated to pay and that if unfunded would result in mission failure or loss of life or limb. Although discretionary requirements support the mission, reducing the level of support does not prevent the mission from being accomplished.

Question. In your view, do the Army's annual budgets adequately fund base operating support to meet those requirements?

Answer. I have not had an opportunity to review base operating funding in detail so I cannot make specific judgments or assessments about the adequacy of funding for such a large complex set of requirements. If confirmed, I would review the current and future requirements for base operating support funding to ensure that the Army can support its mission.

Question. In your view, how might the Department of the Army distribute base operating funds to best ensure sound investment of constrained resources?

Answer. I do not yet have an understanding of the options available to distribute base operating funds. If confirmed, I am committed to learning the methods and processes the Army has in place across the Department to guide investment decisions and distribute resources.

FAMILY HOUSING AND PRIVATIZATION

Question. In recent years, DOD and Congress have taken significant steps to improve family housing. The housing privatization program was created as an alternative approach to speed the improvement of military family housing and relieve base commanders of the burden of managing family housing. If confirmed for the position of Assistant Secretary of the Army for Installations and Environment you will have a key role in decisions regarding military family housing.

What are your impressions of the overall quality and sufficiency of Army family housing both in the United States and abroad?

Answer. I understand that the Department of the Army has taken huge strides in just the past few years to improve the quality and amount of housing inventory, and that quality family housing is very important to retaining quality soldiers and their families. If confirmed, I would visit military installations to assess the quality and sufficiency of family housing and take steps to ensure the Army continues to make progress in this important area.

Question. What are your views regarding the Army's success in privatizing family housing?

Answer. I understand that family housing privatization has proven to be a great success in that it has allowed the Department of the Army to partner with private industry to leverage industry expertise and market incentives for the benefit of America's soldiers and their families.

Question. What is your view of the structure and general goals of the Army's current housing privatization program?

Answer. Based on what I have learned to date, I believe the structure and general goals of the Department's housing privatization program are sound. The goals of the program have been to provide soldiers and families with quality housing. This is absolutely critical given our commitment to maintaining the All-Volunteer Force.

Question. The Department of the Army has historically relied on consultants to assist with assessment of industry trends, analyses financial statements, and the preparation of proposals. The Department of the Army is currently in the process of soliciting requests for proposals for a contractor to provide future consultation.

How would you assess the quality of this support to date?

Answer. I am not in a position to make a judgment about the quality of this support at this time. If confirmed, however, I look forward to evaluating the Army's use of consultants in this area.

Question. Do you believe the housing program should be modified in any way?

Answer. I am not in a position to make such an assessment. If confirmed, however, this is an area to which I would devote focused study.

Question. If so, how?

If confirmed, would you expect to take part in the source selection process to ensure a fair and objective review of proposals?

Answer. I believe that any Federal procurement should be conducted in a manner that treats all offerors fairly and objectively. If confirmed, however, I do not anticipate being involved in the source selection process.

ARMY BARRACKS REQUIREMENTS

Question. The Army has established goals to ensure adequate housing for unaccompanied personnel both in the condition of the quarters and the privacy of the rooms.

In your opinion, is the Army investing at an adequate level in various facility accounts to be able to meet their goals?

Answer. To answer this question appropriately will take a greater measure of understanding, review and analysis on my part than I am able to provide at this time. I look forward to learning as much as possible about the Army's goals and accomplishments in this area, if confirmed.

Question. The Army has had to respond repeatedly in past years to complaints about deficient conditions of living quarters for Army personnel, including housing for wounded warriors, troops returning from deployments, and transient personnel.

If confirmed, what steps would you take to ensure that Army personnel are not required to live in deteriorated or substandard conditions?

Answer. If confirmed, I would need to learn as much as possible about the current living conditions of our soldiers and their families. I understand that providing all soldiers, including wounded warriors, troops returning from deployments, and transient personnel, with quality housing is a critical element in maintaining the All-Volunteer Force. It is simply the right thing to do for those who have sacrificed so much for the safety and security of our Nation. If confirmed, I would commit my efforts to improving the quality of life in this regard for all soldiers.

PRIVATIZATION OF UNACCOMPANIED PERSONNEL HOUSING

Question. The Army has recently used authorities granted by Congress to enter into public/private transactions for the construction, maintenance, and operation of Army lodging and certain unaccompanied personnel housing projects.

What do you view as the pros and cons of these transactions and initiatives?

Answer. I have been advised that early reviews of the lodging privatization program are positive. However, I do not have a deep enough understanding of the program at this time to identify pros and cons of these transactions and initiatives.

Question. In your opinion, how can privatization authorities be used to address barracks requirements for junior enlisted personnel?

Answer. This is an issue that I would need to review at more length. I understand that the idea of using privatization authorities to address barracks requirements for junior enlisted personnel seems to have great potential, but believe that such an initiative would need to be evaluated based on benefits of the program in light of Army culture issues and deployment considerations.

OVERSEAS INSTALLATIONS

Question. The Army maintains a global basing infrastructure to support a substantial number of forward deployed troops. Recent decisions contained in the 2009 Quadrennial Defense Review will result in substantial changes in the Army's current plan for overseas bases.

If confirmed, what would your role be in the development and implementation of facility investment programs for the normalization of tours in the Republic of Korea?

Answer. If confirmed, I would work closely with the Office of the Secretary of Defense, the command and staff of U.S. Forces Korea, the Army Chief of Staff and my counterpart in the Office of the Assistant Secretary of Manpower and Reserve Affairs to plan and implement Secretary of Defense directed tour normalization in the Republic of Korea. If confirmed, one of my objectives would be to ensure that our bases in Korea have the facilities investments needed to provide soldiers and families with a quality of life that meets Army standards and is consistent with that on Army installations worldwide.

Question. If confirmed, what would your role be in the establishment of installation development master plans for installations in U.S. European Command to support the stationing of four Brigade Combat Teams?

Answer. If confirmed, I would work closely with Army Chief of Staff and the staff of European Command to execute facilities investment planning to support the four Brigade scenario. In addition, I would endeavor to ensure that the resultant Master Plan is appropriately resourced to provide adequate facilities for the two Brigade Combat Teams impacted by the recent Quadrennial Review should they remain stationed in the European Theater.

Question. If confirmed, how would you ensure prudent investments in facilities in the U.S. Central Command area of responsibility?

Answer. If confirmed, I would work closely with the Office of the Secretary of Defense and the Army Chief of Staff to ensure the U.S. Central Command area of responsibility receives an appropriate and prudent level of facilities investments in direct support of its current missions. As I understand it, planning and programming for these investments would be accomplished and monitored through the U.S. Army Central Command.

ENVIRONMENTAL CHALLENGES

Question. In your view, what are the most critical environmental challenges facing the Army, and what is the best way for the Army to address these challenges?

Answer. In my view, based on what I know today, one of the most critical environmental challenges will be ensuring execution of the 2005 BRAC as mandated by Congress and Army Transformation actions. I understand that these challenges include cleanup and disposal of closed installations, adherence to applicable regulatory requirements for environmental documentation under the National Environmental Policy Act, and consideration of the mandates of the Endangered Species Act. I have not yet had the opportunity to study the Army's approaches to addressing these challenges, however, if confirmed I will work closely with the Secretary of the Army to ensure the Army meets its regulatory obligations. From my perspective, another important challenge will be ensuring compliance with environmental sustainability and energy goals in Federal mandates.

Question. If you are confirmed for this position, how would you balance the need to maintain military readiness and the goal of protecting the environment?

Answer. If confirmed, I would work closely with the Secretary of the Army to strike the right synergy and balance between maintaining a well trained and well equipped force, while maintaining the Army's longstanding commitment to environmental stewardship of its lands, facilities, and operations.

Question. How is the Army prioritizing funding for environmental compliance expenditures necessary to comply with requirements of law and regulation?

Answer. I am not in a position at present to comment on the current Army funding priorities. If confirmed, I would work with the appropriate experts to ensure that the final funding decisions are in the best interest of the Army, DOD, and our Nation.

ENVIRONMENTAL RESTORATION

Question. What do you see as the main priorities for clean-up within the Army's environmental restoration program?

Answer. My understanding is that the Army's top cleanup priority is to address sites that represent the highest risk to human health and the environment. I understand that the Office of the Secretary of Defense and the Secretary of the Army have established cleanup goals that reflect a cleanup strategy to address this "worst first" priority.

Question. If confirmed, what would you do to ensure that adequate funding is requested and received so that clean-ups under the Installation Restoration Program and under the Military Munitions Remediation Program continue apace?

Answer. If confirmed, I would ensure that I fully understand the cleanup goals as established by the Office of the Secretary of Defense and would work closely with the Secretary of the Army to ensure that these two cleanup programs are adequately funded to achieve their respective goals.

Question. What is your understanding of the Army's unexploded ordnance problems, and what steps do you plan to take, if confirmed, to address these problems?

Answer. It is my understanding that the Army is responsible for addressing unexploded ordnance issues not only at its own installations, but also on properties no longer controlled by DOD. If confirmed, I would emphasize safety and work with regulators and community stakeholders to ensure that these sites are addressed as quickly as possible.

Question. In August 2009, the Deputy Under Secretary of Defense for Installations and Environment signed a memorandum that sets forth the benefits of green and sustainable remediation practices and encourages the military departments to consider and implement such strategies where appropriate.

What is your view of bioremediation technologies and other sustainable remediation strategies, in general?

Answer. I believe that bioremediation is a promising strategy, particularly as applied to certain chemical pollutants. I understand that the Army Corps of Engineers has utilized bioremediation strategies successfully in several applications. If confirmed, and as bioremediation technologies and techniques continue to be developed and improved, I look forward to employing these techniques in Army facilities in an appropriate manner.

Question. If confirmed, what will you do to ensure the Department of the Army actively considers and implements green and sustainable remediation strategies where appropriate?

Answer. The priority in any cleanup is protecting human health and the environment. Where green and sustainable remediation strategies have shown to be effective and lifecycle costs are competitive, I would, if confirmed, encourage the Army to take full advantage of the benefits of such strategies.

ENCROACHMENT ON MILITARY INSTALLATIONS

Question. Encroachment by commercial and residential development on military installations has negatively impacted operations at military airfields and training ranges, and development of new facilities has been problematic.

What do you see as the main constraints or encroachments on the Army's ability to use its facilities, including training ranges?

Answer. I am not presently in a position to have developed an informed opinion on the main constraints or encroachments affecting the Army's ability to use its facilities and training ranges. I believe that the Army should consider sensible workarounds to limit or avoid adverse environmental impacts in its use of land and airspace, ever mindful of the need to ensure that the quality of training and testing of equipment is not compromised.

Question. If confirmed, what policies or steps would you take to curtail the negative impacts on operations and training resulting from encroachment?

Answer. I strongly believe the Army should work closely with the local communities around installations to ensure that its requirements are properly balanced with community needs. If confirmed, I would work with the Secretary of the Army to develop and implement a comprehensive multi-faceted policy and program that provides Army installations with the appropriate tools and strategies to engage current and future encroachment challenges.

Question. In your view, how can the Army best address the issues of encroachment around its bases in the United States, particularly with respect to encroachment caused by residential development?

Answer. I believe that the ideal way to address encroachment issues caused by residential development is to engage with the local community to identify the community's requirements and concerns about the use of the land surrounding our installations. If confirmed, I would ensure to continue and endeavor to enhance positive Army working relationships with local communities and participation in, local land use planning and zoning efforts to ensure compatible land use.

ENERGY POLICY

Question. If confirmed, what would your responsibilities be for setting and implementing energy policy within the Department of the Army?

Answer. It is my understanding that the Assistant Secretary of the Army for Installations and Environment has oversight of Army installation energy policies; the responsibility to promulgate policies for energy security measures (including renewable and alternative energy generation); building energy efficiency; standards for energy efficiency; and performance of military construction and renovations. I understand that the Assistant Secretary also co-chairs the Army's Senior Energy Council with the Vice Chief of Staff of the Army.

Question. What do you see as the key elements of the Army's energy strategy?

Answer. It is my understanding that energy security is the driving concept for the Army's energy strategy. The Quadrennial Defense Review provides DOD definition of energy security as—assured access to reliable supplies of energy and the ability to protect and deliver sufficient energy to meet operational needs. I have been advised that the Army Energy Security Implementation Strategy is consistent with this definition and establishes the Army's five strategic energy security goals:

Reduced energy consumption
Increased energy efficiency across platforms and facilities
Increased use of renewable/alternative energy
Assured access to sufficient energy supply
Reduced adverse impacts on the environment

Question. What is your understanding of the energy conservation goals within DOD and the Department of the Army?

Answer. My understanding is that the Army's goals are tightly linked to the Federal energy mandates set forth in legislation and executive orders.

Question. If confirmed, what steps would you take to promote energy conservation within the Department of the Army?

Answer. Although I have not had an opportunity to assess and appreciate the full progress made by the Army to achieve energy conservation and incorporate specific energy conservation measures, if confirmed, I would review and build on efforts to date and promote energy conservation across the Army to its full potential.

Question. With respect to renewable energy, which strategies do you believe provide the best prospects for meeting the energy needs at Army installations and in the ground fleet?

Answer. I understand that the Army is pursuing many options to incorporate renewable energy on installations and in its facilities and that the Army's fundamental strategy relates to energy security, providing sufficient power for its operational needs. In light of this, if confirmed, I would endeavor to identify the best renewable energy solutions for a given installation or facility.

Question. Renewable energy technologies such as solar currently carry a high capital cost and so financing is a major obstacle. CBO often cites direct scoring costs which can prevent the investment or loan guarantees necessary for solar implementation.

If confirmed, what steps will you take to tackle this issue?

Answer. Although I am aware of the high capital cost of many renewable energy technologies, current Federal and State incentives and innovative alternatives (such as Enhanced Use Leases) can significantly reduce costs. I have not had an opportunity to explore the details of direct scoring of costs for renewable energy systems potentially useful to the Army. If confirmed, I would review this issue and assess renewable energy opportunities at my earliest opportunity.

Question. What renewable technologies and fuel types have the most potential for certification and use by Army ground and air platforms?

Answer. It is my understanding that all bulk fuel is purchased for DOD by the Defense Energy Support Center, which has the responsibility to certify those fuels. I do not have enough information at this time to know what technologies and fuel types have the most potential for certification and use by Army ground and air plat-

forms. If confirmed, I would review this matter closely at my earliest opportunity. I would also coordinate with the other Army Assistant Secretaries, the other Services, and the Office of the Secretary of Defense to address this important issue.

Question. With respect to aviation fuel requirements, what examples can you provide of policies or initiatives currently in practice that both conserve fuel use and cost while balancing appropriate readiness levels and pilot training requirements?

Answer. I understand that mission readiness is a top priority for both fixed and rotary wing Army aviators. If confirmed, I would coordinate with Army operational and training commands to explore what approaches could be employed under the Army energy security program to conserve fuel usage while balancing readiness and training requirements.

Question. Do you believe energy audits are helpful in reducing demand and increasing energy efficiency?

Answer. Yes. I believe that energy audits are an important tool for helping to reduce energy demand and increase energy efficiency in buildings, vehicles and energy-consuming operations. I expect that energy audits will be helpful to the Army in prioritizing energy-efficiency projects.

Question. When was the last energy audit conducted on Army installations?

Answer. I am not currently in a position to have access to the progress of the Army energy auditing program.

Question. The Department of the Navy recently signed a memorandum of agreement with the Department of Agriculture to commit to cooperation and coordination on energy matters.

Is there a similar plan for the Army or with other Federal agencies, and would such an agreement be helpful for the Army?

Answer. I am not currently in a position to have access to Army agreements. It is my understanding that other Federal agencies have specific expertise and roles in technology development that can support the Army energy security strategy. If confirmed, I would explore possible avenues of cooperation and collaboration across the Federal Government that could benefit the Army energy program.

Question. Much of your background has involved LEED advisory work and "greening" of various buildings.

If confirmed, would you intend to focus on similar initiatives to Army installations?

Answer. Yes. I believe that the programs and guidelines defined by the LEED program provide excellent guidance. The Army dropped the "SPiRiT" program in 2006 and adopted the LEED program as a design and construction requirement.

Question. If so, specifically how?

Answer. LEED is a menu of options for green buildings with a few mandatory characteristics. Every building built to LEED program standards will have different energy efficiency characteristics; some could be barely above building code minimums. In January 2010 a building code version of LEED was introduced. This standard (189.1) provides more guidance and direction to facilities that want high performance green buildings and energy efficiency. 189.1 was developed in building code format and consists of mandatory characteristics with a few optional compliance paths. I have spent the last 3.5 years serving on the 189.1 committee to develop the standard and I believe that compliance with 189.1, as part of the Army's LEED program, will result in more sustainable, energy efficient buildings. A study conducted by National Renewable Energy Laboratory identified a 30 percent improvement in energy efficiency on average in buildings designed or remodeled to 189.1 criteria.

Question. The Department of the Army has stated it will lease several thousand Neighborhood Electric Vehicles (NEVs) at installations to reduce fuel costs and lower green house emissions. However, the energy which powers NEVs is currently derived from the electric grid which is largely powered by coal supplies.

Is there a plan to supply NEVs and Army installations at large with truly renewable or "green" energy sources, other than coal and petroleum products?

Answer. It is my understanding that the utilization of electric and hybrid vehicles at Army installations addresses the primary mandates of the Energy Independence and Security Act of 2007 and Executive Order 13423 as they specifically relate to reducing Federal fleet fossil fuel use by 20 percent by 2015. If confirmed, I would explore the opportunities to expand renewable and alternative energy sources for the Army vehicle fleet.

Question. Other countries such as Germany, Spain, and China are aggressively investing in renewable energy sources such as wind and solar power production capabilities.

Is there legislation or funding mechanisms that other countries benefit from that the Army could possibly adopt that would enhance or ease the transition to renewable energy platforms?

Answer. If confirmed, I would perform a thorough analysis of possible legislative options and funding mechanisms that could enhance the Army's energy program.

Question. DOD recently announced that it will reduce greenhouse gas emissions from non-combat activities 34 percent by 2020. The target includes more than 300,000 buildings and 160,000 fleet vehicles which account for roughly one quarter of DOD's energy consumption but nearly 40 percent of its greenhouse gas emissions.

What is the Army's plan, milestones, and funding strategies to meet these goals?

Answer. Executive Order 13514 mandated that DOD develop a sustainability performance plan to support its greenhouse gas emissions reduction goals. It is my understanding that this plan is due by June 2010 and has not been fully vetted through the Services and other DOD agencies. If confirmed, I would ensure that the Army plan, milestones, and funding strategies support the DOD plan, the Federal mandate, and administration goals.

IMPLICATIONS OF CLIMATE CHANGE

Question. What do you see as the national security implications of climate change for the United States?

Answer. My views align with those expressed in the 2010 Quadrennial Defense Review regarding climate change. Climate change has the potential to act as an accelerant to instability. Economic and environmental conditions in already fragile areas of Asia, Africa, and the Middle East may further erode if food production declines, diseases increase, clean water becomes increasingly scarce, and populations migrate in search of resources.

Question. What do you believe will be the impact of climate change on the Army?

Answer. As indicated in the 2010 Quadrennial Defense Review, the military will need to adjust to the impacts of climate change on facilities and operational capabilities. In terms of facilities, drought conditions could affect water supply, and increased frequency and intensity of storms may create flood risks for coastal and island installations. Operational effects may include increasing demand to respond to growing numbers of climate-induced disaster events and peace-keeping operations to stabilize conditions before conflict arises.

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 Assistant Secretary of the Army for Installations and Environment?

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR MARK UDALL

ENERGY CONTRACTS AT MILITARY INSTALLATIONS

1. Senator UDALL. Ms. Hammack, title 10 U.S.C. 2922a refers to contracts for energy or fuel for military installations, and provides the authority to a Secretary of a military department to enter into contracts for periods of up to 30 years; however, the provision requires approval by the Secretary of Defense and only affords this

authority for geothermal renewable energy platforms as further outlined in title 10 U.S.C. 2917. In your opinion, does title 10 U.S.C. 2922a or 2917 need to be expanded to include other renewable energy platforms?

Ms. HAMMACK. I am not familiar with how these laws are implemented within the Department and affect Army initiatives. However, if confirmed, I will look into the issue and how they impact the Army.

2. Senator UDALL. Ms. Hammack, to your knowledge, does the requirement for the Secretary of Defense's approval discourage any of the Services to pursue such contracts?

Ms. HAMMACK. I am unfamiliar with the process and policies within the Department of Defense (DOD) to comply with the requirement to obtain the Secretary of Defense's approval for these actions. If confirmed, I will study this matter and work toward the most expeditious means to pursue such contracts consistent with the requirements of the law.

RENEWABLE ENERGY

3. Senator UDALL. Ms. Hammack, DOD currently holds approximately 28 million acres of land and almost 2 billion square feet of building space on military installations, providing a vast opportunity for renewable energy platforms. However, the sticking point is often financing. The Department frequently does not budget or allocate funding for renewable energy in a time of war, and to exacerbate matters, the Office of Management and Budget (OMB) and the Congressional Budget Office (CBO) typically score any creative legislative language attempting to create new financing opportunities. Currently, OMB requires long-term contracts to be paid in the full amount in the year of execution, which makes renewable energy projects difficult. Enabling the Department to budget and fund over the full life cycle of a contract could expedite and enhance implementation of renewable energy platforms. What opportunities exist in the area of public/private ventures or partnerships with respect to renewable energy?

Ms. HAMMACK. If confirmed, I will take actions to further the best interests of the Army, including seeking to leverage the expertise of private industry and public entities. Public-private-partnerships are recognized as an innovative method of funding high quality renewable energy infrastructure projects to reduce costs, accelerate delivery, create jobs, and transfer risks to the private sector.

4. Senator UDALL. Ms. Hammack, how will you help bridge this gap with respect to renewable energy?

Ms. HAMMACK. If confirmed, I will continue developing public-private-partnerships with industry for their energy expertise and financial resources. This is a recognized effective approach and is already used in certain circumstances by the Army. I believe it also may be used to create a robust program of renewable energy projects at installations.

5. Senator UDALL. Ms. Hammack, if you are familiar with current OMB and CBO scoring methods, do you believe they are outdated?

Ms. HAMMACK. I am not sufficiently familiar with all of the aspects of these scoring methods at this time to offer an informed assessment. If confirmed, I will certainly become proficient in these scoring methods and address any perceived issues with the appropriate officials within the Army and DOD.

6. Senator UDALL. Ms. Hammack, if so, how might they be improved?

Ms. HAMMACK. Same answer as above.

QUESTIONS SUBMITTED BY SENATOR ROLAND W. BURRIS

BASE OPERATIONS

7. Senator BURRIS. Ms. Hammack, it has been reported that the fiscal year 2011 Army budget had cuts as deep as 40 percent at some bases. In February, the Secretary of the Army and the Army Chief of Staff reported that $500 million would be added to the budget for base operations. Even with the additional $500 million, many concerns remain as to what services and facilities will suffer from the cuts. What is your assessment of the state of base operations and services?

Ms. HAMMACK. Although I am aware there is concern on this subject, I have not yet been afforded access to internal Army information and data to review and ana-

lyze the Army's base operations support funding. If confirmed, I will review the requirements associated with base operations to ensure that the Army provides the necessary services and programs to sustain its installations.

8. Senator BURRIS. Ms. Hammack, what is the top environmental concern for the Army and how will it affect base operations and services?

Ms. HAMMACK. In my view, one of the most critical environmental challenges facing the Army will be ensuring execution of the 2005 Base Realignment and Closure (BRAC) as mandated by Congress and Army Transformation actions. These challenges include cleanup and disposal of closed installations, regulatory requirements for environmental documentation under the National Environmental Policy Act, and consideration for the requirements of the Endangered Species Act. I have not yet had the opportunity to study the Army's approaches to address these challenges; however, if confirmed, I will work closely with the Secretary of the Army to ensure the Army meets its legal and regulatory obligations. Another important environmental challenge will be ensuring compliance with sustainability and energy goals in Federal mandates such as Executive Order (EO) 13514, EO13423, Energy Independence and Security Act 2007, and Energy Policy Act 2005.

9. Senator BURRIS. Ms. Hammack, what is the projected number of family and single soldier housing units the Army will build over the next 24 months?

Ms. HAMMACK. I am unfamiliar with the Army's projected number of family and single soldier housing units to be built over the next 24 months. It is my understanding that there is a need for additional government-owned Army family housing units and barracks. If confirmed, I will investigate and obtain this information for you.

10. Senator BURRIS. Ms. Hammack, will any child and/or youth programs on bases need to be cut due to these budget reductions?

Ms. HAMMACK. I have not had an opportunity to review the Army's base operations support funding in detail which includes funding for these vital programs. If confirmed, it is my intention to fully support the resourcing required to provide the quality of life that is commensurate with the service of our soldiers' families and the sacrifices they make in support of our Nation.

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

ARMY BASE REALIGNMENTS AND CLOSURES

11. Senator MCCAIN. Ms. Hammack, in the answers to questions posed by this committee in preparation for this hearing, you state that the Army is on track to meet the 2011 BRAC statutory deadline. We've received information recently that the Army may have concerns with three pending Army realignments. Do you realize the importance of the deadline to ensure the effects on impacted communities are minimized?

Ms. HAMMACK. Yes, I understand the importance of complying with the statutory BRAC deadlines to ensure that the impacts to the affected communities are minimized. If confirmed, I will make compliance with the 2011 BRAC deadline one of my highest priorities.

12. Senator MCCAIN. Ms. Hammack, if confirmed, will you inform this committee promptly of any concerns within the Army in meeting the BRAC deadline?

Ms. HAMMACK. Yes, if confirmed, I will keep the committee informed of any Army concern or issue in meeting the statutory BRAC deadline.

HOUSING PRIVATIZATION SUPPORT

13. Senator MCCAIN. Ms. Hammack, in carrying out housing privatization efforts, the Department of the Army has historically relied on consultants to assist with assessment of industry trends, analyses, financial statements, and the preparation of proposals. The Department of the Army is currently in the process of soliciting requests for proposals for a contractor to provide future consultation. If confirmed, will you report back to this committee with an assurance that the source selection process for this solicitation includes a fair and objective review of proposals?

Ms. HAMMACK. Yes, if confirmed, I will report back to this committee with assurances from the Army that the source selection process for this particular solicitation included a fair and objective review of proposals.

[The nomination reference of Katherine G. Hammack follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
January 20, 2010.

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

Katherine Hammack, of Arizona, to be an Assistant Secretary of the Army, vice Keith E. Eastin, resigned.

[The biographical sketch of Katherine G. Hammack, which was transmitted to the committee at the time the nomination was referred, follows:]

RÉSUMÉ OF CAREER SERVICE OF KATHERINE GRACE HAMMACK

Education:

- BS, Mechanical Engineering, Oregon State University, Corvallis, OR: 1977–1981
- MA, Business Administration, University of Hartford, Hartford, CT: 1985–1990

Certifications:

- Certified Energy Manager (CEM), 1997
- Certified Indoor Air Quality Professional (CIAQP), 1998
- Certified Indoor Air Quality Technician (CIAQT), 1999
- Certified Indoor Air Quality Manager (CIAQM), 2000
- Leadership in Energy and Environmental Design Accreditation (LEED–AP), 2003

Employment Record:

- 2001–Present: Senior Manager, Ernst and Young
- July 2004: Paid consultant to Veteran's Administration regarding Performance Tracking measures for VA Cogeneration Facilities
- 1998–2001: Senior Account Executive, Arizona Public Service Company (Energy Services)
- 1995–1998: Senior Marketing Executive, Trade Ally Segment, Arizona Public Service Company
- 1993–1995: Senior Product Manager, Air Handler Products, United Technologies, Carrier Corporation
- 1993–94: Voluntary consultant to Clinton administration regarding "Greening of the White House"
- 1991–1993: Senior Product Manager, Global Indoor Air Quality Products Group, United Technologies, Carrier Corporation
- 1991: Senior Manager Analog Products, Bristol Babcock
- 1986–1991: Product and Sales Manager, The J.M. Ney Company, Neytech Division
- 1984–1986: Senior Product Specialist, Honeywell, Skinner Valve Division
- 1981–1984: Product Marketing and Application Engineer, United Technologies, Carrier Corporation

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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 Katherine G. Hammack 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.)
Katherine Grace Hammack.
Katherine Grace Dellett (Maiden Name)

2. **Position to which nominated:**
Assistant Secretary of the Army for Installations and Environment.

3. **Date of nomination:**
January 20, 2010.

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 23, 1959; Washington, DC.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Divorced - ex-husband is Timothy Hammack.

7. **Names and ages of children:**
Randolph Lawrence Hammack, age 23.
Alexander Jennings Hammack, age 19.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Oregon State University, 1977–1981, Bachelors of Mechanical Engineering, June 1981
University of Hartford, 1985–1990, Masters Business Administration, May 1990

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.
03/2001–Present; Senior Manager, Climate Change and Sustainability Services, Tax Advisory; Ernst & Young, Phoenix, AZ
06/1998–03/2001; Senior Account Executive, Arizona Public Service Company (Energy Services), Phoenix, AZ

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.
Voluntary consultant to Clinton administration as part of "Greening of the White House" project in 1993–4
Paid consultant (through Ernst & Young) to Veterans Administration regarding Performance Tracking Measures for VA Cogeneration facilities in July 2004

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.

1993–present. Member, U.S. Green Building Council, National and Arizona Chapter (past president Arizona chapter in 2003)

1993–present. Member, American Society of Heating Refrigeration and Air Conditioning Engineers, National and Arizona Chapter (past president Arizona chapter in 2000)

2006–present. Member, American Society of Heating Refrigeration and Air Conditioning Engineers, Standard 189 Committee High performance Green Buildings committee

1997–present. Member, Association of Energy Engineers, Arizona Chapter

2000–present. Member, Desert Foothills Lutheran Church.

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.

None.

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

For the last 2 years all published materials have been through Ernst and Young on climate change, green buildings and incentives.

IRC Section 179D, Seven Answers to frequently asked questions, EY SCORE No. ZZ0266, published 2009

Building Efficiency, EY SCORE No. DF0048, published 2008

Cleantech tax opportunities, EY 0805–0942458, published 2008

Cleantech Matters, Climate Change Opportunity and Risk, EY SCORE No. BE0047, 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.

Over the years I have given many presentations to organizations such as the Global Energy Conference, conferences sponsored by the American Institute of Architects, International Facility Management Association (IFMA), Building Owners and Managers Association (BOMA), CoreNet, Association of Energy Engineers, U.S. Green Building Council, and American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), and other construction, real estate, engineering and environmental organizations. All of my presentations are on energy, efficiency, environmental sustainability, green tax incentives and buildings. I do not have copies of these speeches because I speak extemporaneously or from notes. While I don't have records of all such presentations I have given, these are some of the more recent ones:

- Dec 4, 2009, Green/Energy Efficient Buildings Incentives, American Institute of CPA's Construction Conference
- Nov 17/18, 2009, Climate Change and sustainability, internal training for EY Employees
- Nov 4, 2009, LEED tax incentives and credits for Green Buildings, webinar for Lorman Education
- Oct 22, 2009, Utilities Public Private Partnerships Panel, Alliance for construction Excellence
- Sept. 15, 2009, Carbon Markets 101, Arizona Chapter of U.S. Green Building Council
- July 2009, Section 179D Bootcamp, Internal training for EY employees
- April 2009, Energy Credits going green, Tax Executives Institute
- April 2009, What is ASHRAE/USGBC/IESNA Std 189.IP?, Southwest Facilities Expo

I am attaching copies of two power point presentations that I gave recently. [Copies are retained in the committee's executive files.]

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

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

KATHERINE G. HAMMACK.

This 19th day of March, 2010.

[The nomination of Katherine G. Hammack was reported to the Senate by Chairman Levin on May 5, 2010, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on June 22, 2010.]

NOMINATIONS OF VADM JAMES A. WINNEFELD, JR., USN, TO BE ADMIRAL AND COMMANDER, U.S. NORTHERN COMMAND/ COMMANDER, NORTH AMERICAN AEROSPACE DEFENSE COMMAND; AND LTG KEITH B. ALEXANDER, USA, TO BE GENERAL AND DIRECTOR, NATIONAL SECURITY AGENCY/CHIEF, CENTRAL SECURITY SERVICE/COMMANDER, U.S. CYBER COMMAND

THURSDAY, APRIL 15, 2010

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, Udall, Hagan, Burris, Kaufman, McCain, and Thune.

Other Senator present: Senator Barbara Mikulski.

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; Creighton Greene, professional staff member; Jessica L. Kingston, research assistant; Peter K. Levine, general counsel; and Thomas K. McConnell, professional staff member.

Minority staff members present: Joseph W. Bowab, Republican staff director; Adam J. Barker, professional staff member; Paul C. Hutton IV, professional staff member; Michael V. Kostiw, professional staff member; and David M. Morriss, minority counsel.

Staff assistants present: Paul J. Hubbard and Kevin A. Cronin.

Committee members' assistants present: James Tuite, assistant to Senator Byrd; Christopher Griffin, assistant to Senator Lieberman; Gordon I. Peterson, assistant to Senator Webb; Jennifer Barrett, assistant to Senator Udall; Nathan Davern, assistant to Senator Burris; Halie Soifer, assistant to Senator Kaufman; Anthony J. Lazarski, assistant to Senator Inhofe; Sandra Luff, assistant to Senator Sessions; Jason Van Beek, assistant to Senator Thune; and Kyle Ruckert, assistant to Senator Vitter.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody. The committee meets today to consider the nominations of two senior officers to serve in important command positions. Vice Admiral James Winnefeld, Jr., has been nominated for promotion to the rank of admiral and to be Commander of U.S. Northern Command (NORTHCOM) and Commander of the North American Aerospace Defense Command (NORAD). Lieutenant General Keith Alexander has been nominated for promotion to the rank of general and to be Director of the National Security Agency (NSA), the Director of the Central Security Service, and to be Commander of the new U.S. Cyber Command (CYBERCOM).

We welcome both our nominees and we thank them, we thank their families, for their long and distinguished service that they've already provided to the Nation. We thank them both also for their willingness to continue serving our Nation in these senior military positions for which they are so well qualified.

Vice Admiral Winnefeld has had a long and distinguished naval career, including a number of joint duty assignments. He has commanded the U.S. Sixth Fleet, North Atlantic Treaty Organization Striking and Support Forces, and Carrier Strike Group 2. He is currently serving as the Director of Strategic Plans and Policy, J–5, on the Joint Staff.

NORTHCOM, which Admiral Winnefeld has been nominated to lead, was created following the terrorist attacks of September 11, 2001. It is charged with two primary missions, defense of the United States and providing defense support to civil authorities in circumstances where the Federal Government is needed to respond to natural or manmade disasters in the homeland. This latter mission requires a high level of cooperation and coordination with other Federal agencies and State agencies, especially the Department of Homeland Security (DHS).

The Commander of NORTHCOM is also dual-hatted as the Commander of NORAD, our binational command with Canada that provides aerospace warning and control and since 2006 maritime warning for North America. NORAD has been a key link between our two nations for more than 50 years.

In addition to Canada, Mexico is also in the NORTHCOM area of responsibility (AOR). Given the continuing high level of drug-related violence in Mexico and the attendant risks to our southern border region, the administration has been focusing high-level attention on Mexico. This future close cooperation between our countries in this and many other matters is critically important to both our countries.

Finally, NORTHCOM is the combatant command responsible for the operation of the ground-based midcourse defense (GMD) system that has interceptors deployed in Alaska and California to defend our Nation from limited long-range missile attack. That system has been of considerable interest to this committee for a number of reasons, including that we need it to be tested in a way that will give us confidence in its operational effectiveness.

General Alexander too has had a long and distinguished career in military intelligence. He has served as the Director for Intelligence, J–2, for U.S. Central Command; Commanding General for

the Army Intelligence and Security Command; and the Deputy Chief of Staff of the Army for Intelligence before becoming Director of NSA in 2005.

With respect to the position to which General Alexander has been nominated, the creation of a new combatant command, even at the subunified level, is an extremely important matter. The creation of CYBERCOM in particular warrants careful scrutiny on the part of this committee for a variety of reasons. CYBERCOM is to be formed solely around the mission involving the relatively sudden dominance of the new computer and communications technology of our age, technology that is ubiquitous, rapidly evolving, and fraught with both great promise and new perils for the country and the world.

As the committee's examination has confirmed, capabilities to operate in cyber space have outpaced the development of policy, law, and precedent to guide and control those operations. This policy gap is especially concerning because cyber weapons and cyber attacks potentially can be devastating, approaching weapons of mass destruction in their effects, depending on how they are designed and used.

Coupled with the fact that the U.S. economy and Government are the most dependent in the world on the Internet and are therefore the most vulnerable to attacks, the Nation must not only invest in the effectiveness of its defense, but think carefully about the precedents that it sets, hopefully acting wisely in ways that we will accept if others act in the same or similar ways.

Combatant commanders respond to attacks that affect our forces and their ability to execute their missions. The implications of their responses are usually limited and pertain to the theater in which forces are operating. But responses and initiatives in cyber space could have extremely broad and damaging consequences and in the future may require rapid decisionmaking. In this context, some have expressed concern about an officer without strong career experience in commanding combat forces serving as a subunified combatant commander.

Faced with that complex situation, the committee proceeded methodically to gain an understanding of what Congress is being asked to approve and what the key cyber space issues are that need to be addressed. Committee staff have held numerous meetings with senior Department of Defense (DOD) officials on a host of policy and operational issues associated with CYBERCOM and military and intelligence operations in cyber space. Committee members held a classified meeting with the Vice Chairman of the Joint Chiefs of Staff, General Cartwright, and the Principal Deputy Under Secretary of Defense for Policy, Dr. Jim Miller. The committee posed a lengthy set of policy questions to be answered in writing by the nominee in advance of today's hearing and followed that up with additional meetings and discussions, including with General Alexander.

The committee has been assured that DOD's leadership and the administration as a whole is committed to rapidly closing the cyber space policy gap. The committee has also been assured that DOD is proceeding with appropriate caution and care regarding military operations in cyber space.

We look forward to hearing from our witnesses. There's a possibility that a closed session will be required and if so that session will be held in the Office of Senate Security in the Visitors Center of the Capitol.

Before we turn to our wonderful colleague Senator Mikulski to introduce General Alexander, let me call on Senator McCain for his opening comments.

STATEMENT OF SENATOR JOHN MCCAIN

Senator MCCAIN. Thank you very much, Mr. Chairman. I join you in welcoming Lieutenant General Alexander and Vice Admiral Winnefeld and their families.

General Alexander, CYBERCOM was established, as we all know, by the Secretary of Defense last year. Since then I have shared the concerns of Senator Levin and others about ensuring that the role, mission, legal authorities, and rules of engagement that CYBERCOM will employ are well thought out and understood. I think we've made progress in achieving greater clarity in this regard and that you are well qualified for this new assignment.

The Department must have a centralized command to address the challenges of cyber warfare, to provide the support to the regional combatant commands, and to ensure that DOD, while focused on its own military networks and information grid, also is ready, if directed by the President, to assume a position of leadership and support to civilian authorities in this regard.

Continuing intrusions and attacks by difficult to identify and locate actors on our civilian and military networks and web sites demand not only a robust defensive capability, but the ability to respond offensively when the circumstances call for it. One need only consider the examples of cyber warfare conducted against the Republic of Georgia in 2008 and Estonia in 2007 to appreciate the nature of this form of modern warfare.

We look forward to your testimony about how CYBERCOM will function in protecting our vital national assets and infrastructure. I also noted in the media this morning that you believe there are certain gaps in legislative form and also in regulations that need to be improved in order to help you complete your mission successfully and under the legal framework that you feel is necessary. I look forward to hearing from you on that aspect of your new responsibilities.

Admiral Winnefeld, I congratulate you on your nomination to head NORTHCOM and NORAD. The vicious attacks of September 11 are never far from our thoughts. Ensuring effective support of civilian authorities should be among our highest priorities. The same is true, of course, for natural disasters, which demand a capable, tested, intergovernmental response in which NORTHCOM is a key player.

Admiral Winnefeld, I want to particularly emphasize the continuing growing threat to our national security posed by the violence along our border with Mexico. Your answers to the committee's advance policy questions about the importance of combatting drug trafficking and drug violence reflect my deep concerns about the corrosive effect of this plague on both the United States and Mexico. The drug-related violence in Mexico is appalling. As you

noted, there were over 6,500 drug-related murders in Mexico last year. So far this year, there have been nearly 2,000 deaths resulting from drug-related violence. Last month, the murders in Juarez of Lesley Enriquez, an American consulate worker, and her husband Arthur; of Jorge Salcido, the husband of a U.S. consulate employee; and the murder of Robert Krentz, a rancher in Douglas, AZ, underscored the cross-border nature of this problem.

I've supported the assignment of federally-funded National Guardsmen to our southern border in the past and I have endorsed Arizona Governor Jan Brewer's recent request for 250 federally-funded National Guardsmen in Arizona to assist in this effort to stop the flow of illegal immigrants and narcotics.

Mr. Chairman, I'd like to insert two letters into the record: one I wrote to Secretary Napolitano on March 29; and the other addressed to the mayor of Douglas, AZ, on March 31 in this regard.

Chairman LEVIN. They will be made part of the record.

[The information referred to follows:]

JOHN McCAIN
ARIZONA

COMMITTEE ON ARMED SERVICES
COMMITTEE ON
ENERGY AND NATURAL RESOURCES
COMMITTEE ON HEALTH,
EDUCATION, LABOR, AND PENSIONS
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS
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TELEPHONE FOR HEARING IMPAIRED
(602) 952-0170

March 29, 2010

The Honorable Janet Napolitano
Secretary
U.S. Department of Homeland Security
Nebraska Avenue Complex
245 Murray Lane, Mailstop 0150
Washington, DC 20528-0150

Dear Secretary Napolitano,

I am gravely concerned with the continued and apparently growing violence along our border with Mexico. Most recently, I was saddened and outraged to hear of the death of Robert Krentz, a longtime Arizona rancher who was found dead on his property near Douglas, Arizona. The federal government must do all it can within its power to curb this violence and protect its citizens from criminals coming across the border from Mexico.

For years, I have called on the President to send National Guard troops to the border in an effort to stop the flow of illegal immigrants and narcotics. Most recently, I supported Governor Jan Brewer's request to place troops along Arizona's border with Mexico. Unfortunately that request was rejected by this Administration. A year later, in light of the recent incidents and the continued growth of drug violence along the border, I am asking you and the Administration to immediately reconsider your position and send National Guard troops to our southern border region.

We must make the security of our borders one of our top national security priority. The United States must also do all it can to assist the Mexican government in its efforts to combat these violent drug cartels. The prosperity and success of Mexico is essential to the prosperity and success of our own country. We share a border, our economies are intertwined, and we are major trading partners. The U.S. must show its support for our neighbor to the south and support the Mexican people and the Calderon Administration in this fundamental struggle against lawlessness and corruption.

The people of Arizona and the United States demand and deserve secure borders. I hope that you will take a personal interest in ensuring that Arizonans can feel safe and protected on their own property and not live in fear of the increasing violence along the border. I look forward to a swift and decisive response to this situation.

Sincerely,

John McCain
U.S. Senator

JOHN McCAIN
ARIZONA

COMMITTEE ON ARMED SERVICES
COMMITTEE ON
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COMMITTEE ON HEALTH,
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March 31, 2010

Dr. Michael Gomez
Mayor
425 East 10th Street
Douglas, Arizona 85607

Dear Dr. Gomez:

Thank you for your letter dated March 30, 2010 regarding the tragic death of Rob Krentz, a respected member of our community and proud Arizonan. Please accept my sincere condolences on the loss of this esteemed community leader, husband and father.

As you know, over the years, I have continually raised concerns about the security of our southern border. Securing our border has been, and remains, a national priority that must be immediately and urgently addressed. Unfortunately, to date, not enough has been done. Rhetoric must be put aside and we must act decisively before any more residents of our border states are subjected to the tragedy that befell the Krentz family.

I wanted to take this opportunity to respond to your letter and let you know what efforts are being taken at this time to address at least some of your concerns. I have been in touch with numerous Federal, state and local law enforcement officials since this horrific crime and want to share with you what I have learned. The Department of Homeland Security (DHS) has pledged to immediately send more border patrol agents to secure the border between Cochise County, Arizona and Mexico. I believe this "border patrol agent surge" will immediately improve the safety and security of all residents of Douglas and the surrounding communities.

Additionally, the Commissioner of the Customs and Border Patrol, Alan Bersin, has been in direct contact with Cochise County Sheriff Larry Dever and pledged any resources necessary to assist Sheriff Dever in his work. This afternoon, Immigration and Customs Enforcement announced a $25,000 reward for the capture of the suspect alleged to have shot Mr. Krentz. Also, as you may be aware, on Monday, I wrote Secretary Napolitano and strongly reiterated my request originally made last year that the Federal government immediately send the National Guard to the border to support the DHS's efforts.

But please be assured that I recognize that these interim steps are not enough and more must be done. First and foremost, the National Guard must be redeployed to the border and I will do everything I can to make that happen. I will also continue to work with DHS to ensure that the proposal in the President's budget to reduce the number of border agents does not go in to effect. There is no greater national priority than the security of our homeland and I look forward to working together to make certain the residents of Douglas and the surrounding border communities are safe and protected from any illegal entries or border violence.

Sincerely,

John McCain

John McCain
United States Senate

Senator MCCAIN. Unfortunately, the administration has rejected Governor Brewer's request.

Admiral, I'm interested in your assessment of the security situation along the border and what steps can be taken to improve not only the ability of the United States to confront this drug trafficking threat, but also the ability of our allies in Mexico.

Admiral, I understand that yours is a military command and your role is one to be carried out in combat. I can make an argument that we are in combat with the drug cartels in Mexico. I can make an argument that the war between the drug cartels and the Government of Mexico directly threatens the very existence of the Government of Mexico. I don't say these words lightly, and I think that it's very clear that when you're talking about a $65 billion a year business that is harming American citizens and killing them because of the product, that this struggle with the drug cartels is going to and already has spilled over into the United States of America and has taken the lives of American citizens.

I look forward to perhaps taking a visit with you to our southern border. I look forward to working with you and determining how we can best use some of the military equipment we have, such as surveillance technologies, use of unmanned aerial vehicles (UAVs), and better ways to enforce our border and make sure that it is secure. I look forward to discussing this and working with you, Admiral Winnefeld. This is a grave threat and I am afraid that a lot of Americans are not aware how serious the consequences would be of the Government of Mexico failing and being overthrown by these drug cartels, or at least marginalized so that the drug cartels can act freely, and the consequences to American security.

I thank you and I will look forward to your testimony and look forward to working with you as we carry out what I believe is a national security requirement, and that is to secure our southern border.

I thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much.

General Alexander, you could have no more effective advocate than Senator Mikulski. I want you to know that this has been a long period of time for considerations because of the newness of

this position and the importance that it has for the reasons which we've stated. But I don't think a week went by during this long period that Barbara Mikulski did not ask me: So when's the hearing? You're lucky to have her as a Senator, but also as a wonderful advocate.

Senator Mikulski.

STATEMENT OF HON. BARBARA MIKULSKI, U.S. SENATOR FROM THE STATE OF MARYLAND

Senator MIKULSKI. Thank you very much, Mr. Chairman, Ranking Member McCain, and colleagues. I have the opportunity today to introduce Lieutenant General Keith Alexander, who is the current Director of NSA, located in Fort Meade, MD. I also am very proud to sit here today with Admiral Winnefeld, and I would like to re-echo Senator McCain's sense of urgency about another war that we're fighting south of our own border.

I'm here today in my scope as the Senator from Maryland. My State is the home to the mothership of signals intelligence in the U.S. military, which is NSA. I would recommend in a classified hearing that the scope, breadth, and talented workforce, the nature of it really be further explored, because I think it's often underestimated and it's undervalued because it does come in under everybody's radar.

But today is an exciting day in introducing General Alexander for his confirmation hearing to lead something called CYBERCOM. He will elaborate on that command, but I'm going to elaborate on General Alexander. President Obama nominated him and I think it's a great choice. This job, to head up CYBERCOM, is going to require expertise, leadership, and know-how. The know-how is going to require technical competence in fields that change in web years, not in fiscal years. It requires someone who has incredible organizational skills that could head up major dot-com companies in our own country and the diplomatic skills to navigate not only with foreign leaders, but the vagaries of our own governance structures.

I believe that General Alexander brings all of those talents, skills, and even more. He brings a great deal of expertise. His biography speaks for itself and the command recognitions that he's received. He's been the head of NSA for 5 years. He was the Deputy Chief of Staff at the Army, General of the U.S. Army in Intelligence Security Command, and the Director of Intelligence for U.S. Central Command, and numerous other positions.

That's kind of the resume stuff. But as you know, all of you here, that it is one thing to talk about credentials and bars on the shoulder and so on, but it's another thing to talk about leadership. I believe that General Alexander has led the transformation of NSA from an agency that was once focused on Cold War threats to now a world of new world threats, supporting both people who are literally in battle in Iraq and Afghanistan, standing sentry over those others who have predatory intent against us, and bringing that leadership.

Right now he is leading the fight against cyber spies who want to steal our State secrets, cyber terrorists who want to disrupt everything from our financial services to our power grids, while sup-

porting the wars in Iraq and Afghanistan, working with NORTHCOM and our forces at the border protecting our borders.

Lieutenant General Alexander is a leader and a professional. I believe he's an indispensable asset. He's had to deal with everything from other generals and admirals to deal with us and our often sluggish response to situations. He's had to deal with Google as it's been threatened by China and he's had to develop a workforce and develop technology and he's had to do it with speed, diligence, while he's trying to avoid attacks on the United States, he's been trying to avoid fiscal boondoggles with his own agency.

The CYBERCOM leader needs to be respected by the military. His service speaks for itself. He needs to be able to deal with the private sector. They're already coming to him for advice and how to work with us to protect dot-mil and other important things. He's been a promoter of innovation.

I come to this because the committee must come to deal, have a sense of urgency, not only on the confirmation, but on cyber security. Those who have predatory intent against us are dealing in web years. They're continually focusing on the rapidity of change in a dynamic web environment. That's every 3 months. We deal in fiscal years, congressional sessions, quadrennial reviews. That's pretty dated when it comes to cyber security.

Our cyber shield is thinning. We need a unified response. We need CYBERCOM and we need the leader who has the right stuff to do it. I believe that's General Alexander and I hope you confirm him with web year speed.

Mr. Chairman, I thank you for your kind attention.

[The prepared statement of Senator Mikulski follows:]

PREPARED STATEMENT BY SENATOR BARBARA MIKULSKI

Thank you Chairman Levin and Ranking Member McCain for the opportunity to introduce Lt. Gen. Keith Alexander, the current Director of the National Security Agency (NSA), located in Fort Meade, MD.

As the Senator from and for Maryland, I am pleased and honored to introduce Lieutenant General Alexander to the Senate Armed Services Committee for his confirmation hearing to lead Cyber Command. In October 2009, President Obama, with the support and backing of Defense Secretary Gates and Director of National Intelligence (DNI) Blair, nominated Lieutenant General Alexander to lead Cyber Command.

I have known Lieutenant General Alexander since he started as Director of the NSA in 2005. Lieutenant General Alexander's leadership and expertise as Director of the NSA for the past 5 years, Deputy Chief of Staff of the Army, General of the U.S. Army and Intelligence and Security Command, Director of Intelligence, U.S. Central Command and numerous other positions make him uniquely qualified to lead Cyber Command.

Lieutenant General Alexander has led the transformation of the NSA from an agency focused on counter-terrorism into an organization that is leading the fight against cyber spies who want to steal our State secrets, cyber terrorists who want to disrupt our power grid and cyber criminals who want to make a quick buck, all while still supporting the wars in Iraq and Afghanistan. Lieutenant General Alexander is a leader, a professional and, most important for this job, he is an indispensable asset to our Nation's cyber security.

As a member of both the Intelligence Committee and Defense Subcommittee on Appropriations, which funds the NSA, I have seen the tremendous things that the NSA is doing in cyber space both to protect our national security systems and to keep us ahead of our cyber adversaries.

The United States is being hacked and being attacked by cyber adversaries and foes each and every day. Cyber spies want to steal our State secrets, weapons systems, and restricted technology. Cyber hackers who want to make off with our intel-

lectual property and patents and cyber criminals who want to make a quick $10,000.

Our cyber shield is thinning and a unified response is necessary. The U.S. military needs a unified effort—a Cyber Command—to have the ability to respond with speed, agility, and flexibility to increasingly sophisticated cyber adversaries.

As DNI Mike McConnell—a former NSA Director himself—once told me, Lieutenant General Alexander is an asset to our national security, and I agree with him. Cyber hackers and warriors continue to hack and attack us each day. Cyber hackers and warriors are operating with increasing speed and sophistication.

This nomination is one that cannot wait. I strongly support his nomination to lead Cyber Command and I urge his quick confirmation.

Chairman LEVIN. Thank you so much, Senator Mikulski. We haven't acted yet with web year speed, but we surely from this point on would hope to do so. The reasons we haven't are the reasons that I tried to outline, though, in my introduction, which intended to set out at least, some of the very significant issues that this new command raises. But your eloquence is very helpful in this regard and your comments are very welcome.

Senator MIKULSKI. Good luck. I have your back.

Chairman LEVIN. Admiral, I think we're going to start with you, so please proceed with your opening comments and please introduce anybody that you'd like to introduce to us. We always welcome family and friends should people be lucky enough to have them with them.

STATEMENT OF VADM JAMES A. WINNEFELD, JR., USN, NOMINEE TO BE ADMIRAL AND COMMANDER, U.S. NORTHERN COMMAND/COMMANDER, NORTH AMERICAN AEROSPACE DEFENSE COMMAND

Admiral WINNEFELD. Yes, sir. Chairman Levin, Senator McCain, and distinguished members of this committee, it's a great honor to have been nominated by the President to become the Commander of NORTHCOM and the Commander of NORAD. I thank you all for the opportunity to appear before you this morning.

I'm joined this morning—and thank you, sir—by my family and with your permission I'd like to introduce them: first my wonderful wife and best friend, to whom I owe so much, from Menomonie, WI, my wonderful wife Mary, who is a volunteer for the Navy and Marine Corps Relief Society here in Washington and who brings so much joy into my family's life. Sweetheart.

Here also are my two sons, of whom I'm so proud: my son LJ, who tells me he'd like to follow his father's footsteps into the Navy; and his brother Jonathan, who tells me he would prefer to serve in the Marine Corps.

Chairman LEVIN. Both of them belong in school. How come they're not there today? [Laughter.]

Admiral WINNEFELD. I think they got a senatorial waiver, sir.

Mr. Chairman, over the last 3 years my friend General Gene Renuart has led the NORTHCOM and NORAD team with distinction and he'll leave behind a tremendous legacy of continuous improvement. If confirmed, I look forward to being able to build upon his efforts.

In this light, I'd like to make two simple but important points before receiving your questions. First, I can think of no greater responsibility than protecting our people and our way of life by leading our homeland's last military line of defense and by providing

support at the Federal, State, and local level in times of great need. There are no points for second place in either one of these missions and I view this as a sacred trust.

Second, I have observed no other commands, no other combatant command for sure, in which cooperation with and support for partners is more important than with NORTHCOM and with NORAD. I believe the significant part of my career and my professional life spent in joint assignments has helped prepare me for this task.

If confirmed, I will reinforce the critical importance of close partnerships and teamwork with the other combatant commanders and Service Chiefs, with DHS, and a host of other interagency, State, local, and nongovernmental partners, with our close friends and neighbors Canada and Mexico, and with the National Guard and Reserve.

I view all of these relationships as vital, but I would like to particularly emphasize the latter. Our Nation's Guard and Reserve have never been better or more versatile and I look forward, if confirmed, to forging a strong personal partnership with them.

I also look forward to working closely with the members of this committee to ensure we're correctly tackling the critically important job of defending our homeland and providing support to civil authorities.

Once again, I'm very grateful for the opportunity to appear today and I'd like to thank you, Mr. Chairman and Senator McCain, and the members and superb staff of this committee for the ongoing support that you provide to our men and women in uniform and to their families.

I look forward to your questions.

Chairman LEVIN. Thank you so much, Admiral. We welcome you. We welcome your wife and your kids here today. We know how much you treasure them and we are delighted to see them here.

General Alexander.

STATEMENT OF LTG KEITH B. ALEXANDER, USA, NOMINEE TO BE GENERAL AND DIRECTOR, NATIONAL SECURITY AGENCY/ CHIEF, CENTRAL SECURITY SERVICE/COMMANDER, U.S. CYBER COMMAND

General ALEXANDER. Chairman Levin, Senator McCain, distinguished members of the committee, it is a distinct honor and privilege to appear before you today. I am honored that President Obama and Secretary Gates have placed their trust and confidence in me by nominating me for the position of Director, NSA; Chief, Central Security Service; and for Commander, CYBERCOM. If confirmed, I look forward to working closely with the committee to address the cyber security challenges facing our Nation today and in the future.

Sir, I'd like to introduce my wife Debby, who is with me today—right here, just so I can identify her. Debby has overseen 20 moves, experienced the highs and lows of almost 35 years in service, brought 4 lovely daughters into the world, and is grandmother to our 12 grandchildren. I am indebted to her for her love, unflagging support, wise counsel, and occasionally letting me win in Yahtzee.

We face a growing array of cyber threats, from foreign intelligence services, terrorists, criminal groups, and individual hackers,

who are capable of stealing, manipulating, or destroying information that could compromise our personal and national security. DOD in particular requires a focused approach to secure its own networks, given our military's dependence on them for command and control, logistics, and military operations.

In recognition of this, Secretary Gates directed the creation of CYBERCOM to establish a framework under which a single military commander can achieve unity of command and operational integration across the full range of cyber space operations.

If confirmed, my main focus will be on building the capacity, the capability, and the critical partnerships required to secure our military's operational networks. This command is not about efforts to militarize cyber space. Rather, it is about safeguarding the integrity of our military's critical information systems. Working with U.S. Strategic Command (STRATCOM) and Department leadership and with help from this committee, my goal, if confirmed, will be to significantly improve the way we defend ourselves in this domain.

If confirmed, I also intend to draw upon the extensive lessons I have learned over the almost 5 years serving as both Director of NSA and Commander of the Joint Functional Component Command Net Warfare, to ensure that CYBERCOM can effectively leverage NSA's global intelligence capabilities.

I would like to note, however, that while there will be, by design, significant synergy between NSA and CYBERCOM, each organization will have a separate and distinct mission with its own identity, authorities, and oversight mechanisms. NSA's own mission and authorities will not change as a result of the creation of this command and, while cyber space is a dynamic, rapidly evolving environment, what will never change will be an unwavering dedication by both CYBERCOM and NSA to the protection of civil liberties and privacy of American citizens.

Finally, if confirmed, we can stand up the command under existing authorities, but there is undoubtedly much unchartered territory in the world of cyber policy, law, and doctrine. If confirmed, I intend to work closely with the Under Secretary of Defense for Policy charged by Secretary Gates to develop a comprehensive strategy for DOD's cyber space operations. I will also rely heavily on the wisdom and guidance of this committee to ensure that we get this critically important mission right for our military and for our Nation.

In closing, I want to again express my sincere appreciation to this committee for holding today's hearing. If confirmed, I look forward to working closely with you. Your wisdom, support, and sustained engagement are critical to ensuring the success of this endeavor.

Thank you again for the opportunity to be here with you today. I look forward to your questions.

Chairman LEVIN. Thank you very much, General. We welcome you. We welcome your wife. I'm a little bit jealous of the 2 of you with 4 daughters—I only have 3—and 12 grandkids—I only have 5. But it's wonderful to have you both here.

I want to explore with you, General Alexander, some of that unexplored territory that you just mentioned, cyber policy, cyber law,

and cyber doctrine. You as the first Commander of CYBERCOM are going to be in a critical position, not just in commanding the command, but in really setting the precedents for how that command is going to operate. There's a lot of unchartered territory; you and I have talked about this.

What I'd like to do is share some hypothetical scenarios. You and I talked about your doing this and I wanted to let you know that's what I wanted to do because I wanted you to be able to know in advance what these scenarios are and to give us your thoughtful response to these. This is a new area, not just for our country, but an area which is particularly challenging, I must say, to me, being generationally challenged when it comes to understanding some of these issues.

Let me give you the hypotheticals, starting with the easiest one, I think, which is assume the following: U.S. forces are engaged in a traditional military conflict with a country, we'll call it Country C. Now, how would you conduct cyber operations in that country in support of the combatant commander? Under what authorities, processes, and orders would you be operating in that particular scenario? Then I'll give you two additional scenarios.

General ALEXANDER. Yes, sir. We would be operating under title 10 authorities, under an execute order, supporting probably that regional combatant commander. The execute order would have the authorities that we need to operate within that country. We have standing rules of engagement of how to defend our networks.

I think that's the straightforward case. There would be an execute order that comes down to that regional combatant commander, that includes the authorities for cyber parsed and approved by the President.

Chairman LEVIN. All right, so that is kind of a traditional role. You have an execute order. You have rules of engagement.

By the way, we'll have an 8-minute first round for questioning.

Now the second hypothetical. I want to add a complicating factor to the scenario. Assume that an adversary launches an attack on our forces through computers that are located in a neutral country. That's what you've determined. The attack is coming from computers in a neutral country. How does that alter the way that you would operate and the authorities that you would operate under?

General ALEXANDER. Sir, that does complicate it. It would still be the regional combatant commander that we're supporting under title 10 authorities. There would be an execute order. In that execute order and the standing rules of engagement, it talks about what we can do to defend our networks and where we can go and how we can block.

The issue becomes more complicated when on the table are facts such as we can't stop the attacks getting into our computers, and if we don't have the authorities in accordance with the standing rules of engagement we'd go back up to STRATCOM, to the Secretary, and the President for additional capabilities to stop that.

But right now the authorities would be to block it in theater under the current standing rules of engagement, and it would be under an execute order, and again under title 10 in support of that regional combatant command.

Chairman LEVIN. Is that execute order likely to have the authority to do more than defend the networks, or would you have to, in all likelihood, go back for that authority if it were more than defensive?

General ALEXANDER. Sir, it would probably have the authority to attack within the area of conflict against the other military that you're fighting. There would be a rules of engagement that articulate what you can do offensively and what you can do defensively. Sir, in offense that's both in the exploitation and in the attack role. Both of those would be laid out in the execute order.

What you would not have the authority to do is to reach out into a neutral country and do an attack, and therein lies the complication from a neutral country: What do you do to take that second step?

Chairman LEVIN. Neutral being a third country, presumably? Is that synonymous or does the word "neutral" mean literally neutral?

General ALEXANDER. It could be either, sir. It could be a third country or it could be one that we don't know. I should have brought in attribution, because it may or may not be a country that we could actually attribute to, and that further complicates this. The neutral country could be used by yet a different country, the adversary, and it's only an attack through.

In physical space it's a little bit easier to see firing from a neutral country, and I think the law of armed conflict has some of that in it. It's much more difficult and this is much more complex when a cyber attack could bounce through a neutral country, and therein lies the complexity for this problem.

Chairman LEVIN. That's the complexity that you've addressed.

Now a third scenario, more complicated yet. Assume you're in a peacetime setting. All of a sudden we're hit with a major attack against the computers that manage the distribution of electric power in the United States. The attacks appear to be coming from computers outside the United States, but they're being routed through computers that are owned by U.S. persons, located in the United States. So the routers are in here, in the United States.

How would CYBERCOM respond to that situation and under what authorities?

General ALEXANDER. Sir, that brings in the real complexity of the problem that we face today, because there are many issues out there on the table that we can extend, many of which are not yet fully answered. Let me explain.

First, DHS would have the responsibility for the defense of that working with critical infrastructure. DHS could, through the defense support to civilian authorities, reach out to DOD and ask for support. Sir, one of our requirements in the unified command plan is to be prepared for that task. We would have that responsibility.

If asked to do that, again we'd get an execute order and we'd have the standing rules of engagement that we operate under all the time. The issues now, though, are far more complex, because you have U.S. persons. Civil liberties, privacy all come into that equation, ensuring that privacy while you try to on the same network potentially take care of bad actors. A much more difficult problem.

As a consequence, you have a joint interagency task force, the Federal Bureau of Investigation, who has a great joint cyber investigative task force that would be brought in. All of these come to bear.

This is the hardest problem because you have attribution issues, you have the neutrality issues that we mentioned in the second scenario, you have interagencies working together with industry. I think that's one of the things that the administration is trying to address with DHS and with DOD, how do we actually do that with industry? That's probably the most difficult and the one that we're going to spend the most time trying to work our way through: How does DOD help DHS in a crisis like that?

Chairman LEVIN. Is that policy that's now under way in terms of debate and discussion, is that scheduled for completion by the end of the year? Is it what the hope is, the goal is, for that?

General ALEXANDER. I think DOD portions that would support that are, yes, sir.

Chairman LEVIN. Admiral, let me ask you about the missile defense system that we have. If I have time, I'll ask about the issue, the GMD system that we have in Alaska and California. But as I may run out of time, let me focus first on Europe.

We have a ballistic missile defense system in Europe. Last September the President announced a new missile defense plan for Europe that was unanimously recommended by Secretary Gates and the Joint Chiefs of Staff. That plan includes a number of elements that are intended to enhance the defense of the United States against potential future long-range Iranian missiles, particularly long-range Iranian missiles.

The forward-deployed radar in southeastern Europe would be part of that. Development of an improved version of the Standard Missile III Block 2 for deployment in Europe. This, of course, would work to complement or in concert with the GMD system that I referred to.

But first, do you agree that new missile defense plan will improve our capability to defend the homeland against potential future long-range missiles from Iran?

Admiral WINNEFELD. Senator, in particular the radar that would be placed presumably in southeastern Europe or in the southeastern part of that AOR would provide much earlier warning of a missile attack from Iran and therefore give much earlier warning for the ground-based missile or ground-based midcourse system in the United States to launch, and potentially that will dramatically raise the ability of that system to counter a threat coming from Iran. That's the most important part. The SM III Block 2, obviously further down the line with some potential intercontinental ballistic missile capability is an adjunct to that.

Chairman LEVIN. If the Russian radars finally were able to be joined to that system, would that add capability?

Admiral WINNEFELD. If the Russian radars are able to feed in into that system, then presumably, yes, sir, it would augment that capability on top of the radar that we would have in southeastern Europe.

Chairman LEVIN. Thank you very much.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

General Alexander, I think it would be helpful for this committee, and also I note the presence of the chairman of the Senate Homeland Security and Governmental Affairs Committee, if perhaps you could submit to us for the record some of the changes that you think are needed both in law and in regulation to allow you to perform your functions in a not only more efficient fashion, but to make sure that you are protected constitutionally. Do you see my point, General?

General ALEXANDER. Yes, sir.

Senator MCCAIN. Do you think that would be helpful to the committee and Congress, for us to get a laundry list of what you think needs to be done in order for you to be able to carry out your duties in a most efficient and effective fashion?

General ALEXANDER. Yes, sir. We'll do that, sir.

[The information referred to follows:]

[Deleted.]

Senator MCCAIN. I think it's obvious from General Alexander's testimony that close coordination between DHS and DOD is critical in taking effective measures in this new cyber war that we are in.

Chairman LEVIN. If I could just support what your request is on that, Senator McCain. It's a very useful point and the answer that you give to us in response to Senator McCain will go to the Homeland Security and Governmental Affairs Committee as well. It's a very important point. Thank you.

Senator MCCAIN. It may at some point argue for a joint committee hearing, depending on how urgent the needs are. But this is obviously a brand new field of combat and one that we are going to have to make significant adjustments to.

Admiral Winnefeld, you are new in your responsibilities and I congratulate you for your long years of service. Do you agree with my opening statement concerning this real crisis we have on our southern border and with our southern neighbor concerning this struggle, the existential struggle of the Government of Mexico with the drug cartels?

Admiral WINNEFELD. Senator, I certainly share your deep concern over the levels of violence in Mexico and along our border and certainly the corrosive effect that it ultimately has inside our cities.

Senator MCCAIN. Have you had time yet to assess whether the Government of Mexico, whom we are helping out a great deal, I think it's $1.5 billion in the Merida Plan. Have you any assessment as to whether we are succeeding or failing or where the drug cartels are as far as this struggle is concerned? Have you an assessment of the situation yet?

Admiral WINNEFELD. Senator, I'm in the early stages of my assessment, to be quite honest with you. In preparation for the hearing, I have done my own reading. I was privileged to accompany the large delegation that the Government sent down to Mexico City in March to meet with their counterparts in Mexico, and I'm watching this very closely. Of course, if I'm confirmed I intend to really burrow into it once I get out and in command.

Senator MCCAIN. Would you agree that your initial assessment is that the Government of Mexico is in an existential struggle with the drug cartels?

Admiral WINNEFELD. I believe that the drug cartels really want to be left alone. They want to have space for them to compete for market share. I don't believe at this point that they are intent on overthrowing the Government of Mexico.

Senator MCCAIN. I agree with that assessment. But if the government does not have control of large parts of its territory, then, if not an existential threat, certainly a threat to its ability to govern.

Admiral WINNEFELD. Yes, sir.

Senator MCCAIN. Have you had an opportunity yet to visit the border?

Admiral WINNEFELD. I have not, and I was delighted that you made the offer during your opening remarks, sir, because it's one of my very first priorities, if confirmed. When I get out there, I want to get down there and see for myself what's going on. I would very much welcome the opportunity to accompany you on a trip down there, sir.

Senator MCCAIN. I would look forward to it, and soon, Admiral.

One of the aspects of this struggle we're in—and I'm very aware of our Constitution and the role of the military inside the United States and all of that. But I also would argue that when we have a level of violence that thousands of people are being murdered on the other side of the border, American citizens have been murdered, as I just described to you, that at least we ought to scrutinize more carefully and utilize some of the lessons we have learned in, say, Iraq. What I mean by that is surveillance capability as well as physical barriers.

I do not mean to draw too close a comparison between the war in Iraq and our struggle on the border. But I do believe you could make a comparison between the use of UAVs, surveillance capabilities, as well as barriers. We all know that barriers only work if they are surveiled and maintained. It seems to me that we could use some of the technology that we've developed in Iraq and are using in Iraq and Afghanistan to better surveil and enforce our borders, because I'm not sure when this struggle between the Mexican Government and the drug cartels is going to be over, but I do believe it's going to be a while, and I do believe that therefore we have an obligation to secure our borders to prevent further incidents such as the murder of a rancher in Douglas, AZ, just a short time ago.

I look forward to visiting with you on the border. Every area of the border has its challenges. I think factually that the Tucson border area has the largest number of incursions. We also have the Goldwater Ranges down near the border and some of the illegal activity has affected our training capabilities there. There are a number of implications associated with the struggle on the border that argues I think for our highest attention.

I hope that you would also, as we assess this situation, help us assess the manpower requirements as well as the technology requirements, since our Governors in the border States have said

that they need the National Guard there. That request has not been met with a favorable response as of yet.

I would look forward to it and will go to work right away. Frankly, I am more concerned than I have ever been about the fact that many indicators are that the drug cartels are certainly not losing, if they're not winning. If they're not losing in any war, then they are winning. This is an irregular warfare situation. It has many different complications. Where are they getting the sophisticated weapons? The Mexican police and army many times are outgunned. Also, this effect on the United States of America of what is judged to be about a $65 billion a year business as well.

I thank you for your commitment to get down there and I look forward to joining you as soon as possible. I know that my colleagues that represent border States share the same concern that I do about the size and implications of this issue.

I've been down there many times over the years and I've visited Mexico City. I have the greatest respect and admiration, as I know you do because you were in Mexico City, for President Calderon. I think he is doing everything that they can, but they are crippled by corruption and they're crippled by a lack of training and capability of their police and military.

I also believe that we have made some very wise investments in helping them with technology and training that may be of significant benefit to them in the long run.

Do you agree?

Admiral WINNEFELD. Absolutely, sir, and I absolutely share your view that the Calderon Government has exhibited extremely good leadership and courage in this fight, because one thing—if they wanted to immediately tamp down the violence, they could back off the pressure on the drug cartels, and they have had the courage to not do that. I think it's a tremendous sign of our partner in Mexico, and I'm proud to have potentially the opportunity to work with them, yes, sir.

Senator MCCAIN. Thank you very much.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCain.

Before I call on Senator Lieberman, let me ask you the standard questions which we place before all of our nominees. Have you adhered to applicable laws and regulations governing conflicts of interest?

General ALEXANDER. Yes, sir.

Admiral WINNEFELD. Yes, sir.

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

Admiral WINNEFELD. No, sir.

General ALEXANDER. No, sir.

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

Admiral WINNEFELD. Yes, sir.

General ALEXANDER. Yes, sir.

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

General ALEXANDER. Yes, sir.

Admiral WINNEFELD. Yes, sir.

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

Admiral WINNEFELD. Yes, sir.

General ALEXANDER. Yes, sir.

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

General ALEXANDER. Yes, sir.

Admiral WINNEFELD. Yes, sir.

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

General ALEXANDER. Yes, sir.

Admiral WINNEFELD. Yes, sir.

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

Admiral WINNEFELD. Yes, sir.

General ALEXANDER. Yes, sir.

Chairman LEVIN. Thank you very much.

Senator Lieberman.

Senator LIEBERMAN. Thank you, Mr. Chairman.

General Alexander, Admiral Winnefeld, thank you for your service to our country. I must say, going over your biographies in preparation for the hearing, your answers, listening to you this morning, you're two extraordinarily capable people and our Nation is fortunate indeed to have you in our service. I look forward to supporting your nominations.

General Alexander, I want to pick up a bit on the line of questioning that Senator McCain began. But first, just if you would briefly lay on the record, as we stand up this new CYBERCOM and you as its first leader, how serious is the cyber threat to the United States today? To the extent that you're able to say in open testimony, particularly about DOD web sites and networks, how frequently are we today under attack?

General ALEXANDER. Sir, I think one of the underlying principles, beliefs, that the Secretary had for standing up this command was just the amount of attacks that we're seeing coming into DOD gateways every day.

Senator LIEBERMAN. Right.

General ALEXANDER. Hundreds of thousands of probes a day.

Senator LIEBERMAN. Every day?

General ALEXANDER. Every day.

Senator LIEBERMAN. Right.

General ALEXANDER. The issue that we saw was, how do you fight against that? By putting the command together, I think that was what he saw as the first big step that we need to make to build the capacity and to take that on. We saw it as very serious. We have been alarmed by the increase, especially this year, both

in the critical infrastructure within the Nation and within DOD. So it's growing rapidly.

Senator LIEBERMAN. Right. Hundreds of thousands of probes, these are not attacks in the sense that we normally consider an attack; is that correct?

General ALEXANDER. That's correct, Senator.

Senator LIEBERMAN. They're an attempt to probe and to exploit our system to gain information?

General ALEXANDER. That's correct, Senator. They may scan the network to see what type of operating system you have, to then facilitate an exploit or an attack.

Senator LIEBERMAN. Right. Is it fair to presume that, while some degree of these are individual hackers, others are working for nation states that are trying to determine what they can about our defense structure?

General ALEXANDER. That's correct, Senator.

Senator LIEBERMAN. Okay. That I think quickly but strongly outlines the nature of the threat certainly to our national security structure.

Let me get into some of the questions about the relationship between DOD and DHS because, as Senator McCain said, I'm privileged to be chair of the Senate Homeland Security and Governmental Affairs Committee. There's a lot of overlap, not surprisingly, between the membership on these two committees.

The existing system allocates responsibility between DOD and DHS, DOD obviously having responsibility not only for offensive cyber operations, but for the defense of DOD's networks. DHS has responsibility for defending the civilian networks of our Government and working with the private sector to defend the civilian infrastructure, which probably itself would be a target of attack, could be certainly at some point.

I welcome Senator McCain's suggestion that these two committees work together and that we have your responses to how we might clarify responsibilities in the future. But I think it is important to get on the record the extent to which NSA, which you head, is now cooperating with DHS in enabling its work. The bottom line here is that the NSA is a treasure, a national treasure. Its resources are extensive. No one I think would want DHS to try to replicate those resources to carry out its responsibility to protect Federal Government civilian networks and outside civilian networks.

Therefore the cooperation is really critically important. Can you explain both what that relationship is now and how you envision CYBERCOM that you'll now head and NSA playing a supporting role to DHS in protecting non-military networks?

General ALEXANDER. Senator, I'm going to break that into two parts, one that talks about what NSA is doing to support DHS in executing their mission. As you stated, it's their mission to defend the rest of the dot-gov and to work with the civilian community for critical infrastructure. Our responsibility is to provide technical support to DHS. We do that under the comprehensive national cyber initiative to help them build the technology that they need to defend those networks.

In part of that, sir, we have a responsibility to provide them the technical information for what the threat is trying to do to them.

Senator LIEBERMAN. Right, right.

General ALEXANDER. Provide them early warning to that. But they would operate and defend that system. So our responsibility, we provide people and capabilities to help them do that.

I think that partnership continues to grow. We've had a number of meetings and I think we're trying to work through it. That's part of the issue, as you can see. Then I think what Secretary Napolitano and the country's going to have to look at, how do we work with private industry, who owns and operates many of these networks?

Senator LIEBERMAN. Right.

General ALEXANDER. On the CYBERCOM side, if a crisis were to occur, now CYBERCOM or DOD may be called in to help, defense support to civilian authorities. What we would be asked to do is dependent on the situation. It could go through NORTHCOM, it could go to STRATCOM or to CYBERCOM to provide either technical support or help prevent an attack, or in the case of a sustained attack actually help defend our networks.

Those are the cases, and as you get into each one of those you run into a series of issues that we have yet to work out with the roles and responsibilities, especially with private industry.

Senator LIEBERMAN. Right. That was very helpful.

The second situation, the second area of overlap, would be in what I would describe as a national security crisis, the extent to which CYBERCOM would come in and work with DHS to defend either Federal Government civilian networks or private civilian networks; is that correct?

General ALEXANDER. That is a mission that we would plan for under the unified command plan and that we have to work out the specifics of how to do that.

Senator LIEBERMAN. Am I correct that you would say that the current allocation of responsibility between DOD, CYBERCOM, NSA, and DHS is a good one? Understanding that you have to work out some of the questions you've talked about, but bottom line, that DOD has responsibility for the defense networks in defense and DHS has responsibility for the Federal Government civilian networks and private civilian networks?

General ALEXANDER. Yes, sir. I think it is absolutely important to have DHS operate and defend those networks. I also believe that there necessarily needs to be a linkage and leverage of that capability for us to provide the technical support, the early warning, and others. I think we're walking down that road. I think it is written out right, but there's more to understand as we go into that, what are the exact lanes in the road for that and how can we help, and what happens in a true crisis.

Senator LIEBERMAN. I appreciate that answer very much.

One of the things I think was implicit in what Senator McCain said, and I certainly share this hope, is that we can work together to determine both with yourself and Secretary Napolitano whether there are any legislative changes necessary to enable DOD components to better assist DHS in its cyber security mission.

General ALEXANDER. Yes, sir.

Senator LIEBERMAN. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Lieberman, and we will work closely as committee chairmen, and our ranking members I know will be joining us in this coordinated effort to understand this new world and to oversee it properly.

Senator LIEBERMAN. Thank you.

Chairman LEVIN. Thank you very much.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

I only wish I knew as much about this as Senator Lieberman does and Senator McCain, because I'm kind of new to this and when I saw your command, as I told you when you were in my office, I'm on the surface, I started getting into it and recognizing that there is a reason for it, and that there are problems out there.

Chairman LEVIN. Senator Inhofe, if I could interrupt just for a moment. I'm going to have to leave for a short time and I've asked Senator Udall, who will be next in line anyway to ask questions, if he could then continue after that. He indicated he could. After you're completed, Senator Inhofe, it'll go then to Senator Udall, then back to somebody on your side if there is someone here. But Senator Udall can take care of that.

Thank you.

Senator INHOFE. Yes. Over the last decade as the use and connectivity has become more pervasive, most of the Information Technology (IT) security spending has been invested in perimeter defense of the distributed network. There has been a reduction in appropriations or in spending in some of these areas, and I am concerned about that.

I've been told that DOD has created and adhered to a strict set of security configuration controls for their mainframe systems, but there have been some reports of classified government systems being breached. I'd like to have you just take as much time and as much detail on this, the problems that we have.

Second, I want to talk about some of the systems outside of the military that I'll be asking you about, due to something that appeared this morning in the media. Does DOD have any issues with its mainframe security, both in its air-gapped or non-wired systems and in the systems that are connected to the Internet? What problems do you see that you haven't already mentioned in the previous questions?

Again, I apologize for not being here for your opening statement, you may have covered this. If so, that's fine.

General ALEXANDER. Yes, sir. I think the key issue that you bring up is some of the legacy defense capabilities would look at a perimeter defense. As we begin to merge our offensive and defensive capabilities onto one team, one of the things we did was change the strategy from perimeter defense to defense I depth.

Senator INHOFE. Okay. Now, before that took place—and I'm sorry I have to ask this question; I should know and I don't—who was doing this then?

General ALEXANDER. This was separated in responsibilities between what the network defenders and operators would do versus what you would do in the attack and exploit arena.

Senator INHOFE. Okay.

General ALEXANDER. In many of our war games, in many of our exercises, we noted that the offense always had the upper hand. When you look at that, the red teams and the blue teams that we would bring out to test our networks we saw were largely successful. As a consequence, one of the issues that we said is can we bring some of that great talent that's on the offense to help on the defense? When we started doing that, we made changes to some of our doctrine, some of the operational concepts, and some of the ways that we do it.

You bring out a key one, Senator, and that is defense in depth. That's absolutely important because the adversary is always going to try to penetrate our network. We have to remain vigilant and try new capabilities, tests, and always be on guard for those exploits or attacks into our network.

Senator INHOFE. That's good and I appreciate that.

This morning on Dark Reading—it's a business IT web site—they talk about, even with minimal Internet access, malware and breaches are increasingly occurring. We're talking about the nonmilitary, nondefense field. While only 10 percent of the industrial control systems are actually connected to the Internet, these systems that run water, waste water, utility power plants have suffered an increase in cyber security incidents over the past 5 years.

Now, why don't we shift over into what is being done to secure those networks and systems that are not government or military, but are critical to us, such as those that are mentioned in this article? What do you anticipate to do—you've talked about the problems that are out there—in terms of approaching those problems, finding solutions? Then getting into the technology, do you really have the resources that you need to do what you think, you anticipate, you're going to have to do in these nonmilitary, nondefense areas?

General ALEXANDER. Sir, the key issues that come on the table as you lay that out is most of our infrastructure for our Government is owned and operated by private industry. If we are going to be successful in defending our networks, we have to have a great partnership between DHS, who has the lead in this area with civilian industry, with DOD and the Intelligence Community to bring in those techniques and the early warning to work with private industry. That's the hard issue that I see facing us today.

Senator INHOFE. What I would ask you is, as this progresses, I'm very interested in this. As I mentioned in my office, if we could keep an ongoing conversation as to what might be out there, what resources you might need, and so forth, because I see this as just a huge area. You're the right person for it. I'm glad that you're doing what you're doing. I think that will probably take care of it.

Admiral Winnefeld, when you were in my office we talked about one of the major concerns I had. I was very much involved early on in the negotiations with both Poland and the Czech Republic on the radar site and on the third site that we were going to put in Poland. It was pretty risky on their part to do something that Russia was opposed to, and they agreed to do it. I was very much concerned when that was pulled out from under them a year ago in the first budget of this administration.

Now, I had two concerns. One was can they really believe what we're telling them? I've talked to them since that time and I think that's probably all right. But the whole reason for that is, we all know that we have ground-based interceptors in Alaska and California and we know that we're in pretty good shape on anything coming from that direction.

My concern is this. Our intelligence tells us—and it's not even classified—that as early as 2015 they could have the capability in Iran of sending one over to the eastern part of the United States. Now, that may not be right. Maybe after that. But nonetheless it says it could be that early.

My understanding on the third site, is that it would be deployable by around 2012. I was very comfortable with that time. I know the arguments, and I heard you respond to Senator McCain's question. To me, if we're not going to use that third site or a site someplace else—at one time we talked about Florida—before the SM III 2-Bravo would be there—first of all, do you have any date at all that that would come into play, where that could be deployed?

Admiral WINNEFELD. The SM III 2–Bravo is still under development.

Senator INHOFE. I know that.

Admiral WINNEFELD. About 2020, I believe is when it would——

Senator INHOFE. That's the date that I have heard. What bothers me is what happens between 2015 and 2020? I heard your response to that, but there has to be a percentage that's tied to that, because when we look at it—I've had a lot of briefings and I've seen the map of the coverage and the area of how far can they reach with both radar and interception capability from the west coast to the east coast. Frankly, I'm just not comfortable with that.

I'd like to have all the assurance I can have that what we're doing right now is not going to give us the vulnerability that I think we're going to have in that period of time somewhere between 2015 and 2020.

Do you want to elaborate on that?

Admiral WINNEFELD. I would say that under the current laydown, Alaska and Vandenberg, that there is a footprint that covers the entire United States from both Iran and Korea. The percentages go up as you get the radar into Europe, and certainly if the SM III Block 2–Bravo pans out then they will go up accordingly.

I understand your concern completely about the potential risk in that little band before the SM III 2-Bravo would be on line, and if confirmed that's certainly something that I would want to understand better.

Senator INHOFE. My time has expired, but when you say the percentages will go up, that's something you can't talk about in an open meeting. Maybe some time we'll have a chance to visit about that. Just keep me informed as this moves along because I do have a great concern.

Admiral WINNEFELD. I will, sir.

Senator INHOFE. Thank you.

Senator UDALL [presiding]. Thank you, Senator Inhofe.

I want to recognize Senator Reed for a minute. He has a special acknowledgment he wants to make.

Senator REED. Very briefly, I want to welcome General Alexander. I think we met about 40 years ago and in the intervening 40 years he has acquitted himself magnificently as a soldier. I'm very confident that your leadership will improve our national security.

Admiral, thank you for your service to the Navy, and to your family, and to Keith's family, too. I'm sure we'll have a chance in the days ahead to talk seriously about these very critical issues. Thank you for your service.

Thank you very much.

Senator UDALL. Thank you, Senator Reed.

Let me recognize myself for 7 minutes, and let's start with Admiral Winnefeld. Welcome. General Alexander also, thank you for taking the time to come by and see me in the last couple of weeks.

General Renuart was here recently and he talked about the synergy of his commands, Admiral, and what he believes is truly an interdependent relationship between NORAD and NORTHCOM. Can you tell us your thoughts about the relationship between NORAD and NORTHCOM?

Admiral WINNEFELD. Very close, clearly. The missions are very symmetrical, aerospace warning, aerospace control, and maritime warning for NORAD and, of course, homeland defense and defense support to civil authorities to NORTHCOM. When you look at the fact that NORAD might be providing some aerospace warning of, for instance, the ballistic missile threat, that then NORTHCOM would then assume the responsibility for defending against, then there's clear synergy there.

I think it's important and a good move that General Renuart has brought the staffs together. I know that the staffs enjoy that, and my understanding is that Canada shares that view. I think I look forward, if confirmed, to going out there and exploring it further.

Senator UDALL. We, of course, are looking forward to having you based in Colorado, and I look forward to working with you, as I have with General Renuart.

General Alexander, let me turn to you, if I might. We talked about the benefits of dual hatting—speaking of dual hatting in another setting, CYBERCOM and NSA. You talked about your understanding of the importance that oversight transparency will play in this new structure. Yet in the advance policy questions you were only able to provide classified answers to what seemed to be some of the fundamental challenges facing CYBERCOM. Is there anything you can tell us in this open session to get at some of those basic questions?

General ALEXANDER. I think first transparency is important, especially in the cyber arena, what we do on the NSA side to support that and what we do on the CYBERCOM side. The reason I say that, I believe that the Government combined, Congress and the administration, to the American people, we have to help explain that. We have to show what we're doing to ensure that we comply with the laws. As you may know, Senator, we stood up a Directorate of Compliance at NSA to ensure that we train our folks significantly, we hold them accountable to complying with that. It is

important to us, and we'll carry that into CYBERCOM as well to ensure that we have those same things.

It seems to me that's one of the fundamental issues, that we all take an oath to the Constitution and that we support that Constitution. Our folks take that very seriously.

Senator UDALL. Let me follow on and turn the question to the relationship with CYBERCOM and NORTHCOM. I'll ask you first to give us your thoughts and then I'll turn to the Admiral to provide his thoughts, if I might.

General ALEXANDER. I think there's a great partnership. We have already talked about this and our partnership would really go through requests from DHS when they have an issue. From my perspective, I could be supporting or supported depending on the situation, and the Secretary would choose that. But it will be a close working relationship, and I think one of the key things that we'll look at in the future is asymmetric attacks in cyber space on this country and how do we help DHS do their mission.

Senator UDALL. Admiral, would you care to comment?

Admiral WINNEFELD. Senator, I've forged a close friendship with Keith Alexander over the last 18 months in our respective roles and we get along very well. I would first tell you that I look forward to being a satisfied customer if I'm confirmed in terms of having networks protected and potentially, if it came down to it, getting the types of information that I would need in order to perform my job as the Commander of NORTHCOM or NORAD.

I also believe that with the tremendous number of interagency relationships that a command like NORTHCOM has to have, that I'll have a tremendous source of information for General Alexander on the kinds of support that those people need, and of course with DHS in the lead. But he will be an integral player in that process. I look forward to plugging into that system and helping in any way I can.

Senator UDALL. I understand when there's additional time available we can discuss the respective merits of the football teams at the two academies; is that accurate? Neither one of you need to—well, you look like you want to comment.

Admiral WINNEFELD. Being a graduate of the Georgia Institute of Technology, but being a very loyal Navy football fan, I think that we're in pretty good shape.

Senator UDALL. Let me leave that there.

General Alexander, at a recent conference the White House Cyber Security Adviser Howard Schmidt questioned whether an event such as a cyber war can exist, and I'll quote what he had to say. He said: "A cyber war is just something that we can't define. I don't even know how a cyber war would benefit anybody. Everybody would lose. There's no win-lose in the cyber realm today. It affects everybody. It affects businesses. It affects government. So, number one, there's no value in having one."

That statement leaves me with a number of questions. Do you think that a cyber war can exist? Can you define it? If there's no value in having one, is there a need for the United States to develop offensive cyber war capabilities?

General ALEXANDER. Senator, in general terms I do think a cyber war could exist. I believe it would not exist in and of itself, but as

part of a larger military campaign. I believe that the tools and stuff for command and control that we have today to affect those in cyber space are analogous to the tools that we had 40 years ago for jamming communications. But now in cyber space you can not only jam, but you can do a lot more to information, and therein lies part of the problem.

We see that go on in civilian industry and governments around the world, public knowledge. The issue is from a military perspective, if these things are impacting our networks today we have a responsibility to defend those and set up cyber security.

I think the steps that we're taking with CYBERCOM is to do just that: How do we secure these networks and how do we bring those pieces of the team together under one single commander to benefit each of the combatant commands in our Nation as a whole?

Senator UDALL. The old doctrine—and it's still in some cases a very effective doctrine—of mutually assured destruction or deterrence certainly could perhaps apply in a cyber war or cyber context when you have nation states. But when you have a lot of these individual actors under way, they may not comport with existing both written and unwritten rules as to how you conduct these kinds of operations. Is that a fair characterization of the threat we face?

General ALEXANDER. Senator, it is. Attribution will be very difficult.

Senator UDALL. We can certainly track, for example, if a nuclear weapon is used the perpetrator of that particular attack, from everything I know. There are signatures tied to nuclear materials. But this is a much more difficult realm in which to understand who may have attacked us or tried to penetrate our systems; is that right?

General ALEXANDER. That's correct, Senator.

Senator UDALL. Let me move to this term "geek-speak" which I just became familiar with. You mentioned that in developing policies for how far CYBERCOM can help protect critical infrastructure that trying to translate that into an understanding in the private sector is crucial. How are you going to convey the seriousness of the threats that now are framed in this geek-speak way, but the average individual or even the Chief Executive Officer (CEO) in some of these civilian operations may not fully understand?

General ALEXANDER. Senator, I think our CEOs of many of the information technology companies are seeing the threats today and that's becoming increasingly more public knowledge. The banking community, your IT infrastructure, your antivirus community, I think they see. They're on the leading edge.

They have great capability, they have great talent. Therein lies part of the issue, the Government's going to have to leverage part of that talent, because they own the infrastructure that the Government operates on, and for continuity of government DHS has a tough set of issues. In crisis, that's where calling between DHS and DOD, that's where the real issue is going to go.

I do think this is an education process, though. We're going to have to teach people several things: What are the rules and how are we operating? We have to be transparent in how we do it. I think that's one of the key things, so that they can see that what

we're doing is just trying to protect our networks, not invade their civil liberties and privacy.

That's a very difficult issue, because this area is so complex it's hard for people to see it. We have to help them understand that. I think the way to do that is by showing you and other members of the committee and the Government and critical infrastructure in DHS, a team, how we're doing it and ensure that follows the right legal framework, that we're complying with that, and you can see how we actually audit ourselves and do that.

Senator UDALL. My sense, as I close, is that in order of focus and understanding, we're best prepared right now on the dot-mil domain, dot-gov next. But then when you get into the dot-com, dot-org, dot-edu, those are more vulnerable systems and networks.

General ALEXANDER. They have a wider spread, Senator, so some of them really are where you say, and some of them may be amongst the best. Your IT industry and antivirus are probably up at the top and others like you said, yes, sir.

Senator UDALL. Thank you. I look forward to working with both of you when you're confirmed.

Let me recognize the Senator from North Carolina, Senator Hagan.

Senator HAGAN. Thank you, Senator Udall.

I, too, want to thank both of you for your service in the past and certainly for your upcoming service in these new positions. Admiral Winnefeld, I want to be sure that your boys know that I think a Senate waiver in missing school today is critical. I think it's very important for them to be here. The rest of your families I think, family support, certainly allows you to do a much better job. Thank you to all of the families.

I also wanted to say I thought Senator Mikulski's introduction was right on. We always enjoy hearing Senator Mikulski.

Admiral Winnefeld, many defense analysts have noted that it's time for the Nation to look beyond Goldwater-Nichols and institute reforms that will address the needs of a new strategic era in a manner that more effectively leverages all of the instruments of national power. As Commander of NORTHCOM, do you feel that there are any changes in organizational design or statutory authority that would enable you to more effectively close the seams between DOD and DHS and other governmental agencies with respect to creating a more integrated approach to homeland defense?

Admiral WINNEFELD. Senator, I think that the relationship between NORTHCOM and DHS is illustrative in this regard. My understanding from what I've learned over the last couple of months here is that they do have a very close relationship, a very close working relationship, both at the planning, exercise and training, and operational execution levels.

At the planning levels, a lot of collaboration is going on, prescripted mission assignments that DHS has worked out with NORTHCOM, and I can go on on the planning side. On the exercise side, the national exercise programs are participated in by both organizations. Then on the operational side, on a day-to-day operations piece, both of the command centers are connected together very well. There are liaison officers from DHS and into NORTHCOM, and vice versa.

Then of course, in the event of a disaster or some sort of event that would require NORTHCOM to support DHS, NORTHCOM very clearly, I believe, understands its supporting role.

I think that relationship is very strong, but we are always receptive to new and better ways of doing business, to include all of the numerous partners that are involved in homeland security and homeland defense.

Senator HAGAN. From the standpoint of statutory authority, you don't see a need for a change?

Admiral WINNEFELD. I don't think right now, Senator, we need any. But I will certainly keep an open mind on that, and I'm always willing to explore it.

Senator HAGAN. The U.S. Armed Forces responded to the devastating earthquake that struck Haiti in a tremendous fashion and we all want to give credit where credit is due. I think our military did great. The servicemembers provided support to the relief effort that included assistance with the preservation of order, protection for vital supplies, and the overhead imagery of the devastated areas. I was able several weeks ago to shake 200 young men's hands as they were coming back from Haiti and just thank them for their hard work.

Admiral Winnefeld, in the event that an equally devastating earthquake or hurricane were to strike here in the United States, do you believe that you would have statutory authority to provide the same support to civil authorities which is essential to restoring public order in the aftermath of a natural disaster?

Admiral WINNEFELD. Senator, I believe that the events in Haiti were very instructive for us, for one thing. It was a very nearby reminder of the kinds of things that we're going to have to do in a disaster like that, heaven forbid that it happen inside our own country.

I do believe that most of the authorities that are required are there. I think there are a couple of additional things, at least one, that we need to pursue. As you're probably aware, we are interested in having the authority for the Reserve component to be activated in order to support the immediate support to the disaster there. I think that we have a very good understanding with the Governors and the National Guard on that and I think we can come to closure on that.

Senator HAGAN. Speaking of the National Guard, during Tuesday's Airland Subcommittee hearing I voiced concerns over the Air Force decision to transfer 12 C–130 aircraft from various Air National Guard units to an Air Force Reserve unit based in Arkansas without consulting the affected adjutant generals or State Governors. Obviously, North Carolina is one of the States where this is being discussed.

Within the total force structure, how do you intend to satisfy your statutory responsibilities for providing homeland defense and support to civil authorities at the Federal level without disrupting the capacity of State governments to do the same?

Admiral WINNEFELD. I think we have to have a very close partnership with the Governors and with their adjutant generals, and if confirmed it's one of my very highest priorities, to develop that relationship, my personal relationship with the adjutant generals,

to ensure that we have a very clear understanding and that they know that I'm a believer in playing the supporting role that NORTHCOM has been identified statutorily with in a crisis.

It's one of the things, if I'm confirmed, that I look forward the most to, is building that relationship.

Senator HAGAN. I think a lot of the individuals within those States are quite concerned about this request.

General Alexander, our growing reliance upon technologies, such as robotics, unmanned sensors, computer-based communications systems, has created a vulnerability within the architecture of our Armed Forces and within our Government as a whole. Protecting the platforms and the networks that our Nation relies upon obviously must be treated as a priority, which is why I truly support the concept of CYBERCOM. I think we had a good discussion in my office this week about some of the areas of expertise that you bring to the table, as well as your concerns about many of the issues that I know that you'll be facing.

But as Director of NSA, Chief of Central Security Service, and Commander of CYBERCOM, how do you envision leveraging the capabilities of each of these organizations in order to enhance our national security posture?

General ALEXANDER. Senator, perhaps one of the greatest honors I've had is to lead NSA. They have great people, tremendous people. Our Nation has put a lot into building NSA up—over 700 Ph.D.s up there that have operated in this arena. We built this over 60 years. Billions and billions of dollars have gone into it.

Over the last 5 years we've had the privilege of having the Joint Functional Component Command Net Warfare and NSA together, so we could leverage that infrastructure and that talent. What I think this does for CYBERCOM is it puts our soldiers, sailors, airmen, and marines, the young folks that are coming in, with this experienced group for training, and when we deploy these folks forward to support regional combatant commands we have folks that know the best in the world that they can reach out—they operate at the tactical operational level and can talk to the strategic level, because in cyber space it's one network and we have to operate as one team.

I think that absolutely one of the key principles is leveraging that human capital that we have within NSA that is absolutely superb, to help train, coach, and work with these in peacetime, crisis, and war.

Senator HAGAN. When you mentioned the 700 Ph.D.s that are working there, I'm curious, and I know we talked about this, too, the human capital. I just left an Education Subcommittee meeting where we were talking about the reauthorization of No Child Left Behind, and obviously we have to have an emphasis in education to be sure that you have the talented work pool that you need in order to conduct the requirements that are put before you.

Can you discuss a little bit about the quality of the workforce that you're seeing and where you're recruiting individuals? If there is something from an education standpoint that we need to do as a country, I'd be very curious as to your thoughts on that?

General ALEXANDER. Senator, I'm a huge advocate of science, technology, engineering, mathematics (STEM). I think it's abso-

lutely crucial for our country that we continue to push our younger folks that way. We'll work on Admiral Winnefeld's great two sons here. It's the future for our country, having this.

We have tremendous, great programs out there. I have personally seen what the Bill Gates Foundation is doing and how that's going throughout the country. What that does for us is build the capacity, the capability that we need, not just for CYBERCOM and NSA, but for our country's leadership in this key area. That's absolutely important.

We have partnerships from our information assurance part with over 100 universities around the United States to help come up with curriculums that meet a certain set of standards that DHS and NSA jointly work. It is superb because it trains people on how to secure networks, what are the key fundamentals. They don't all come to NSA. Many of those will go out to industry and that's good for our country. But we do get an awful lot of good talent.

What I would say is we have great people, and one of the key things is—I am a technologist. I love computers. I have a new iPad. People are the key to this, and good quality trained people is what our Nation needs in NSA and CYBERCOM.

Senator HAGAN. Thank you, and I think that is critical. I think that national security is certainly interdependent on our education system, too. I think the STEM program is something as a country we have to be focused on.

Thank you very much.

Senator UDALL. Thank you, Senator Hagan.

I'm tempted to get a critical review of the iPad, but perhaps we can——

General ALEXANDER. Wonderful.

Senator UDALL. Wonderful. We'll put that for the record.

General, I'd like to talk more specifically about an area in our infrastructure world that could be vulnerable. There's been a lot of excitement about smart grids. I know Senator Hagan's been a leader in this area, and we see some real potential to lessen our dependence on foreign oil, use our energy that we have more effectively. But at the same time, I understand there are some vulnerabilities that may arise because of the deployment of the smart grid technologies. Would you care to comment?

General ALEXANDER. Senator, I'm a proponent for the smart grid and using some of this, but we have to walk into this with our eyes wide open. I think these information assurance programs between industry, government, and understanding the full spectrum of threats that we face from individual hackers up to nation states in securing that are going to be key.

We all have a responsibility on the NSA side and on the future CYBERCOM side to help identify flaws in those, share those with industry and DHS. But this is going to be an area, Senator, I think we're going to have to work in because it will always evolve. Someone will figure out a new way in and we have to be there to close that gap.

Senator UDALL. I was listening to you earlier talk about defensive capabilities that exist today and the challenge we face with providing defensive tools and techniques. It seems to me—and I'm thinking out loud, which can be dangerous—that if you have a ki-

netic environment, say at a forward operating base in Afghanistan, if that base were to be overrun by the enemy in a tactical effort, it would not threaten the entire effort we have under way in Afghanistan. On the other hand, if you have a portal or an entry point that is the site of a tactical incursion in cyber space and that point is overrun in a tactical sense, it could have strategic ramifications that are much greater than those we might face on the ground in a place like Afghanistan.

Is that a fair characterization? Straighten me out, elaborate on that?

General ALEXANDER. Senator, that's absolutely right. General McChrystal has reached out to work with the other combatant commands, with us, with NSA, in building an Afghan mission network and ensuring that network is secure, because it will not only be for the United States but the other coalition partners there.

There are a lot of issues in developing that we're working through as a joint team. I think you've hit it right on the head, because those communications bring in our intelligence, our operations, our logistics, and his ability to command and control all those forces across more than 40 countries. He has to ensure that those communications are reliable and protected. A huge issue and one of the key ones that we're working right now.

Senator UDALL. This could be specific to Afghanistan, but if you penetrate, again, a network and a system anywhere in the world, it could then have effects anywhere else in the world. You alluded to this earlier, I think, when you talked about what defines a country, what is ground that we have to defend. That server that's being attacked could be in any number of countries or the attacker could be based in any number of countries. This raises some very thorny questions, does it not?

General ALEXANDER. Senator, it does. Those are the issues, the policies, that we have to, I think, address. It brings up issues such as attribution. It brings up the neutrality. I think our response we put in there, we are trained for proportional and discriminate, but there are still a number of issues that are out there. As you look at the complexity from mobile devices—we mentioned the iPad—the tremendous capability you will have from mobile devices only makes this a more complex issue.

Senator UDALL. One of the arguments that has been brought forth about networks is that you get particular nodes cut off and the network itself can continue to operate. That concept's also being applied to kinetic activities on the ground in the kind of warfare we're now fighting. Would you elaborate a little bit more on that, that point as well?

General ALEXANDER. Senator, I think one of the difficult parts that we'll have is what are the actions of the adversary on our network? Is it exploitation or attack? Who is it, and attributing it and their intent, in time to come up with a coherent response. The easiest and the most important probably is the security aspects of it.

If a system is exploited or has an infection, closing that off is one of the key things that we do early on, segregating that so it can't infect other systems. The network can operate with several nodes out. That's the intent of a network for the future. But it also causes concern of what is the adversary's intent, what's his game plan,

does he have one. These are tough issues, especially when attribution and neutrality are brought in, and trying to figure out what's come in, was it a hacker, was it an annoyance, or was this a real attack?

Senator UDALL. The potential to generate an escalating conflict is not insignificant, much like we saw during the Cold War era with nuclear weapons. I take your cautions with real seriousness.

Admiral, I haven't allowed you an opportunity to speak. Did you have any comments? I'm going to bring this hearing to a close here shortly, but I wanted to see if you had any additional thoughts.

Admiral WINNEFELD. Yes, sir. I was just reflecting on the fact that some of the questions you asked were very insightful in the sense of deterrence against a hard-to-deter nation in the cyber world, an empowered individual in the cyber world the same. We see the same thing with the sorts of terrorist attacks with potential nuclear, chemical, biological, or radiation.

I would also echo your point on the education piece. Educating citizens about the cyber world, the same thing applies in the kinetic world as well. This phenomenon of a super-empowered individual is something that we have to be very watchful of.

Senator UDALL. It's a great concern to all of us. That super-empowered individual could have a goal of trying to trigger a significant conflict between nation states or other entities while he or she stands to the side chortling, with their mission to create chaos, conflict, tragedy, and all the rest that we've seen in the toolbox that terrorists bring. So this is very important work you are doing.

One final question. General, I think you're going to be charged with further integrating and understanding these title 10 and title 50 responsibilities, are you not? We haven't answered all of those questions yet. You've certainly been at the forefront at NSA in taking on some of those challenges. You've at times received some criticism, I think we all have, because these are somewhat different missions, but they're certainly interlinked.

Would you care to comment?

General ALEXANDER. Senator, one of the key things that we're doing is we will have a unique set of authorities, a unique staff for CYBERCOM operating under title 10, and the NSA, Central Security Service under title 50. We do have some title 10 responsibilities. We are a combat support agency. We do forward deploy people to help the regional combatant commanders. But there will be two distinct staffs, with distinct authorities and responsibilities for how we operate for intelligence, for information assurance on the NSA side, and for CYBERCOM how we defend and secure our networks and conduct cyber space operations if directed.

Senator UDALL. I thank you for your focus on that. As somebody who's a strong supporter of our civil liberties, who believes that Ben Franklin had it right, to paraphrase him, when he said: A society that would sacrifice essential liberties for short-term security deserves neither. I think you're on the forefront, and Admiral Winnefeld as well, of protecting those civil liberties, but also surveiling and developing intelligence that lets us protect those very freedoms that we hold so dear.

Thank you both for being here. I'm going to bring the hearing to a close. Admiral, I think we ought to send one of your boys over

to the U.S. House of Representatives to demonstrate how to behave properly, and we'll keep one here in the U.S. Senate. It's been wonderful to have your family here, and General Alexander as well.

We will keep the record open for additional questions for a period of time. But with that, this hearing is adjourned. Thank you very much for being here.

[Whereupon, at 11:17 a.m., the committee adjourned.]

[Prepared questions submitted to VADM James A. Winnefeld, Jr., 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 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. I have served in various joint capacities throughout my naval career and witnessed firsthand the tremendous advancements this landmark legislation has created, not only among our Nation's military and civilian leadership, but as a whole within the joint services and interagency environment. As such, I do not see an immediate need to change the provisions of this legislation. However, if confirmed, I will take a hard look at ways Northern Command (NORTHCOM) does business to determine if changes in the legislation are warranted.

If so, what areas do you believe might be appropriate to address in these modifications?

Answer. Not applicable.

DUTIES

Question. What is your understanding of the duties and functions of the Commander, NORTHCOM?

Answer. The Commander of NORTHCOM is responsible for detecting, deterring and preventing threats to the people and territory of the United States; providing military support to Federal, State and local authorities in response to natural or manmade disasters or for other missions, as directed by the President or the Secretary of Defense; and executing theater security cooperation programs with Mexico, Canada and the Bahamas.

Question. What is your understanding of the duties and functions of the Commander, North American Aerospace Defense Command (NORAD)?

Answer. The Commander of NORAD is responsible to both the President of the United States and the Canadian Prime Minister for aerospace warning, aerospace control and maritime warning of North America. The Commander of NORAD provides tactical warning and attack assessment to the Governments of the United States and Canada through an integrated picture of any aerospace threat.

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

Answer. It has been my honor to serve for over 30 years in a diverse set of positions that I believe have prepared me to command NORTHCOM and NORAD. Given my background as a naval aviator, I will bring both an air and maritime perspective to the two commands. I have experience on Joint Staff, Combatant Command, and Service staffs, served as both a joint and combined commander, and have worked closely with Congress on a variety of issues. In my current position as the Director for Strategic Plans and Policy on the Joint Staff, I have gained additional insight into the conduct of joint, combined and international operations; the duties of a combatant commander; the importance of interagency teamwork, particularly in response to natural disasters; and the critical role of the National Guard and Federal Reserve forces in defending our homeland and supporting civil authorities in times of crisis.

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, NORTHCOM and Commander, NORAD?

Answer. If confirmed, I intend to capitalize on every opportunity to further my understanding of NORTHCOM's homeland defense and civil support operations; specifically, how the National Guard and Federal Reserve forces contribute to those missions and the whole-of-government approach to responding to natural and man-made disasters. This includes maintaining strong relationships with The Adjutants General, State Governors, and the leadership of key Federal agencies.

I also intend to deepen my growing knowledge of the threat posed to the United States and our neighbors by drug trafficking organizations, as well as existing strategies to defeat them.

If confirmed in my role as Commander of NORAD, I will continue to expand my knowledge of NORAD's aerospace warning, aerospace control, and maritime warning operations and how the command integrates with its partners to detect, intercept and, if necessary, engage any air-breathing threat to North America. Additionally, I will receive the same training provided to other NORAD senior leaders required to direct the actual, formal process of engaging aerospace threats to our Nation.

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 commanders of the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander, NORTHCOM, to the following officials:

Question. The Secretary of Defense.

Answer. The Commander of NORTHCOM has direct title 10 responsibility to the Secretary of Defense for accomplishing the missions assigned to the command through the Unified Command Plan. If confirmed, I will ensure NORTHCOM continues the close working relationship it currently has with the Secretary of Defense.

Question. The Deputy Secretary of Defense.

Answer. The Commander of NORTHCOM provides the Deputy Secretary of Defense information required to accomplish his duties and responsibilities as directed by the Secretary of Defense. The Commander of NORTHCOM also coordinates with the Deputy Secretary of Defense on major homeland defense and civil support issues.

Question. The Under Secretary of Defense for Policy.

Answer. The Under Secretary of Defense for Policy serves as the principal staff assistant and advisor to the Secretary and 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. She is also a key advocate for NORTHCOM's requirements. As such, the Commander of NORTHCOM coordinates and exchanges homeland defense, support of civil authorities, and security cooperation information with the Under Secretary of Defense for Policy for use in formulating planning guidance and policy.

Question. The Under Secretary of Defense for Intelligence (USD(I)).

Answer. The USD(I) is the principal staff assistant and advisor to the Secretary and Deputy Secretary of Defense regarding intelligence, counterintelligence, security, sensitive activities, and other intelligence-related matters. The Commander of NORTHCOM works closely with the Under Secretary of Defense for Intelligence to ensure the command has predictive and actionable threat estimates and timely warning of worldwide threats to the homeland.

Question. The Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs.

Answer. The Commander of NORTHCOM routinely works with the Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs on significant matters regarding homeland defense, support of civil authorities, and security cooperation.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Chairman serves as the principal military advisor to the President, the Secretary of Defense, and the National Security Council. The Goldwater-Nichols DOD Reorganization Act of 1986 permits the President to place the Chairman in the communications chain, and oversight of the activities of combatant commanders may be delegated by the Secretary of Defense to the CJCS. In concert with this authority, the Commander of NORTHCOM communicates closely with the Chairman

to enable him to perform his duties. As the current Director for Strategic Plans and Policy for the Joint Staff, I have been deeply involved in interactions between the Chairman and combatant commanders, and understand the process well.

Question. The Secretaries of the Military Departments.

Answer. The Secretaries of the Military Departments are responsible for organizing, training, and equipping forces for assignment to the Commander of NORTHCOM and other combatant commanders. The Commander of NORTHCOM coordinates with the Secretaries to ensure homeland defense and civil support requirements are met. This advocacy is particularly important for ensuring the Reserve component is ready to answer the call here at home, and for ensuring speed of response in times of crisis.

Question. The Chiefs of Staff of the Services.

Answer. The Commander of NORTHCOM communicates with the Chiefs of Staff of the Services to support their responsibility for organizing, training and equipping forces to accomplish homeland defense and civil support missions. In addition, the NORTHCOM Commander seeks the advice and judgment of the Chiefs of Staff on matters of mutual interest, and has a key relationship with the Chiefs on matters of force protection within his area of responsibility. If confirmed, I intend to rely on the Service Chiefs as valuable sources of advice.

Question. The other combatant commanders, particularly U.S. Southern Command (SOUTHCOM).

Answer. The Commander of NORTHCOM maintains regular dialogue concerning issues of mutual interest and frequently interacts with the other combatant commanders to support and execute U.S. National Military Strategy. If confirmed, I intend to further strengthen NORTHCOM's established, vital relationships with the other combatant commanders. Of note, NORTHCOM has an extremely close relationship with SOUTHCOM and recently deployed more than 100 of its headquarters staff to SOUTHCOM headquarters and Joint Task Force Haiti in support of the catastrophic January earthquake. NORTHCOM also maintains particularly close relationships with U.S. Strategic Command, U.S. Transportation Command, U.S. Special Operations Command, and U.S. Pacific Command (PACOM).

Question. The Chief of the National Guard Bureau.

Answer. Strong teamwork between the National Guard Bureau and NORTHCOM is critical to defending our homeland and supporting civil authorities. In my current position as Director for Strategic Plans and Policy for the Joint Staff, I have developed a strong belief in the vitality of the National Guard, and enjoy an excellent relationship with the Chief of the National Guard Bureau, General Craig McKinley. If confirmed, I look forward to further advancing this key relationship so together we may best serve the American people.

Question. If confirmed, in carrying out your duties, how would you work with the Department of Homeland Security, the Homeland Security Council, and other Federal agencies, as well as State and local authorities and representatives from the private sector?

Answer. From my vantage point on the Joint Staff, I have observed NORTHCOM successfully operate within the most complex interagency network of any combatant command. If confirmed, I will establish my own relationships with—and ensure NORTHCOM continues to work issues closely and as appropriate with—the National Security Council; the Department of Homeland Security; the various other Federal departments and agencies; State, tribal and local authorities; and the private sector. I look forward to collaborating with every possible partner to defend the homeland while ensuring that NORTHCOM is fully prepared to assist civil authorities in support of the primary Federal agency in accordance with the National Response Framework and as directed by the President and the Secretary of Defense.

MAJOR CHALLENGES AND PROBLEMS

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

Answer. I believe one of our Nation's most serious security challenges is protecting the United States from an attack by violent extremists using weapons of mass destruction; accordingly, this is one of NORTHCOM's enduring challenges. I am increasingly concerned by the evolving nature of this extremist threat towards smaller scale, hard-to-detect operations. This threat is determined and patient, will attempt to use our freedoms against us, will search for any path to produce violent events, and harbors no qualms about killing innocent men, women, and children to achieve its objectives.

I am also concerned about the corrosive effect on our nation's security of drug trafficking, including its associated violence both inside Mexico and along our border.

If confirmed, I will ensure NORTHCOM continues to support a whole-of-government approach on both sides of our border with Mexico and in strengthening Mexico's ability to reduce and minimize this violence by dismantling and defeating transnational drug trafficking organizations.

In the longer run, I am concerned about the potential acquisition by rogue nations, such as North Korea and Iran, of the combination of a nuclear weapons capability and the capacity to deliver it to our shores. Finally, the constant potential for a major natural disaster is something for which the NORTHCOM Commander must always be prepared.

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

Answer. If confirmed, I will do everything in my power to ensure our Nation is prepared to handle the full spectrum of threats to our homeland. I will be an advocate for the sense of urgency required to maintain vigilance against these threats; nurture a culture that continuously challenges and improves our capability, particularly in the area of information sharing with our partners; and continue improvements to NORTHCOM's rigorous exercise program. I will examine the command's homeland defense and civil support plans to ensure they address evolving threats and are tailored to need. I will continue to strengthen NORTHCOM's relationships with its National Guard, interagency, State, local, tribal, and international partners to ensure the whole is greater than the sum of the parts.

MISSION OF NORTHERN COMMAND

Question. What is the mission of NORTHCOM?

Answer. NORTHCOM anticipates and conducts homeland defense and civil support operations within its assigned area of responsibility in order to defend and secure the United States and its interests. In addition, the command is responsible for executing theater security cooperation with Mexico, Canada, and the Bahamas, with full respect for their sovereignty.

Question. How does NORTHCOM's mission relate to the mission of the Department of Homeland Security?

Answer. The Department of Homeland Security is responsible for guarding against terrorism; securing our borders; enforcing our immigration laws; and improving our readiness for, response to, and recovery from natural and man-made disasters. NORTHCOM is responsible for detecting, deterring, and preventing external threats to the United States, and when directed by the President or Secretary of Defense, providing defense support of civil authorities (DSCA). NORTHCOM cooperates closely with—and for DSCA missions will be in support of—the Department of Homeland Security in the execution of its missions in accordance with direction from the President or the Secretary of Defense.

Question. Are there circumstances under which you would anticipate NORTHCOM would have the lead Federal role in responding to a terrorist incident?

Answer. Normally, the DOD (including NORTHCOM) will be in support of agencies such as the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation in preventing, countering, and responding to terrorist incidents in the United States. However, the President may determine that a terrorist incident rises to the level of an armed attack against the United States and therefore direct that DOD take the lead in the defense of the Homeland. The Commander of NORTHCOM, as the Geographic Combatant Commander, would likely be assigned as the supported DOD commander.

Question. Or do you believe NORTHCOM would operate only in support of other Federal departments and agencies?

Answer. See previous answer.

Question. What responsibility, if any, does NORTHCOM have with respect to the Defense Critical Infrastructure Program?

Answer. In accordance with the Secretary of Defense's January 2010 directive on critical infrastructure, as a regional combatant command, NORTHCOM is responsible for preventing or mitigating the loss or degradation of DOD-owned critical assets within its area of responsibility.

ORGANIZATION AND AUTHORITY

Question. NORTHCOM has been assigned responsibility for force protection and antiterrorism within its area of responsibility.

What actions would you take, if confirmed, to mitigate force protection vulnerabilities, and what force protection challenges do you anticipate you would face within NORTHCOM's area of responsibility?

Answer. If confirmed, I will employ an all-hazards approach to force protection. I also understand that it is challenging to strike the right balance between threat mitigation, responsible stewardship of resources, and installation efficiency—areas that depend upon robust DOD and interagency coordination to provide for mission assurance at over 2,500 installations located in the NORTHCOM area of responsibility. If confirmed, I will make a concerted effort to determine where we stand on this key issue, and continue the command's ongoing efforts to mitigate force protection vulnerabilities.

Question. What actions would you take, if confirmed, to ensure efficiency in the use of funding for force protection and to prevent unnecessary duplication of efforts between NORTHCOM, the Military Services, and the Office of the Assistant Secretary of Defense for Homeland Defense?

Answer. If confirmed, I will emphasize coordination among NORTHCOM, the Joint Staff, the Services, and the Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs on force protection planning and resourcing to maximize efficiencies and preclude redundant efforts. In addition, I will focus the command's ongoing efforts to share force protection information to support critical analysis, as well as employing force protection and biometric technologies that are state-of-the-art and cost effective.

Question. What specific forces, if any, have been assigned to NORTHCOM?

Answer. The forces assigned to NORTHCOM are those inherent within the Headquarters staff, as well as the staffs of the subordinate/component commands listed below:

U.S. Army North
Marine Forces North
Air Forces Northern
Joint Task Force Civil Support
Joint Task Force North
Joint Force Headquarters National Capital Region

Question. How has the assignment of forces to NORTHCOM changed since NORTHCOM was established on October 1, 2002?

Answer. On 1 October 2003, when Full Operational Capability was achieved, the forces assigned to NORTHCOM consisted of the Service component headquarters and two standing Joint Task Force headquarters. In 2004, the command stood up a third Joint Task Force, Joint Force Headquarters National Capital Region.

On 1 October 2008, NORTHCOM was assigned forces in support of the standing Chemical, Biological, Radiological, Nuclear, and High Yield Explosive (CBRNE) Consequence Management Execute Order for a period of 12 months (October 2008 to September 2009). On 1 October 2009, the status of the CBRNE Consequence Management forces was changed back to allocated vice assigned, per the 2010 Global Force Management Allocation Plan.

NORAD

Question. What is the mission of the NORAD?

Answer. NORAD is charged with the missions of aerospace warning, aerospace control, and maritime warning for North America. Aerospace warning includes the detection, validation, and warning of attack against North America whether by aircraft, missiles, or space vehicles, through mutual support arrangements with other commands. Aerospace control includes ensuring air sovereignty and air defense of the airspace of the United States and Canada. Maritime warning consists of processing, assessing, and disseminating maritime intelligence and information, and warning of maritime threats to or attacks against, North America.

Question. How has NORAD's mission evolved since the creation of NORTHCOM?

Answer. Since NORTHCOM stood up in 2002, NORAD's mission expanded in two areas: maritime warning and ballistic missile warning. The April 2006 NORAD Agreement renewal added a maritime warning mission, which entails a shared awareness and understanding of the activities conducted in U.S. and Canadian maritime approaches, maritime areas and inland waterways. NORAD also provides ballistic missile warning to NORTHCOM in support of Ground-Based Midcourse Defense operations. Additionally, NORAD has been instrumental in rapidly developing a close operational relationship between NORTHCOM and Canada Command, the Canadian equivalent to NORTHCOM, which was established in 2005.

Question. How does NORAD's mission relate to NORTHCOM's mission?

Answer. NORTHCOM and NORAD are separate commands; neither is subordinate to the other. The commands have complementary missions, operate within a common security environment, and share a largely integrated headquarters staff. NORTHCOM is committed to the defense of the United States and NORAD is com-

mitted to the air defense of and maritime warning for both the United States and Canada.

Question. How does NORAD's mission relate to the mission of the Department of Homeland Security?

Answer. NORAD, by performing its bi-national defense mission, provides significant but indirect support to the Department of Homeland Security by deterring threats in the air and maritime domains.

Question. Do you believe that NORAD should continue to have a combined operations and planning staff, and a consolidated command center, with NORTHCOM? Why or why not?

Answer. I understand that the NORAD and NORTHCOM staffs are fully integrated, with the exception of separate operations directorates, and that both commands believe this is effective. In my experience, where organizations are integrated well, greater effectiveness and efficiency can be the result. If confirmed, I will examine whether this organizational structure maximizes the operational effectiveness of both commands.

NORTHCOM JOINT TASK FORCES

Question. Since the establishment of NORTHCOM, several multi-service task forces, e.g., Joint Task Force-Civil Support (JTF–CS), Joint Task Force-North (JTF-North), have been placed under its authority.

What is the current status of the Joint Task Force organizations under NORTHCOM in terms of organization, planning, personnel allocation, and capability?

Answer. NORTHCOM currently has three Joint Task Forces:

- Joint Task Force Civil Support: Aligned under U.S. Army North; provides command and control of DOD incident management forces that respond to catastrophic CBRNE events.
- Joint Task Force North: Aligned under U.S. Army North; supports counterdrug and border patrol support along the United States-Canada and southwestern U.S. border, and other operations against transnational threats.
- Joint Force Headquarters National Capital Region: Provides land-based homeland defense, civil support, and incident management in the National Capital Region.

Joint Task Forces under NORTHCOM's authority are well-manned multi-service organizations that plan and execute Homeland Defense and Defense Support of Civil Authorities operations, as directed by the President or the Secretary of Defense. Joint Task Force operational planning is synchronized through continuous development and coordination of Joint Task Force plans that support NORTHCOM concept plans. These Task Forces further develop and refine plans, and exercise with HQ NORTHCOM, to enhance execution of existing and emergent homeland defense and civil support missions.

COUNTER-NARCOTICS EFFORTS

Question. Each year the Department of Defense (DOD) spends several hundred million dollars to counter the flow of illegal drugs into the United States, yet the availability of drugs on the street has not been significantly reduced, and some countries continue to face internal security challenges in responding to this threat. Some of these funds are executed within the NORTHCOM AOR, and some have questioned the effectiveness and focus of our counter-narcotics programs.

What role does NORTHCOM play in the DOD's overall counterdrug mission and organization?

Answer. DOD supports the counterdrug mission in both domestic and international environments, fully respecting jurisdictional and sovereignty restrictions in each area. NORTHCOM plays an integral role in these efforts, including cooperating closely with SOUTHCOM and PACOM in sharing information and situational awareness of drug-related threats to U.S. national security.

Question. NORTHCOM's Joint Task Force North provides DOD support of civil authorities for U.S. law enforcement agencies in counternarcotics operations, as well as working with Mexican military and civil authorities along the border to enhance their capability. NORTHCOM is working with Mexico as it continues to build their overall capability and capacity to fight drug trafficking organizations as part of DOD's support to the Mérida Initiative. NORTHCOM also partners with Canada and with the Bahamas on counterdrug matters.

Question. What is your assessment of the ongoing counternarcotics operations within the NORTHCOM AOR and the geographic seam NORTHCOM shares with U.S. Southern Command (SOUTHCOM)?

Answer. Interdicting drug flow in the Western Hemisphere is a complex, ever-evolving effort against a determined and resourceful adversary. Substantial efforts by U.S. Federal civilian agencies and State and local law enforcement agencies, supported by DOD, along with efforts by military and police forces from other nations, have made progress. However, demand for drugs remains a problem within our country, and the United States needs to continue its whole-of-government efforts to counter the flow of drugs coming north and the flow of weapons and money to the south. I view this as a major problem—where NORTHCOM can contribute to solving it, it should be an important part of the command's mission. If confirmed, I will ensure NORTHCOM continues to work with interagency and international partners on all fronts to reduce the flow of narcotics into and within the NORTHCOM area of responsibility.

The geographic seam between SOUTHCOM and NORTHCOM is a key route for drugs to enter Mexico on their way to the United States My understanding is that the two commands work closely together on this issue. Based on our collaboration in the aftermath of the Haiti earthquake, I have developed a close working relationship with General Doug Fraser, the Commander of SOUTHCOM. If confirmed, I fully expect to continue our work together to ensure a seamless effort across the border between the two areas of responsibility, to include further strengthening the relationships among Joint Interagency Task Force-South (JIATF–S), NORTHCOM's Intelligence Directorate, and JTF–North.

Question. How are counterdrug operations coordinated across combatant command boundaries with PACOM?

Answer. Counterdrug operations, including those occurring on the boundaries with PACOM, are coordinated through sharing of intelligence information among combatant commands, interagency partners, the National Interdiction Centers, and PACOM's Joint Interagency Task Force-West. I believe that synchronization among combatant commands is a critical ingredient of our Nation's unity of effort in counterdrug operations. If confirmed, I will continue to nurture the relationship among NORTHCOM, PACOM, and SOUTHCOM regarding counter-drug information sharing and operations.

Question. If confirmed, what changes, if any, would you propose?

Answer. If confirmed, I look forward to working with the other combatant commanders and interagency partners NORTHCOM supports to identify and eliminate any operational seams to improve counterdrug operations.

Question. How would you recommend that the success of the Department's counter-narcotics programs be measured?

Answer. I believe that success in counternarcotics is not easy to quantify. Traditional metrics, such as the price of drugs for sale on the street, are the product of many different factors, and their exclusive use could lead to false optimism or pessimism over our efforts. If confirmed, I intend to further explore this topic to determine whether there are useful input and output metrics that could be applied to NORTHCOM's counternarcotics efforts.

Question. Do you believe that the current programs that the Department is pursuing are the most effective for the region, or should the Department's efforts focus elsewhere?

Answer. DOD's experience in countering insurgent and violent extremist networks is useful in countering drug trafficking networks, as all of these networks move people, material, money and information using clandestine methods. Accordingly, DOD's contribution to interagency counternarcotics efforts is expanding. DOD normally takes a supporting role to the interagency in this arena. If confirmed, I look forward to forming my own assessment, and assisting DOD in determining which counternarcotics programs are most effective in the region to improve operational mission support to law enforcement and theater security cooperation efforts in combating these threats.

Question. Compared to other missions that you would be responsible for as Commander, NORTHCOM, if confirmed, where would you rank counter-narcotics in terms of its contribution to our national security and the ability of DOD to make a meaningful contribution?

Answer. NORTHCOM conducts missions to defend and secure the United States and its interests—these are no-fail missions. Drug trafficking directly affects our national security in several ways, including its corrosive effects within our society, violence along our border, and violence that severely impacts our neighbor and friend, Mexico. As such, I would rank contributing to counternarcotics efforts very high among NORTHCOM's missions. If confirmed, and within appropriate limitations of

jurisdiction, sovereignty, and available resources, I will continue NORTHCOM's efforts to support its domestic partner agencies and partner nations to address illicit narcotics and transnational threats to the Homeland.

Question. There has been a surge in drug-related violence in Mexico over the past year, which has increased the risk of cross-border violence into the United States. Much of the drug supply comes into Mexico across its southern border. The vast majority of Latin America, however, is in the SOUTHCOM AOR, so the security situation in Mexico is an example of the need for a well-coordinated effort between NORTHCOM and SOUTHCOM.

What is your vision of how SOUTHCOM and NORTHCOM could work together in a fully coordinated and seamless fashion with respect to Mexico and other security challenges?

Answer. While I believe the geographic boundary between NORTHCOM and SOUTHCOM is appropriately placed, it is absolutely critical that these two commands work effectively together on common security threats, including counternarcotics. This will require: a strong partnership based on personal relationships; overall and theater security cooperation strategies that mesh closely together; deep information sharing enabled by quality liaison officers and modern technology; and a willingness to allow the opposite command to relate to partners in each other's area of responsibility. If confirmed, I look forward to capitalizing on the excellent working relationship I developed with General Doug Fraser, the SOUTHCOM Commander, during operations in the aftermath of the Haiti earthquake.

Question. The United States and Mexico announced in 2007, the start of a multiyear, bilateral security agreement called the Mérida Initiative. This Initiative aims to combat drug trafficking and other criminal activity along the U.S.-Mexican border, as well as in Central America. The U.S.-Mexican border is viewed as especially important for U.S. counternarcotics efforts because Mexico is currently the primary point of entry for cocaine and other drug shipments smuggled into the United States.

What is your understanding of the Mérida Initiative as it relates to NORTHCOM?

Answer. It is my understanding that NORTHCOM plays a vital role in coordinating acquisition, contracting, and delivery of items provided through the Foreign Military Sales (FMS) and Foreign Military Financing (FMF) Programs within the auspices of the Mérida Initiative. These items improve the Mexican military's ability to deploy rapid-reaction forces quickly in support of police operations against drug trafficking organizations, and to conduct maritime surveillance in an effort to deny the use of the eastern Pacific and western Caribbean to transnational criminal organizations, including drug traffickers and potential terrorists.

Additionally, NORTHCOM assists its Mexican military partners—while respecting Mexican sovereignty—with focused training, equipment, and related support intended to help reduce violence, weaken the drug trafficking organizations, ensure rule of law and respect for human rights, and set the conditions for the eventual operational takeover of the drug war by Mexican law enforcement authorities.

Question. What is your view of the appropriate role of DOD in countering transnational drug cartels and gangs?

Answer. Countering drug trafficking organizations is a transnational, trans-border effort that must be approached in a holistic, "whole-of-governments" manner. The DOD plays largely a supporting role in countering drug trafficking organizations and gangs by working closely with both domestic and international partners to counter these transnational threats.

In accordance with Federal statutes, NORTHCOM provides military support to Federal law enforcement agencies to assist in the identification and interdiction of transnational threats within and along the approaches to the United States. NORTHCOM also supports Federal law enforcement agencies through information collection, analysis, fusion, and sharing appropriate information.

Through its Theater Security Cooperation efforts, NORTHCOM is focused on building partner capability and capacity with Mexico and The Bahamas, and on enhancing coordination and interoperability with Canada, in order to develop and strengthen mutually beneficial partnerships to counter transnational drug trafficking organizations and gangs. NORTHCOM also works closely with its partner combatant commands through common strategies and information sharing in order to mutually enhance each command's effectiveness in these efforts.

SECURITY RELATIONSHIPS WITH CANADA AND MEXICO

Question. The NORTHCOM area of responsibility includes the land areas of the United States, Canada, and Mexico. The binational NORAD Command ensures close cooperation between the United States and Canada on security matters.

NORTHCOM has been working with the Mexican military on security cooperation related to Mexico's efforts to counter drug trafficking and violence.

What is your assessment of the current security relationship between the United States and Canada?

Answer. I believe that our security relationship with Canada is excellent at all levels and in every Department of the U.S. Government. This relationship is characterized by extraordinary trust and confidence, evidenced by the long standing cooperation our two nations have enjoyed through the NORAD agreement. Canada has been an absolutely vital partner in the International Security Assistance Force's role in Afghanistan, conducting operations and making enormous sacrifices in some of the most challenging areas of that country. My understanding is that NORTHCOM also has a very strong relationship with its Canadian counterpart, Canada Command. If confirmed, I look forward to contributing to the success of this longstanding partnership.

Question. What is your assessment of the current security relationship between the United States and Mexico?

Answer. In my opinion, the current security relationship on a military-to-military level between the United States and Mexico is the best it has ever been. This was recently exemplified by the 30 March 2010 Mérida Initiative High-Level Consultative Group discussions held in Mexico City at the highest levels of our governments, which included the defense minister equivalents from both countries, as well as our Chairman of the Joint Chiefs of Staff. It is also reflected by military-to-military discussions that continue to grow in substance and importance, to include recently-held U.S.-Mexico Defense Bilateral Working Group discussions in Washington, DC.

Mexico is a critical partner that has demonstrated its commitment to combating drug trafficking organizations that affect the safety and security of North America. President Calderon and the Mexican military have been on the leading edge of a 3-year national effort to disrupt the drug trafficking organizations and curtail narco-violence in Mexico. NORTHCOM security cooperation activities continue to be a key and successful element of fostering a new era of U.S. Government-Government of Mexico collaboration.

Question. If confirmed, what would be your goals as Commander of NORTHCOM for improving security relations with Mexico, and how would you plan to achieve them?

Answer. If confirmed, I will continue the positive momentum NORTHCOM has established in this relationship. This will include: developing personal relationships with my counterparts informed by an understanding of their concerns; extending this level of trust downward through our respective chains of command; working to accelerate delivery of equipment under the Mérida initiative, as well as other capabilities; and continuing to provide training and information sharing requested by the Mexican authorities. I will capitalize on past and ongoing successes and look for new and innovative ways to build upon these achievements.

Question. What is your assessment of the security challenges to the United States posed by drug-related violence in Mexico?

Answer. In addition to the corrosive effects of drugs within our own cities, I believe the violence associated with drug trafficking in Mexico is a significant security challenge to the United States through its potential to spill over the border and by virtue of its severe negative impact on the internal security of a neighbor and friend. Mexican criminal organizations have been responsible for murders (including U.S. personnel who work in Mexico), kidnappings, extortion, human smuggling, arms and drug trafficking, and other violent activities.

It is my understanding that narco-violence increased in 2009, with some reports indicating 6,587 drug-related murders, up from 5,207 drug-related murders in 2008. Despite the increase in violence, President Calderon and the Mexican military are fighting back with notable successes, including the attempted apprehension of Arturo Beltran Leyva (Head of the Beltran Leyva Cartel, who was killed in the ensuing gun battle), the capture of his brother Carlos Beltran Leyva, and the arrest of Roberto Sánchez Arras, the one-time number three man in the Juárez Cartel. It is my belief that the U.S. Government should continue to provide security assistance to Mexico to build its capability and capacity to counter the violence that poses such a threat to their society.

NORTHCOM-STATE RELATIONS

Question. NORTHCOM has the primary military responsibility to provide defense support to civil authorities (DSCA) when directed by the President and the Secretary of Defense, including consequence management operations. Such military as-

sistance would support Federal assistance to State and local emergency response units.

Do you believe it is important for NORTHCOM to have an understanding of the emergency response capabilities and plans of the various States before a crisis arises, in order to optimize NORTHCOM's consequence management support to civil authorities?

Answer. Yes. I understand NORTHCOM already works collaboratively with the Federal Emergency Management Agency (FEMA), National Guard Bureau, and the States to anticipate DOD consequence management support to civil authorities and to coordinate potential requirements for effective consequence management. I have also observed that through NORTHCOM's Component Command, U.S. Army North, and their assigned Defense Coordinating Officers, that NORTHCOM works with the FEMA regional offices and States to improve relationships, information exchange, and mutual understanding. If confirmed, I look forward to participating in the Council of Governors meetings to further understand the States' capabilities and how DOD can best prepare to assist States in an emergency.

Question. If so, how would you plan to ensure that NORTHCOM has sufficient knowledge of State emergency response capabilities, including capabilities of National Guard units, and a good working relationship with State emergency response leaders?

Answer. If confirmed, I will ensure NORTHCOM continues its progress with FEMA, the National Guard Bureau, and the States in planning and integrating a whole-of-government approach to natural disaster response. In addition, if confirmed, I will examine NORTHCOM's staff substructure to determine if the command is organized optimally for this important mission area.

FORCE PROVISION FOR NORTHCOM

Question. NORTHCOM has the mission of conducting military operations for homeland defense and, when directed by the President or Secretary of Defense, for providing military assistance to civil authorities, including consequence management for natural disasters and CBRNE incidents. Yet NORTHCOM has relatively few military forces assigned to it on a permanent basis.

What is your understanding of how forces are planned to be allocated to NORTHCOM for its full range of mission requirements, and the role that U.S. Joint Forces Command plays in that process?

Answer. It is my understanding that NORTHCOM's contingency plans and orders contain force requirements that are allocated by joint force providers. Forces are not normally identified and sourced until just prior to a planned event or impending incident, or immediately after a no-warning incident. The exceptions are the standing Execute Orders for CBRNE Consequence Management response forces and the Homeland Defense Quick Reaction Force/Rapid Response Force. Additionally, under the Defense Support of Civil Authorities Operations Standing Execute Order, the NORTHCOM Commander has the authority to place certain military capabilities on a 24-hour prepare-to-deploy order in advance of or in response to a contingency.

Question. If confirmed, how do you intend to ensure that NORTHCOM will have sufficient forces available to it, properly trained and equipped, to accomplish its assigned missions?

Answer. The Secretary of Defense allocates forces to Combatant Commands based on global requirements. The Service Chiefs, in accordance with their title 10 responsibilities, are responsible for providing combatant commanders trained and ready forces for employment within their respective areas of responsibility. If confirmed, I will ensure the Joint Staff and the joint force providers are aware of my force requirements, and that allocated forces are ready to perform their various missions required in supporting civil authorities and protecting the United States. I will maintain continuous liaison with joint force providers and the Services and, in order to promote speed-of-response, I will explore innovations that would enable pre-identification of the units that would be sourced to NORTHCOM in a contingency.

Question. If confirmed, how will you monitor the personnel, equipment and training readiness of U.S. military forces (Active and Reserve) for homeland defense mission-essential tasks in support of NORTHCOM's contingency plans, and for its DSCA missions?

Answer. As I understand it, NORTHCOM has the ability to track the readiness of title 10, title 32, and non-DOD capabilities of individual States throughout its area of responsibility using the Defense Readiness Reporting System (DRRS). NORTHCOM directly interfaces with the National Guard Bureau to obtain the readiness status of title 32 capabilities and is supporting the National Guard Bureau in establishing DRRS in every State. Moreover, if confirmed, I intend to work closely

with my Service and National Guard counterparts to personally observe, when possible and appropriate, the readiness of units that will be assigned Homeland Defense or DSCA missions.

NORTHCOM-DHS RELATIONSHIP

Question. The Department of Homeland Security is still a relatively new Federal agency, and is continuing to improve its ability to meet its homeland security missions.

As the Department of Homeland Security improves and matures its homeland security capabilities, do you expect that will reduce the demands on NORTHCOM to provide DSCA?

Answer. This really depends on whether the combined capacity of civil and military resources in a particular mission area (such as counternarcotics or disaster response) is currently adequate. Where this is true, it can be viewed as a zero-sum situation in which additional Department of Homeland Security capability could reduce demands on NORTHCOM. However, there may be areas where our current capacity is inadequate, and increased Department of Homeland Security capacity will merely make additional progress towards buying down risk to a more acceptable level. If confirmed, I will collaborate with the Department of Homeland Security to understand how the various capacities mesh—both where savings may be realized and where additional capacity may be required.

Question. What do you consider to be the appropriate role for DOD and NORTHCOM's vis-a-vis DHS and State authorities in identifying and validating the dual-use equipment and other requirements associated with defense and homeland security missions?

Answer. In accordance with the Secretary of Defense's guidance, I believe the role of NORTHCOM is to coordinate with the Secretaries of the Military Departments, the Commander of SOCOM, the Commander of PACOM, and the Chief of the National Guard Bureau to identify critical dual-use equipment necessary for Active and Reserve component units and personnel to assist civil authorities in responses to natural disasters, acts of terrorism, and other man-made disasters as identified in the national planning scenarios. In accordance with my answer above, I believe it is also incumbent on NORTHCOM to coordinate with the Department of Homeland Security and State authorities as required to more fully understand equipment requirements in a resource-constrained environment.

RESPONSE TO CHRISTMAS DAY AIRCRAFT BOMB PLOT

Question. There has been considerable confusion about the events surrounding the attempted bombing of a commercial U.S. aircraft over Detroit on Christmas Day 2009.

Do you believe that NORTHCOM or NORAD have any responsibility for apprehending, detaining, or interrogating a terrorist suspect who tries to destroy an aircraft in flight inside U.S. airspace? If so, what is that role?

Answer. Apprehending, detaining, or interrogating an individual alleged to have committed a criminal act within U.S. jurisdiction is a law enforcement function. NORAD conducts air defense operations as part of Operation Noble Eagle and would likely be involved operationally if needed, and both NORAD and NORTHCOM would remain alert for potential associated or follow-on attacks.

NATIONAL GUARD

Question. There is still debate about the role the National Guard should play in the Homeland. In an April 21, 2008 letter to the committee concerning the recommendations of the Commission on the National Guard and Reserves, Admiral Mullen, the Chairman of the Joint Chiefs of Staff, wrote that, "I have some concerns about 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 this view of Admiral Mullen?

Answer. Yes. Defending our country is the military's primary duty, which is why all DOD forces, including the National Guard and Federal Reserves, are organized, trained, and equipped to fight our Nation's wars. This is not to minimize the absolutely vital role the National Guard and Reserves play in civil support, and we must ensure these agile forces are adequately resourced and prepared for this mission.

Question. Do you believe that defending the Homeland or civil support should become the National Guard's primary missions?

Answer. As a component of the Total Force, the National Guard has distinguished itself across full spectrum of DOD operations, both at home and abroad. Never has

this been more true than over the last 9 years of both conflict abroad and pressing missions at home. In my view, the National Guard should remain a full member of the Total Force. Their contribution to the success of DOD's mission is too significant to be limited to just homeland defense and civil support. Moreover, to create additional force structure to execute the Federal missions currently being accomplished by the National Guard would be cost-prohibitive. In short, the Guard is providing exceptional service and flexibility to our Nation in its current status.

Question. What is the current status of the working relationship between NORTHCOM, the National Guard Bureau, and individual State National Guard headquarters?

Answer. My sense is that the working relationship among NORTHCOM, the National Guard Bureau, and individual States' Guard headquarters has never been better and continues to improve. The robust National Guard presence within the NORTHCOM headquarters bears witness to this and fosters information sharing, collaborative planning, and Total Force mission execution that are paying dividends every day. If confirmed, I look forward to leveraging the excellent rapport I maintain with General Craig McKinley and other Guard leaders whom I have met in order to further advance this vital relationship.

Question. If confirmed, what type of liaison relationships for planning and operational purposes would you advocate between NORTHCOM, the Department of Homeland Security, Federal, State, and local first responders, and National Guard units under State authority?

Answer. As a former Joint Task Force Commander, I understand the value of strong liaison relationships and their contribution to an organization's success. If confirmed, I intend to enhance the existing liaison relationships that NORTHCOM currently already employs with these organizations by ensuring that liaison officers are empowered, motivated and prepared to take all actions necessary to build relationships and understanding, conduct mutual planning, and remain prepared to transition seamlessly to cooperative execution. Where necessary, appropriate, and permitted by personnel resources, I will build new liaison relationships with key partners.

CBRNE RESPONSE CAPABILITIES

Question. NORTHCOM has two primary missions: Homeland Defense and DSCA, including preparation for and response to an incident or attack involving CBRNE materials or weapons, in the NORTHCOM area of responsibility.

If confirmed, how would you approach the challenge of ensuring adequate military forces, capabilities, and plans to respond to such incidents in support of civil authorities?

Answer. I believe the CBRNE Consequence Management (CM) mission in our homeland is a no-fail mission, and that forces assigned to this mission must be able to respond as required. NORTHCOM has developed detailed plans to support CBRNE CM in support of civil authorities. I understand the NORTHCOM CBRNE CM Response Forces are in transition and evolving into what is designed to be a robust and responsive force to provide faster life-saving capability and mitigate human suffering. If confirmed, I will work closely within DOD and with the National Guard and the States to ensure adequate forces are allocated to this mission and that they are properly trained, resourced, and exercised to maintain their readiness to respond when needed.

Question. There are currently a variety of organizations and units intended for CBRNE response and consequence management, including Joint Task Force-Civil Support (JTF–CS), the CBRNE Consequence Management Response Force (CCMRF), the U.S. Marine Corps Chemical-Biological Incident Response Force (CBIRF), National Guard Weapons of Mass Destruction Civil Support Teams (WMD–CSTs), and National Guard CBRNE Enhanced Response Force Package (CERFP) units.

If confirmed, how would you plan to manage this mix of capabilities to ensure the best possible response force to support civil authorities in the event of a CBRNE incident, and to avoid unnecessary duplication?

Answer. The military organizations designed to respond to a CBRNE CM incident are structured to provide a graduated response capable of handling small incidents, as well as large-scale incidents, in support of civil authorities. Some are Federal forces, while others are National Guard forces normally controlled by the State Governors. Each echeloned element is designed to respond under different timelines to build upon and integrate with the others to provide capability to civil authorities.

If confirmed, I intend to work closely with the National Guard Bureau and the States to ensure all forces established to accomplish this mission are properly

manned, trained, equipped to execute it, and that timelines and command and control relationships during execution are clearly understood and effective.

Question. What is your assessment of the ability of the CBRNE CCMRF, as currently constituted, to provide a significant capability to support Federal civil authorities in the event of a CBRNE incident?

Answer. It is my understanding that the two existing CCMRFs provide a responsive and flexible capability with federally-controlled forces that are trained, equipped, exercised, evaluated, and employed by NORTHCOM to respond to near-simultaneous incidents. I also understand that incremental modifications have been made to the CBRNE CCMRF concept—based on analysis and lessons learned from State- and national-level exercises—in order to improve its ability to provide comprehensive and self-sustaining support to first responders. I am also aware that DOD has determined that further improvements in CBRNE response capability are warranted to provide rapid response capability that is aligned within FEMA regions and responsive to State Governors.

Question. How would you assess the relative capabilities of a trained and equipped CCMRF to a trained and equipped National Guard CBRNE Enhanced Response Force Package (CERFP)?

Answer. It is my view that each of these forces present complementary capabilities that enhance our overall CBRNE Consequence Management response.

The CBRNE CCMRF is a relatively large force (4,000–4,500 personnel) that contains the required centralized capabilities to integrate with and support a Federal response under the National Response Framework. These capabilities include search and extraction, decontamination, air and ground casualty evacuation, mortuary affairs, information dissemination, communications, logistics, and a command and control structure to support integration of follow on forces.

CBRNE Enhanced Response Force Packages (CERFPs), under the control of State Governors, represent a much smaller (90–180 personnel), more agile and timely response force that is focused on regional support to provide security, triage, mass casualty and patient decontamination and stabilization.

When responding to a domestic event, both force elements provide a balanced approach by integrating and synchronizing the advantages of the National Guard CERFP and the robust Federal capability of the CCMRF.

Question. Do you believe that U.S. military forces providing DSCA in the event of CBRNE incidents should be under the command of the Commander, NORTHCOM?

Answer. In most cases, the incident will be managed at the State level with DOD in support. For all incidents, Federal forces would "lean forward", as permitted under the National Response Framework, in order to monitor and assess CBRNE capabilities and provide additional support if requested. If title 10 forces do respond, I believe the Commander of NORTHCOM should maintain command and control of these forces in a "direct support" relationship aligned closely with the primary Federal agency and the affected State Governor(s) under the principle of unity of effort. In certain rare circumstances, the NORTHCOM Commander may be asked to assume overall command and control due to the nature or scope of an incident. If confirmed, I will ensure that Federal forces under my command are responsive under either command and control framework.

WMD–CSTS AND CERFPS

Question. There is now at least one National Guard Weapons of Mass Destruction-Civil Support Team (WMD–CST) in each of the 54 States and territories, and there are 17 National Guard CBRNE Enhanced Response Force Package (CERFP) units.

Do you believe the WMD–CSTs and CERFPs are appropriately organized, sized, trained, and equipped to accomplish their assigned missions?

Answer. Yes, in my view, WMD–CSTs are appropriately organized, sized, trained and equipped to accomplish their assigned detection and analysis mission. WMD–CSTs are standardized forces and their training and readiness is overseen by NORTHCOM through its Army component, U.S. Army North.

I understand that there may be a need to improve CERFP organization, equipment standardization, and readiness. If confirmed, I will work with the National Guard Bureau to assist in any way to ensure that CERFPs are ready to accomplish their assigned mission in accordance with the CBRNE Enterprise identified in the 2010 Quadrennial Defense Review (QDR).

Question. If not, what changes do you believe are needed?

Answer. Today, I cannot say with certainty what changes are needed. However, if confirmed, I will quickly focus on CBRNE consequence management to do my part to ensure our nation has adequate response capability across the spectrum.

CBRNE CONSEQUENCE MANAGEMENT RESPONSE FORCE UNITS

Question. Several years ago, the Department decided to create three CBRNE CCMRF units to provide DSCA in the case of major CBRNE incidents in the United States requiring Federal consequence management. The recently released 2010 QDR proposed a significant restructuring of the CBRNE response force, from the 3 CCMRFs under DOD control, to 1 robust CCMRF, 2 military command and control units, and 10 future Homeland Response Forces (HRFs) within the National Guard and under the control of Governors in the 10 FEMA regions.

Do you believe the CCMRF concept, organization, and capability remain sound?

Answer. I believe the existing CCMRF concept was an important milestone toward achieving increased capability for this vital mission. The makeup of CBRNE response should inevitably represent a balance among speed, capability, resources, and ownership. Clearly, a robust Federal response to augment State and local responses is a vital component of this response. It is my sense that the restructuring directed by Secretary of Defense and outlined in the 2010 QDR represents an effort to refine this concept, and that DOD is committed to ensuring forces within the CBRNE CM Enterprise remain trained and ready, regardless of how they are organized. I understand NORTHCOM is actively working to fully outline this concept with DOD partners, especially the National Guard Bureau, and Federal interagency partners to ensure it is effectively employed.

Question. What is your assessment of the organization, capability, and potential effectiveness of the proposed HRFs in responding to a major CBRNE incident, as compared to the capability of the existing CCMRFs?

As I understand it, the intent of this decision is to rebalance the Nation's CBRNE CM forces to better reflect the shared roles of the States and Federal government during a domestic event. As such, it appears to me that the HRFs were designed to provide a faster life-saving response than the existing CCMRFs, and to capitalize on the advantages of alignment with the FEMA regions, deeper regional knowledge, and State ownership.

That said, it remains important that a robust Federal response be prepared to augment the HRFs. This will be provided by a revised CCMRF that has 700 additional personnel and a more rapid response capability, along with two command and control CCMRFs that can coordinate responses to additional CBRNE events using general purpose forces.

It is my understanding that work is in progress at NORTHCOM, in collaboration with the requisite partners, on detailed implementation planning for this modified construct. If confirmed, I look forward to working with the National Guard Bureau and others to implement it properly, while at the same time closely monitoring training and readiness levels to ensure we provide the nation the strongest possible response capability.

Question. In your position as Director for Strategic Plans and Policy on the Joint Staff, were you involved in the debate and/or formulation of the HRF plan as outlined in the QDR?

Answer. No. Within the Joint Staff, the Force Structure, Resources, and Assessment Directorate partnered with the Office of the Secretary of Defense to lead the formulation of the HRF plan within the QDR effort. I was informed of my pending nomination for the position of Commander, NORTHCOM towards the end of the formulation and decision process, at which time I requested an information brief and attended two meetings as an observer.

Question. Do you believe it would be prudent to disestablish an existing CCMRF unit and eliminate its capability prior to having an equivalent alternative capability in place?

Answer. I do not believe it would be prudent to give up an existing capability prior to an alternative capability being in place.

Question. In order to ensure adequate defense support of civil authorities, do you believe the three CCMRFs, or any related units created from the proposed restructuring outlined in the QDR, should be Federal forces under the command of NORTHCOM?

Answer. In the new concept, Federal Restructured-CCMRF and the two smaller command and control elements created under the proposed restructuring outlined in the QDR should and will be under the command and control of the NORTHCOM Commander. State assets, such as the HRFs, CERFPs, and WMD–CSTs, will be under the command and control of the Governors through their Adjutants General, but could be Federalized under title 10 if needed. If confirmed, I intend to work closely with the National Guard Bureau and the individual States to ensure command and control arrangements are clear and are exercised.

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. If confirmed, you will be a member of the WHINSEC Board of Visitors.

What is the relationship between NORTHCOM and WHINSEC?

Answer. I understand that the National Defense Authorization Act of 2008 added the Commander of NORTHCOM to the WHINSEC Board of Visitors. The Board of Visitors reviews curricula to ensure compliance with U.S. laws, regulations, and policy goals, with an emphasis on human rights.

Question. In your view, does WHINSEC promote the national security interests of the United States in the Western Hemisphere?

Answer. It is my belief that WHINSEC is a strategic tool for international engagement that supports principles set forth in the Organization of American States Charter. WHINSEC's professional education and training has a positive impact upon the 800–1,000 Latin American students in attendance annually from military, law enforcement and civilian institutions. I agree with the sense of Congress, as expressed in section 1084 of the National Defense Authorization Act for Fiscal Year 2010, that WHINSEC is building partner capacity that enhances regional and global security.

Question. In your view, how should NORTHCOM participate in command oversight and curriculum development?

Answer. As I understand it, NORTHCOM has an Academic Outreach and Human Rights Officer who is responsible for the hands-on oversight of WHINSEC from a NORTHCOM perspective and raises concerns to the commander as appropriate. If confirmed, I will evaluate the effectiveness of this arrangement to see if any changes are necessary, and will exercise personal oversight to ensure this process is effective.

Question. In your view, what more, if anything, does WHINSEC need to do to emphasize human rights in its curriculum?

Answer. I believe that human rights are an absolutely essential ingredient of the WHINSEC curriculum. If confirmed, I will examine this issue closely and determine if more emphasis is needed.

Question. In your view, how can WHINSEC improve its outreach efforts to individuals or groups interested in its activities, particularly those who have accused the school of contributing to human rights violations by former students?

Answer. After WHINSEC was activated, safeguards such as the Board of Visitors were put in place to ensure compliance with U.S. laws, regulations, and policy goals, with an emphasis on human rights. If confirmed, I will examine outreach efforts in order to determine whether they are effective, and to reassure these groups of NORTHCOM's commitment to human rights within the WHINSEC curriculum.

Question. If confirmed, will you attend the WHINSEC Board of Visitor's annual meeting?

Answer. If confirmed, I look forward to attending the Board of Visitors annual meeting—I will ensure that only a higher priority event requiring my presence would interfere with my attendance at the annual meeting.

INTELLIGENCE SHARING/NATIONAL COUNTERTERRORISM CENTER

Question. What is NORTHCOM's role and involvement in developing intelligence assessments regarding terrorist threats?

Answer. It is my understanding that NORTHCOM develops all-source intelligence assessments of the transnational terrorist threat in order to provide warning and situational awareness in support of the missions of Homeland Defense, Defense Support of Civil Authorities, and Force Protection. NORTHCOM collaborates with all members of the Intelligence Community, other combatant commands, and the National Counterterrorism Center to ensure the command is able to anticipate potential responses to transnational terrorist threats as they develop.

Question. What intelligence agencies are involved in providing input to NORTHCOM's staff for the development of intelligence assessments?

Answer. I understand that NORTHCOM develops intelligence assessments based on all-source intelligence derived from all 16 Intelligence Community members. This collaborative environment is fostered by a networked approach that allows NORTHCOM analysts to leverage relevant expertise throughout the Intelligence Community.

These collaborative relationships are created and maintained by a robust liaison program. National Agency Representatives from the Central Intelligence Agency,

National Security Agency, Federal Bureau of Investigation, National Geospatial-Intelligence Agency, Department of Homeland Security, the Service intelligence agencies, and the Defense Intelligence Agency are located within NORTHCOM.

Similarly, NORTHCOM liaison officers are located at the Department of Homeland Security, the Federal Bureau of Investigations, the National Counterterrorism Center (NCTC) the Canadian National Defence Headquarters in Ottawa.

Question. What is the current relationship between NORTHCOM and the NCTC?

Answer. It is my understanding that NORTHCOM has a strong relationship with the National Counterterrorism Center in a collaborative information-sharing environment. NORTHCOM routinely relies on the Center's finished production and their collaborative tools, all of which is facilitated by having two full-time NORTHCOM personnel who are physically assigned to the Center as liaison officers.

Question. Does NORTHCOM have representatives located at the NCTC on a daily basis? If so, what are their functions and responsibilities? If not, why not?

Answer. Yes. NORTHCOM currently has two full-time liaison officers at the National Counterterrorism Center who facilitate the flow of information between NORTHCOM and the Center.

One liaison officer is assigned to the Defense Intelligence Unit, which is responsible for reviewing intelligence databases for information related to DOD equities. The other liaison officer is assigned to the Directorate of Strategic Operational Planning at the Center and ensures NORTHCOM is aware of and involved in community operational and contingency planning.

Question. Do you believe NORTHCOM representatives at NCTC have the access to intelligence needed to fully perform their functions?

Answer. Yes. It is my understanding that NORTHCOM liaison officers have access to all intelligence databases available to other Center analysts and are fully capable of performing their functions in support of the Center.

Question. How do posse comitatus, privacy restrictions, and other laws and regulations concerning the collection of intelligence within the United States, affect the way NORTHCOM receives and uses intelligence?

Answer. NORTHCOM accomplishes its intelligence mission within the framework of existing laws and policy; I understand NORTHCOM is vigilant in ensuring all intelligence activities conducted in support of its mission comply with intelligence oversight law and policy. If confirmed, I will ensure all intelligence activities conducted in support of NORTHCOM operations are reviewed by legal staff to ensure they are conducted in accordance with law and policy.

BALLISTIC MISSILE DEFENSE

Question. One of NORTHCOM's missions is the defense of the United States against the threat of limited ballistic missile attack. The recently released Ballistic Missile Defense Review report stated as one of its policy priorities: "Before new capabilities are deployed, they must undergo testing that enables assessment under realistic conditions."

Do you agree that it is essential that our deployed ballistic missile defense systems are operationally effective?

Answer. Yes. In light of the growing threat from North Korea and Iran, both in numbers and sophistication, the capability to defend the Nation with an effective ballistic missile defense system is becoming increasingly important. The recently-announced Phased Adaptive Approach, a four-phase global approach, will provide a layered defense capability for the homeland, as well as for forward-deployed troops and allies.

Question. Do you agree that it is important to conduct operationally realistic flight tests to demonstrate the operational capability and reliability of the Ground-based Midcourse Defense (GMD) system?

Answer. Yes. Operationally realistic flight tests are one of the most important, and visible, ways of demonstrating the operational capability and reliability of the GMD system. I understand the NORTHCOM staff has worked closely with U.S. Strategic Command and the Missile Defense Agency in the formation of the Integrated Master Test Plan. This robust test plan lays the foundation for increasingly realistic operational flight tests over the next several years, and beyond.

CRUISE MISSILE DEFENSE

Question. NORTHCOM and NORAD have responsibilities for warning and defending the United States against airborne threats, including cruise missiles.

Relative to cruise missile defense, what do you believe should be the relationship between the Joint Integrated Air and Missile Defense Organization (JIAMDO) of the Joint Staff, on the one hand, and NORTHCOM and NORAD, on the other hand?

Answer. I understand the JIAMDO has maintained a working partnership with NORAD since 1999 and NORTHCOM since its establishment in 2002. The JIAMDO has expanded its theater focus to include homeland air and cruise missile defense gaps, as well as ballistic missile defense gaps, through operational concept, architecture, and roadmap development efforts. The JIAMDO has a liaison office at NORAD and NORTHCOM to ensure daily coordination and collaboration. If confirmed, I look forward to building upon this relationship to enhance our homeland capabilities against the potential threat of a cruise missile attack.

Question. Relative to the full spectrum of threats to the United States, how would you assess the cruise missile threat to the United States and its territories?

Answer. I believe the overall cruise missile threat to the United States and its territories is currently low. While technically feasible, there are other means to use that are operationally easier for those who would harm us.

Question. If confirmed, what capabilities would you prioritize to address this threat?

Answer. While I believe the threat is currently low, continued efforts in Wide Area Surveillance of North America are needed to improve capabilities to address future capabilities. If confirmed, this will be a key area I will address, as well as a review of the NORAD and NORTHCOM Surveillance Gap Filler strategy. As I understand it, this strategy outlines the NORTHCOM plan to address air and maritime surveillance shortfalls through a family-of-systems approach to sensor development and improved information sharing of interagency sensors. Finally, through our intelligence resources, it is imperative that we remain alert to any game-changing evolution in capability that would raise the prominence of this threat.

CONTINENTAL AIR DEFENSE

Question. How has the continental air defense mission changed since the end of the Cold War and the events of September 11, 2001?

Answer. Prior to 11 September 2001, NORAD's air defense posture was aligned to counter external threats to North America. In response to the attacks on 11 September 2001, the command's mission was expanded to protect against domestic airborne threats originating within the United States and Canada.

Operation Noble Eagle began immediately after the September 11 attacks and continues today to protect and defend the airspace of the United States and Canada. NORAD implemented an improved air defense system by integrating radar, air patrols, surface-launched missiles, and control centers. This system also includes the capability to protect the National Capital Region from air attacks.

Question. Do you believe that current U.S. continental air defense capabilities are adequate to meet national security needs?

Answer. Yes. NORAD continues to adapt in an effort to counter the terrorist threat posed to the United States and Canada by maintaining a network of alert fighters, tankers, airborne early warning aircraft, and ground-based air defense assets. This capability, combined with improvements to surveillance and communications systems, as well as better coordination and information sharing with the interagency community, ensures NORAD provides air defense for the United States and Canada.

Question. If confirmed, what capabilities and programs would you prioritize to address any identified deficiencies?

Answer. If confirmed, I will examine NORAD's air defense capabilities with the goal of further improving the North American air surveillance picture not only for DOD, but also for our interagency partners—notably the National Capital Region Coordination Center and U.S. Customs and Border Protection. I understand that Homeland Air and Cruise Missile Defense, wide-area air surveillance, and refining intelligence sharing within the interagency community are critical to this effort. I will also work closely with the Services to ensure continuity of air sovereignty mission commensurate with postulated threats.

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 Commander, NORTHCOM, and Commander, NORAD?

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

BORDER SECURITY

1. Senator MCCAIN. Vice Admiral Winnefeld, what is your assessment of the current security situation along our southern border?

Admiral WINNEFELD. I view with concern the escalating violence along the Southwest border that in many cases is attributable to drug trafficking organizations. In addition to the corrosive effects of drugs within our own cities, I believe the violence associated with drug trafficking in Mexico is a significant security challenge to the United States through its potential to spill over the border and by virtue of its severe negative impact on the internal security of a neighbor and friend. As I mentioned in my hearing, if confirmed I plan to travel to the border region soon after taking command in order to more closely assess the situation.

2. Senator MCCAIN. Vice Admiral Winnefeld, what is your view about the need for deployment of federally-funded national guardsmen along the southern border to assist and support civilian law enforcement agencies?

Admiral WINNEFELD. I believe that the National Guard has a place in support of civilian Federal, State, and local law enforcement agencies along the border. Indeed, over 300 title 32 forces from the 4 border States, specially trained in counterdrug activities, are currently deployed in support of the Department of Homeland Security (DHS), which is the lead Federal agency responsible for border security. I believe such deployments should be subject to the following principles: First, they should be undertaken only to the extent that the capacity of civilian agencies is exceeded by the security requirement or where the Guard can provide unique capability in support of civilian operations. In some cases, it may be necessary for the Department of Defense (DOD) forces to provide a bridge to increased DHS or local capacity. Second, such deployments should account for the impact they would have on support for U.S. troops that are engaged in combat overseas, as some of the capabilities that may contribute to border security are in short supply overseas. Third, I believe we need to be cautious about the perception of militarizing the border, though we should not allow this to prevent deployments required to guard against serious threats. Finally, these deployments should be made in response to a request from civilian agencies that is approved by the President or the Secretary of Defense. If confirmed, I will contribute to interagency assessments intended to assess the capacity and capabilities of civilian law enforcement and the suitability and magnitude of DOD contributions.

3. Senator MCCAIN. Vice Admiral Winnefeld, what additional steps can U.S. Northern Command (NORTHCOM) take, in coordination with DHS, U.S. Southern Command (SOUTHCOM), and the Government of Mexico, to bring the drug-trade violence we are seeing on both sides of our southern border under control?

Admiral WINNEFELD. I believe that NORTHCOM has separate but complementary roles north and south of the border. It is my understanding that NORTHCOM is well-engaged with interagency partners, the Embassy Country Team, the Government of Mexico, and SOUTHCOM in evaluating ways the command can effectively support U.S. Government efforts to stem drug-trade related violence in our hemisphere. As one example, the command recently hosted and facilitated the Ciudad Juarez-El Paso Merida Planning Initiative from 22–26 February, 2010, with these

organizations. Those discussions, as well as coordination with these organizations on a daily basis, point to several additional steps that can be taken to stem the wave of violence that has gripped the border region.

If confirmed, I look forward to broadening and deepening the asymmetric warfare experience that we share with our domestic and Mexican partners. I will further pressurize our efforts in intelligence fusion and sharing, secure communications systems, biometrics equipment, night vision equipment, and accelerating the delivery of the helicopters and surveillance aircraft that are part of the Merida Initiative. I will seek ways to more effectively support DHS, the Department of Justice (DOJ), and other critical stakeholders in a whole-of-government approach to enhancing security along the southwest border. I will review current NORTHCOM initiatives, visit the Southwest border, listen to our Mexican partners, and assess how best the command can support U.S. Government efforts to assist Mexico and other international partners in the region. Finally, I will work closely with SOUTHCOM to explore what additional steps we might take to enable the countries on Mexico's southern border to act more effectively to interdict drug traffic in that region.

LEGISLATIVE GAP IN RESERVE ACTIVATION AUTHORITY

4. Senator MCCAIN. Vice Admiral Winnefeld, DOD currently lacks statutory authority to order Reserve personnel to involuntary Active Duty service for the purpose of providing civil support in response to a natural disaster. While such authority exists for terrorist attacks, proposals to give this legislative authority in response to a natural disaster has been opposed by State Governors, apparently due to a dispute about who will have operational control of Federal forces. What is your understanding of this problem and why have the States opposed ensuring that Federal Reserve Forces can be called up, if needed?

Admiral WINNEFELD. Federal Reserve Forces have capabilities but only limited authorities to make important and timely contributions in support of local and State officials in response to domestic disasters. First, they may only be used for immediate, life-and-limb support when they are already on Active Duty status if/when a crisis occurs. Second, if they volunteer, they may be used only if there is also a request for assistance for title 10 support from another Federal agency. DOD is not authorized in any scenario to involuntarily mobilize Reserve Forces in response to a catastrophe or disaster.

State Governors, bound by their State constitutions to act as Commanders in Chief of their State forces, have been reluctant to support such authority until they better understand how such forces would be employed. Accordingly, they have taken the initial position that they must have command of all military forces (State and Federal) operating within their States. However, it is my understanding that constitutionally, the President of the United States, as Commander in Chief, cannot relinquish command of Federal forces.

To resolve this issue, OSD has proposed a concept to the Council of Governors addressing the command relationship as one of "direct support" using the principle of "unity of effort." Under this arrangement, which I fully support, Federal forces would "consult, coordinate with, and respond to State authorities" during a domestic disaster while maintaining existing command relationships. In this manner, Federal forces, including Federal Reserve Forces, would technically remain under the command of Federal authorities while responding directly to a Governor's needs. I have experienced this type of unity of effort relationship several times during my career, and it works. This concept is supported throughout the National Response Framework, which also emphasizes unity of effort vice unity of command.

5. Senator MCCAIN. Vice Admiral Winnefeld, do you believe that title 10 Federal forces should be placed under the operational or tactical control of State Governors?

Admiral WINNEFELD. No, I believe the Commander of NORTHCOM should maintain command and control of title 10 forces in a "direct support" relationship, remaining closely aligned with the primary Federal agency as well as coordinating closely with and remaining responsive to the affected State Governor(s) under the principle of unity of effort. I believe there is good balance in this construct. On the one hand, the President should maintain operational command of Federal forces for a variety of reasons. On the other hand, Federal forces should be very responsive to a Governor's needs in a crisis and be tightly aligned with the Adjutant General of the affected State. If confirmed, I intend to make it very clear to my State partners that we will act in support of a Governor's needs in time of crisis.

6. Senator MCCAIN. Vice Admiral Winnefeld, what has been Secretary Gates' position on this issue?

Admiral WINNEFELD. Secretary Gates supports title 10 forces remaining under the Federal chain of command in accordance with subsection (b) of title 10, U.S.C. §162. Secretary Gates also reiterated at the Council of Governors meeting in February 2010 that he believes we can find a consensus approach that respects the Constitutional authorities of both the Governors and the President of the United States. I believe this is a sound approach and provides a positive way forward.

7. Senator MCCAIN. Vice Admiral Winnefeld, do you believe NORTHCOM currently has sufficient authority to access Reserve component personnel and capabilities to fulfill your command's mission?

Admiral WINNEFELD. In terms of NORTHCOM's primary mission of homeland defense, I believe DOD does, in fact, have sufficient authority to access Reserve component personnel and capabilities. However, in terms of NORTHCOM's mission for Defense Support of Civil Authorities, I do not believe there is sufficient access to the Reserve component. In accordance with title 10, Army, Navy, Air Force, and Marine Federal reservists are only available for civil emergencies while in voluntary Inactive Duty for Training status.

The National Governors Association supported Congress's rejection of a DOD-proposed statutory change that would have allowed the Secretary of Defense to order reservists to Active Duty to provide assistance when the response capabilities of Federal, State, and local civilian agencies are or could be exceeded. Under the knowledge possessed by the Governors at the time, I understand and am sympathetic to their rationale for not supporting this initiative. However, since then, OSD has begun working closely with the Governors to outline DOD's concept of "direct support," briefly described above. I am very hopeful that DOD can come to agreement with the Governors on this construct so that they will support a statutory change. I understand that the Council of Governors will discuss this issue further during their next meeting in June 2010, and if confirmed, I plan to attend that meeting to help forge a way ahead—and to make it clear to the Governors that I will be responsive to their needs in a crisis

8. Senator MCCAIN. Vice Admiral Winnefeld, would you recommend that we take action this legislative session to fix this problem?

Admiral WINNEFELD. I believe that it is important to have the support of the Governors on solutions to this problem. I understand it was discussed extensively in the first Council of Governors meeting with the Secretary of Defense in February 2010. It is also my understanding that it will be further addressed at the next Council of Governors meeting in June 2010, and if confirmed, I plan to attend that meeting. With a better understanding of both DOD and the Governor's concerns, appropriate actions for legislative session can be proposed—and I am hopeful that this will occur this year.

9. Senator MCCAIN. Vice Admiral Winnefeld, what is the potential vulnerability if we do not take action?

Admiral WINNEFELD. Certain DOD capabilities reside exclusively or in significant numbers in the Federal Reserve Forces, such as aerial spray, "Hurricane Hunter" weather reconnaissance, combat surgical hospitals, search and rescue, aeromedical evacuation, mortuary affairs, engineering and logistical support. Without this authority, these title 10 Federal Reserve Forces, which can be the most capable and closest unit to a disaster, cannot be involuntarily called forward to support a response, ultimately increasing costs and more importantly, risk to American lives. This is why it is critical that we forge a consensus solution as soon as possible and provide recommendations to Congress at that time.

JOINT RESPONSES TO ATTACKS

10. Senator MCCAIN. Vice Admiral Winnefeld, how will NORTHCOM and CYBERCOM work together to support civil authorities in the event of a computer network attack on the Homeland?

Admiral WINNEFELD. As I understand it, NORTHCOM has developed a very strong relationship with U.S. Strategic Command (STRATCOM). Once CYBERCOM stands up, I believe NORTHCOM will extend this relationship to CYBERCOM as well. Similar to other combatant commands, NORTHCOM is a routine consumer of the cyber security and information that STRATCOM and CYBERCOM will provide. In the event of an attack, NORTHCOM will work in a supported-supporting rela-

tionship as designated by the Secretary of Defense to ensure the .mil domain is protected and that all available support is provided, as appropriate, to the owners of other domains.

11. Senator MCCAIN. Vice Admiral Winnefeld, do roles and authorities exist to guide a joint response, if the Nation is attacked?

Admiral WINNEFELD. The 2008 Unified Command Plan recognizes cyberspace as a warfighting domain, and NORTHCOM's mission set crosses all domains in order to defend, protect, and secure the United States and its interests against all threats, including cyber.

There are myriad authorities supporting Homeland Defense and Civil Support missions, as well as a joint response to cyber attack against the Nation. These include NORTHCOM authorities identified in title 10, as well as title 50, and the Unified Command Plan, Joint Strategic Capabilities Plan, Guidance for Employment of the Forces, and the National Response Framework. Additionally, there are a number of DOD policies and orders, contingency plans (to include NORTHCOM's Homeland Defense CONPLAN 3400), and Joint Staff-directed orders that guide a joint response. The authorities that are in place today for cyber center primarily on self-defense. If we had to act today in response to a cyber attack on critical national assets, the joint response would also be guided by the National Cyber Incident Response Plan. That said, I believe one of CYBERCOM's key roles will be to advise STRATCOM in recommending any adjustments to existing authorities required to better provide a joint response to an attack.

12. Senator MCCAIN. Vice Admiral Winnefeld, with respect to other combatant commands, the Military Departments, and the many organizations within DOD, how will CYBERCOM function to ensure cyber operations are protected?

Admiral WINNEFELD. As I understand it, CYBERCOM will have both supported and supporting cyber roles. As the supported command for defense of the Defense Information Networks, CYBERCOM will have the technical capability to conduct effective "defense in depth" protection of cyber operations and infrastructure that is common to all combatant commands. At the same time, as the supporting command, CYBERCOM will have the technical capability to provide information and awareness to enable its customers to effectively mitigate cyber threats to operations within their own areas of responsibility.

THREATS TO THE HOMELAND

13. Senator MCCAIN. Vice Admiral Winnefeld, what do you consider to be the biggest threats to the Homeland?

Admiral WINNEFELD. There are many potential threats to our Homeland, among which I would name five of particular concern. First, extremists who are directed, supported, or inspired by al Qaeda continue to plan terrorist attacks on our Homeland. Those attempting to obtain weapons of mass destruction pose the most consequential threat, while those pursuing smaller scale, hard-to-detect attacks using improvised explosive devices or conventional weapons represent the most likely threat. Second, I am concerned about the corrosive effect on our Nation's security of drug trafficking, including its associated violence, both inside Mexico and along our border. Third, the cyber threat to our information infrastructure is increasing in parallel with our growing reliance on the Internet. Fourth, North Korean and Iranian pursuit of nuclear weapons and the means to deliver them against our Homeland using long-range ballistic missiles or other means is a growing concern. Finally, the constant potential for a major natural disaster, which can produce damage far greater than most terrorist attacks, is something for which the NORTHCOM Commander must always be prepared.

14. Senator MCCAIN. Vice Admiral Winnefeld, where do you assess the greatest vulnerabilities in our ability to defend the Homeland?

Admiral WINNEFELD. I believe our greatest vulnerability remains extremist threats, who are determined and patient, will search for any path to produce violent events, and harbor no qualms about killing innocents to achieve their objectives. Our vulnerabilities to this threat derive from the immense array of potential targets within our Nation, the relative ease of entering a large and diverse country, and the extremists' intent to exploit the freedom of movement (and other important freedoms) we enjoy within our country.

15. Senator MCCAIN. Vice Admiral Winnefeld, if confirmed, how will you address these vulnerabilities?

Admiral WINNEFELD. If confirmed, I will do everything in my power to ensure our Nation is prepared to handle the full spectrum of threats to our homeland. I will:

- Advocate the sense of urgency required to maintain vigilance against these threats;
- Nurture a culture that continuously challenges and improves our capability, particularly in the areas of information sharing with our partners and speed-of-response;
- Continue improvements to NORTHCOM's rigorous exercise program;
- Examine the NORTHCOM's homeland defense and civil support plans to ensure they address evolving threats and are tailored to need;
- Strengthen NORTHCOM's relationships with its National Guard, interagency, State, local, tribal, and international partners to ensure the whole is greater than the sum of the parts;
- Work closely with the other COCOMs and service chiefs on issues of relevance to defending the Homeland;
- Remain cognizant of the health of our ballistic missile defense program; and
- Support a whole-of-government approach on both sides of our border with Mexico and strengthen Mexico's ability efforts against drug trafficking organizations.

INTEROPERABILITY WITH STATE AND LOCAL FIRST RESPONDERS

16. Senator MCCAIN. Vice Admiral Winnefeld, a tragic lesson learned in the response to the attacks of September 11 was the inability of first responders to communicate amongst one another. Given the role DOD forces would assume in assisting State and local authorities in responding to large-scale incidents, the importance of these varying groups to communicate is vitally important if we are to avoid unnecessary miscommunication and risk. If confirmed, what steps will you take to ensure interoperability between title 10 forces and their civilian counterparts?

Admiral WINNEFELD. It is my belief that communications interoperability among all mission partners is a cornerstone of the Nation's response to disaster events. As I understand it, NORTHCOM has taken several initiatives to reduce miscommunication and ensure information sharing among our partners. NORTHCOM is a key participant in the Interagency Board for Equipment Standardization and Interoperability and the Federal Partnership for Interoperable Communications and, in concert with DHS and the National Guard Bureau, developed both the Strategic Operational Information Sharing Plan and the Deployable Communications Standards Publication. These efforts are critical in establishing interoperability protocols and standards for both communications systems and information exchange processes and will be used as the foundation for future procurement of DOD communications systems. I also believe it is important that we test these systems to ensure they function.

Further, NORTHCOM continues to partner with the National Guard Bureau and the Federal Emergency Management Agency on use and employment of our Deployable Cellular Systems and Incident Awareness and Assessment/Full Motion Video suites. These systems are designed for rapid employment to an incident to improve communications and shared situational awareness through augmented cellular phone services and video situational awareness to facilitate decisionmaking. In particular, mobile cellular capability can be used to mitigate commercial communications outages by providing cellular voice and data devices for key civilian leadership and agencies while at the same time providing radio communications interoperability among first responders and title 32/title 10 DOD forces.

17. Senator MCCAIN. Vice Admiral Winnefeld, are you aware of any interoperability gaps between State and local first responders and title 10 forces?

Admiral WINNEFELD. I am not aware of any specific interoperability gaps forces among first responders and title 10 forces, but if confirmed I will look closely at interoperability in communications. As I understand it, NORTHCOM is dedicated to constantly improving processes and procedures to mitigate potential and unidentified gaps. For instance, since 2005 NORTHCOM has hosted an annual communications exercise solely designed to refine interoperable communications among National Guard, State, and local emergency management personnel and first responders. Last year's exercise conducted in Texas, Arizona, and South Carolina drew over 50 different participants from Federal, State, and local agencies.

Additionally, NORTHCOM is participating in efforts conducted by the Interagency Board and DHS's Office of Interoperability and Compatibility to develop a Communications Unit Leader track under the National Incident Management System. This track is designed to train and certify communications personnel in typing incident scene communications requirements, standardizing processes and protocols, and providing a credentialing system to ensure equivalency among communications personnel.

SHARING OF INFORMATION AND INTELLIGENCE BETWEEN AGENCIES

18. Senator MCCAIN. Vice Admiral Winnefeld, if confirmed, how will you seek to break down the barriers relating to intelligence collection and evaluation between agencies to ensure NORTHCOM has an accurate picture of potential threats?

Admiral WINNEFELD. I believe that persistent engagement and collaboration with our interagency partners is essential to ensure we are aware of and prepared to deal with emerging threats. To the maximum extent allowed by law and policy, we must strive for an "information push" rather than an "information pull" culture, as well as seek new ways of manipulating the information we do have in order to separate key threat signals from the noise. Often, this information is sensitive and closely held in law enforcement and/or intelligence channels. If confirmed, I will consistently articulate mission needs, particularly in the Force Protection and Defense Support of Civil Authorities arenas, while assuring the lead Federal agencies that we will safeguard their operational and investigative sensitivities. We must also pursue these activities in full compliance with Intelligence Oversight guidelines and ensure we maintain public trust in our ability to protect civil liberties. I will also strive to develop and maintain a solid and trusted set of relationships with the various intelligence agencies that includes as many liaison officers as feasible.

RESTRUCTURING OF FEDERAL HOMELAND RESPONSE FORCES

19. Senator MCCAIN. Vice Admiral Winnefeld, the Quadrennial Defense Review (QDR) calls for a significant restructuring of the force packages NORTHCOM provides in support of civil authorities in the event of a large-scale disaster or attack. The proposal calls for the restructuring of one existing brigade-sized element, the elimination of another, and the creation of 10 smaller Homeland Response Forces (HRFs) to be spread throughout the 10 Federal Emergency Management Agency (FEMA) regions of the country. What are your views about this new approach?

Admiral WINNEFELD. As I understand it, the intent of this decision is to rebalance the Nation's Chemical, Biological, Radiological, Nuclear, and high-yield Explosives (CBRNE) Consequence Management (CM) forces to better reflect the shared roles of the States and Federal Government during a domestic event. It also appears to me that the HRFs are designed to provide a faster life-saving response than the existing CBRNE CM Forces (CCMRFs) and to capitalize on the advantages of alignment with the FEMA regions, deeper regional knowledge, and State ownership.

That said, it remains important that a robust Federal response be prepared to augment the HRFs. This will be provided by a revised CCMRF that has 700 additional personnel and a more rapid response capability, along with two command and control CCMRFs that can coordinate responses to additional CBRNE events using general purpose forces.

It is my understanding that work is in progress at NORTHCOM, in collaboration with the requisite partners, on detailed implementation planning for this modified construct. If confirmed, I look forward to working with the National Guard Bureau and others to implement it properly, while at the same time closely monitoring training and readiness levels to ensure we provide the Nation the strongest possible response capability.

20. Senator MCCAIN. Vice Admiral Winnefeld, are there any concerns about the apparent shift of authority of these forces from Federal control to that of the States, particularly given the potential for these forces to be moved and utilized across State lines?

Admiral WINNEFELD. Although work is ongoing to develop this new construct, I believe the various Federal and State response forces, under the National Response Framework, will be able to achieve unity of effort. My sense is that advance planning, gaming, exercising, and effective employment of the Emergency Management Assistance Compact will be important elements of a successful program. If confirmed, I intend to work closely with and through the National Guard Bureau to the States to ensure all forces established to accomplish this mission are properly

manned, trained, and equipped to execute it, and that timelines and command and control relationships during execution are clearly understood and effective.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

GUARD AND RESERVE IN NORTHERN COMMAND

21. Senator INHOFE. Vice Admiral Winnefeld, the integration of Active, Reserve, Guard, and interagency elements into your headquarters and the makeup of your subordinate units, makes NORTHCOM one of the most diverse agencies this Government has. As we all know, without our Guard and Reserve Forces, it would be impossible to conduct operations abroad while ensuring that our Homeland is secure and safe. I have legitimate concerns with respect to the impacts of Operation Enduring Freedom and Operation Iraqi Freedom rotations on our National Guard, as well as what I have been told to be the Air Force fighter reduction plan of 250 aircraft for the Air National Guard and its impacts on the 18 Air Sovereignty Alert site requirement. As I have been informed, this reduction in aircraft will reduce or cancel Operation Noble Eagle and the associated Combat Air Patrols (CAP) that were instituted post-September 11. What are your thoughts on the state of our National Guard and Reserves and their ability to provide support in times of crisis?

Admiral WINNEFELD. I believe our National Guard and Reserves have never been more capable than they are today; they are an amazingly versatile and battle-hardened force. From my point of view, they are critically important to NORTHCOM's mission, and their ability to provide support in times of crisis is solid and growing. If confirmed, I intend to develop a close relationship with the leadership of the Guard and Reserve—indeed, I already enjoy a superb relationship with the Chief, National Guard Bureau. While the Air Guard force structure resulting from the Air Force recapitalization plan remains to be seen, the professionals who employ this force will adapt with the demonstrated skill necessary to safeguard the Homeland.

22. Senator INHOFE. Vice Admiral Winnefeld, do you believe that NORTHCOM has the right mix of Active Duty, Reserve, and National Guard present within your command?

Admiral WINNEFELD. It seems to me that the NORTHCOM staff has a healthy mix of Active Duty and Reserve component—although, if confirmed, I will develop a more informed view. My understanding is that NORTHCOM has a Reserve component presence in every staff directorate HQs working alongside their Active Duty co-workers. In addition, I understand that the National Guard has made a significant investment in personnel assigned to NORTHCOM. In fact, NORTHCOM has the largest concentration of title 10 National Guard officers in a joint organization outside of the National Guard Bureau. I am aware that there are over 50 full-time Reserve component authorizations in NORTHCOM HQs, of which 45 are filled, which is about the same percentage that applies to the active component.

23. Senator INHOFE. Vice Admiral Winnefeld, can you confirm if there will be an Air Force fighter reduction in the Air National Guard? If so, what impact will it have on the 18 Air Sovereignty Alert sites and CAP requirements?

Admiral WINNEFELD. In my current position as Director of Strategic Plans and Policy for the Joint Staff, I am unable to confirm a reduction of the number of fighters in the Air National Guard; the balance between active and Guard force structure is a decision process led by the Department of the Air Force. However, if a reduction occurs, NORAD and NORTHCOM will work closely with the Air Force to ensure that the resulting force structure will still meet the requirements of Homeland Defense as directed under Operation Noble Eagle. I understand that the Air Force submitted to Congress, in response to National Defense Authorization Act language, a report that indicated that the 18 Air Sovereignty Alert sites would be unaffected by the fiscal year 2011 President's budget position. If confirmed, I will work closely with the Air Force to ensure the Air Sovereignty Alert site configuration supports national guidance on Homeland Air Defense.

MISSILE DEFENSE

24. Senator INHOFE. Vice Admiral Winnefeld, I have spent a lot of time and energy with regards to missile defense and I am convinced that the current administration does not take the necessity of the program seriously. I believe we are underfunding missile defense programs and not driving the Missile Defense Agency (MDA) and others to develop a robust, layered, and integrated system of

ground-, sea-, and space-based radars and interceptors. I have specific concerns about the Phased Adaptive Approach:

- there is no map or plan showing the deployment of the system and how it will be integrated;
- while Aegis and our SM–3s are outstanding assets and vital to our National security, we do not have enough Aegis ships that are Ballistic Missile Defense (BMD) capable;
- I have been told we are having problems with the development of SM–3 1B which has taken expertise and focus away from 2A and 2B development, potentially pushing back the timeline;
- I am concerned about our ability to integrate all the radars we have into the existing BMD architecture which I have been told is limited looking out to the east (Iranian threat) as well as integrating Aegis with existing ground based radars;
- I am concerned there is not enough testing for our ground-based interceptors (GBIs) in Alaska and California nor are there enough missiles to ensure we can continue to test as well as maintain enough on status;
- I am concerned we have not tested the new kill vehicles that are being installed on our GBIs; and
- I am concerned that we are not moving forward on testing the two-stage GBI.

Every day there are open source reports of the efforts of North Korea and Iran, known enemies of the United States, to develop more advanced missiles and munitions with the intent to target the United States and our military forces. China and Russia continue their advancements as well, even as our President works to reduce our own capabilities and restrain our efforts to adequately defend the Nation. In short, our enemies are advancing their ability to reach out and hit us in a devastating way. What are your thoughts on whether we are assuming too much risk? If not, what can you tell me on how we are mitigating the known risk from those threats I have mentioned?

Admiral WINNEFELD. DOD spent considerable time during the recently concluded Ballistic Missile Defense Review (BMDR) assessing both evolving threats as well as our country's current and projected capabilities over the next 10 years. I believe the Ground-based Midcourse Defense (GMD) system, as currently envisioned, will provide adequate defense against the evolving threat from North Korea and Iran, neither of which are currently capable of attacking the United States but which certainly possess the ambition to develop this capability. At the same time, DOD is placing additional emphasis on regional missile defense under the Phased Adaptive Approach (PAA) in order to pace the threat and provide assurance to our allies and partners. As such, we will be able to provide some measure of defense against medium and intermediate range missiles launched from the Middle East against our forces and our allies in Europe sooner than previously planned. Moreover, Homeland ballistic missile defense will benefit from this approach as soon as a surveillance radar becomes operational in southeastern Europe, which will provide earlier warning of an Iranian attack against the United States and increase the probability of success of GMD interception. In the longer term, when future interceptors such as the SM–3 Block IIB become operational, they could provide an additional layer of defense for the Homeland.

If confirmed, I will participate along with the other combatant commanders and service chiefs in the department's ongoing analysis to ensure our future capability requirements and hedge strategies continue to stay ahead of the threat. I will also work to ensure that our systems are adequately tested and our operators properly trained to execute this important mission.

25. Senator INHOFE. Vice Admiral Winnefeld, have you looked at the recommendations on the development of either the three-stage or two-stage GBIs?

Admiral WINNEFELD. Yes, though if confirmed I will reinforce my knowledge of this program. My understanding is that the BMDR includes a hedge strategy that includes the continued development and assessment of a two-stage ground-based interceptor, including a test later this year. If confirmed, I will work closely with the MDA to explore the potential advantages of deploying a three-stage, two-stage mix of GBIs within the Homeland.

26. Senator INHOFE. Vice Admiral Winnefeld, what are your thoughts on a Third Site location on the east coast of the United States?

Admiral WINNEFELD. As a follow-on to the BMDR, the Department is examining how it will execute, operationally and programmatically, the tenets laid out in the

BMDR. I understand that as part of the ongoing analysis, the capabilities and deployment strategy being studied by NORTHCOM includes an east coast capability.

27. Senator INHOFE. Vice Admiral Winnefeld, on February 11, the Airborne Laser successfully intercepted a boosting ballistic missile—the first time a directed-energy system has destroyed such a target in any phase of flight. In a time of crisis, is there any plan to be able to use this aircraft to protect our Homeland?

Admiral WINNEFELD. The recent engagement test of the Airborne Laser demonstrated a unique capability in the area of BMD and is a pathfinder for future directed energy technologies. However, it is my understanding that due to the operational challenges associated with effectively employing this system against a real-world threat as opposed to the high cost of maintaining it, the program has been redesignated as a technology demonstration program and is therefore not part of the baseline BMD architecture.

28. Senator INHOFE. Vice Admiral Winnefeld, should we look into that?

Admiral WINNEFELD. It is my belief that during a time of crisis, the Department will seek to provide the combatant commands with the required capabilities to deter or, if necessary, defeat the threat.

QUESTIONS SUBMITTED BY SENATOR GEORGE S. LEMIEUX

BORDER SECURITY

29. Senator LEMIEUX. Vice Admiral Winnefeld, one of your areas of responsibility is the southwest border shared with Mexico. How secure are our southern borders and what recommendations do you have to stem the flow of humans and narcotics through them?

Admiral WINNEFELD. Illicit trafficking of drugs, arms, and bulk cash challenge the U.S. and Mexican Governments on both sides of the border. As such, my sense is that NORTHCOM has separate but complementary roles north and south of the border. Regarding the former, the command plays a supporting role to DHS, DOJ, and other critical stakeholders in a whole-of-government approach to enhancing security along the southwest border. If confirmed, I will look for ways to improve this support that are both effective and legal. Regarding the latter, given the Mexican military's assigned role in the struggle against drug trafficking organizations, NORTHCOM plays a vital role in enhancing the Mexican military's capability and capacity, which I would seek to enhance. If confirmed, I look forward to reviewing current NORTHCOM initiatives, visiting the Southwest border, listening to our Mexican partners, and assessing how best the command can support U.S. Government efforts to assist Mexico and other international partners in the region.

BALLISTIC MISSILE DEFENSE

30. Senator LEMIEUX. Vice Admiral Winnefeld, what is your assessment of America's current ballistic missile defense capabilities and in what areas would you like to see further development?

Admiral WINNEFELD. It is my belief that the GMD system adequately addresses the potential rogue threats we face today. The MDA's evolutionary development of the GMD system continues to demonstrate technology enhancements that will enable us to defeat the evolving threats from long-range missiles under development by North Korea and Iran.

Meanwhile, the newly-adopted Phased Adaptive Approach (PAA) in Europe, intended to pace the threat by providing defense against medium and intermediate ballistic missiles coming from the Middle East much sooner, should also provide deployable, agile, and tailorable defensive capabilities to enhance defense of the Homeland. For example, in the near term, a PAA surveillance radar in southeastern Europe will provide earlier warning of a ballistic missile attack from Iran, and thus provide the GMD system with a higher probability of intercepting such a threat. In the long term, when future interceptors such as the SM–3 Block IIB become operational, they will provide an additional layer of defense.

As for areas requiring further development, I believe we must continue developing our space-based sensor capabilities in order to attain a birth-to-death tracking and engagement capability and we need to continue moving into a net-centric integrated architecture to enable service, agency, and potentially allied systems integration to facilitate data sharing, situational awareness and coordinated engagement capabilities.

EGUARDIAN SYSTEM

31. Senator LEMIEUX. Vice Admiral Winnefeld, the eGuardian system is an unclassified system, that once implemented, will help DOD and law enforcement identify suspicious activity and hopefully preempt a terrorist attack. How close are we to implementing this system?

Admiral WINNEFELD. As I understand it, the Under Secretary of Defense for Policy will establish a plan and issue policy and procedures for the implementation of the eGuardian system no later than June 30, 2010. The Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs estimates that the fielding and implementation of eGuardian will begin in September 2010. Implementation in the NORTHCOM area of responsibility will be scheduled in four phases, followed by a fifth phase for the other Geographical Combatant Commands. Each implementation phase will involve all Service components, Services, and agencies and each phase will require 60-to-90 days for completion.

CYBER ATTACKS

32. Senator LEMIEUX. Vice Admiral Winnefeld, in your opinion, how should government-sanctioned Chinese cyber penetrations of American companies be categorized? Is it an act of war, a violation of international law, or something else?

Admiral WINNEFELD. It is my belief that, depending on the circumstances, a cyber intrusion into a privately owned network could constitute one of the following: a violation of international law, a violation of domestic law, espionage, a violation of a State's sovereignty, or an act of trespass. In my opinion, such an intrusion would only be an act of war if it were conducted by an identifiable adversary and included demonstrated intent, planning, and execution, leading to actual destruction of our infrastructure or our financial system.

QUESTIONS SUBMITTED BY SENATOR SUSAN COLLINS

HOMELAND RESPONSE

33. Senator COLLINS. Vice Admiral Winnefeld, in the recently released QDR, the Pentagon announced plans to develop HRFs in each of the 10 FEMA regions. These units would respond to domestic incidents involving weapons of mass destruction, or other catastrophic disasters. How do you envision the HRF's coordinating, planning, training, and exercising with the FEMA regional offices?

Admiral WINNEFELD. NORTHCOM is working closely with the National Guard Bureau and other mission partners to develop integrated plans for employment of the HRFs. The HRF concept aligns the HRFs with the 10 FEMA regions and tasks them with coordinating regionally focused military planning, training, exercises, and other efforts to support unity of effort across Federal, State, and local responses. As such, I would expect a close coordinating relationship between the HRFs and the FEMA regional offices, as well as with the NORTHCOM Defense Coordinating Officer within each FEMA region. If confirmed, I look forward to working together with the National Guard Bureau as the HRF capability stands up.

34. Senator COLLINS. Vice Admiral Winnefeld, one of the most effective ways to enhance our National preparedness is to develop coordinated and detailed plans for preventing and responding to disasters before they occur. DOD has unique planning capabilities that can be brought to bear to assist in these efforts. How can the Pentagon, and NORTHCOM specifically, more effectively leverage its planning expertise to assist DHS and other Federal agencies in planning for catastrophic natural disasters or terrorist attacks?

Admiral WINNEFELD. It is my understanding that DOD (including NORTHCOM) has for some time leveraged its planning expertise to assist DHS and other Federal agencies under the Integrated Planning System (set forth in the National Strategy for Homeland Security of 2007, and Annex I (National Planning) to Homeland Security Presidential Directive 8 (HSPD–8) (National Preparedness). Specifically:

- NORTHCOM planners participate, in coordination with OSD and the Joint Staff, in all levels of planning with DHS and FEMA, from mission analysis to approved and published Federal plans.
- NORTHCOM, when requested by DHS/FEMA, routinely sends planners to assist in planning efforts.
- NORTHCOM attends and hosts planning conferences with its mission partners to coordinate and provide planning assistance.

• NORTHCOM shares its plans with critical mission partners, including Federal agencies.

The National Security Staff is leading the development of a National Preparedness Presidential Policy Directive that will supersede HSPD–8 (including Annex I) and will implement a new planning system. If confirmed, I will ensure NORTHCOM continues to provide planning expertise on the development of Federal interagency plans, attend and host planner-related events, and continue to share plans and information to foster a closer working relationship with Federal partners.

[The nomination reference of VADM James A. Winnefeld, Jr., USN, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
January 20, 2010.

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.

VADM James A. Winnefeld, Jr., 5212.

[The biographical sketch of VADM James A. Winnefeld, Jr., USN, which was transmitted to the committee at the time the nomination was referred, follows:]

DEPARTMENT OF THE NAVY,
2000 NAVY PENTAGON,
Washington, DC, October 29, 2009.

Hon. CARL LEVIN, *Chairman,*
Committee on Armed Services,
U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: The President, under the provisions of section 601, title 10, U.S.C., has submitted to the Senate the nomination of Vice Admiral James A. Winnefeld, Jr., U.S. Navy, for appointment to the grade of admiral.

Vice Admiral Winnefeld is presently serving as Director, Strategic Plans and Policy, J–5, Joint Staff; Senior Member, U.S. Delegation to the United Nations Military Staff Committee. He will be assigned as Commander, Northern Command/Commander, North American Aerospace Defense Command. He is 53 years of age.

This action will not result in the Navy exceeding the number of authorized four-star positions.

For the information of the committee, I am enclosing a career resume on Vice Admiral Winnefeld which includes a summary of his joint duty assignments.

Most respectfully,

R.S. ERSKINE,
Director, Flag Officer
Management and Distribution.

cc:
Hon. John McCain, Ranking Member,
Committee on Armed Services,
U.S. Senate,
Washington, DC.

TRANSCRIPT OF NAVAL SERVICE FOR VADM JAMES ALEXANDER WINNEFELD, JR., USN

24 April 1956	Born in Coronado, CA
07 June 1978	Ensign
07 June 1980	Lieutenant (junior grade)

01 July 1982	Lieutenant
01 September 1988	Lieutenant Commander
01 September 1992	Commander
01 September 1997	Captain
01 October 2003	Rear Admiral (lower half)
06 May 2006	Designated Rear Admiral while serving in billets commensurate with that grade
01 August 2006	Rear Admiral
14 September 2007	Vice Admiral, Service continuous to date

Assignments and duties:

	From	To
Naval Station, Annapolis, MD (Division Officer)	June 1978	Nov. 1978
Naval Aviation Schools Command, Pensacola, FL (DUINS)	Nov. 1978	Apr. 1979
Training Squadron SIX (Student)	Apr. 1979	June 1979
Naval Aviation Schools Command, Pensacola, FL (DUINS)	June 1979	Dec. 1979
Training Squadron TWO THREE (Student)	June 1979	Dec. 1979
Training Squadron TWO TWO (Student)	Dec. 1979	May 1980
Fighter Squadron ONE TWO FOUR (Replacement Pilot)	Jun. 1980	Apr. 1981
Fighter Squadron TWO FOUR (Power Plants Branch Officer)	Apr. 1981	Nov. 1983
Naval Fighter Weapons School, San Diego, CA (Quality Assurance Officer)	Nov. 1983	Jan. 1987
Fighter Squadron ONE TWO FOUR (Replacement Naval Aviator)	Jan. 1987	Apr. 1987
Fighter Squadron ONE (Operations Officer)	Apr. 1987	Jan. 1990
Joint Staff (Action Officer, EUCOM/CENTCOM Branch, J3)	Feb. 1990	July 1991
Joint Staff (Senior Aide-De-Camp to the Chaiiman of the Joint Chiefs of Staff)	July 1991	Aug. 1992
Fighter Squadron ONE TWO FOUR (Student)	Aug. 1992	Jan. 1993
XO, Fighter Squadron TWO ONE ONE	Jan. 1993	Apr. 1994
CO, Fighter Squadron TWO ONE ONE	Apr. 1994	Mar. 1995
Naval Nuclear Power Training Command, Orlando, FL (Student)	Mar. 1995	Feb. 1996
Prospective Executive Officer, USS *John C. Stennis* (CVN 74)	Feb. 1996	Mar. 1996
Naval Reactors, Department of Energy, Washington, DC (Student)	Mar. 1996	Aug. 1996
XO, USS *John C Stennis* (CVN 74)	Aug. 1996	May 1998
CO, USS *Cleveland* (LPD 7)	May 1998	Feb. 2000
CO, USS *Enterprise* (CVN 65)	Feb. 2000	Mar. 2002
Office of the Vice Chief of Naval Operations (Executive Assistant)	Mar. 2002	July 2003
Commander, U.S. Atlantic Fleet (Director, Warfare Programs and Readiness) (N8)	July 2003	Dec. 2004
Commander, Carrier Strike Group TWO	Dec. 2004	June 2006
Commander, U.S. Joint Forces Command (Director of Joint Innovation and Experimentation, J9)	June 2006	Aug. 2007
Commander, SIXTH Fleet/Commander, Striking and Support Forces NATO/Deputy Commander, U.S. Naval Forces Europe/Commander, Joint Headquarters Lisbon	Sep. 2007	Aug. 2008
Joint Staff (Director, Strategic Plans and Policy) (J5)/Senior Member, U.S. Delegation to the United Nations Military Staff Committee	Aug. 2008	To date

Medals and awards:

Defense Superior Service Medal
Legion of Merit with two Gold Stars
Bronze Star Medal
Defense Meritorious Service Medal
Meritorious Service Medal
Air Medal with First Strike/Flight Award
Navy and Marine Corps Commendation Medal with one Gold Star
Joint Service Achievement Medal
Navy and Marine Corps Achievement Medal
Joint Meritorious Unit Award
Navy Unit Commendation with one Bronze Star
Navy "E" Ribbon with "E" Device
National Defense Service Medal with one Bronze Star
Armed Forces Expeditionary Medal with two Bronze Stars
Southwest Asia Service Medal with one Bronze Star
Global War on Terrorism Expeditionary Medal
Global War on Terrorism Service Medal
Sea Service Deployment Ribbon with one Silver Star and one Bronze Star
Expert Pistol Shot Medal

Special qualifications:

BS (Aerospace Engineering) Georgia Institute of Technology, 1978
Designated Naval Aviator, 1980
Capstone, 2004–3

Designated Level IV Joint Qualified Officer, 2009

Personal data:

Wife: Mary Alice Werner of Menomonie, WI

Children: James A. Winnefeld (Son) Born: 29 November 1995; and Jonathan J. Winnefeld (Son) Born: 11 May 1998.

Summary of joint duty assignments:

Assignment	Dates	Rank
Joint Staff (Action Officer, EUCOM/CENTCOM Branch, J3)	Feb. 90–July 91	LCDR
Joint Staff (Senior Aide-De-Camp to the Chairman of the Joint Chiefs of Staff)	July 91–Aug. 92	CDR
Commander, U.S. Joint Forces Command (Director of Joint Innovation and Experimentation, J9)	June 06–Aug. 07	RADM
Commander, SIXTH Fleet/Commander, Striking and Support Forces NATO/Deputy Commander, U.S. Naval Forces Europe/Commander, Joint Headquarters Lisbon	Sep. 07–Aug. 08	VADM
Joint Staff (Director, Strategic Plans and Policy) (J5)/Senior Member, U.S. Delegation to the United Nations Military Staff Committee	Aug. 08–To date	VADM

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by VADM James A. Winnefeld, Jr., 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.)
James A. Winnefeld, Jr. (nickname: Sandy)

2. **Position to which nominated:**
Commander, Northern Command/Commander, North American Aerospace Defense Command.

3. **Date of nomination:**
20 January 2010.

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:**
24 April 1956; Coronado, CA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to the former Mary Alice Werner.

7. **Names and ages of children:**
James A. Winnefeld III, age 13; Jonathan J. Winnefeld, age 11.

8. **Government experience:** List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.
None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational, or other institution.
None.

10. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
Member (otherwise referred to as a Trustee) of U.S. Naval Academy Foundation: Athletic and Scholarship Programs (a nonprofit organization).

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.
Member of the Academy of Distinguished Engineering Alumni, Georgia Institute of Technology.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?
Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even if those views differ from the administration in power?
Yes.

[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

JAMES A. WINNEFELD, JR.

This 29th day of October, 2009.

[The nomination of VADM James A. Winnefeld, Jr., USN, was reported to the Senate by Chairman Levin on May 5, 2010, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on May 7, 2010.]

[Prepared questions submitted to LTG Keith B. Alexander, 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 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. The integration of joint capabilities under the Goldwater-Nichols Act has been a remarkable achievement. Our military forces are more interoperable today than they ever have been in our Nation's history. I do not see a need to modify the Goldwater-Nichols Act at this time.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

DUTIES

Question. What is your understanding of the duties and functions of the Commander, U.S. Cyber Command?

Answer. In accordance with Secretary of Defense guidance of June 23, 2009, the Commander, U.S. Cyber Command is responsible for executing the specified cyberspace missions detailed in Section 18d(3) of the Unified Command Plan (UCP) as delegated by the Commander, U.S. Strategic Command to secure our freedom of action in cyber space and mitigate the risks to our national security that come from our dependence on cyberspace and the associated threats and vulnerabilities. Subject to the Commander, U.S. Strategic Command, delegation and in coordination with mission partners, specific missions include: integrating cyberspace operations and synchronizing warfighting effects across the global security environment; providing support to civil authorities and international partners; directing global information grid operations and defense; executing full-spectrum military cyberspace operations; serving as the focal point for deconfliction of the Department of Defense (DOD) offensive cyberspace operations; providing improved shared situational awareness of cyberspace operations, including indications and warning; and providing military representation to U.S. national agencies, U.S. commercial agencies, and international agencies for cyberspace matters.

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

Answer. I am deeply honored that the President nominated me to be the first Commander of U.S. Cyber Command. Over the past 3 decades, I have served in a wide variety of Joint and Army positions, including 15 years in command, that have prepared me well for the challenges ahead if confirmed by the U.S. Senate.

First, I have 35 years in the profession of arms, serving in various command, staff and intelligence positions in the military. I have served as the Deputy Chief of Staff of Intelligence, Headquarters, Department of the Army; Commanding General of the U.S. Army Intelligence and Security Command; Director of Intelligence, U.S. Central Command; and Deputy Director for Requirements, Capabilities, Assessments, and Doctrine, J–2, for the Joint Chiefs of Staff.

Second, my experiences and knowledge gained over the last 4½ years serving as Director, National Security Agency (NSA), Chief, Central Security Service and Commander, Joint Functional Component Command-Network Warfare (JFCC–NW) have been instrumental in preparing me for the challenges of this new complex warfighting domain that is cyberspace. NSA's cryptologic work in SIGINT/Computer Network Exploitation, Information Assurance and Network Threat Operations is second to none and foundational to our future success in the cyber domain. I have personally championed NSA's work and learned a great deal from the outstanding professionals at NSA/CSS. Over the last 4½ years, I have also forged important partnerships with both our allies and with industry to strengthen the defense of our collective networks. Furthermore, my assignment as the Commander, JFCC–NW, including operational control over Joint Task Force-Global Network Operations (JTF–GNO) for the past 18 months, has provided me with the experience, particularly in the realm of deliberate and crisis action planning, to ensure the effective execution of cyberspace responsibilities as directed by the Secretary of Defense through Commander, U.S. Strategic Command.

Finally, I believe my academic background has intellectually prepared me for the challenges of high-level command and complex environments. I have Masters of Science degrees in Business Administration, Systems Technology (Electronic Warfare) and Physics, as well as National Security Strategy.

Question. If confirmed as the Commander of U.S. Cyber Command, would you have command of or exercise operational control of the Defense Information Systems Agency's (DISA) and Military Services' communications networks?

Answer. If confirmed as Commander, U.S. Cyber Command, I will be responsible for directing the operation and defense of DOD's military information networks as specified in the UCP and as delegated by Commander, U.S. Strategic Command. I

will execute this mission through each of the Service Network Operations and Security Centers. I will not exercise command or operational control over the DISA communications networks. DISA will continue to be responsible for acquiring, engineering and provisioning enterprise infrastructure to assure the availability of military information networks. As a Combat Support Agency, DISA will maintain a close working relationship with U.S. Cyber Command, providing expertise on the networks, communications and computing infrastructure operated by DISA through both a DISA Field Office and a DISA Support Element.

Question. As a career intelligence officer, what experience do you have that qualifies you to command these networks and to command military forces and military operations?

Answer. Answer provided in the classified supplement.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform the duties of the Commander, U.S. Cyber Command?

Answer. I fundamentally believe that there is always something to be learned to enhance my expertise in this very complex and dynamically changing domain. If confirmed, I will engage with combatant commanders to understand better how U.S. Cyber Command can best support and help meet their operational missions. Additionally, I would engage with key officials and personnel within the Executive and Legislative branches of the U.S. Government, senior military leaders, and leaders throughout the Intelligence Community in order to identify, assess, and mitigate the cyber threats we face.

Question. Is there a precedent for a career intelligence officer to serve as a combatant commander?

Answer. I know of no career intelligence officers who have previously served as either a combatant or subunified commander. However, two former Directors of NSA, General Lew Allen and Admiral Noel Gayler, served with great distinction as the Chief of Staff, U.S. Air Force and Commander, U.S. Pacific Command, respectively.

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 commanders of the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship the Commander, U.S. Cyber Command, will have to the following officials:

The Secretary of Defense.

Answer. Pursuant to title 10, U.S.C., section 164, subject to the direction of the President, the Commander, U.S. Strategic Command, performs duties under the authority, direction, and control of the Secretary of Defense and is directly responsible to the Secretary for the preparedness of the command to carry out missions assigned to the command. As a subunified command under the authority, direction, and control of the Commander, U.S. Strategic Command, U.S. Cyber Command will be directly responsible to the Secretary of Defense through the Commander, U.S. Strategic Command . If confirmed, I will work closely with the Secretary in coordination with Commander, U.S. Strategic Command, on matters of strategic importance.

Question. The Deputy Secretary of Defense.

Answer. In accordance with title 10, U.S.C., section 132, the Deputy Secretary of Defense will perform such duties and exercise powers prescribed by the Secretary of Defense. The Deputy Secretary of Defense will act for and exercise the powers of the Secretary of Defense when the Secretary is disabled or the office is vacant. If confirmed, I will work closely with the Deputy Secretary, in coordination with Commander, U.S. Strategic Command, on matters of strategic importance.

Question. The Director of National Intelligence.

Answer. The Intelligence Reform and Terrorist Prevention Act of 2004 established the Director of National Intelligence to act as the head of the Intelligence Community, principal advisor to the President, National Security Council, and Homeland Security Council on intelligence matters pertaining to national security, and to oversee and direct the implementation of the National Intelligence Program. Pursuant to title 50, U.S.C., section 403, subject to the authority, direction, and control of the President, the Director of National Intelligence is responsible to coordinate national intelligence priorities and to facilitate information sharing among the Intelligence Community. If confirmed, I will work closely with the Commander, U.S. Strategic Command and through the Secretary of Defense to coordinate and exchange information with the Director of National Intelligence as needed to ensure unified effort

and the leveraging of available synergies within the Intelligence Community to support matters of national security.

Question. The Under Secretary of Defense for Policy.

Answer. Title 10, U.S.C. and current DOD directives establish the Under Secretaries of Defense as the principal staff assistants and advisors to the Secretary of Defense regarding matters related to their respective functional areas. Within these areas, the Under Secretaries exercise policy and oversight functions, and in discharging their responsibilities, the Under Secretaries may issue instructions and directive memoranda that implement policy approved by the Secretary. If confirmed, I look forward to working with the Under Secretary of Defense for Policy, in coordination with Commander, U.S. Strategic Command, on all policy issues that affect U.S. Cyber Command operations.

Question. The Under Secretary of Defense for Intelligence.

Answer. Title 10, U.S.C. and current DOD directives establish the Under Secretaries of Defense as the principal staff assistants and advisors to the Secretary of Defense regarding matters related to their respective functional areas. Within these areas, the Under Secretaries exercise policy and oversight functions and, in discharging their responsibilities the Under Secretaries may issue instructions and directive memoranda that implement policy approved by the Secretary. If confirmed, I look forward to working with the Under Secretary of Defense for Intelligence, in coordination with Commander, U.S. Strategic Command, on matters in the area of U.S. Cyber Command's assigned responsibilities.

Question. The Under Secretary of Defense for Acquisition, Technology, and Logistics.

Answer. Title 10, U.S.C. and current DOD directives establish the Under Secretaries of Defense as the principal staff assistants and advisors to the Secretary of Defense regarding matters related to their respective functional areas. Within these areas, the Under Secretaries exercise policy and oversight functions and, in discharging their responsibilities the Under Secretaries may issue instructions and directive memoranda that implement policy approved by the Secretary. If confirmed, I look forward to working with the Under Secretary of Defense for Acquisition, Technology, and Logistics, in coordination with Commander, U.S. Strategic Command, on matters in the area of U.S. Cyber Command's assigned responsibilities.

Question. The Assistant Secretary of Defense for Networks and Information Integration .

Answer. Under the authority of DOD Directive 5144.1 and consistent with titles 10, 40, and 44, U.S.C., the Assistant Secretary of Defense for Networks and Information Integration (ASD(NII)) serves as the DOD Chief Information Officer (CIO) and is the principal staff assistant and advisor to the Secretary of Defense and Deputy Secretary of Defense on networks and network-centric policies and concepts; command and control (C2); communications; non-intelligence space matters; enterprise-wide integration of DOD information matters; Information Technology (IT), including National Security Systems (NSS); information resource management (IRM); spectrum management; network operations; information systems; information assurance; positioning, navigation, and timing policy, including airspace and military-air-traffic control activities; sensitive information integration; contingency support and migration planning; and related matters. Pursuant to chapter 113, subchapter III of 40 U.S.C., the ASD(NII)/DOD CIO has responsibilities for integrating information and related activities and services across DOD. If confirmed, I look forward to working with the Assistant Secretary of Defense for Networks and Information Integration through the Secretary and Deputy Secretary of Defense and Commander, U.S. Strategic Command, on matters in the area of U.S. Cyber Command's assigned responsibilities.

Question. The Assistant Secretary of Defense for Homeland Defense.

Answer. The Assistant Secretary of Defense for Homeland Defense executes responsibilities including overall supervision of the homeland defense activities of the DOD while serving under the Under Secretary of Defense for Policy. Any relationship the Commander, U.S. Cyber Command requires with the Assistant Secretary of Defense for Homeland Security would exist with and through the Under Secretary of Defense for Policy. If confirmed, I look forward to working with the Assistant Secretary of Defense for Homeland Defense in concert with Commander, U.S. Strategic Command, Commander, U.S. Northern Command, and Commander, U.S. Pacific Command on related national security issues.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Chairman is the principal military advisor to the President, National Security Council, and Secretary of Defense. title 10, U.S.C., section 163 allows communication between the President or the Secretary of Defense and the combatant commanders to flow through the Chairman. By custom and tradition, and as in-

structed by the UCP, I would normally communicate with the Chairman in coordination with the Commander, U.S. Strategic Command.

Question. The Secretaries of the Military Departments.

Answer. Under title 10, U.S.C., section 165, subject to the authority, direction, and control of the Secretary of Defense, and subject to the authority of the combatant commanders, the Secretaries of the Military Departments are responsible for administration and support of forces that are assigned to unified and specified commands. The authority exercised by a subunified combatant commander over Service components is quite clear but requires close coordination with each Secretary to ensure that there is no infringement upon those lawful responsibilities which a Secretary alone may discharge. If confirmed, I look forward to building a strong and productive relationship with each of the Secretaries of the Military Departments in partnership with Commander, U.S. Strategic Command.

Question. The Chiefs of Staff of the Services.

Answer. The Service Chiefs are charged to provide organized, trained, and equipped forces to be employed by combatant commanders in accomplishing their assigned missions. Additionally, these officers serve as members of the Joint Chiefs of Staff and as such have a lawful obligation to provide military advice. Individually and collectively, the Service Chiefs are a tremendous source of experience and judgment. If confirmed, I will work closely and confer regularly with the Service Chiefs.

Question. The combatant commanders and specifically the Commanders of U.S. Strategic Command and U.S. Northern Command.

Answer. U.S. Cyber Command is a subordinate unified command under U.S. Strategic Command. The Commander, U.S. Cyber Command, will have both supported and supporting relationships with other combatant commanders, largely identified within the UCP, the Joint Strategic Capabilities Plan, execute orders and operation orders. In general, the Commander, U.S. Cyber Command, will be the supported commander for planning, leading, and conducting DOD defensive cyber and global network operations and, in general, is a supporting commander for offensive missions. Specific relationships with Commander, U.S. Northern Command will be delineated by the Secretary of Defense or the President in execute and/or operation orders. If confirmed, I look forward to working with the combatant commanders to broaden and enhance the level and range of these relationships.

Question. The Director of the Defense Information Systems Agency.

Answer. DISA is a DOD combat support agency that provides command and control capabilities and enterprise infrastructure to continuously operate and assure a global net-centric enterprise in direct support to join warfighters, national-level leaders, and other mission and coalition partners across the full spectrum of operations. Commander, U.S. Cyber Command must maintain a close relationship with the Director, DISA to coordinate and represent requirements in this mission area, in order to accomplish U.S. Strategic Command delegated UCP missions. To this end, Lieutenant General Pollett, the current Director of DISA, has committed to providing both a DISA Field Office as well as a DISA support element unique to U.S. Cyber Command. If confirmed, I will continue to work closely with the Director of DISA on matters of shared interest and importance.

OVERSIGHT

Question. The duties of the Commander, U.S. Cyber Command will include conducting integrated intelligence collection and offensive and defensive operations in cyberspace. However, the resourcing, planning, programming and budgeting, and oversight of these three basic activities is fragmented within DOD, the executive branch as a whole, and within Congress. Multiple elements within the Office of the Secretary of Defense and the Joint Staff have responsibilities for one or more of the missions of Cyber Command. The same is true for the Secretary of Defense and the Director of National Intelligence, as well as the Armed Services and Intelligence Committees in Congress. The single point of confluence would be the Commander of Cyber Command, dual-hatted as the Director of NSA.

How do you anticipate that the Department will ensure the necessary degree of coordination and timely decisionmaking across the Department to guide the operations and resourcing of Cyber Command?

Answer. Through the Secretary of Defense's policy initiatives for cyberspace operations and implementation guidance concerning national security directives, the Department will ensure the necessary degree of coordination and timely decisionmaking across the Department to guide the operations and resourcing of U.S. Cyber Command. If confirmed, I envision that the Department will retain its commitment to close coordination both internally and externally to guide the operations and resourcing of this command.

Question. What is the risk, in your view, that this fragmented policy and oversight structure will result in a lack of coherent oversight of cyberspace and U.S. Cyber Command?

Answer. I believe we have a coherent policy and oversight structure in place for cyberspace and that there is no risk that we will lack coherent oversight. If confirmed, I can assure you that my actions will be guided by the authorities vested in me by the Secretary of Defense and Commander, U.S. Strategic Command and oversight of my actions will be clearly auditable for overseers.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront the Commander, U.S. Cyber Command?

Answer. I believe the major challenge that will confront the Commander, U.S. Cyber Command will be improving the defense of our military networks as they exist today. Additionally, in order to defend those networks and make good decisions in exercising operational control over them, U.S. Cyber Command will require much greater situational awareness and real-time visibility of intrusions into our networks. Finally, I believe the Commander, U.S. Cyber Command will have to identify continuously policy and authority gaps to U.S. Strategic Command and our civilian leadership as computer and communication technologies evolve.

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

Answer. Answer provided in the classified supplement.

Question. What are your priorities for the U.S. Cyber Command?

Answer. Answer provided in the classified supplement.

U.S. CYBER COMMAND MISSIONS

Question. In an overarching sense, how do you define the U.S. Cyber Command missions?

Answer. Answer provided in the classified supplement.

OFFENSIVE CYBER WARFARE CAPABILITIES

Question. The attached solicitations and program descriptions show that the military services are developing capabilities to stealthily penetrate foreign computer networks, maintain a presence on those networks, collect and extract information clandestinely, and undertake offensive actions. The National Military Strategy for Cyberspace Operations, published in 2006, also indicates that the U.S. military places considerable importance on acquiring potent offensive cyber warfare capabilities.

Does DOD possess significant capabilities to conduct military operations in cyberspace at the tactical, operational, and strategic levels?

Answer. Answer provided in the classified supplement.

Question. Is there a substantial mismatch between the ability of the United States to conduct operations in cyberspace and the level of development of policies governing such operations?

Answer. President Obama's cybersecurity 60-day study highlighted the mismatch between our technical capabilities to conduct operations and the governing laws and policies, and our civilian leadership is working hard to resolve the mismatch. In the June 23, 2009 memorandum outlining the establishment of U.S. Cyber Command, the Secretary of Defense directed the Under Secretary of Defense for Policy to lead a review of policy and strategy to develop a comprehensive approach to DOD cyberspace operations. This review is active and ongoing.

Question. Are you concerned that you are being assigned to command an organization that may be directed to conduct activities whose legality and rules have not been worked out?

Answer. Given current operations, there are sufficient law, policy, and authorities to govern DOD cyberspace operations. If confirmed, I will operate within applicable laws, policies, and authorities. I will also identify any gaps in doctrine, policy and law that may prevent national objectives from being fully realized or executed to the Commander, U.S. Strategic Command and the Secretary of Defense.

Question. When does the administration intend to close existing policy gaps?

Answer. The administration has provided a comprehensive set of cyber security initiatives that will inform policy making (e.g., Comprehensive National Cybersecurity Initiative (CNCI) and the President's Strategy to Secure Cyberspace). In support of the Secretary of Defense, we will continue to work to identify gaps, inform the development of meaningful and enduring national cyber policy, and be prepared to adjust rapidly to changes.

SUPPORT TO THE COMPREHENSIVE NATIONAL CYBERSECURITY INITIATIVE

Question. Under the CNCI, NSA is providing support to the Department of Homeland Security.

What is the nature and extent of that support?

Answer. Answer provided in the classified supplement.

Question. Is this support provided as a DOD activity or as an intelligence activity through the Director of National Intelligence? If the latter, what is the Secretary of Defense's role as the President's executive agent for signals intelligence (SIGINT) under Executive Order 12333?

Answer. The support provided by NSA to DHS is provided as a DOD activity, in coordination with the Director of National Intelligence.

Specifically, with respect to the Foreign Intelligence support to DHS, per Executive Order 12333, as amended, NSA is an element of both the Intelligence Community, of which the Director of National Intelligence serves as the head, and DOD, whose Secretary acts, in coordination with the Director of National Intelligence, as the Executive Agent for the U.S. Government for SIGINT activities. In these capacities, NSA conducts SIGINT activities for both national and departmental requirements.

Further, with respect to Information Assurance support to DHS, for such support that is given in connection with NSSs, National Security Directive 42 provides that the Secretary of Defense shall serve as the executive agent of the Government for National Security Telecommunications and Information Systems Security. NSD 42 further designates the Director NSA as the National Manager for National Security Telecommunications and Information's Systems Security and is responsible to the Secretary of Defense as Executive Agent for carrying out those responsibilities. With respect to Information Assurance support to DHS that is provided in connection with non-NSSs, NSA is authorized by EO12333 to provide technical assistance to other U.S. Government departments and agencies for either NSSs or non-NSSs.

SUPPORT TO CIVIL AUTHORITIES

Question. DOD officials have informed the committee that U.S. Cyber Command will have a mission to support civil authorities, such as the Department of Homeland Security and law enforcement agencies, to help defend government networks and critical infrastructure networks owned and operated by the private sector.

Please describe in detail your understanding of the ways that U.S. Cyber Command is most likely to assist civil authorities.

Answer. If I am confirmed as Commander, U.S. Cyber Command, I will work closely with the Commanders of U.S. Strategic Command and U.S. Northern Command to answer any request for assistance from the Department of Homeland Security. Our assistance could include technical assistance and recommendations for immediate defensive actions, as well as technical assistance and recommendations for more systemic mitigation, such as improvements in network configurations and improvements in information assurance measures or best practices. Additionally, U.S. Cyber Command would continually assess the cyber threat to DOD's information systems to ensure we are prepared to provide cyber support to civil authorities in the event of a cyber threat to the Nation's critical infrastructure.

Question. U.S. Northern Command was established to serve as the focal point for DOD support to civil authorities.

Will cybersecurity support to civil authorities be provided through U.S. Northern Command, as a supported command, or otherwise? If not, why not?

Answer. Answer provided in the classified supplement.

USE OF FORCE IN CYBERSPACE

Question. Does DOD have a definition for what constitutes use of force in cyberspace, and will that definition be the same for U.S. activities in cyberspace and those of other nations?

Answer. Article 2(4) of the U.N. Charter provides that states shall refrain from the threat or use of force against the territorial integrity or political independence of any State. DOD operations are conducted consistent with international law principles in regard to what is a threat or use of force in terms of hostile intent and hostile act, as reflected in the Standing Rules of Engagement/Standing Rules for the Use of Force (SROE/SRUF).

There is no international consensus on a precise definition of a use of force, in or out of cyberspace. Consequently, individual nations may assert different definitions, and may apply different thresholds for what constitutes a use of force. Thus,

whether in the cyber or any other domain, there is always potential disagreement among nations concerning what may amount to a threat or use of force.

Remainder of answer provided in the classified supplement.

Question. Has DOD or the administration as a whole determined what constitutes use of force in cyberspace in relation to the War Powers Act, the exercise of the right of self-defense under the U.N. Charter, and the triggering of collective defense obligations? If not, when will these fundamental policy issues be resolved?

Answer. The President of the United States determines what is a threat or use of force/armed attack against the United States and authorizes DOD through the SROE to exercise our national right of self-defense recognized by the U.N. Charter. This determination involves an objective and subjective analysis that considers the facts surrounding a particular cyber attack, and is made within the bounds of U.S. and international law. If the President determines a cyber event does meet the threshold of a use of force/armed attack, he may determine that the activity is of such scope, duration, or intensity that it warrants exercising our right to self-defense and/or the initiation of hostilities as an appropriate response. It is also within the President's authority to determine, based upon the circumstances of any event, including a cyber event, and the contemplated response, what consultations and reports to Congress are necessary consistent with the provisions of the War Powers Resolution. The U.N. Charter recognizes a State's inherent right of individual and collective self-defense, and the United States would evaluate its collective defense obligations when another State is threatened or subject to a use of force in the cyber domain just as it would in the other warfighting domains.

Question. Could U.S. Cyber Command lawfully employ offensive cyber weapons against computers located abroad that have been determined to be sources of an attack on the United States or U.S. deployed forces if we do not know who is responsible for the attack (i.e., a foreign government or non-state actors)?

Answer. The establishment of U.S. Cyber Command, in and of itself, does not change the lawful employment of military force for self-defense. In this case, if the "attack" met the criteria approved by the President in our Standing Rules of Engagement, the military would exercise its obligation of self-defense. Operationally, it is difficult to develop an effective response when we do not know who is responsible for an "attack"; however, the circumstances may be such that at least some level of mitigating action can be taken even when we are not certain who is responsible. Regardless whether we know who is responsible, international law requires that our use of force in self-defense be proportional and discriminate. Neither proportionality nor discrimination requires that we know who is responsible before we take defensive action.

Question. Without confident "attribution," under international law, would DOD, in your judgment, be allowed to "fire back" without first asking the host government to deal with the attack?

Answer. Answer provided in the classified supplement.

Question. Traditionally, espionage has not been regarded as a use of force or an act of war. Generally speaking, in cyberspace operations, experts agree that gaining access to a target for intelligence collection is tantamount to gaining the ability to attack that target. If a penetration is detected, the victim cannot determine whether the purpose of the activity is limited to espionage or also constitutes preparation for an attack.

With the foregoing in mind, are there or should there be classes of U.S. or allied targets that the U.S. Government would consider off-limits from hostile penetration because of the danger that any such breaches would present to national security?

Answer. Answer provided in the classified supplement.

Question. Would or should such targets be immune to penetration by the United States in peacetime even for intelligence collection?

Answer. Answer provided in the classified supplement.

AUTHORITIES OF COMMANDER, U.S. CYBER COMMAND

Question. Offensive cyber warfare weapons or operations could have devastating effects, depending on the target of the attack and the method used, which conceivably could be comparable to those caused by weapons of mass destruction.

If confirmed as Commander, U.S. Cyber Command, would you have the authority to use offensive cyber weapons against the following representative classes of targets:

Military command and control networks;
Military air defense networks;
Military platforms and weapons;
Power grids;

Banks and other financial institutions and networks;
Transportation-related networks; and
National telecommunications networks?

Answer. The categories listed are all potential targets of military attack, both kinetic and cyber, under the right circumstances. It is difficult for me to conceive of an instance where it would be appropriate to attack a bank or a financial institution, unless perhaps it was being used solely to support enemy military operations.

Offensive cyber weapons would only be authorized under specific lawful orders by the Secretary of Defense and the President and would normally come with supplemental rules of engagement.

All military operations, to include actions taken in cyberspace, must comply with international law that governs military operations. Specifically, any U.S. military operation must comport with the principles of military necessity, discrimination, and proportionality. These legal principles are addressed during the planning and operational phases of all military operations.

Question. Do you have this authority now as the Joint Functional Component Commander for Network Warfare?

Answer. Answer provided in the classified supplement.

Question. At what level of command can decisions be made to pre-deploy offensive cyber weapons against these same classes of targets? Will this change after the standup of U.S. Cyber Command?

Answer. This authority rests with the Secretary of Defense and the President. It will not change after U.S. Cyber Command is established.

Question. Operations in cyberspace occur at nearly the speed of light. Speed of response is widely considered to be necessary in some circumstances when operating in cyberspace.

Is there currently or do you anticipate that there will be a requirement to preauthorize the use of force in cyberspace below the level of the National Command Authority? If so, to what level and in what circumstances?

Answer. Answer provided in the classified supplement.

Question. Is it your understanding that, as is the case with the Commander of the subunified U.S. Forces Korea Command, the subunified Commander of Cyber Command will have freedom of action to fight the war?

Answer. The Commander of U.S. Cyber Command will have freedom of action to conduct military operations in cyberspace based upon the authorities provided by the President, the Secretary of Defense, and the Commander, U.S. Strategic Command. Because cyberspace is not generally bounded by geography, the Commander of U.S. Cyber Command will have to coordinate with U.S. agencies and combatant commanders that would be affected by actions taken in cyberspace.

Question. What is the role of the Commander, U.S. Strategic Command, in directing or approving courses of action of the Commander, U.S. Cyber Command?

Answer. Commander, U.S. Strategic Command, as the combatant commander, has the responsibility to specify U.S. Cyber Command missions and tasks and delegate appropriate authority to accomplish those tasks. In accordance with joint doctrine, authority is normally given to subordinate commanders to select the methodology for accomplishing the mission, including selection and approval of courses of action. However, this authority may be limited by directives or other orders of the superior commander. Commander, U.S. Strategic Command has indicated to the Secretary of Defense he will delegate authority for all UCP cyber tasks, with the exception of advocacy for cyberspace capabilities and integration of the Theater Security Cooperation activities with Geographic Combatant Commanders.

LAWS OF WAR

Question. Has DOD determined how the laws of armed conflict (including the principles of military necessity in choosing targets, proportionality with respect to collateral damage and unintended consequences, and distinguishing between combatants and non-combatants) apply to cyber warfare with respect to both nation-states and non-state entities (e.g., terrorists, criminals), and both when the source of an attack is known and unknown?

Answer. Per DOD guidance, all military operations must be in compliance with the laws of armed conflict—this includes cyber operations as well. The law of war principles of military necessity, proportionality and distinction will apply when conducting cyber operations.

Question. If not, when will the Department produce authoritative positions on these issues?

Answer. See answer above.

BALANCING EQUITIES

Question. There have been many instances in history where military and political leaders had to struggle with the choice of acting on intelligence information to save lives or forestall an enemy success but at the cost of the enemy learning that their communications, information, or capabilities had been compromised. These choices are referred to as "balancing equities" or "gain-loss" calculations. U.S. Cyber Command is to be headed by the Director of the NSA, which, like all intelligence agencies, could be naturally expected to seek to protect sensitive sources and methods.

Who will be in charge of the equities/gain-loss process for cyberspace within the military?

Answer. Within DOD, the equities/gain-loss process is built into the deliberate and crisis action planning process and initiated by the combatant commanders. In most cases, the gain-loss recommendation within DOD is initially made by the supported combatant commander after the risk of loss is well articulated by the Intelligence Community. If there is disagreement I, as the commander of JFCC NW, serve as the focal point for DOD offensive cyberspace operations in accordance with the deconfliction process directed in NSPD–38. If the NSPD–38 deconfliction process does not resolve the interagency disagreement, the issue goes to the Chairman, Joint Chiefs of Staff, the Secretary of Defense, the NSC Deputies, the NSC Principals, and then the President, where the gain-loss determination continues to be considered. (In counterterrorism issues, the National Counterterrorism Center is brought in before the Deputies Committee considers the issue.) If confirmed as Commander of U.S. Cyber Command, I will continue to have responsibility for this process within the Department.

Question. If these decisions will rest with the Commander of Cyber Command, how would you expect the process to work to ensure that the combatant commands, the Military Services, and other defense agencies have the opportunity to defend their interests and are not overruled by NSA?

Answer. We would use the process outlined by the Joint Staff and used by other combatant commands. Intelligence Gain-Loss is a consideration of target vetting and is coordinated with the Intelligence Community agencies and with supporting combatant commands throughout the planning process. Those agencies and commands provide comments on their equities and issues for the commander's review and validation. The supported command then makes a determination based on their mission and expected effects. If the targeting issues cannot be resolved between the Commander, U.S. Cyber Command/Director, NSA and the Federal Bureau of Investigations Cyber Division, the issue goes to the NSC Deputies Committee, and if still unresolved, the NSC Principals Committee.

Question. If confirmed, how will you ensure that equities/gain-loss decisions are made for the Nation as a whole? How will the interests of the vulnerable private sector, critical infrastructure, and civil agencies be weighed in the selection of targets for intelligence collection and attack in wartime?

Answer. Our deconfliction process, documented in a Tri-lateral Memorandum of Agreement among DOD, DoJ and the Intelligence Community, includes appropriate representation of other agencies as directed in NSPD–38. As with targeting issues within the Department, the reclama process for issues spanning Federal agencies matriculate from the Seniors to the Deputies Committee to the Principals Committee if they remain unresolved.

DETERRENCE AND ESCALATION CONTROL

Question. The U.S. Government currently does not appear to have a cyber warfare deterrence strategy or doctrine. Promulgating such a doctrine requires at least some broad statements of capabilities and intentions regarding the use of offensive cyber capabilities, both to influence potential adversaries and to reassure allies. Such statements are not possible given the current degree of classification of all aspects of U.S. cyber warfare capabilities.

Do you agree that it is necessary to declassify some information about U.S. cyber warfare capabilities in order to support deterrence and engagement with allies and potential adversaries?

Answer. I agree and fully support the President's executive order regarding security classification. This is a complex subject, and we will continue to implement directed policies and inform policymakers of operational impacts.

Question. Is there a process and timetable in place to accomplish this objective?

Answer. I am not aware of any plan or timetable to declassify detailed information about U.S. offensive cyber capabilities. Articulating new processes and timetables would flow from direction set by the White House.

Question. Most experts believe that the attacker has a substantial advantage over the defender in cyber warfare. It is also widely believed that preemptively striking first against an adversary's networks offers an advantage if the adversary's command and control networks can be degraded, and because the attacker can take steps to protect itself from a retaliatory attack. These considerations suggest that cyber warfare is currently "unstable" from the perspective of classic deterrence theory and escalation control.

Do you, or to your knowledge, experts in the Department, have a different view of these dynamics?

Answer. I'd certainly agree that cyber warfare has unique and important differences from classic deterrence theory and escalation control. Experts, both inside and outside government, as well as within DOD and Intelligence Communities, have widely differing views of these dynamics, as should be expected. A consensus has yet to emerge, either on how to characterize the strategic "instability" or on what to do about it.

U.S. MILITARY STRATEGY IN CYBERSPACE

Question. The National Military Strategy for Cyberspace Operations (NMS–CO), December 2006, states that "The United States must have cyberspace superiority to ensure our freedom of action and deny the same to our adversaries through the integration of network defense, exploitation, and attack. . . . The NMS–CO is the comprehensive military strategy for the U.S. Armed Forces to ensure U.S. superiority in cyberspace."

Is this strategy statement consistent with current policy? If not, is there a plan to issue a new or revised NMS–CO?

Answer. Answer provided in the classified supplement.

Question. Is this strategy realistic in light of the vulnerability of U.S. Government and private networks to attack?

Answer. The military strategic goal of cyberspace superiority is realistic, but not without difficulty in achieving its objectives in the current national security environment. The 42 tasks in the NMS–CO Implementation Plan continue to inform how DOD will move towards achieving cyberspace superiority. Many of these tasks are defensive, directed at addressing the vulnerabilities of the DOD networks, and take into consideration the fact that the internet is a completely connected environment where both DOD and private networks reside.

Question. In an interview on "60 Minutes," former Director of National Intelligence Michael McConnell said that "If I were an attacker and I wanted to do strategic damage to the United States . . . I would sack electric power on the U.S. east coast, maybe the west coast, and attempt to cause a cascading effect. All of those things are in the art of the possible from a sophisticated attacker." He was then asked whether he believes that adversaries have the ability to bring down the power grid, and he replied "I do." Crippling the U.S. power grid would not only cause catastrophic economic problems; presumably it would lead to significant loss of life, especially if the outage was prolonged. Likewise, it could cripple DOD's ability to generate and sustain forces.

In light of our current vulnerability to cyber attack, what is the risk in your view that DOD and U.S. Cyber Command could be deterred from undertaking coercive action against countries such as Iran or North Korea because of the possibility that they could successfully launch devastating attacks on critical U.S. infrastructure?

Answer. Answer provided in the classified supplement.

Question. Is this level of vulnerability consistent with the NMS–CO assertion that the United States ensures "superiority" in cyberspace?

Answer. Yes, it is consistent that the United States seeks to ensure superiority in cyberspace: Even with the clear understanding that we could experience damage to our infrastructure, we must be prepared to "fight through" in the worst case scenario. Based on vulnerability, step one is to ensure that we can defend our networks. In fact, the use of the term superiority, versus dominance or supremacy, reflects the limits of our capabilities throughout the domain. Having recognized the gap between the end states of the NMS–CO and current capabilities, the Department developed an implementation plan to close these gaps. The current state of our networks presents a strategic vulnerability for the Department and the Nation. If confirmed, I will focus U.S. Cyber Command on securing the Department's networks and, as requested, assisting other Federal agencies to secure the networks for which they are responsible.

Question. The NMS–CO states that "U.S. law and national policy assign DOD three main roles: defense of the Nation, national incident response, and critical infrastructure protection. . . . Although partner departments and agencies have respon-

sibilities to secure portions of cyberspace, only DOD conducts military operations to defend cyberspace, the critical infrastructure, the homeland, or other vital U.S. interests. If defense of a vital interest is implicated, DOD's national defense mission takes primacy even if that would conflict with, or subsume, the other support missions."

Are these statements consistent with DOD's statements that U.S. Cyber Command will not have the mission to defend the ".gov" and ".com" networks?

Answer. Yes, they are consistent. Although U.S. Cyber Command's mission will not include defense of the .gov and .com domains, given the integration of cyberspace into the operation of much of our critical infrastructure and the conduct of commerce and governance, it is the obligation of the Department to be prepared to provide military options to the President and Secretary of Defense if our national security is threatened. Any defensive action in support of a domain other than .mil would require a proper request for assistance or a directive from the President.

Question. Has "critical infrastructure" been formally defined or otherwise identified for the purposes of cybersecurity?

Answer. Yes, specifically "critical infrastructure" has been formally defined in HSPD–7 as those systems or assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters.

Question. Do these statements reflect current policy?

Answer. Yes, they reflect current policy.

Question. Do these statements mean that DOD's mission to defend the Nation "takes primacy" over the Department of Homeland Security's role in some situations?

Answer. Yes, when war or any attack or other national security crisis arises whereby the use of force is contemplated, DOD would take the lead in defending the Nation. However, a Presidential order calling on DOD to take the lead role in responding to a cyber attack on the United States would be required before DOD assumes this lead role. I believe that DOD and DHS are completely in synch on this point.

Question. The NMS–CO states that "under the authorities of the Secretary of Defense, DOD will use network exploitation to gather intelligence and shape the cyberspace environment as necessary to provide integrated offensive and defensive options." This statement appears to mean that DOD will attempt to gain access to foreign networks to create the ability to conduct offensive operations.

Under what conditions would DOD prepare foreign networks for offensive operations when access is acquired for intelligence gathering?

Answer. DOD conducts extensive planning for a wide range of contingencies including planning for cyberspace operations. Effective planning for offensive cyber operations requires extensive knowledge and understanding of foreign networks and is accomplished by foreign intelligence collection. Any preparation of foreign networks outside that is beyond the realm of intelligence gathering can only be conducted by lawful order (EXORD) from Secretary of Defense and the President.

Question. Are such actions authorized and reported to Congress under title 10 or title 50?

Answer. Preparation of foreign networks for offensive operations is authorized only when part of a Secretary of Defense-approved military operation under title 10 of the U.S.C.; such military operations are subject to congressional armed services committee oversight. Foreign intelligence collection activities are subjected to congressional intelligence oversight.

Question. Does the Secretary of Defense have the unilateral authority to direct intelligence-gathering operations in cyberspace?

Answer. The Secretary of Defense, as authorized by law and executive order, can direct intelligence activities in cyberspace for those intelligence activities, such as SIGINT, under his operational control.

Question. If the Secretary of Defense is the President's executive agent for SIGINT, what is the role of the Director of National Intelligence in directing SIGINT collection in cyberspace?

Answer. The DNI provides the National Intelligence Strategy and the National Intelligence Priority Framework, among others, to the entire Intelligence Community. The DNI also plays a role with respect to resource allocation via the National Intelligence Program.

Question. Under the Secretary's role as the executive agent for SIGINT, what was the Secretary's responsibility for the policy decisions regarding the NSA's Terrorist Surveillance Program, and the assistance that NSA is providing to the Department

of Homeland Security through the Einstein 3 intrusion detection and prevention program?

Answer. Answer provided in the classified supplement.

Question. The NMS–CO states that "Adversaries are deterred from establishing or employing offensive capabilities against U.S. interests in cyberspace. DOD will deter malicious adversary use of cyberspace, while promoting freedom of action and trust and confidence in U.S. cyberspace operations. Through deterrence, DOD seeks to influence the adversary's decisionmaking processes by imposing political, economic, or military costs; denying the benefits of their actions; and inducing adversary restraint based on demonstrated U.S. capabilities."

In your opinion, is it the case that "adversaries are deterred" from acting against U.S. interests in cyberspace?

Answer. Answer provided in the classified supplement.

Question. Does the United States have a deterrence doctrine and a deterrence strategy for cyber warfare?

Answer. Answer provided in the classified supplement.

Question. Has the United States ever "demonstrated capabilities" in cyberspace in a way that would lead to deterrence of potential adversaries?

Answer. Not in any significant way. We have conducted exercises and war games, and responded to threats, intrusions, and even attacks against us in cyberspace. Law Enforcement and the Counter-Intelligence community have responded to intrusions and insider threats. Even industry and academia have attempted to "police" the Internet. How all of these have deterred criminal actions, terrorists, hostile intelligence entities, and even nation states cannot be systematically measured.

IMPLICATIONS OF U.S. DEPENDENCE ON CYBER NETWORKS

Question. Many experts assert that the United States is the most vulnerable country in the world to cyber attack because we are the most networked nation and the one that has most fully-exploited computer networks for business, government, and military functions. This judgment implies that the United States has the most to lose in a serious cyber conflict.

How could DOD best compensate for U.S. dependence on vulnerable cyber networks in developing effective deterrent strategies?

Answer. Answer provided in the classified supplement.

Question. Given U.S. vulnerabilities, is it in our interest to engage in certain kinds of offensive cyber warfare, and possibly set precedents by example that other nations might follow?

Answer. Answer provided in the classified supplement.

COVERT ACTION VERSUS TRADITIONAL MILITARY OPERATIONS

Question. What is your understanding of whether clandestine offensive actions in cyberspace conducted by DOD in connection with an ongoing military conflict where the hand of the U.S. Government is intended to be concealed "covert action" under the law, or are they considered traditional military operations?

Answer. Covert action, as defined by law, includes "an activity or activities of the U.S. Government to influence political, economic, or military conditions abroad, where it is intended that the role of the U.S. Government will not be apparent or acknowledged publicly." The law goes on specifically to except "traditional ... military activities" from being considered covert actions. (50 U.S.C. 413b(e)(2000)) Traditional military activities are often clandestine in order to guarantee mission success and protect tactics, techniques, and procedures—this is no different in cyberspace. DOD believes the traditional military activities exception applies to the emerging field of cyberspace operations.

Question. Does it matter whether such actions are conducted within or outside of a theater of ongoing, traditional armed conflict?

Answer. This is a matter of ongoing debate. Proposed actions to deliver effects to combatant commanders at the tactical and operational level should be pursued as traditional military operations, under existing authorizations, if possible. Any actions that we take must be approved by the Secretary of Defense and the President through a lawful order.

REQUIREMENT FOR TRANSIT RIGHTS

Question. Under international law, nations enjoy sovereign rights over the territorial extent of their countries and the airspace above it, although not in space. Transiting that sovereign territory and airspace for military purposes requires permission.

In a situation where a government intends to deliver a cyber weapon or capability to a country not adjacent to its territory, through terrestrial telecommunications networks, what is the legality of doing so without the permission of the governments of the Nations through which the weapon must pass?

Answer. Answer provided in the classified supplement.

THE CHALLENGE OF ATTRIBUTION

Question. An essential feature of military, intelligence, and criminal or malicious activities in cyberspace is the ease with which the origin and the identity of those responsible for an attack can be concealed. This "attribution" problem is severe. If it is impossible to say with certainty who committed an attack, no one can be held responsible, making deterrence and retaliation alike problematic. The attribution capabilities that do exist appear to be time- and resource-intensive, which can make appropriate, timely responses difficult or even impossible.

How can deterrence be established in the absence of reliable attribution?

Answer. I agree that attribution can be very difficult. We must approach this problem in two ways. First and foremost, the most effective way to deter adversaries is to increase the security of our own networks. This will act as a deterrent to those adversaries who target the United States simply because we are an easy mark. This is a national problem and better security solutions must be encouraged for all U.S. public and private networks.

Concurrently, we must partner closely with the Intelligence Community to improve our ability to determine attribution. We must also establish partnerships with nation-states that share common goals for lawful behavior in cyberspace. Such agreements would establish expectations of normative behavior for cyber activities and thresholds for bad behaviors that would not be allowed to continue. Such expectations will require standards of evidence that are mutually acceptable and include highly automated procedures that allow attacks to be alerted on and halted quickly.

Criminal law models depend on deterrence, as well. Legal scholars have argued that crimes that often go unsolved (vandalism, for example) should be punished more harshly to ensure an effective example is offered in the few cases when it's available. Under this model, the United States should take swift and effective action in every case in which it can attribute an offensive action to a particular adversary.

Attribution has been a problem since the beginning of the terrorism era. For example, in 1983 when the Marine barracks in Beirut was bombed, the United States would likely have taken strong action against the perpetrator—but the perpetrator was dead and the planners were unknown. This problem continues today in kinetic operations as well as in cyber.

The bottom line is, the only way to deter cyber attack is to work to catch perpetrators and take strong and public action when we do.

Question. What authorities are required, or what procedures must be invoked, to track back through layers of an attack involving computers located in the United States and owned by U.S. persons?

Answer. Investigations of cyber attacks originating or appearing to originate from the United States are typically law enforcement investigations and a law enforcement warrant is used to attempt to track back through layers involving computers located in the United States or owned by U.S. persons. If there is reason to believe that the attack is being conducted by a foreign power or agent of a foreign power, though appearing to originate from the United States, the investigation can be a counter intelligence investigation and the Foreign Intelligence Surveillance Act order would be used to track back through layers involving computers located in the United States or owned by a U.S. person.

Question. What are the legalities, both in domestic and international law, involved in "shooting back" immediately at the sources of a large-scale attack, with and without a determination that the sources are commandeered computers?

Answer. A commander's right to general self-defense is clearly established in both U.S. and international law. Although this right has not been specifically established by legal precedent to apply to attacks in cyberspace, it is reasonable to assume that returning fire in cyberspace, as long as it complied with law of war principles (e.g., proportionality), would be lawful.

Remainder of answer provided in the classified supplement.

Question. The law regarding self-defense in the case of an attack has never required a determination of identity before action can be taken. For example, if someone is shooting at you, it isn't necessary to establish what his name is before shooting back. If someone in a car is trying to run down a police officer, the officer is not required to determine whether the car is stolen before shooting out the tires in

self-defense. Similarly, the fact that computers may be commandeered is irrelevant to the exercise of self-defense.

The United States has always hoped that the Internet would play a "subversive" role in countries with authoritarian governments.

If the U.S. Government takes vigorous diplomatic action, as some experts recommend, to establish the norm that governments are responsible for what happens in cyberspace within their sovereign domains as a way to deal with the attribution problem, is there a danger we could be providing a strong justification for governments abroad to intensify surveillance and increase government controls on the Internet?

Answer. Governments that have a tendency to curtail the freedoms of their citizens will likely take such actions regardless of U.S. policies regarding cyberspace. However, the United States has the opportunity to model for other nations the process by which a nation-state can allow freedom of expression, and even advanced concepts such as Net Neutrality, and still insist on cyberspace behaviors that meet the norms of international expectations in that they could not be construed as constituting an attack in cyberspace. We can do this without increased individual surveillance.

Question. Is it accurate that a large proportion of world-wide unauthorized cyber intrusions and malicious cyber activity originates or appears to originate within the United States?

Answer. Answer provided in the classified supplement.

Question. Is it reasonable to hold other governments responsible for all such activity originating in their countries if the U.S. Government cannot or will not stop it here?

Answer. Every government is responsible for actions originating in its own country. We make every effort to address activity originating in the United States, and we expect other countries will do the same.

TITLE 10 VERSUS TITLE 50 REPORTING AND OVERSIGHT

Question. As the attached solicitations and program descriptions indicate, and the National Military Strategy for Cyberspace Operations implies, gaining access to a cyberspace target for the purpose of collecting intelligence also provides the basis for attacking that target, and vice versa. Intelligence collection in cyberspace is authorized and overseen under title 50 procedures, whereas operational preparation of the environment for military action is authorized and overseen under title 10 procedures.

Has the administration determined how it is going to authorize these actions and report them to Congress?

Answer. Intelligence collection in cyberspace is conducted as part of a foreign intelligence mission and is subject to congressional intelligence oversight; e.g., the SIGINT Computer Network Exploitation mission is conducted in accordance with SIGINT procedures and is reported to the intelligence oversight committees. Military actions in cyberspace done to prepare the environment for possible cyber attack are authorized through Secretary of Defense Execute Orders and reportable to the Armed Services Committees.

The attached solicitations and program descriptions indicate that non-intelligence elements of DOD are developing capabilities to penetrate foreign networks clandestinely, remain there undetected, and exfiltrate data secretly.

Question. Are non-intelligence elements of DOD authorized to collect intelligence in cyberspace through the clandestine penetration of networks?

Answer. Non-intelligence elements of the DOD are not authorized to collect intelligence or conduct preparation of the environment without an appropriate execute order.

SYSTEMS ACQUISITION

Question. Combatant commands by design play a restricted role in the acquisition process. However, the Commander, U.S. Cyber Command, is to be dual-hatted as the Director of NSA, which is a large enterprise with substantial resources for developing, procuring, and supporting new equipment, systems, and capabilities. In addition, the Commander will exercise operational control of DISA networks, which also acquires systems and capabilities.

Answer. Commander, U.S. Cyber Command will not exercise command or operational control over the DISA communications networks. DISA will continue to be responsible for acquiring, engineering and provisioning enterprise infrastructure to assure the availability of military information networks. As a Combat Support Agency, DISA will maintain a close working relationship with U.S. Cyber Com-

mand, providing expertise on the networks, communications and computing infrastructure operated by DISA through both a DISA Field Office and a DISA Support Element.

Question. Is there a precedent for a combatant commander to exercise this degree of direct control over acquisition organizations, aside from Special Operations Command, which Congress expressly provided with acquisition authority?

Answer. Commander, U.S. Cyber Command, would depend upon the Military Departments and Agencies to deliver on U.S. Cyber Command-documented requirements for capabilities. Each of the military departments and agencies has oversight to ensure that this is done properly. This is consistent with other combatant and subunified commands, with the exception of U.S. Special Operations Command.

Question. What measures is the Department taking to guarantee that Commanders of U.S. Cyber Command do not circumvent the requirements process and the established acquisition process by directing subordinates at NSA or DISA to directly address needs perceived by Cyber Command?

Answer. U.S. Cyber Command will be a separate organization with a separate and distinct acquisition authorities/process and staff from the NSA and DISA. The separate oversight, accountability chains, and the ability to audit actions taken by the two distinct organizations of NSA and the future U.S. Cyber Command exist to ensure that the Commander, U.S. Cyber Command follows the Cyber Command requirements process and that the Director of NSA follows the established NSA acquisition process. Specifically, NSA and U.S. Cyber Command will have separate staffs with distinct authorities and oversight. U.S. Cyber Command will operate under the same authorities and oversight as other Combatant Commands and Subunified Commands.

NSA must operate under the authority and oversight of DOD and Director, National Intelligence. Operating under distinct authorities is not a new condition for the Director of NSA. I, like all the DIRNSAs before me, am used to working under distinct authorities (title 10 and title 50) and oversight (DOD and DNI), because of NSA's two separate missions in Foreign Intelligence and Information Assurance.

Furthermore, as Director of NSA, I have delegated acquisition authority to the Senior Acquisition Executive (SAE), who is not assigned to or aligned with U.S. Cyber Command. The SAE position was established in response to recommendations by Congress in 2000. Additionally, the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD (AT&L)) and the Office of the Director of National Intelligence (ODNI) both have Milestone Decision Authority (MDA) for some NSA Major System Acquisitions (MSA). While ODNI and USD(AT&L) have delegated the NSA SAE Milestone Decision Authority for certain major acquisition programs through the annual delegation process, they retain joint acquisition oversight over all MSAs. Both organizations conduct quarterly reviews of all MSA/Acquisition Category I and Special Interest Programs, and USD(AT&L) conducts a tri-annual review of NSA's contracting process in accordance with the Defense Financial Acquisition Regulation Supplement.

The Director of DISA reports to ASD(NII) and will not be a subordinate of Commander, U.S. Cyber Command. Additionally, Commander, U.S. Cyber Command will have no subordinates in DISA.

EXTENDED DETERRENCE IN CYBERSPACE

Question. With respect to close allies who depend upon the United States for their security, will DOD provide a defense capability against attacks on their critical military, government, and economic infrastructure?

Answer. Answer provided in the classified supplement.

Question. Is DOD considering an "extended deterrence" model similar to that which we have offered through the U.S. "nuclear umbrella"?

Answer. I am not aware of any efforts to develop an extended deterrence model for cyber.

Question. The financial sector in the United States is tightly integrated with and dependent upon the global financial network, such that a massive attack on financial networks abroad would probably inflict great harm on the United States.

To what extent does DOD consider that the defense of some U.S. critical infrastructures must encompass network extensions abroad?

Answer. Answer provided in the classified supplement.

AUTHORITIES AND PROCEDURES FOR INVESTIGATING ".MIL" INTRUSIONS

Question. One of the difficult issues confronting the Einstein 3 intrusion detection and prevention program is what to do when packets are detected that contain malicious code. Attackers usually act indirectly against their targets, routing attacks

through a series of innocent intermediaries to hide their identities and locations. A malicious penetration or attack on a ".gov" computer or network may be launched from a specific computer but without the knowledge of the legitimate owner of that computer. However, government personnel discovering such an attack have no way of knowing, without further investigation, which computer owners in a chain may be complicit. The Federal Government has not announced how it will specifically respond in terms of investigating actual or apparent attacks, retaining and analyzing associated data, when a warrant is required, and so forth, for the defense of the civil ".gov" networks. However, DOD has already fielded intrusion detection and prevention capabilities developed by NSA at the gateways to the ".mil" networks.

Does this mean that the Department has developed and received approval for protocols and procedures for investigating U.S. persons whose computers may be implicated in attacks on ".mil" targets?

Answer. Answer provided in the classified supplement.

EXPLAINING CYBERSECURITY PLANS TO THE AMERICAN PEOPLE

Question. The majority of the funding for the multi-billion dollar CNCI is contained in the classified National Intelligence Program budget, which is reviewed and approved by the congressional intelligence committees. Almost all important aspects of the CNCI remain highly classified, including the implementation plan for the Einstein 3 intrusion detection and prevention system. It is widely perceived that the Department of Homeland Security is actually likely to simply extend the cyber security system that the NSA developed for DOD into the civilian and even the private sector for defense of critical infrastructure. DOD is creating a subunified Cyber Command with the Director of NSA as its Commander.

In your view, are we risking creating the perception, at home and abroad, that the U.S. Government's dominant interests and objectives in cyberspace are intelligence- and military-related, and if so, is this a perception that we want to exist?

Answer. No, I don't believe we are risking creating this perception as long as we communicate clearly to the American people—and the world—regarding our interests and objectives.

Question. Based on your experience, are the American people likely to accept deployment of classified methods of monitoring electronic communications to defend the government and critical infrastructure without explaining basic aspects of how this monitoring will be conducted and how it may affect them?

Answer. I believe the government and the American people expect both NSA and U.S. Cyber Command to support the cyber defense of our Nation. Our support does not in any way suggest that we would be monitoring Americans.

I don't believe we should ask the public to accept blindly some unclear "classified" method. We need to be transparent and communicate to the American people about our objectives to address the national security threat to our Nation—the nature of the threat, our overall approach, and the roles and responsibilities of each department and agency involved—including NSA and DOD. I am personally committed to this transparency, and I know that DOD, the Intelligence Community, and rest of the administration are as well. What needs to remain classified, and I believe that the American people will accept this as reasonable, are the specific foreign threats that we are looking for and how we identify them, and what actions we take when they are identified. For these areas, the American people have you, their elected representatives, to provide the appropriate oversight on their behalf.

Remainder of answer provided in the classified supplement.

Question. What are your views as to the necessity and desirability of maintaining the current level of classification of the CNCI?

Answer. In recent months, we have seen an increasing amount of information being shared by the administration and the departments and agencies on the CNCI and cybersecurity in general, which I believe is consistent with our commitment to transparency. I expect that trend to continue, and personally believe and support this transparency as a foundational element of the dialogue that we need to have with the American people on cybersecurity.

MILITARY SERVICE ROLES IN CYBER COMMAND

Question. Each of the military services is planning to create new organizations and structures, or expand existing ones, to support the new U.S. Cyber Command. However, cyberspace is a virtual realm, considerably removed from the physical world.

Has the Department undertaken any analyses of alternative means of providing forces and capabilities to the new Command?

Answer. In accordance with the Secretary of Defense memorandum directing the establishment of U.S. Cyber Command, each of the Services conducted a thorough mission analysis on how best to provide capabilities to U.S. Cyber Command, selected a course of action for the near term, and briefed that selection to the Deputy Secretary.

Further, U.S. Strategic Command, in coordination with the Services and other combatant commanders, completed a study last year that gives us an initial vector for required force size and composition for a portion of the force. To that end, the Joint Requirements and Oversight Committee approved that recommendation and directed a more in-depth study. The study, the Cyber Analysis Campaign, is underway and should give us a force sizing construct by the end of the summer.

Question. Can it be said that there is a logical basis for ground, sea, and air components in cyberspace—apart from the fact that each of the Services operate networks that must be defended?

Answer. There is a logical basis for the department to organize both efficiently and consistently to achieve its assigned mission. In much the same manner that—from a mission standpoint—Special Operations or logistics crosses all warfighting dimensions, so does cyberspace. There may come a time when this would merit further consideration based upon lessons to be learned. Currently, the Military Departments organize, man, train, and equip to generate and sustain mission capacity on behalf of the Nation. Like other operational commands, it will be U.S. Cyber Command's business to take this cyber capacity—built to a common standard—and turn that into joint, combined cyber capability to achieve the supported commander's assigned mission as authorized by the Secretary of Defense.

Question. Is it optimal that each service have a separate organization for supporting U.S. Cyber Command, especially in the areas of intelligence and offensive cyber warfare?

Answer. Yes, I believe so. If cyberspace was homogenous and the entirety of the work force did the same job, one could make the argument that the Department doesn't need each Service to have its own cyber component. But that would be a vast oversimplification of the complexity of the domain. At the operational and tactical levels of war, the Service components will be responsible for significant cyber operations. They will depend upon the networks for command and control of their forces and must be able to defend those networks. Over time the Services will also bring resources to bear in the intelligence and offensive cyber realm that will support their component missions at the operational and tactical levels of war, with deconfliction by U.S. Cyber Command. Each Service brings a unique perspective and some specialized capability to the fight that would be neither efficient nor effective to flatten into a singular whole. In cyberspace, as in all the domains, each Service brings capability to be employed in the combined arms philosophy that makes the whole greater than the sum of the parts.

COMMAND OF NATIONAL DEFENSE IN CYBERSPACE

Question. A cornerstone of military doctrine is the importance of unity of command, particularly in time-sensitive scenarios such as those that are likely to arise in cyberspace. In the Federal Government, the Department of Homeland Security is in charge of defending the country against cyber attacks, but authorities and responsibilities are fragmented and spread across the Intelligence Community, DOD, the Department of Homeland Security, the Justice Department, the Treasury Department, and the Department of Energy. Also, each department and independent agency is responsible for operating and equipping its own networks.

In your opinion, is there adequate unity of command and authorities for the Nation's response to serious cyber attacks?

Answer. Unity of command within DOD is being improved with the establishment of U.S. Cyber Command; however, unity of effort, vice command, is equally important and achievable since effective cyber security requires a whole-of-government approach.

As securing and defending our national cyber interests is an evolving work in progress, coordination, cooperation, and information sharing across the Federal Government is paramount. A rigorous partnership with DHS—as they look to secure and protect the .gov domain and critical infrastructure—is particularly crucial.

DOD continually reviews its existing authorities and directives to determine what, if any, changes need to be requested to support ongoing or contingency plans. Our unique challenge in this domain is to develop a thorough understanding of the domain, posture to be prepared to recognize as rapidly as possible those vulnerabilities or threat unknowns and set effective "post-crisis" frameworks and conditions for decisionmakers, policymakers, and legislators pre-crisis.

Question. If not, what is the process and schedule for defining and establishing an effective construct?

Answer. Ultimately, the best processes and policies are those that enable our national decisionmakers and operating forces to achieve the best desired outcome. DOD continues to support and help protect our national cyber interests as authorized and directed.

DESIGNING THE INTERNET FOR BETTER SECURITY

Question. Cyber security experts emphasize that the Internet was not designed for security.

How could the Internet be designed differently to provide much greater inherent security?

Answer. The design of the Internet is—and will continue to evolve—based on technological advancements. These new technologies will enhance mobility and, if properly implemented, security. It is in the best interest of both government and industry to consider security more prominently in this evolving future internet architecture. If confirmed, I look forward to working with this committee, as well as industry leaders, academia, the Services, and DOD agencies on these important concerns.

Question. Is it practical to consider adopting those modifications?

Answer. Answer provided in the classified supplement.

Question. What would the impact be on privacy, both pro and con?

Answer. Answer provided in the classified supplement.

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 Commander, U.S. Cyber Command?

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR CARL LEVIN

INTELLIGENCE COLLECTION GOALS VERSUS MILITARY WARFIGHTING GOALS

1. Senator LEVIN. Lieutenant General Alexander, there was a recent Washington Post report of a supposed offensive cyber operation to take down an internet site that, according to the report, was providing valuable information to the Intelligence Community. Whether this article is accurate or not, the article highlights the concern about arbitrating between the potentially competing priorities of protecting useful intelligence sources, versus taking offensive or defensive action to achieve military objectives. What do you believe is the appropriate mechanism for arbitrating between protecting a potentially valuable source of intelligence and conducting cyber operations in support of some military objective?

General ALEXANDER. [Deleted.]

2. Senator LEVIN. Lieutenant General Alexander, do you agree that it is appropriate that this committee be informed of all significant U.S. offensive cyber operations in a timely manner?

General ALEXANDER. Yes, I agree that in almost all circumstances the Armed Services Committees should be informed in a timely manner of significant offensive cyber operations conducted by Cyber Command (CYBERCOM).

OVERSIGHT FOR OFFENSIVE CYBER OPERATIONS

3. Senator LEVIN. Lieutenant General Alexander, one of the committee's major concerns is that an action to penetrate a network in order to collect intelligence in many situations is deemed by experts to be virtually identical to the steps one would take to prepare that target for offensive operations. In the advance policy questions, we asked you under what authorities these activities would be conducted, reported, and overseen by Congress.

You replied that that preparation of a target network for offensive operations is ordered only by the Secretary of Defense in an Execute Order and is reported to the House and Senate Armed Services Committees, while penetration for intelligence collection is approved under intelligence authorities and reported to the intelligence committees.

Unfortunately, the reality is not that clear. There is no neat and clear distinction between these two activities in cyberspace. In fact, a distinction does not really exist, which is why we posed the question in the first place to ensure that you, the Department of Defense (DOD), and the administration address this problem.

Unfortunately, we also learned, after asking a specific question following the appearance of a Washington Post article reporting on an apparent offensive cyber operation, that DOD has undertaken a number of offensive cyber operations in the last several years, none of which was reported to the Armed Services Committees, notwithstanding your answer to the question. Have the Armed Services Committees been informed of all U.S. offensive cyber operations?

General ALEXANDER. [Deleted.]

4. Senator LEVIN. Lieutenant General Alexander, do you agree that it is appropriate that the Armed Services Committees be informed of all U.S. offensive cyber operations?

General ALEXANDER. Yes, I agree that in almost all circumstances the Armed Services Committees should be informed in a timely manner of significant offensive cyber operations conducted by CYBERCOM.

ACQUISITION CONFLICTS OF INTEREST

5. Senator LEVIN. Lieutenant General Alexander, if confirmed, you would lead the development of requirements for CYBERCOM. At the same time, you would remain as the Director of the National Security Agency (NSA), which has a sizeable acquisition budget. Why should we have confidence that you will be able to arbitrate effectively between your requirements definition role at CYBERCOM and your acquisition provider role at NSA?

General ALEXANDER. While the Commander, CYBERCOM, and the Director, NSA, roles are slated to be dual-hatted under the same individual, each organization will have separate and distinct staffs.

Acquisition Authority for the NSA has been delegated by the Director, NSA, to the NSA Senior Acquisition Executive (SAE), who is not assigned to nor aligned with CYBERCOM. The SAE position was established in response to requests/recommendations by Congress in 2000. Additionally, the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) and the Office of the Director for National Intelligence both have Milestone Decision Authority (MDA) for NSA Major Systems Acquisitions. These two safeguards will ensure that acquisition processes and external oversight are properly executed.

CYBERCOM, as a subunified command of STRATCOM, will not have acquisition or procurement authority and will work through its Executive Agent, the U.S. Air Force, to satisfy its requirements.

6. Senator LEVIN. Lieutenant General Alexander, what thoughts do you have for how we can build the appropriate firewalls between your multiple roles, and how we can develop an acquisition process for cyberspace that provides the high degree of agility required to keep pace with the technology while preserving acquisition discipline and oversight?

General ALEXANDER. [Deleted.]

DECISION ON USE OF FORCE

7. Senator LEVIN. Lieutenant General Alexander, in our advance policy questions, we asked you if you would have authority to fight the war as does U.S. Forces Korea, the only other subunified command. You said that you would have the authorities provided by the President, the Secretary of Defense, and the Commander of the U.S. Strategic Command (STRATCOM).

In answer to another question, you said that under joint doctrine "authority is normally given to subordinate commanders to select the methodology for accomplishing the mission," implying that you would have the freedom to decide how to accomplish mission orders. You went on to say that the Commander of STRATCOM has indicated already that he would delegate to CYBERCOM "authority for all UCP [Unified Command Plan] cyber tasks." If you were to view these answers collectively, CYBERCOM could have the discretion to use offensive weapons to achieve any or all assigned cyber tasks.

If you are confirmed, will authority to employ such weapons be delegated to you? If so, under what circumstances would you have authority to act without having further direction from the President, the Secretary of Defense, or the Commander of STRATCOM?

General ALEXANDER. [Deleted.]

AUTHORITIES OF THE DIRECTOR OF NATIONAL INTELLIGENCE

8. Senator LEVIN. Lieutenant General Alexander, in the advance policy questions, you were asked to characterize the role of the Director of National Intelligence (DNI) in signals intelligence (SIGINT) in cyberspace in light of the emphasis DOD is placing on the role of the Secretary of Defense as the President's Executive Agent for Signals Intelligence under Executive Order 12333. You said that the DNI's role is to issue the National Intelligence Priorities Framework and to oversee resource allocation.

Your answer appears to overlook the fact that the Intelligence Reform and Terrorism Prevention Act of 2004 explicitly provides the DNI with the operational authority to task all national intelligence collection and analysis. That includes SIGINT.

Could you elaborate on the respective roles and authorities of the Secretary of Defense and the DNI with this in mind?

General ALEXANDER. [Deleted.]

Both the DNI and the Secretary of Defense have roles and responsibilities for the direction and management of the Nation's SIGINT activities. These roles and responsibilities were provided for in the "Intelligence Reform and Terrorism Prevention Act of 2004" (IRTPA), and implemented through amendment of Executive Order 12333 (EO12333), "United States Intelligence Activities."

Section 1018 of IRTPA said the President shall issue guidelines to ensure the effective implementation and execution within the executive branch of the authorities provided to the DNI without abrogating the statutory responsibilities of the Secretary of Defense. The President did so with EO12333, as amended by EO13470. For example, the DNI shall determine requirements and priorities for, and manage and direct the tasking, collection, analysis, production, and dissemination of, national intelligence by elements of the Intelligence Community. At the same time, the Secretary of Defense is the U.S. Government's executive agent for SIGINT but, as provided for in section 1.10(e) of EO12333, exercises his executive agent responsibilities "in coordination with" the DNI. As a result, as the Director of NSA, I take direction from both the Secretary of Defense and the DNI to ensure that I am collecting and producing SIGINT that is responsive to national and DOD requirements (to include support to military operations).

9. Senator LEVIN. Lieutenant General Alexander, does the Secretary of Defense have the authority to direct SIGINT collection and analysis unilaterally, or only at the direction or approval of the DNI?

General ALEXANDER. [Deleted.]

ROLE OF COMMERCIAL INDUSTRY IN CYBER SECURITY

10. Senator LEVIN. Lieutenant General Alexander, it is widely believed and reported that the NSA has advised the last administration and the current one that

only the NSA has the technology and know-how to provide effective defenses for the Government and the companies that own and operate critical infrastructure—like banking, transportation, power distribution, and telecommunications. However, the committee understands that the major telecommunications companies, as well as leading information technology companies, believe that their industries possess major capabilities that in some respects exceed those of the Government.

For example, the so-called tier 1 communications providers who own and operate most of the world's telecommunications networks on which the Internet operates have unparalleled insight into what is happening in cyberspace on a global scale, and have tools to detect and stop threats as they are materializing. Do you agree that the commercial sector has untapped potential to help solve our cyber security problems?

General ALEXANDER. [Deleted.]

11. Senator LEVIN. Lieutenant General Alexander, do you support pilot projects and demonstrations to test out some of these ideas?

General ALEXANDER. [Deleted.]

12. Senator LEVIN. Lieutenant General Alexander, if the commercial telecommunications providers have the legal authority and capability to see cyber threats as they arise and traverse across the global network, they would be in a position to quickly identify where attacks originate, whereas the Government, as you have pointed out, must get warrants to start backtracking to trace the route of an attack. Is industry in principle in a better position to sense, characterize, and respond rapidly to threats in cyberspace?

General ALEXANDER. [Deleted.]

13. Senator LEVIN. Lieutenant General Alexander, which Government agency should manage a relationship with industry in which commercial-sector warning and threat information is provided to the Government? Should it be the Department of Homeland Security (DHS)?

General ALEXANDER. [Deleted.]

ADEQUACY OF NSA CYBER SECURITY SOLUTION

14. Senator LEVIN. Lieutenant General Alexander, Howard Schmidt, the President's recently appointed cyber policy coordinator, just released a description of the equipment—known as Einstein 3—which NSA developed to help defend the military and Federal civilian networks from cyber attacks. He characterized it as a signatures-based intrusion detection and prevention system. Experts in cyber security, and leading security officials in DOD, believe that such intrusion prevention devices cannot by themselves defend against all threats, especially not certain kinds of sophisticated or unknown threats. DOD's strategy is to include the Einstein 3 technology as one part of a defense-in-depth. Do you agree that Einstein 3 is but one element of a robust defensive capability?

General ALEXANDER. [Deleted.]

15. Senator LEVIN. Lieutenant General Alexander, do you think that the investments made to date under the Comprehensive National Cybersecurity Initiative, for non-DOD .gov agencies and departments, have reflected a proper balance between all the various aspects of a strong defense-in-depth?

General ALEXANDER. [Deleted.]

RESPONSE TO ATTACKS ON DOD NETWORKS

16. Senator LEVIN. Lieutenant General Alexander, in the advance policy questions, we asked you what the legal process is for backtracking through the layers of computers or servers located in the United States. Your reply was that law enforcement agencies have to do that, and they have to have a warrant. Then, if there are grounds at some point for believing that a foreign power is behind the attack that is routed through U.S. computers, a Foreign Intelligence Surveillance Act (FISA) warrant may be necessary. These procedures appear necessarily time-consuming—hardly matching the net speed that everyone touts as necessary.

We also asked you about the legality of shooting back against an attack that seems to come from U.S. sources, even if we cannot tell whether the attacking computers are the source of the attack, or whether they may have been commandeered for such as purpose.

Your answer is that the right to self defense allows commanders to return fire. Are you really saying that it is lawful and appropriate for U.S. military commanders to shoot back against computers located in the United States under the doctrine of self-defense—especially in light of the fact your answer to the first question was that a warrant is required to start to unravel the origins of an attack?

General ALEXANDER. Under normal circumstances, U.S. military forces would not be authorized to engage targets in the United States. However, the right and obligation of self-defense recognizes that under exceptional circumstances such a course of action may be justified. For example, if a military member comes under fire when guarding a military installation, even in the United States, the member is authorized to return fire in self-defense. There is no requirement for the member to hold fire and try to determine whether the attacker is a U.S. national. Similarly, in the cyber arena, when a military system comes under attack, the commander charged with protecting the system is authorized to act in self-defense. That right and obligation of self-defense may include cyber actions, which would be based on the severity of the attack, and could be characterized as "firing back" in order to stop the threat. Obviously, as in all military operations, the principles of necessity and proportionality would be applied. Military members would take care to use the minimally effective solution to stop the attack.

17. Senator LEVIN. Lieutenant General Alexander, how do you reconcile these answers?

General ALEXANDER. See answer to question #16.

18. Senator LEVIN. Lieutenant General Alexander, how could we ever get to a suitably rapid response to attacks that have been routed through U.S.-based computers and infrastructure if a complicated legal procedure is required?

General ALEXANDER. The challenge for U.S. cyber leadership is to balance the critical constitutional and legal protections we provide U.S. persons with the necessity of defending our Nation from attack. We must make use of every instrument of national power, drawing on the resources and authorities of every agency of our Government to prevent attacks on American interests. When prevention fails, we must have the clear authority to act swiftly to end adversary attacks. Working within the interagency process to determine how best to strike this balance is one of DOD's top priorities.

REAL TIME REGIONAL GATEWAY PROGRAM

19. Senator LEVIN. Lieutenant General Alexander, an NSA Inspector General report on the Real Time Regional Gateway (RTRG) program found that the NSA SAE recommended to you in 2006 that the RTRG program be designated as a major acquisition, which would have subjected the program to a significantly higher degree of internal and external oversight. This recommendation was based on the fact that RTRG had grown immensely in size and scope and plans were being made to extend the fielding to multiple combatant commands. You rejected that recommendation and did not brief the USD(AT&L), even though you briefed the President, the Secretary of Defense, and other senior officials. Why did you not brief the USD(AT&L), and reject your SAE's recommendation, in spite of the fact that you briefed the program to higher-level officials?

General ALEXANDER. [Deleted.]

QUESTIONS SUBMITTED BY SENATOR E. BENJAMIN NELSON

INTERAGENCY COOPERATION

20. Senator BEN NELSON. Lieutenant General Alexander, one thing that I commonly look for are stovepipes and whether the Services are duplicating efforts or truly enhancing overall mission effectiveness. Last year at the STRATCOM hearing, General Chilton highlighted the importance of sharing information among agencies, including the DHS, the Intelligence Community, and DOD, in addressing security risks in cyberspace. I worry that in response to cyber security threats, without strong coordination, agencies will create their own unique defenses. If each agency builds their own protective walls, they ultimately stifle collaboration and the ability to disseminate intelligence information among agencies, which has been our Achilles heel—an inability to share intelligence, connect the dots, and prevent future attacks. What do you see as your role in interagency coordination of cyber security and information exchange protocols?

General ALEXANDER. I believe my role in interagency coordination of cyber security and information exchange protocols centers on improving mechanisms to foster this activity. Principal among these activities will be the collaboration/coordination across the operational cybersecurity centers such as NSA's NTOC, DHS's US–CERT, FBI's NCIJTF, JTF–GNO's JOC and others. Additional coordination efforts include to the Joint Interagency Task Force-Cyber (JIATF-Cyber) whose membership includes the NSA/Central Security Service, Defense Intelligence Agency, Central Intelligence Agency (CIA), Department of Justice, Federal Bureau of Investigation (FBI), Joint Warfare Analysis Center, Office of the Secretary of Defense/Joint Staff, Army, Navy, Air Force, Marine Corps, Joint Functional Component Command-Network Warfare (JFCC–NW), Joint Task Force-Global Network Operations (JTF–GNO), Joint Functional Component Command for Global Strike, Joint Information Operations Warfare Center (JIOWC), Departments of Treasury (DOT), State (DOS), and Homeland Security, and the combatant commands. As CYBERCOM matures, we will look to refine and improve our coordination processes with all our Cyber partners.

I believe my role must be as a proponent for improving the information exchange protocols among a variety of DOD and interagency partners every day. We need to do this not only through changes within our organizational structure and improvements to our procedures, but also through a change in organizational culture that fosters information sharing as essential to deterring our adversaries and preventing future attacks.

21. Senator BEN NELSON. Lieutenant General Alexander, how do you see the relationship between the Defense Information Systems Agency (DISA) and U.S. CYBERCOM?

General ALEXANDER. DISA is a DOD combat support agency that provides command and control capabilities and enterprise infrastructure to operate and assure a global net-centric enterprise in direct support of joint warfighters, national-level leadership, and other mission and coalition partners across the full spectrum of operations. A strong relationship between DISA and CYBERCOM is essential to ensure we build, lease, and/or operate networks so that they are defensible and so that we are able visualize a Common Operating Environment (COE) in cyberspace, which serves as a foundation for CYBERCOM's execution of delegated missions assigned to STRATCOM in the Unified Command Plan.

In recognition of the crucial nature of this relationship, the Director of DISA has committed to providing both a DISA Field Office to support CYBERCOM and a DISA Support Element, unique to CYBERCOM which will be integrated into the Joint Operations Center. CYBERCOM will provide a liaison officer to DISA to facilitate the exchange of information and coordination between the two commands.

22. Senator BEN NELSON. Lieutenant General Alexander, do you have or expect to have a formal process to provide requirements for DISA to use as it acquires future network systems?

General ALEXANDER. [Deleted.]

23. Senator BEN NELSON. Lieutenant General Alexander, how will you ensure that DISA and the Service components' technical solutions to cyber security issues do not end fielding proprietary solutions resulting in information stovepipes that limit our cyberspace operational effectiveness?

General ALEXANDER. Technical capability development to support CYBERCOM mission needs will be driven by a formal requirements process, the definition and use of standards, and a force integration plan that will include the Service cyber components assigned to the command as well as DISA. Joint membership on a requirements review board will ensure that all entities participate in the identification, prioritization, and resource investment decisions for technical solutions. Close collaboration and joint status reviews among the respective development organizations will avoid duplication of effort, and ensure activities remain complementary whether developed by the Government or by industry. Supporting acquisition organizations must ensure the careful crafting of acquisition contracts and associated statements of work to ensure that the rare proprietary solution is not a stovepiped solution, but rather is fully integrated with cyber operations across the enterprise. If confirmed, we will work closely with STRATCOM, Joint Chiefs of Staff, Office of the Secretary of Defense, Acquisition, Technology, and Logistics, and the Military Departments to ensure these solutions are properly aligned and integrated.

CYBER THREATS

24. Senator BEN NELSON. Lieutenant General Alexander, in February, Admiral Mullen stated before this committee that "Threats in cyberspace are increasing faster than our ability to adequately defend against them." A key aspect of providing a strong cyber defense is having enough talented people with the right skills to do the job. The fiscal year 2010 budget increased the training capacity for cyber experts to attempt to improve the DOD's ability to safeguard our information and information systems. What progress are the Services making in providing forces to address the cyber threat from a manning perspective?

General ALEXANDER. [Deleted.]

25. Senator BEN NELSON. Lieutenant General Alexander, is cyber training capacity sufficient to get out in front of this rapidly evolving threat? If not, what else is needed?

General ALEXANDER. [Deleted.]

26. Senator BEN NELSON. Lieutenant General Alexander, are the Services properly coordinating their cyber efforts such as training and material solutions to ensure we are adequately protected against the threat of a substantial cyber attack?

General ALEXANDER. The Services are leveraging existing mechanisms to coordinate training and material solutions to ensure our protection against cyber attacks, and I will continue to work closely with them on these efforts. The creation of CYBERCOM along with its Service cyber components should significantly enhance the efforts of the Services to train and equip cyber forces to a common standard.

Service initiatives to address cyber training shortfalls are well developed and coordinated. STRATCOM and NSA/CSS along with the Services have combined experience and expertise to confront the complicated issues related to Computer Network Operations (CNO) workforce development. Subject matter experts representing each of the CNO job functions have defined each work role, and outlined the knowledge, skills, abilities needed to perform those CNO tasks. Further enhancing this initiative are the combined efforts of the Consolidated Staff (JFCC–NW/JTF–GNO), under the auspices of STRATCOM and JFCOM, to develop a Cyber Training Initiative to assess combatant commander and Service joint cyber training efforts. Collectively, these efforts are ensuring our cyber training is coordinated among the Services and poised to address the threat of cyber attacks.

The Services' continued use of the Joint Capabilities Integration and Development System (JCIDS) remains an essential element of coordinating material solutions to address our pressing cyber needs. These efforts—including capability needs, capability gap and non-materiel solutions—must continue. Concurrent with this, we will ensure the technical capability development to support CYBERCOM mission needs will be driven by a formal requirements process, and will include the Service cyber components.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

CYBER THREATS

27. Senator INHOFE. Lieutenant General Alexander, I am convinced that DOD's decision to stand up CYBERCOM is the right answer to a drastically growing threat. As you well know, there is a significant threat to our National security in the cyber world; a threat we are dealing with daily – attacks against our civilian and military infrastructure. Like threats to space assets, cyber threats fall into that nebulous realm of what is a direct attack and what is something just short of that. What are your thoughts on the seriousness of these threats?

General ALEXANDER. The adversaries our Nation faces today cover the full spectrum, from individual hackers to terrorists and organized criminal groups, as well as foreign militaries and intelligence services. Indeed, the growing cyber threat has outpaced our defenses, and we are experiencing increasingly sophisticated, coordinated, and damaging cyberpenetration. We face a dangerous combination of known—and unknown—vulnerabilities, strong adversary capabilities, and weak situational awareness that could compromise our personal and national security. Moreover, we have witnessed a dramatic rise over the past several years in the number of intrusions against our military networks; DOD networks are now scanned millions of times a day by unauthorized users. In the most serious and significant cyber incident to date on U.S. military computer networks, several thousand computers were infected by malicious software attempting to exploit military systems and compromise national security. These intrusions affected a number of critical systems re-

sponsible for military command and control. The seriousness of the threats our Nation faces in cyberspace prompted the Secretary of Defense to stand up CYBERCOM and ensure our military could maintain its ability to use cyberspace for critical mission operations. The interconnected nature of these networks will require CYBERCOM to actively coordinate its operations both within the Department as well as in close partnership with the other agencies authorized to address these threats.

28. Senator INHOFE. Lieutenant General Alexander, what do we need to do to combat these threats?
General ALEXANDER. [Deleted.]

29. Senator INHOFE. Lieutenant General Alexander, besides the charter of CYBERCOM to address cyber-based threats, what else is within the CYBERCOM's purview?
General ALEXANDER. [Deleted.]

NETWORK/INTERNET SECURITY

30. Senator INHOFE. Lieutenant General Alexander, over the last decade, as internet use and connectivity have become pervasive, most information technology (IT) security spending that has been invested in "perimeter defense" of the "distributed network". Breaches seem frequent and sometimes seem easy, and therefore focusing on IT security of the distributed network has been critical. While there has been increasing focus and increasing spending on the IT security of the distributed network over the past decade, I have been told that spending on IT security for the mainframe has declined. This could potentially lead to serious cyber security vulnerabilities in our mainframe network. I have been told that DOD has created and adhered to a strict set of security configuration controls for their mainframe systems. However, there have been reports of classified Government systems being breached. As I have been told in some detail, the peripheral security of networks has been the primary focus with less effort spent on the mainframes. Does DOD have any issues with its mainframe security, both in its air-gapped systems and in the systems that are connected to the internet?
General ALEXANDER. [Deleted.]

31. Senator INHOFE. Lieutenant General Alexander, what is being done to secure those networks and systems that are not Government or military but are critical to us, such as civilian agencies, State governments, and private sector elements such as utility companies, banks, pipelines, phone companies, et cetera?
General ALEXANDER. [Deleted.]

LAW AND CYBER COMMAND

32. Senator INHOFE. Lieutenant General Alexander, I just read a news release from Defense News on the legal issues associated with our ability to conduct operations in cyber space. It basically said that the NSA can monitor when we are under attack but right now DOD is powerless to respond due to DHS ownership of responding to network attacks. The article was not overly complimentary of the current process. Experts indicated that we need to look at doing some serious review of our statutory law. What are your thoughts on where we stand with the legal aspects of responding to cyber attacks?
General ALEXANDER. The process for DHS to request and receive DOD support for any national event is known as Defense Support to Civil Authorities (DSCA). If there is a national cyber emergency for which DOD assistance is requested, the Secretary of Defense will provide guidance, and we will comply with such guidance under all circumstances. Any DOD cyber assistance will partner with the U.S. Computer Emergency Readiness Team (US–CERT), the DHS lead organization, under their National Cyber Security Division, for the day-to-day defense of the Federal executive branch (.gov) networks.

Separate from the DSCA process, however, a new legal framework may be needed to ensure the cyber security of our Nation at large. President Obama's Cyberspace Policy Review specifically highlighted the mismatch between our technical capabilities to conduct operations and the governing laws and policies for the United States.

As stated in the Cyberspace Policy Review, law applicable to cyberspace is a "complex patchwork" that "shapes viable policy options." This patchwork is the result of the convergence of once very diverse industries and technologies—each governed by

different laws and policies—to create what we now call "cyberspace." In response to this convergence, "law and policy should continue to seek an integrated approach" that leverages all the capabilities and expertise of both the public and private sectors so that, together, we can enhance the national security, economic competitiveness, public safety and civil liberties and privacy of the American people. I completely agree with this finding.

Until this integrated approach can be realized, policy gaps exist that prevent us from doing all that can be done to increase the cyber security of the Nation, especially our Nation's critical infrastructure. Foremost amongst these gaps are the potential impediments to the public-private cybersecurity information sharing partnership, which I believe is critical to more effectively attributing and countering this threat. These include two core issues. First, the U.S. Government needs to be able to disseminate to the owners of the critical infrastructure and other private sector entities threat information that reflects real time exigencies, and to receive such information from private entities, while balancing concerns regarding anti-trust regulations and other unfair competition matters; civil liberties and privacy; and due regard for the Constitution and all applicable laws, policies, and procedures. The second issue involves how private companies will protect sensitive Government information and use it for the purpose of better cybersecurity without incurring liability or unduly disrupting their network operations.

NSA/CSS, as a member of both DOD and the Intelligence Community and in partnership with DHS and other departments and agencies, is working closely with the President's Cybersecurity Coordinator, Mr. Howard A. Schmidt, on these issues. We are exploring options within existing law, policy, and doctrine to address these issues and we will inform Congress if any legislation may be needed.

33. Senator INHOFE. Lieutenant General Alexander, what needs to be done to ensure that the bureaucracy does not interfere with our security necessities?

General ALEXANDER. In my experience, we currently have an unprecedented level of commitment across the public and private sectors to improving the cybersecurity of our Nation. Evidence of the commitment and cooperation is seen in the implementation of the Comprehensive National Cybersecurity Initiative (CNCI) and the President's Cyberspace Policy Review. The issues the Nation faces in this domain are complex and challenging, necessarily taking time to thoughtfully resolve even with the complete commitment of all stakeholders. As stated in the Cyberspace Policy Review, integrating the Nation's response to such challenging issues needs to be led "from the top," which is happening under the leadership of Mr. Howard A. Schmidt, Special Assistant to the President and Cybersecurity Coordinator. In support of the Secretary of Defense, and if confirmed, I will continue to work to identify gaps, inform the development of meaningful and enduring national cyber policy, and be prepared to adjust rapidly to changes.

EDUCATION IN INFORMATION TECHNOLOGY

34. Senator INHOFE. Lieutenant General Alexander, when we met in my office yesterday, we discussed the need to attract extremely technical, qualified, and diverse professionals. This begins with ensuring our colleges and universities throughout the United States have programs in place to educate and groom future generations of IT professionals. One program we discussed was University of Tulsa's iSec, specializing in educating students in cyber defense, deterrence, and warfare. Are we doing enough in academic institutions to produce the IT professionals this country needs in the future?

General ALEXANDER. We have seen a lot of progress in academic institutions responding to the high demand for IT professionals, but more can be done to build this critical resource. The explosion of cyber threats and increases in organized cyber crime activity has driven the trend for information technology professionals upward. We are starting to see more 4 year programs like the one at Tulsa and even 2 year programs at Community Colleges. For example, the Chronicle of Higher Education reported that as early as 7 years ago, virtually no Community Colleges offered cyber security programs. Now cyber security education has spread across the 2 year college sector, spurred by Federal grants and post-September 11 focus on infrastructure security. Finally, President Obama is stressing the importance of such colleges and a new White House cyber security push points to the need for workforce training. All of this demand does lead to an increasing role for 2 and 4 year colleges that can supply government agencies and private companies with workers steeped in cyber security.

Through partnerships with Government, academia, and industry, NSA's Information Assurance (IA) Mission advocates improvements in IA education, training, and awareness. The National IA Education and Training Program (NIETP) operates as the national manager for IA education and training relating to national security systems. Its programs assure the very finest preparation of professionals entrusted with securing our critical information. The NIETP develops IA training standards with the Committee on National Security Systems. It also assesses current course IA offerings to identify gaps and determine how to fill those gaps. The NIETP encourages and recognizes universities through the National Centers of Academic Excellence in IA Education and the National Centers of Academic Excellence in Research. The NIETP is also one of the Government sponsors of the Colloquium for Information Systems Security Education. There are over 106 National Centers of Academic Excellence in the field of Information Assurance as recognized by the NSA/Central Security Service. Including The University of Tulsa's iSec program, these institutes of higher learning are located in 37 different States, Washington, DC, and Puerto Rico. Prior to submitting an application for the National Center of Excellence Program, IA courseware must be certified under the IA Courseware Evaluation Program as meeting the Committee on National Security Systems (CNSS) Training Standards, and the certification must remain current. There is a minimum number of points required in nine different criteria to qualify as a National Center of Academic Excellence.

The partnership that we have with all of these institutions of higher education will continue to evolve in order to meet the future need of producing the very best IT professionals. Through NSA and other government and industry efforts, we must remain engaged with academia to ensure we foster the development of the right curriculum, based on identifiable standards, to ensure the continued growth in the numbers of IT professionals our country will need in the future.

35. Senator INHOFE. Lieutenant General Alexander, is there a research/development gap in cyber defense/deterrence/technology/intelligence?

General ALEXANDER. There are research and development gaps that do exist in the areas of cyber operations and intelligence; principally these involve a need for shared situational awareness, better attribution technologies, and real-time visibility of intrusions into our networks. These and other gaps are being identified and used to influence DOD's research and development priorities. The technical solutions associated with cyber defense will continue to evolve rapidly as our adversaries become increasingly sophisticated. Given that intrusions into DOD systems are virtually the same as those attacks experienced by the commercial sector, DOD can both benefit from and influence commercial development efforts, consistent with DOD authorities, to address those vulnerabilities. Ultimately, we believe automated solutions which adapt to rapidly increasing adversary capability sophistication and to employ proactive measures to defeat adversary attacks will be critical to ensuring the defense of our military networks.

STANDING UP CYBER COMMAND

36. Senator INHOFE. Lieutenant General Alexander, as I have seen with the standup of U.S. Africa Command (AFRICOM), putting together a combatant or functional command organization is a tall order. It requires herculean efforts on the parts of all entities and can easily be subjected to inertia and bureaucracy. What is your understanding of the infrastructure and capabilities requirements and status of CYBERCOM?

General ALEXANDER. [Deleted.]

37. Senator INHOFE. Lieutenant General Alexander, what is needed to ensure the command is fully functional?

General ALEXANDER. Since CYBERCOM will initially be established with the existing personnel from JFCC–NW and JTF–GNO along with existing military Service component organizations, I believe that we will be fully functional upon establishment of the command. That being said, if confirmed and upon activation, we will be looking to continually enhance and evolve our mission effectiveness. We need to build capacity (trained personnel, facilities, communications, IT . . .), enable effective collaboration (DOD, interagency, government, industry, academia, foreign partners), and achieve collocation of a critical set of core capabilities to provide agility in defeating known, emerging, and unanticipated threats. In the short term, we are standing up the headquarters within the Fort Meade area/NSA campus by merging the JTF–GNO and JFCC–NW mission sets to better leverage the capabilities of the

global SIGINT enterprise while using existing infrastructure. As necessary, we will pursue more contiguous space solutions to house our authorized strength, host key Service cyber component elements and liaison offices.

38. Senator INHOFE. Lieutenant General Alexander, what will be the interagency support to the headquarters?

General ALEXANDER. Currently, we have several representatives from key interagency partners integrated into the Consolidated JFCC–NW/JTF–GNO staff. My intent is to grow and strengthen these relationships by increasing the level of integration of our key interagency partners. As an example, we intend to further promote this enhanced coordination and collaboration by seeking the integration of interagency personnel on the CYBERCOM operations floor. We will also explore opportunities to expand DOD/NSA liaison positions at other key departments and agencies. In addition we will seek ways to improve the interagency coordination process under the command's purview. One such process is the day-to-day operational planning, deconfliction, and execution performed by JIATF-Cyber that coordinates offensive cyberspace operations. Current member organizations of JIATF-Cyber includes the NSA/Central Security Service, Defense Intelligence Agency, Central Intelligence Agency (CIA), Department of Justice (DOT), Federal Bureau of Investigation (FBI), Joint Warfare Analysis Center, Office of the Secretary of Defense/Joint Staff, Army, Navy, Air Force, Marine Corps, JFCC–NW, JTF–GNO, Joint Functional Component Command for Global Strike, JIOWC, Departments of Treasury (DOT), State (DOS), and Homeland Security and the combatant commands. As CYBERCOM matures, we will look to improve this process and expand our coordination to full-spectrum cyberspace operations.

39. Senator INHOFE. Lieutenant General Alexander, how will your responsibilities for the NSA impact or integrate with your responsibilities for CYBERCOM?

General ALEXANDER. Across my 4½ years as the Director of NSA/Chief, CSS, and Commander of JFCC–NW (18 months of which I also served as the operational commander of JTF–GNO), I have worked closely with and been supported by excellent line commanders and leaders across the STRATCOM, NSA, and CSS organizations who, in turn, have taken on greater responsibility for executing their assigned tasks while ensuring greater synchronization with all. I fully expect to be able to draw upon the capabilities and talents of that broad leadership cadre combined with the additional leaders that will join us upon activation of CYBERCOM to effectively synchronize their work across NSA and CYBERCOM.

While CYBERCOM's ability to leverage NSA's cryptologic capabilities and its world class Information Assurance expertise will be critical to its success in operating in the cyber domain, CYBERCOM and NSA will remain separate and distinct organizations with their own identities, authorities, missions, funding, and oversight mechanisms. I intend to draw upon the extensive lessons I have learned over the past 4½ years to ensure that I am able to perform both missions effectively. The addition of a three-star Deputy Commander for CYBERCOM, a fully resourced joint staff and robust Service cyber components will be critical enablers in this regard.

40. Senator INHOFE. Lieutenant General Alexander, where would you like to see CYBERCOM in the next 1, 5, and 10 years?

General ALEXANDER. Over the next year, I see CYBERCOM focusing on building the command and staff; implementing an effective operational construct; and informing, and benefiting from, the development of DOD's policy and strategy review to address cyberspace operations. Building the command includes relocation of over 400 JTF–GNO personnel from Arlington to Fort Meade, the establishment of a joint staff structure, and the stand up of Service cyber components. Implementing an effective operational construct is also key during the coming year and centers on improving our ability to dynamically defend our military networks as well as the development of a structured process to receive and respond to combatant command cyber requirements. Underlying all of these goals is the ongoing, Under Secretary of Defense for Policy-led, review of DOD cyberspace policy. This effort, as it comes to fruition, will significantly shape and influence our actions in the cyber domain.

At year 5, I envision a significant improvement in defending of our military cyber infrastructure. This improvement will be bolstered by substantive growth and maturation of our Service cyber capacity and capability as well as a considerable investment in physical and information technology infrastructure to support shared cyber situational awareness. Moreover, I envision a robust partnership with the DHS and commercial sector to ensure the defense of the .mil, .gov, and critical infrastructure, with roles, responsibilities and authorities clearly defined and executed. At year 10, I envision CYBERCOM, working closely with the Services, component commands,

and select agencies achieving a mature integrated operational construct that allows for seamless interoperability, a capability to conduct net-speed operations and a COE to conduct effective operations in cyberspace.

41. Senator INHOFE. Lieutenant General Alexander, what level of funding is necessary to achieve these goals?
General ALEXANDER. [Deleted.]

QUESTIONS SUBMITTED BY SENATOR GEORGE S. LEMIEUX

CYBER ATTACKS

42. Senator LEMIEUX. Lieutenant General Alexander, what threshold would constitute an act of war?
General ALEXANDER. [Deleted.]

43. Senator LEMIEUX. Lieutenant General Alexander, would we be willing to commit kinetic forces in response to a cyber attack?
General ALEXANDER. The President and the Secretary of Defense would determine whether kinetic forces were to be committed. Important considerations informing this decision would include the scale of the attack and the ability to attribute it to a specific adversary as well as the destructive effect. The use of kinetic force in response to a cyber attack would also need to satisfy necessity and proportionality requirements of the law of armed conflict.

44. Senator LEMIEUX. Lieutenant General Alexander, who are the decisionmakers in reacting and responding to a cyber attack?
General ALEXANDER. [Deleted.]

45. Senator LEMIEUX. Lieutenant General Alexander, a March 23rd article in Defense News claims that 120 countries have or are developing offensive cyber attack capabilities. Is the United States prepared to deal with this threat?
General ALEXANDER. While the majority of these nations developing offensive cyber attack capabilities are not our adversaries, the United States does in fact face a serious threat from a spectrum of actors. The growing cyber threat has, in fact and in my opinion, outpaced the country's defenses and we are experiencing increasingly sophisticated, coordinated, and damaging cyber penetration, for which I do not believe we are adequately prepared.
The ever increasing intrusions into on our classified and unclassified military networks, specifically, led to the Secretary of Defense's decision to establish CYBERCOM in order to confront the threats and reduce the vulnerability of our military cyber infrastructure. As recognized in the President's Cyberspace Policy Review, what is truly needed, however, is a comprehensive framework to ensure coordinated response and recovery by the whole of government working with the private sector. The interconnected nature of DOD networks and the free flow of information across various domains necessitate an active partnership between DOD and agencies across the U.S. Government, along with the private sector, to ensure that the security of these networks is synchronized. CYBERCOM will focus on securing the Nation's military networks. Military operations and command and control, however, no longer consistently fit neatly within the boundaries of the .mil networks. Increasingly, key logistics and other operational missions are performed by cleared defense contractors and commercial vendors via routine network communications. Thus, protecting the Nation's military networks and operations from disruption will increasingly require close interaction with such entities and new constructs to guarantee unimpeded operations.
As DOD works through the development of these new constructs, we will do so in concert with the White House, the Justice Department, DHS, and other agencies to ensure we develop a synchronized way ahead within an overall national cyber policy framework. These collective efforts will be foundational to our Nation's success in the cyber domain.

QUESTIONS SUBMITTED BY SENATOR DAVID VITTER

CYBER ATTACKS

46. Senator VITTER. Lieutenant General Alexander, first, I want to thank you for our productive meeting and discussion last month about NSA's continuing oper-

ations and future plans. How important do you view an American offensive cyber capability?

General ALEXANDER. [Deleted.]

47. Senator VITTER. Lieutenant General Alexander, will you make offensive capabilities a priority to counter or deter other nations' cyber attacks?

General ALEXANDER. [Deleted.]

QUESTIONS SUBMITTED BY SENATOR SUSAN COLLINS

GOVERNMENT/PRIVATE SECTOR COLLABORATION

48. Senator COLLINS. Lieutenant General Alexander, how critical is collaboration between the private sector and the Government to reducing our cyber vulnerabilities?

General ALEXANDER. Collaboration is absolutely essential. I believe building an effective partnership between the U.S. Government and the Nation's private sector is integral to reducing the country's cyber vulnerabilities.

Cyberspace is fundamentally owned and operated by the private sector. Most of the government infrastructure is owned and operated by private industry. For our mutual defense, the Government must share information and expertise regarding threats and vulnerabilities with the private sector—and the private sector should be able to do the same. It must be a partnership.

49. Senator COLLINS. Lieutenant General Alexander, can you discuss how the NSA and CYBERCOM currently interact with the private sector and your plans for that interaction to be stronger in the future?

General ALEXANDER. [Deleted.]

50. Senator COLLINS. Lieutenant General Alexander, what specific provisions in Federal law prevent information sharing between the Government and the private sector, thus hampering our efforts to protect cyberspace?

General ALEXANDER. [Deleted.]

51. Senator COLLINS. Lieutenant General Alexander, if the private sector shares information with the Government to help protect against criminal and terrorist attacks, are there adequate protections in place within the NSA and CYBERCOM to guard against the release of trade secrets and other proprietary information?

General ALEXANDER. [Deleted.]

CYBER COORDINATION

52. Senator COLLINS. Lieutenant General Alexander, NSA and CYBERCOM play lead roles in protecting U.S. military networks. DHS is the lead agency in terms of protecting the Federal Government's civilian networks and the Nation's critical infrastructure. How do you plan to coordinate the different responsibilities of NSA, CYBERCOM, and DHS in this regard?

General ALEXANDER. Each organization has specific missions and authorities, and all will be required in order to increase the cybersecurity of the Nation. Therefore, as you state, coordination is essential for success. In my experience, the elements of effective coordination are communication, collaboration, and respect. In response to cyber threats and intrusions already encountered NSA, the Joint Task Force for Global Network Operations (JTF–GNO) and DHS are continually strengthening coordination in a manner that recognizes and respects each others' authorities and capabilities, supports the exchange of vital information, and results in collaboration on solutions that mitigate the threat and reduce vulnerabilities. DHS, NSA, and the Consolidated Staff (Joint Functional Component Command Network Warfare and JTF–GNO) have also conducted a series of table top exercises to improve coordination in cyberspace. Coordination, however, is necessary beyond these three organizations. Coordination with other key departments and agencies, to include the Federal Bureau of Investigation, the Department of State, and the Department of Justice, as well as State, local, and tribal government, industry and our allies is imperative. In accordance with the White House Cyberspace Policy Review, the White House Cybersecurity Coordinator is leading this national effort.

Secretary Gates directed the creation of CYBERCOM to establish a framework under which a single military command can achieve unity of command and oper-

ational integration within DOD across the full-range of cyberspace operations. CYBERCOM will increase the DOD's effectiveness in this critical domain.

53. Senator COLLINS. Lieutenant General Alexander, what is the NSA's role in forming the technical standards, guidelines, or best practices for protecting the evolving networks of the Government and the private sector?

General ALEXANDER. [Deleted.]

CYBER ATTACKS

54. Senator COLLINS. Lieutenant General Alexander, the former DNI, Mike McConnell, recently pronounced that the United States "is fighting a cyber war today and it is losing." Various reports have indicated that foreign powers have been at the root of serious and malicious cyber attacks against U.S. Government networks and against private interests. The recently released Quadrennial Defense Review states that DOD's networks "are infiltrated daily by myriad of sources, ranging from small groups of individuals to some of the largest countries in the world." In many cases, the attacks have been conducted through private networks to cover their tracks. At what point does an attack by a foreign power on our Government's systems or on a U.S. private sector system become an act of war?

General ALEXANDER. [Deleted.]

55. Senator COLLINS. Lieutenant General Alexander, authentication of the source of a cyber attack is a critical component of any response to the attack. However, authentication can often be a difficult undertaking in the area of cyber security. It often requires the cooperation of multiple Federal agencies as well as the assistance of foreign governments. What steps is CYBERCOM taking to address this challenge?

General ALEXANDER. [Deleted.]

56. Senator COLLINS. Lieutenant General Alexander, what actions should the U.S. Government take to improve authentication efforts, including the need to pass any new laws?

General ALEXANDER. We must approach this problem in several ways. First, we must continue to encourage collaboration within the Intelligence Community to improve our ability to determine authentication. Second, we must invest in the right technologies to promote rapid attribution of cyber intrusions as well as agile tipping and cueing mechanisms to provide early warning and rapid response to these threats. This must be done with careful attention to the protection of privacy and civil liberties; if we are successful, these measures and the resulting strengthening of cybersecurity will enhance privacy through better protection of private information.

It is not clear at this time whether new laws are required to improve U.S. Government authentication efforts, though some gaps do exist today that prevent us from using technology to its fullest to increase the cyber security of the nation, especially our Nation's critical infrastructure. Foremost amongst these gaps are the potential impediments to the public-private cybersecurity information sharing partnership, which I believe is critical to more effectively attributing and countering this threat. These include two core issues. First, the U.S. Government needs to be able to disseminate to the owners of the critical infrastructure and other private sector entities threat information that reflects real time exigencies, and to receive such information from private entities, while balancing concerns regarding anti-trust regulations and other unfair competition matters; civil liberties and privacy; and due regard for the Constitution and all applicable laws, policies, and procedures. The second issue involves how private companies will protect sensitive government information and use it for the purpose of better cybersecurity without incurring liability or unduly disrupting their network operations.

NSA/CSS, as a member of both DOD and the Intelligence Community and in partnership with DHS and other departments and agencies, is working closely with the President's Cyber Security Coordinator, Mr. Howard A. Schmidt, on these issues. We are exploring options within existing law, policy, and doctrine to address these issues and we will notify Congress if any legislation maybe needed.

[The nomination reference of LTG Keith B. Alexander, USA, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
October 20, 2009.

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

The following named officer for appointment in the U.S. Army to the grade of indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be General.

LTG Keith B. Alexander, 9763.

[The biographical sketch of LTG Keith B. Alexander, USA, which was transmitted to the committee at the time the nomination was referred, follows:]

DEPARTMENT OF THE ARMY,
OFFICE OF THE CHIEF OF LEGISLATIVE LIAISON,
Washington, DC, October 15, 2009.

Hon. CARL LEVIN, *Chairman,*
Committee on Armed Services,
U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: The President has forwarded to you under separate cover the following nomination.

For appointment to the grade of General:
Lieutenant General Keith B. Alexander, Director, National Security Agency/Chief, Central Security Service, Fort Meade, MD, as Director, National Security Agency/Chief, Central Security Service/Commander, U.S. Cyber Command, Fort Meade, MD.

For the information of the committee, I am enclosing a military career resume for this officer showing his assignments and grades held.

Sincerely,

BERNARD S. CHAMPOUX,
Major General, U.S. Army,
Chief of Legislative Liaison.

Enclosure

TRANSCRIPT OF NAVAL SERVICE FOR LTG KEITH B. ALEXANDER, USA

Source of commissioned service: USMA.

Educational degrees:
U.S. Military Academy - BS - No Major
Boston University - MS - Business Administration
Naval Postgraduate School - MS - Electronic Warfare
Naval Postgraduate School - MS - Physics
National War College - MS - National Security Strategy

Military schools attended:
Armor Officer Basic Course
Military Intelligence Officer Advanced Course
U.S. Army Command and General Staff College
National War College

Foreign language(s): None recorded.

Promotions:

Promotions	Date of appointment
2LT	5 Jun 74
1LT	5 Jun 76
CPT	8 Aug 78
MAJ	1 Sep 85
LTC	1 Apr 91

Promotions	Date of appointment
COL	1 Sep 95
BG	1 Jan 00
MG	1 Jan 03
LTG	1 Aug 03

Major permanent duty assignments:

From	To	Assignment
Feb. 75	Mar. 76	Platoon Leader, B Company, 2d Battalion, 81st Armor, 1st Armored Division, U.S. Army Europe and Seventh Army, Germany
Mar. 76	June 77	Assistant S–4 (Logistics), later S–4, 511th Military Intelligence Battalion, 66th Military Intelligence Group, U.S. Army Europe and Seventh Army, Germany
July 77	June 78	Commander, Field Office, 511th Military Intelligence Battalion, 66th Military Intelligence Group, U.S. Army Europe and Seventh Army, Germany
July 78	Feb. 79	Student, Military Intelligence Officer Advanced Course, U.S. Army Military Intelligence Center and School, Fort Huachuca, AZ
Feb. 79	July 79	Electronic Warfare Staff Officer, 525th Military Intelligence Group, Fort Bragg, NC
July 79	Jan. 81	Commander, 336th Army Security Agency Company, 319th Military Intelligence Battalion (Corps Electronic Warfare Intelligence), 525th Military Intelligence Group, Fort Bragg, NC
Jan. 81	July 81	Assistant S–3 (Operations), 525th Military Intelligence Group, Fort Bragg, NC
Aug. 81	Sep. 83	Student, Naval Postgraduate School, Monterey, CA
Oct. 83	June 85	Operations Officer, later, Chief, Intelligence Electronic Warfare Systems Task Force, later Chief, Concepts and Studies Division, U.S. Army Intelligence Center and School, Fort Huachuca, AZ
June 85	June 86	Student, U.S. Army Command and General Staff College, Fort Leavenworth, KS
June 86	June 88	Deputy Director, Intelligence and Electronic Warfare Master Plan Special Task Force, later Intelligence Staff Officer, Office of the Deputy Chief of Staff for Intelligence, U.S. Army, Washington, DC
June 88	Mar. 90	S–3 (Operations), later Executive Officer, 522d Military Intelligence Battalion, 2d Armored Division, Fort Hood, TX
Mar. 90	June 91	Assistant Chief of Staff, G–2 (Intelligence), 1st Armored Division, U.S. Army, Europe and Seventh Army, Germany and Operations Desert Shield/Storm, Saudi Arabia
June 91	July 93	Commander, 204th Military Intelligence Battalion, U.S. Army, Europe and Seventh Army, Germany
Aug. 93	June 94	Student, National War College, Fort McNair, Washington, DC
June 94	May 95	Chief, Army Intelligence Initiatives, Office of the Deputy Chief of Staff for Intelligence, U.S. Army, Washington, DC
May 95	June 97	Commander, 525th Military Intelligence Brigade, Fort Bragg, NC
June 97	July 98	Deputy Director for Intelligence, J–2, The Joint Staff (Defense Intelligence Agency), Washington, DC
July 98	Feb. 01	Director for Intelligence, J–2, U.S. Central Command, MacDill Air Force Base, FL
Feb. 01	July 03	Commanding General, U.S. Army Intelligence and Security Command, Fort Belvoir, VA
Aug. 03	July 05	Deputy Chief of Staff, G–2, U.S. Army, Washington, DC
Aug. 05	Present	Director, National Security Agency/Chief, Central Security Service, Fort Meade, MD

Summary of joint assignments:

	Date	Grade
Assistant Chief of Staff, G–2 (Intelligence), 1st Armored Division, U.S. Army Europe and Seventh Army, Germany and Operations Desert Shield/Storm, Saudi Arabia (Partial Joint Credit)	Mar. 90–June 91	Lieutenant Colonel
Deputy Director for Intelligence, J–2, The Joint Staff (Defense Intelligence Agency), Washington, DC (Cumulative Joint Credit Awarded)	June 97–July 98	Colonel
Director for Intelligence, J–2, U.S. Central Command, MacDill Air Force Base, FL	July 98–Feb. 01	Brigadier General
Director, National Security Agency/Chief, Central Security Service, Fort Meade, MD	Aug. 05–Present	Lieutenant General

Summary of operations assignments:

	Date	Grade
Assistant Chief of Staff, G–2 (Intelligence), 1st Armored Division, U.S. Army Europe and Seventh Army, Germany and Operations Desert Shield/Storm, Saudi Arabia	Mar. 90–June 91	Lieutenant Colonel

U.S. decorations and badges:

Distinguished Service Medal (with two Oak Leaf Clusters)

Defense Superior Service Medal (with Oak Leaf Cluster)
Legion of Merit (with four Oak Leaf Clusters)
Bronze Star Medal
Meritorious Service Medal (with four Oak Leaf Clusters)
Air Medal
Army Commendation Medal (with Oak Leaf Cluster)
Army Achievement Medal (with Oak Leaf Cluster)
Senior Parachutist Badge
Joint Chiefs of Staff Identification Badge
Army Staff Identification Badge

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by LTG Keith B. Alexander, 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.)
Keith B. Alexander.

2. **Position to which nominated:**
Director, National Security Agency/Chief, Central Security Service/Commander, U.S. Cyber Command.

3. **Date of nomination:**
October 20, 2009.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
December 2, 1951; Syracuse, NY.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Deborah Lynn Alexander (nee Douglas).

7. **Names and ages of children:**
Jennifer Lynn Leonard, age 33.
Julie Marie Bailey, age 31.
Diana Lauri Glaser, age 29.
Heather Michelle Burton, age 25.

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.

Association of U.S. Army.

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.

[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

KEITH B. ALEXANDER.

This 1st day of July, 2009.

[The nomination of LTG Keith B. Alexander, USA, was reported to the Senate by Chairman Levin on May 5, 2010, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on May 7, 2010.]

NOMINATIONS OF GEN RAYMOND T. ODIERNO, USA, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND COMMANDER, U.S. JOINT FORCES COMMAND; AND LTG LLOYD J. AUSTIN III, USA, TO BE GENERAL AND COMMANDER, U.S. FORCES-IRAQ

THURSDAY, JUNE 24, 2010

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, Ben Nelson, Webb, Hagan, Burris, Kaufman, McCain, Inhofe, Sessions, Chambliss, Graham, Thune, LeMieux, Burr, and Vitter.

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

Majority staff members present: Jessica L. Kingston, research assistant; Michael J. Kuiken, professional staff member; Michael J. Noblet, professional staff member; John H. Quirk V, professional staff member; and William K. Sutey, professional staff member.

Minority staff members present: Joseph W. Bowab, Republican staff director; John W. Heath, Jr. minority investigative counsel; and Dana W. White, professional staff member.

Staff assistants present: Jennifer R. Knowles, and Christine G. Lang.

Committee members' assistants present: Vance Serchuk, assistant to Senator Lieberman; Carolyn A. Chuhta, assistant to Senator Reed; Nick Ikeda, assistant to Senator Akaka; Christiana Gallagher and Ann Premer, assistants to Senator Ben Nelson; Patrick Hayes, assistant to Senator Bayh; Gordon Peterson, assistant to Senator Webb; Roger Pena, assistant to Senator Hagan; Lindsay Kavanaugh, assistant to Senator Begich;, Roosevelt Barfield, assistant to Senator Burris; Sandra Luff, assistant to Senator Sessions; Andrew King, assistant to Senator Graham; Jason Van Beek, assistant to Senator Thune; Brooks Tucker, assistant to Senator Burr; and Michael Wong, assistant to Senator Vitter.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody.

The committee meets this morning to consider the nominations of two extremely distinguished senior military officers, General Raymond Odierno, nominated to be Commander, U.S. Joint Forces Command (JFCOM) and Lieutenant General Lloyd Austin, nominated to be general and Commander, U.S. Forces-Iraq. On behalf of the committee, let me thank you both for your devotion, your commitment to the service of our country, your willingness to be in positions of extreme responsibility.

We know that nominees are not alone in making these sacrifices, and so in advance we thank your family members for the support which they will need to continue to provide to you. We have a long-standing tradition of asking our nominees to introduce family members who are present, and let me do that at this time.

General Odierno, if you have family members with you, we'd be delighted for you to introduce them.

General ODIERNO. Thank you, Mr. Chairman. I do have my wife, Linda, with me today.

Linda, if you could stand up, please?

My wife of 34 years has been with me my entire Army career, supported our families and our soldiers and continues to do that on a volunteer basis. As you all know, and we know, we couldn't do it without their great support that they give us, and I thank her for her support and sacrifices that she's given these last several years.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you. Thank you so much for your great service in support of not only your husband, but all that he does for our Nation.

General Austin, do you have family members with you?

General AUSTIN. I do, Mr. Chairman, and I'd ask my wife, Charlene, to stand up, please?

Before I introduce Charlene, though, Mr. Chairman, I'd like to applaud the efforts of all of the family members that support our military day in and day out. They've made great sacrifices to our Nation and they give a lot each and every day.

Charlene's no exception. She's been my bride for 25 years. She's a trained counselor by profession, and she's been in the service of our soldiers and family members for the entire time that we've been together. I'm very grateful for her sacrifices and her continued support.

Thanks a lot, Mr. Chairman, for allowing me to introduce her.

Chairman LEVIN. Thank you, and thank her as well.

We, this committee, spend a lot of time supporting our men and women in uniform and we also make it a point to focus on their families and the kind of support that they deserve.

Each of our nominees has served this country in the military for more than 30 years. They've shouldered the awesome responsibilities of senior leadership of American troops in combat.

General Odierno is no stranger to this committee, he's commanded U.S. and coalition forces in Iraq nearly continuously since December 2006. In fact, during that time, General Odierno has had, I understand, only one small 7-month break in the last 47 months.

General, your service and sacrifice and that of your family are well-known to all of us. They are deeply appreciated. We have a tremendous respect and confidence in you. If you are confirmed, you have the important responsibility of providing mission-ready joint-capable forces to our combatant commanders around the world. This command also supports the development and integration of present and future joint interagency and multi-national capabilities.

Our committee has a longstanding interest in this Command's mission, responsibilities, authorities and activities with respect to joint doctrine development, training, experimentation, and acquisition.

The conflicts in Afghanistan and Iraq continue to stress the readiness and resources of our Armed Forces. JFCOM's leadership as the joint force provider for present and future operational needs of the Department of Defense (DOD) is essential.

We're particularly interested in hearing General Odierno's views on JFCOM's contribution to the development of capabilities and the generation of forces to meet the requirements of the combatant commanders, as well as his assessment, based on his experience over the last few years of the readiness of both deploying ground forces, and nondeploying forces, and we'd be particularly interested, also, to hear General Odierno's views on the future of JFCOM's contribution to the joint acquisition, transformation, and readiness of our military through what promises to be the very challenging years ahead.

In addition, the committee is interested in the role that joint experimentation, including JFCOM's modeling and simulation activities plays in advancing our warfighting capabilities. We have a significant interest in pressing the Department on plans to reduce the number of contractors and to transfer responsibility to DOD staff, as Secretary Gates has said that he would do.

Lieutenant General Austin currently serves as Director of the Joint Staff at the Pentagon, and that is an extraordinarily important position. We've come to know of his great service in that position. But he also has important recent experience commanding U.S. and Coalition Forces in combat as Commanding General of Multi-National Corps-Iraq, and prior to that, commanding the 10th Mountain Division in Afghanistan.

If confirmed, General Austin will assume command of approximately 82,000 U.S. troops in Iraq, on the way down to 50,000 by the end of this coming August and leading to the eventual withdrawal of all of our forces by December 2011.

The drawdown of U.S. forces is based on our security agreement with the Government of Iraq. It is supported by the increasing capability of the Iraqis Security Forces to shoulder the responsibility of maintaining order in their country.

However, enough challenges remain, as the Iraqis still have not established a government following the elections last spring. They still need to wrestle with the political future of their Northern Provinces, and come to an agreement on how to distribute Iraq's abundant oil revenues.

Within that context, the drawdown of U.S. forces is a complex military operation. When confirmed, General Austin will continue

to carefully manage the change of the U.S. force's mission from counterinsurgency to advising and assisting the Iraqi security forces, targeted counterterrorism operations and force protection. All of which must occur while redeploying to the United States tens of thousands of personnel, and shipping millions of pieces of equipment out of Iraq.

A critical part of the drawdown of U.S. forces is the interagency transition from DOD lead to the Department of State lead with respect to U.S. long-term relations, and the host of stability and reconstruction activities in Iraq. We'd be interested in hearing General Austin's views on the importance of that transition, and if confirmed, what actions he will take—if any—to ensure that it is accomplished efficiently and effectively.

We're also interested to hear General Austin's views on the challenges of redeploying those large numbers of equipment and the remaining 82,000 personnel from Iraq. Some of that equipment needs to be sent to Afghanistan for our operations, and where appropriate, by transferring some of that equipment to the Afghan Security Forces to accelerate their taking responsibility for their country's own security.

Senator McCain.

STATEMENT OF SENATOR JOHN MCCAIN

Senator MCCAIN. Thank you, Mr. Chairman.

Let me thank our two very distinguished witnesses for appearing before the committee this morning. General Ray Odierno and General Lloyd Austin are two of America's finest military leaders. They are also, for some of who are smaller in stature, causing us to ask whether there is a height requirement for command of our mission in Iraq.

I want to take this opportunity today to thank our witnesses, and especially their families, for their many decades of faithful service and sacrifice to our Nation. I'd like to extend our gratitude to both of you for your tremendous commitment to our Nation's fighting men and women of whom we ask so much, and who never has let us down.

This hearing, obviously, is colored and dominated by the issue of Iraq, its past, its present, and its future. When General Odierno returned to Iraq in 2006, it was all but a failed state. But over the next 2 years, as the operational commander of the surge, a strategy which was opposed by many members of this committee and dire predictions of failure were made, and then for 2 more years as our top commander, General Odierno was instrumental in the U.S. and Iraqi effort that turned the situation around.

Perhaps the highest compliment I can pay to General Odierno is that he has ably and impressively filled the very big shoes of his predecessor, General David Petraeus. I'd go one step further: much of the credit for the amazing turnaround in Iraq has gone to General Petraeus, and that credit is richly deserved. But not enough people understand the absolutely indispensable role that General Odierno played, both in conceiving of the surge strategy and then driving it day in and day out, hour by hour, toward victory. There is no way that the surge could have succeeded without him.

General Odierno's forward-looking and adaptive leadership make him an ideal choice to head up our JFCOM where he will be on the forefront of defining and shaping how our force will tackle a complex and diverse array of challenges in the years ahead, from raging insurgencies and rising powers, to humanitarian relief and building partnership capacity.

General Austin has also been a vital part of our Iraq team. Under his leadership of our day-to-day operations, U.S. forces in Iraq carried out the critical work of consolidating the success of the surge and beginning the transition to Iraqi leadership. Perhaps the highest compliment I can pay to General Austin is that he took over for General Odierno as our operational commander in Iraq in 2008, and we never missed a beat.

With the prospect of a second command transition from General Odierno to General Austin, and with the final phase of our redeployment out of Iraq soon to unfold, we can be confident that our mission in Iraq is in the best of hands.

To be sure, the situation in Iraq is still fragile and fraught with difficulty. The country is in the midst of a pivotal and challenging process to form a new government, which is taking longer than many of us had hoped. Still, it is more important to get a good government in Iraq than a fast government. At the same time, serious internal and external threats to Iraq remain, as we have so tragically seen in recent months. Yet, the Iraqi security forces continue to grow more capable and professional, and they, not our troops, are now in the lead in the most critical parts of the mission. It is absolutely essential that the United States, including the Congress, remain deeply engaged with Iraq during this critical transition. Though the nature of our commitment to Iraq is changing, that commitment is enduring.

We would welcome the views of both of our witnesses on some of the most important issues now facing us in Iraq, on the continued Iraqi efforts to form a new government, on the transition from a military to a civilian-led U.S. mission, and especially on this committee's decision to cut $1 billion from the President's $2 billion request for the Iraq Security Forces Fund, by the way, without consultation with the minority, and replaced by earmarked pork-barrel projects. One of the really, most unusual acts that I have seen in the years that I have served on this committee.

The United States has sacrificed so much in Iraq. So many lives have been given and so many resources have been committed, and against all odds, success is within our grasp. The one Iraqi institution that will do the most to determine whether this success will be sustained is the Iraqi security forces. Considering how high the stakes are in Iraq, it is inconceivable why this committee would arbitrarily slash funding for Iraq's security forces.

I look forward to discussing this and many other issues pertaining to our mission in Iraq with our witnesses today. I want to thank them again for their many years of service, and for their desire to step forward once again to be considered for these two important commands.

Thank you.

[The prepared statement of Senator McCain follows:]

PREPARED STATEMENT BY SENATOR JOHN MCCAIN

Thank you, Mr. Chairman. Let me thank our two very distinguished witnesses for appearing before the Committee this morning.

General Ray Odierno and General Lloyd Austin are two of America's finest military leaders. They are also causing some of us to ask whether there is a height requirement for command of our mission in Iraq.

I want to take this opportunity today to thank our witnesses, and especially their families, for their many decades of faithful service and sacrifice to our Nation. I would also like to extend our gratitude to both of you gentlemen for your tremendous commitment to our Nation's fighting men and women—of whom we ask so much, and who never let us down.

This hearing is colored by Iraq—its past, its present, and its future.

When General Odierno returned to Iraq in 2006, it was all but a failed state. But over the next 2 years, as the operational commander of the surge, and then for 2 more years as our top commander, General Odierno was instrumental in the U.S. and Iraqi effort that turned the situation around.

Perhaps the highest compliment I can pay to General Odierno is that he has ably and impressively filled the very big shoes of his predecessor, General David Petraeus. I would go one step further: Much of the credit for the amazing turnaround in Iraq has gone to General Petraeus, and that credit is richly deserved. But not enough people understand the absolutely indispensable role that General Odierno played, both in conceiving of the surge strategy and then driving it day in and day out, hour by hour, toward victory. There is no way that the surge could have succeeded without him.

General Odierno's forward-looking and adaptive leadership make him an ideal choice to head up our Joint Forces Command—where he will be on the forefront of defining and shaping how our force will tackle a complex and diverse array of challenges in the years ahead, from raging insurgencies and rising powers, to humanitarian relief and building partnership capacity.

General Austin has also been a vital part of our Iraq team. Under his leadership of our day-to-day operations, U.S. forces in Iraq carried out the critical work of consolidating the success of the surge and beginning the transition to Iraqi leadership. Perhaps the highest compliment I can pay to General Austin is that he took over for General Odierno as our operational commander in Iraq in 2008, and we never missed a beat. Now, with the prospect of a second command transition from General Odierno to General Austin, and with the final phase of our redeployment out of Iraq soon to unfold, we can be confident that our mission in Iraq is in the best of hands.

To be sure, the situation in Iraq is still fragile and fraught with difficulty. The country is in the midst of a pivotal and challenging process to form a new government, which is taking longer than many of us had hoped. Still, it is more important to get a good government in Iraq than a fast government. At the same time, serious internal and external threats to Iraq remain, as we have so tragically seen in recent months. Yet, the Iraqi security forces continue to grow more capable and professional, and they, not our troops, are now in the lead in the most critical parts of the mission. It is absolutely essential that the United States, including the Congress, remain deeply engaged with Iraq during this critical transition. Though the nature of our commitment to Iraq is changing, that commitment is enduring.

We would welcome the views of both of our witnesses on some of the most important issues now facing us in Iraq—on the continued Iraqi efforts to form a new government, on the transition from a military to a civilian-led U.S. mission, and especially on this committee's decision to cut $1 billion from the President's $2 billion request for the Iraq Security Forces Fund. The United States has sacrificed so much in Iraq. So many lives have been given and so many resources have been committed, and against all odds, success is within our grasp. The one Iraqi institution that will do the most to determine whether this success will be sustained is the Iraqi security forces. Considering how high the stakes are in Iraq, it is inconceivable why this committee would arbitrarily slash funding for Iraq's security forces.

I look forward to discussing this and the many other issues pertaining to our mission in Iraq with our witnesses today. I want to thank them again for their many years of service, and for their desire to step forward once again to be considered for these two important commands.

Chairman LEVIN. Thank you very much, Senator McCain.

Senator Inhofe has asked for a very brief unanimous consent.

Senator INHOFE. Yes, Mr. Chairman, I appreciate it.

Unfortunately, I won't be able to stay for this hearing, but I want to make sure that I get on record.

I've been blessed to get to know both General Odierno and General Austin in the place where it means the most: in the field, and seen them in action. I want to thank them so much for their service, and for the time that each one of you gave me in my office yesterday. All of my questions have been answered, and just for the record, I would like to say that these guys today are not nominees, they're American heroes.

Thank you, Mr. Chairman, for giving me a chance to say that.

Chairman LEVIN. All right, thank you, Senator Inhofe.

General Odierno.

STATEMENT OF GEN RAYMOND T. ODIERNO, USA, NOMINEE FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND COMMANDER, U.S. JOINT FORCES COMMAND

General ODIERNO. Mr. Chairman, Senator McCain, distinguished members of the committee, I'm deeply honored to be here today, and humbled that I've been nominated by the President and the Secretary of Defense to serve as the Commander of U.S. Joint Forces Command.

Thank you for giving me the opportunity to appear before the committee today. I promise you that, if confirmed, I will dedicate myself to carrying out my duties to the best of my ability and continue to work openly with Congress.

Should you confirm me, my first priority will be to support all of our combatant commanders, and prepare our U.S. Joint Interagency Team to meet the needs of this evolutionary and complex environment in which we must continue to operate—but not only operate, but succeed.

I will never forget my responsibilities to ensure our soldiers, sailors, airmen and marines, as well as our dedicated families, are prepared and ready to take on all of the challenges ahead.

If I could just take a few minutes, I would like to speak just quickly about Iraq. Today we are at a pivotal time in Iraq. Following successful elections in March, and the seating of the parliament on June 14, the new legislative body has begun the process of forming the next government.

We are working closely with Iraqis partners to enable a process that yields an inclusive governing body, that is representative of the diversity of the Nation and the results of the elections. Although violence still persists in Iraq, we continue to see a steady decline in overall incidents, in overall civilian casualties and Iraqi security forces casualties, and also a reduction in the number of high-profile attacks inside of Iraq.

Since 30 June 2009, the Iraqi security forces have assumed full responsibility for planning and executing security operations inside of Iraq. Working closely with the Central Command (CENTCOM) Commander, Secretary of Defense, and the President of the United States, we have developed a roadmap for the future of Iraq and our mission there. In accordance with the Presidential guidance, our plan to responsibly drawdown our force to 50,000 and end combat operations and transition to stability operations by 1 September is on track.

Today, we have just under 82,000 U.S. troops on the ground, down from a high of 165,000 in 2008. As we transition to a civilian-led presence, we will continue to conduct partnered counter-terrorism operations and provide combat enablers to help the Iraqi security forces maintain pressure on the extremist networks.

But our primary mission will be to train, advise, and assist the Iraqi security forces, to protect the population against internal and external threats. Additionally, we will support the U.S. Embassy, and specifically Provincial Reconstruction Teams, the United Nations, and other nongovernmental organizations dedicating to continuing the build of Iraqis capacity. Guided by the Strategic Framework Agreement between the United States and the Government of Iraq and using a whole-of-government approach, we will continue to set conditions for a secure, stable, self-reliant Iraq, and set the foundation for an enduring strategic partnership between the United States and the Government of Iraq. The stability of the region and the interests of the United States depend on it.

During my time in Iraq, I've had the privilege to watch our servicemembers perform superbly. Whether conducting full spectrum combat, counterinsurgency, or stability operations, in a complex and ever-changing operating environment, our servicemembers have displayed unparalleled adaptability and ingenuity to work through the toughest issues.

If confirmed, I'm committed to applying the lessons I've learned in almost 5 years as a Division, Corps, and Force Commander inside of Iraq, that I will dedicate myself to ensure that in my duties as the Commander of JFCOM, I plan to use that experience to develop our joint doctrine and capabilities, evolve our professional military education, and support our servicemembers currently deployed around the world.

I'm very thankful for the continuous support I've received from Congress, and I'm deeply honored by the confidence placed in me to continue to serve. It is the greatest privilege to lead the men and women of our Armed Forces. I look forward to your questions.

Thank you very much, Mr. Chairman.

Chairman LEVIN. Thank you so much, General Odierno.

General Austin.

STATEMENT OF LTG LLOYD J. AUSTIN III, USA, NOMINEE TO BE GENERAL AND COMMANDER, U.S. FORCES-IRAQ

General AUSTIN. Mr. Chairman, Senator McCain, and to all of the distinguished Senators of the Senate Armed Services Committee, thank you for the opportunity to be here today and thanks to all of the members of this committee for your unwavering support to our service men and women and their families.

As we enter our 9th year of sustained combat operations, our young men and women, along with their families, continue to answer the Nation's call, and carry the heavy burdens of the current wars, and they are performing magnificently. As a soldier, it has been my great privilege to serve the United States of America for the last 35 years, and it is a tremendous honor to be nominated to command U.S. Forces-Iraq. If confirmed, I look forward to continuing our Nation's work in Iraq. I understand that a stable environment in the Middle East and Southwest Asia is essential to U.S.

interests, and that the future of Iraq is inseparable from the future of this critical region.

A sovereign, stable, and self-reliant Iraq will contribute to the stability in the region, and will be a major ally in our fight against al Qaeda and its extremist allies.

Conditions in Iraq have improved significantly over the past 3 years. The government has demonstrated respect for the rule of law, and is moving towards the peaceful transfer of power through legitimate elections. Civil capacity and economic conditions continue to improve, and al Qaeda in Iraq, and other violent extremist groups have been severely degraded.

While we have achieved progress over the last few years, I am keenly aware that the mission is not without risk, and our work remains unfinished. Malign external influences continue to infringe on Iraqi sovereignty, and al Qaeda and other violent extremist groups still pose a threat to the government and to the Iraqi people, and ethno-sectarian tensions continue to impede a unified national vision for all Iraqis.

If confirmed, I would focus on a number of things. We would continue to develop a long-term and mutually beneficial relationship with the Iraqis. An enduring U.S.-Iraqis strategic partnership and positive strategic relationships between the Government of Iraq and its regional neighbors are essential to security and prosperity in Iraq and across the region.

We would accomplish the U.S. military drawdown by responsibly transferring missions and tasks to the Government of Iraq, to the Department of State, and to other appropriate international organizations. During this transition period, our forces would continue to advise and train the Iraqi forces to develop their security capabilities, and support their ability to protect the Iraqi people.

In conjunction with our regional and global counterterrorism strategy, we will continue to conduct partnered counterterrorism operations to defeat al Qaeda and other extremists in Iraq. We would assist the development of effective ministries, and enable Iraq to meet the needs of the people, and we would support efforts to advance enduring solutions for Iraqi national unity. The foundational requirement for all of this is security and stability, and that can only happen through a capable and professional Iraqi security forces.

We've achieved much in Iraq through the courage and sacrifice of our U.S. service men and women, and the Iraqi people and the Coalition Forces that fall alongside the Iraqis in some of their most perilous times. I am committed to achieving our national objectives and I am dedicated to all of the brave people who've sacrificed to help build toward a stable and secure Iraq.

I want to assure everyone that, if confirmed, I will work tirelessly to achieve our national objectives in Iraq. I would look forward to working with this committee and I would ensure that the American values are adhered to by the U.S. forces in Iraq.

Thank you very much, Mr. Chairman, I look forward to your questions.

Chairman LEVIN. Thank you, General Austin.

Let me ask, now, standard questions that are asked by this committee of all of our nominees.

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

General AUSTIN. I have.

General ODIERNO. I have.

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

General AUSTIN. No.

General ODIERNO. No.

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

General AUSTIN. I will.

General ODIERNO. I will.

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

General ODIERNO. I will.

General AUSTIN. Yes.

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

General ODIERNO. Yes.

General AUSTIN. Yes.

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

General ODIERNO. Yes.

General AUSTIN. Yes.

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

General ODIERNO. Yes.

General AUSTIN. 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?

General ODIERNO. Yes.

General AUSTIN. Yes.

Chairman LEVIN. Thank you both.

Let's try a 7-minute first round.

General Odierno, let me ask you first, the legislative elections were held last March, they provided no clear winner and the government has not yet been formed. Let me ask you, and then General Austin, what is your assessment of the situation in Iraq, particularly relative to the delay in the formation of a new government and what is its impact on the security situation in Iraq and on the planned drawdown of U.S. forces?

General ODIERNO. Thank you, Mr. Chairman.

First, I would just say the elections themselves were historic in nature, and the outcomes were historic. We had record numbers of Iraqis show up for the elections. In addition they had a chance to vote freely.

In a poll that we took, 85 percent of the people felt that they were not influenced at all in their votes, and I think that shows

why we had such a close outcome in the elections, and I think that's extremely positive.

We then had a challenge to the election results, they did a recount, and the recount, once again, validated that, in fact, the elections were credible and legitimate. All of this reinforcing the democratic processes that were put in place by the Iraqi High Electoral Commission, supported by the United Nations. I think all of these things added to the credibility of the elections.

The long time period has made many of the people in Iraq a bit nervous during this period where we have what we call a caretaker government, but what's been encouraging to me has been the actions of the Iraqi security forces. The Iraqi security forces have remained professional and dedicated to accomplishing the mission at hand: sustaining security levels, and allowing the process to continue.

It's important that the Iraqis get the government right, that they have a government that is a unity government that is representative of all of the people, and it's important that they be given time to do that. But they must realize they must also move forward quickly, so that people don't take advantage of that.

Chairman LEVIN. General Austin, do you wish to add anything to that?

General AUSTIN. Mr. Chairman, I share your concern with the amount of time that it's taking to form the government. Having said that, I am confident that the Iraqis will transfer power peacefully.

I agree with General Odierno that it's absolutely encouraging that despite the fact that it's taken them a little longer than we'd like to see them take, the numbers of attacks in Iraq have continued to go down and the Iraqi security force is performing admirably.

Chairman LEVIN. Let me ask you both, do you continue to support the drawing down to 50,000 U.S. troops in Iraq by September 1?

General AUSTIN. I do, Mr. Chairman.

General ODIERNO. Mr. Chairman, I've been clear about this, I think it's the right time to do that. I think with 50,000 soldiers, sailors, airmen, and marines on the ground it gives us enough capability to continue to ensure that we continue to make progress towards a self-reliant Iraq.

I think the Iraqi security forces have been in control of the security situation, in charge of it for several months, now. They've proven that they can do this with our support. Over the next few months, we'll slowly reduce that support, and I think we're in line to get to 50,000 by 1 September.

Chairman LEVIN. General Austin, when you take over, now, you'll be facing the reduction by the end of next year to no U.S. combat troops in Iraq. Do you support that?

General AUSTIN. I absolutely do, Mr. Chairman, and I'm confident that based upon plans that have currently been laid out that we're on a good glide slope to get to where we need to be.

Chairman LEVIN. General Odierno, the number of contractors working under JFCOM currently outweighs the number of military personnel assigned to JFCOM. Some of those contractors, the ones

that are hired as senior mentors can earn upwards of $1,600 a day for their services, which is more than an Army private running combat missions earns in an entire month.

Given the decision by Secretary Gates to convert the in-source contractors to government employees, will you look at this situation and see whether or not JFCOM is going to move in that direction, as well?

General ODIERNO. Thank you, Mr. Chairman.

I have looked just peripherally, initially at the number of contractors, civilians, and military in JFCOM. I'm going to take a look at it when I get down there and understand what the dynamic is.

As you've stated, there are more civilians and contractors than military. We want to make sure that we have military people doing military roles, governmental employees doing inherently governmental roles, and that contractors are limited to doing only those roles that they are authorized to do, and we'll continue to look at that.

In regards to the senior mentor program, I understand that JFCOM is working with the Department of the Navy, who is the executive agent for JFCOM to be in line with Secretary Gates' guidance in bringing that program online. I would just say that the value of that program has been immense. I have personally been trained with this program for 10 or 12 years, now, and the impact it's had on preparing me to be ready to face complex issues is extremely important.

It's important that we get this program right, and that we continue to have a program that allows senior leaders to have mentors and help them to learn through others what they have experienced.

Chairman LEVIN. I hope you will not only look at those matters, but look at the way in which the funding is provided to those mentors and contractors which then apparently get a cut of the money that goes to the mentors themselves. There's a lot to be looked at in that area, and I'm glad to hear you'll be doing it.

Are you familiar, General Odierno, with the request of the Defense Minister in Iraq for the upcoming budget of $7.4 billion and the fact that, apparently, the Finance Minister of Iraq reduced that request from $7.4 billion to $4.9 billion, are you familiar with that?

General ODIERNO. I am, Mr. Chairman.

Chairman LEVIN. Did you weigh in on that issue?

General ODIERNO. We did. I would just say that, as all budgets are formed, I believe that the Defense Minister's request was an unconstrained requirement. It was reviewed with the rest of the requirements in Iraq, and decisions were made in order to establish the budget.

I would say that the defense spending has gone up every year since 2004. It went up again in 2010 from 2009. As we look at the defense budget within Iraq, we look at both the Minister of Interior and the Minister of Defense budgets, since they both contribute significantly to the internal security. In 2010, that was $11 billion, approximately 17.5 percent of the total budget. I think that's a significant amount, and they continue to contribute immensely to building the Iraqi security forces, police, and army.

Chairman LEVIN. Did you support the Minister's request of $7.4 billion?

General ODIERNO. What we did is, we looked at what we thought were mission-central capabilities and we thought that $7.4 billion was what would be necessary to help them attain that capability.

Chairman LEVIN. Thank you.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

As I mentioned in my opening statement and I'm sure you heard this, the majority on the committee decided to take $1 billion out of the administration's request and substitute items such as $1 million for foreign language correlation and transition, $3 million for plant-based vaccine development, and other very vital national security programs, i.e., the earmark and pork barreling goes on despite the dissatisfaction of the American people.

General Odierno and General Austin, if this committee's $1 billion cut to the Iraqi security forces is enacted, what impact do you think that will have on the Iraqis military and police capabilities and effectiveness, and on the security and stability of Iraq as the U.S. troops withdraw?

General ODIERNO. Senator McCain, let me answer first.

I did submit the request through CENTCOM for $2 billion in Iraqi security force funding for fiscal year 2011. That was based on developing mission-essential capability for the Iraqi security forces in preparation for our departure in the end of 2011. That request was based on getting them to a certain capability, which we thought would mitigate and reduce the risk of U.S. forces leaving Iraq by the end of 2011.

This money, we'd all be cost-sharing. That money would be added to what the Iraqi security forces have available within their budget. In order to continue to develop their strategic logistics, intelligence collection integration, foundational external security items, such as air sovereignty, and continued improvements in the Navy in order to protect the oil infrastructure, as well as other key enablers, such as intelligence, surveillance, and reconnaissance (ISR) and others, that they are just beginning to develop. We think all of those are important as we move forward, and get them to a minimum capability. This does not, by any means, complete what they absolutely will need in the long run. That will take several more years. But we think it would give them initial capability that would mitigate the risk in reduction of the U.S. forces by the end of 2011.

Senator MCCAIN. General Austin?

General AUSTIN. Thank you, sir.

If confirmed, I would assess the impact of the loss of these resources once I'm on the ground, but generally speaking, as we try to conduct our responsible drawdown, and by the end of calendar year 2011, what we're trying to do is stand up capability with the Iraqi security forces as efficiently and effectively as possible. Certainly, we're balancing risk as we do that. If confirmed, as I go into theater, I would take a hard look at what the loss of those resources would do to either increase or not increase that risk.

Senator MCCAIN. Maybe we could hear again, and I think you partially answered this question from the chairman, as we took this billion dollars and put it into earmark and pork barrel projects—one of the arguments used by the majority was that the

Iraqi Government is not committing sufficient resources to its own security and that it has surplus resources to direct to its military and police.

How do you respond to that, General, again?

General ODIERNO. Senator, as I stated, I know that in 2010, $11 billion has been dedicated to the security forces, which is about 17.5 percent of the total budget.

In addition, the Iraqi budget for 2010 is $77 billion. We believe revenue will be around $52 billion. They have $10 billion in excess cash which will be used to take care of part of the $25 billion deficit, and then they are planning on borrowing $2 to $3 more million from the International Monetary Fund——

Senator MCCAIN. Billion.

General ODIERNO.—billion—and that still would leave them about $12 billion deficit in 2010.

For 2011, they have a $79 billion budget. They are predicting a revenue of about $62 billion, which would be an increase, obviously, over 2010, based on the fact that they hope to increase oil exports in 2011. But it's unclear, yet, whether they'll be able to do that or not, but it will still leave them at a deficit in their spending.

Senator MCCAIN. I thank you, and I just don't see, very frankly, how our side of the aisle, could agree to an authorization bill moving forward where we've substituted $1 billion of badly needed help to finish up our conflict in Iraq, pursuing a successful strategy which was opposed by the same individuals who want to spend $1.5 million for an acoustic search glider and $1 million for a permafrost tunnel. I don't think that I could support moving forward with an authorization bill that would cut $1 billion from our ability to succeed in our mission in Iraq. Too much American blood and treasure has been expended to allow it to be undermined, because earmark and pork-barrel spending seems to be the top priority.

I thank both of the witnesses, I look forward to confirming them, and I thank them both for their service to our country.

Chairman LEVIN. Thank you, Senator McCain.

Senator Lieberman.

Senator LIEBERMAN. Thanks, Mr. Chairman.

Thanks to both of you. I was thinking as I looked around the room that there's not a big crowd here, today, it's not the size of the crowds that we used to get in hearings on Iraq, and that's good news. Crowds tend not to turn out for good news, and a lack of controversy. That's the result of a, really, extraordinary effort by the American military, and the military and people of Iraq, as well. Both of you have played a critical leadership role in that. I think this has been one of the great chapters in the proud history of the American military. The results, as both of you testified to them today are—I'd use the word miraculous. The Iraqi military really is in charge, has been since last summer, in the major population centers. The Iraqi people turned out in a democratic election, in great numbers. While they're struggling with the parliamentary process of putting the government together, that's a lot better than what they experienced under Saddam Hussein for a long time. The economy is improving, we're going over there next week, but last time we were there in January, this is a country really coming alive and moving forward.

It's really a remarkable accomplishment. I know we talk about it, but we can't talk about it too much or thank you enough for the role that the both of you have played, and General Austin, you will continue to play.

General Odierno, as you depart Iraq, I wanted to ask you to take us to a kind of bigger picture look at this because clearly there's broader strategic implications of a stable and secure democratic Iraq, pro-American, anti-terrorist in the Middle East. I wanted to give you an opportunity to talk for a moment or two about the significance—and, of course, we always know we have to hold that, but if we continue along this path, what's the significance to America's broader national security interests in a region of the world where we have always felt that we had a very important national security interest?

General ODIERNO. Thank you, Senator. I believe we have an opportunity that we might never have again with such an important country in Iraq. We just look at where it is geographically inside of the Middle East, and the important position that it has where it's in the center of the many different Middle Eastern religions, many of the different Middle Eastern populations, and the impact that Iraq can have on that.

The fact that Iraq is developing economically and moving a little bit towards a capitalist system, the fact that Iraq has now implemented a democracy and has had a successful election run completely by the Government of Iraq is something that is unique in the Middle East.

I think as they continue to build their security depth, their economic depth and their political depth, I think what that means is more stability in the Middle East. For a very long time, Iraq contributed to stability, but in the wrong way—it created more instability. Where it is, the importance to the rest of the Middle Eastern nations allows us an opportunity, here, to develop the Middle East economically, diplomatically, and from a security standpoint.

The Iraqi people have rejected al Qaeda, they have rejected the ideology of al Qaeda, they are fighting al Qaeda themselves. That example is tremendous. The way ahead is, we now have to get them working with other regional neighbors in order to continue this fight against extremism, of all kinds, that is all around the world, and that we can become long-term partners with them, in my mind, could add significantly to the security of the United States.

Senator LIEBERMAN. I appreciate that.

Let me bring General Austin in on this. As you look around, I know the Status of Forces Agreement (SOFA) moves us to, essentially, zero troops at least at the end of 2011, although, I think there's been a presumption that the democratically elected Government of Iraq might ask us to maintain some presence there in the future.

As you look around the Middle East, the truth is in just about every country, we have some military presence—training, prepositioning, our troops on the ground, our military alliances. I wanted to ask you your thoughts, going forward as you take command, particularly if the Iraqis do ask us to stay in some way after 2011, are we prepared to continue to help them?

General AUSTIN. Senator, as you pointed out, this region is important to the United States of America, and the country of Iraq is important to the region.

I think that what we want and what we're working towards is a healthy, long-term relationship with the country of Iraq, and that relationship will be centered on a number of issues—economic issues, political issues, and certainly if, in terms of the way forward, I think it's incumbent upon the government and the leadership of Iraq to engage the leadership of the United States at the highest levels, and at the highest levels whatever our future will be will be worked out at that level. We, in the military, stand ready to support whatever the decision is made.

But, whatever we do in the country of Iraq should be a whole-of-government approach, and we should look to establish great relationships with them along a number of dimensions, here.

Senator LIEBERMAN. Thank you.

General Odierno, let me ask you about Iran. It's true that we understand that Iraq's in the neighborhood, it has to have relations with its neighbors, but my impression is that Iran continues to try not to just have good bilateral relations, but in some sense, to exercise undue influence over political activities in Iran. What's the status of that at this point, as you depart?

General ODIERNO. I would say that Iran continues to be extremely active in attempting to influence the outcome of the formation of the government inside of Iraq. I think it's important to know that they're doing that and just make sure that we ensure that the Iraqis get to decide what their government is and that we don't allow external influence to decide what the next Iraqi Government will be.

I am confident that the Iraqis are nationalists, they want Iraq to run Iraq. They do not want to be influenced by other regional powers, they do not want Iran meddling inside of their activities. I think, again, it's important for us to support Iraq and the process that they have for Iraqis to choose the next government. I think that's how we're trying to go about our business today as we move forward.

Senator LIEBERMAN. Thanks very much, General Odierno.

My time is up, I just wish you well at JFCOM. I must say that when General Mattis testified before the committee and we talked to him about the role that command has in developing doctrinal concepts that apply across the Military Services, he indicated, I thought, that JFCOM has too often been a bystander to the actual decisions made by the Services, and that his greatest power was the power of persuasion. I think you come with such credibility and stature, and I hope you use it all to push, not yourself, but really, the JFCOM approach into the center of the decisionmaking about what our military is going to look like in the future.

I thank you very much for taking on this next assignment.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Lieberman.

Senator Chambliss.

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

To both of you, once again, thanks to you, thanks to your families for your continued service to our country. You are certainly great

leaders and you provide the kind of quality leadership that is needed in a very difficult time for our country, and a very complex time for the world.

Mr. Chairman, I have to qualify my support for General Austin by saying that he and my wife are from the same hometown, and his high school football coach was also my son's coach. They were champions in both instances, and as a result, I have several General Austin stories that I think I'll probably save for another day, General. But needless to say, we're all very proud of you down our way.

General Odierno, let me start with you. One of the great success stories with Iraq under General Petraeus as well as under you was the conversion of the Iraqi people and their support for the American soldier and our effort and the mission there. Where does that stand right now? What do you see from the standpoint of the attitude of the Iraqi people towards the American soldier?

General ODIERNO. I would say, Senator, this is always a very difficult issue. I would just say, first, they understand what the U.S. mission is, there, but Iraqis are tired of forces outside Iraq inside of Iraq. Been there a long time, they appreciate the progress that they're seeing, they want to move forward and they want to take over their own country.

What we've done lately which I think has really been very good is the fact that we are supporting Iraqi security forces and allowing them to do more. They are starting to see that future, and that's helping them to appreciate the role of the U.S. soldiers even more, because they realize that they need our support in order to get to where they want to be—an Iraq that can be run by Iraqis, Iraq that can be secured by Iraqis.

Because of that, I'm starting to see this improvement in relationships among Iraqi leaders and U.S. leaders as well as our soldiers and their soldiers. There's links that will never be broken, between Iraqi security forces and U.S. forces, because we've stood by each other, now, through some extremely difficult times, and shared some common sacrifices. It doesn't matter where you come from, when you work together and share those sacrifices, there will be a bond that will be always linked between the two. I think we'll continue to see that as we move forward, Senator.

Senator CHAMBLISS. General Austin, you and I discussed briefly, yesterday, the fact that General Cucolo and the 3rd Infantry Division are leading the effort along Iraq's northern border to bring some—or to mitigate some issues between the Arabs and the Kurds. I know that U.S. assistance is a critical component in this area. Could you give us your thoughts about your confidence in the fact that we'll be able to solve this issue. Is it going to continue to be necessary to devote brigade combat team to that region?

General AUSTIN. Senator, I think the Arab-Kurd tension issue is an issue that the Iraqis must take on, and they must solve for themselves.

I think that we can do a tremendous amount of work, and a tremendous amount of good by advising, assisting, any way we can, building confident measures to bring some of the parties closer and closer together. We've already done that in the north, the 3rd In-

fantry Division has been an instrumental part of that, and we'll continue to work that as we, if confirmed, if I go back into theater.

But, I think that this will take some time, it's a very complex issue, and again, I think it's an issue that the Iraqi Government must fully embrace and work hard at.

Senator CHAMBLISS. General Austin, as we look to the withdrawal of troops, as I told you yesterday, I think your leadership may be coming at the most critical time, because of the fact that it's going to be necessary to get an awful lot of equipment moved around, as well as our troops out in a safe and secure manner. I think your comment to me was that you're prepared for them to take a swing at you as you come out. I'd appreciate your comments relative to what your thoughts are regarding safety and security of our troops as you transition out.

General AUSTIN. I have every reason to believe, Senator, that as our footprint decreases, there will be extremist elements that will try to place additional pressure on us. We'll be prepared for that, we'll make sure that all of our intelligence systems are working, we'll work with the Iraqi security forces to make sure that we continue to approach these issues as partners.

But the Iraqi security forces really have to play a big part in providing for our security. The security of our forces is foremost in my mind. If, as conditions change on the ground, I need resources to accomplish a particular mission, I won't hesitate to let my chain of command know that. But I'll assess that every day as in theater, if I'm confirmed.

Senator CHAMBLISS. Lastly, General Odierno, you mentioned yesterday the number of incidents in Iraq, particularly in Baghdad, it decreased in a significant way. But yet when something does happen it's all over the news. I wish you'd comment on that, because I think that's a point that the American people need to understand, relative to casualties that we're seeing there.

General ODIERNO. I would just say, as I said in my opening statement, Senator, incidents are down significantly from the height, they're down over 90 percent from what they were in 2006 and 2007. But, more importantly, they've continued to go down since the Iraqi security forces have taken over responsibility in the cities in June 2009.

What's interesting is as security has gotten better, we're starting to see life come back to all of the cities in Iraq, each event gets more publicity, every single individual event, which is important, and good. But, I think sometimes we tend to focus so much on these incidents, we really forget to put it in perspective, to once where we were and where we are today. It's really pretty significant.

As you fly over Baghdad today, compared to just a year ago, it is a significantly different place. Traffic jams all over, markets exploding, private investments coming in—that would not be occurring if you did not have security. You see that in other cities around Iraq, as well.

I don't want to give the impression that there is not violence in Iraq—there is still violence, there is still work that has to be done, but it is at a level where I believe the Iraqi security forces are capable of handling that level of violence. As we continue to develop

the police and the army for our departure at the end of 2011, I believe they will be ready to protect the people of Iraq.

Senator CHAMBLISS. Thanks to both of you, again, for your service. I hope as you assume these new commands, that you will take a moment to express to those men and women that serve under you how much the American people appreciate their great commitment, and their great service.

Thank you very much.

Chairman LEVIN. Thank you, Senator Chambliss.

Senator Nelson.

Senator BEN NELSON. Thank you, Mr. Chairman.

Let me add my appreciation for your service to our country and your families for their support.

One thing that I've looked for from almost the beginning of my time, here, is about stovepipes, and whether Services are duplicating their efforts or truly enhancing overall mission effectiveness. With regard to the unmanned platforms, both the Army and the Air Force are making substantial investments in relatively similar platforms—MQ–1 and MQ–9 unmanned aerial vehicles (UAVs). As the lead for joint capabilities development, JFCOM, General Odierno, I know you're responsible for trying to find a way to make sure that there's interoperability and that we don't end up with stovepipes.

In your response to the committee's advance policy questions, you state that you would like to continue efforts that allow, "Services to develop Service-specific," systems and capabilities after joint review. How will you ensure that the coordination is occurring as opposed to discoordinating, going separate directions with respect to comparable equipment?

General ODIERNO. Thank you, Senator. It's about integration, it's about how these systems are integrated into joint warfare and the joint fight, and it's how we get them in the hands of all of our soldiers, sailors, and marines and they understand the capabilities that are there and how they use these different capabilities to integrate them together to get the best results.

What we've learned over the last several years is one of the key things that we have to be able to do better is manage information. We now have systems available that collect an enormous amount of information at the strategic, operational, and tactical level. One of the things I want to focus on is how do we best manage that information around the world with our joint forces.

We still have issues, sometimes, of moving information from one Service to another, or in some cases even within the Service from one stovepipe to another, and I think that's the key. I think I can focus that through doctrinal work, through simulation experimentation work that we can do in working very carefully with the combatant commanders in the Services and integrating these capabilities. That what will help us in fighting this unique threat that I foresee over the horizon of regular warfare, that we have to continue to be adaptive and show agility as we continue to improve our capacities.

Senator BEN NELSON. Another area where I am concerned about stovepiping is how we process the information that's collected by ISR. During the Air Force posture hearing, I asked General

Schwartz about the manning of the ISR mission, and he stated that the current manning structure to support UAV operations was "unsustainable" in light of projected growth. I wonder what your view at JFCOM would be in ensuring that the Services aren't necessarily duplicating investments in that area, because we're obviously going to have limited capabilities?

General ODIERNO. I think, again, we have to separate the strategic operational, tactical fight, we have to understand what are the capabilities we have in each and are needed in each, and how we integrate those together to ensure that want a little bit of redundancy, but not too much redundancy.

What I think in JFCOM, what we can do is reach out to the combatant commanders to understand what their needs are and then react to those needs and then work the doctrinal piece as well as the simulation experimentation piece, and really the staff training piece, in order to understand what capabilities we have and how we'll integrate those. If confirmed, I'll focus myself on that.

Senator BEN NELSON. In regard to that, if we're struggling, let's say, to have sufficient personnel and/or the cost of sufficient personnel. If we don't do what you're talking about doing, we'll have an avalanche of information and will be unable to utilize any of it for our own benefit.

General Austin, according to the President's plan for withdrawing troops, obviously the success of that depends on our ability to train Iraqi security forces to secure Iraq. As General Odierno has said, that security system seems to be working much better with the reduction in the events that have cost us so many of our own troops.

Secretary McHugh stated that, "In terms of training, a major lesson is that versatile and agile units that are fundamentally competent can adapt to any threat from across the spectrum of conflict." I'm interested in what your thoughts are about the progress of Advisory and Assistance Brigades (AABs) that we've trained, and that would now be mentoring Iraqi units. Can you speak to the particular type of training that we're giving to the AABs, versus traditional combat brigade teams? Is there a difference?

General AUSTIN. Senator, first of all, I'm pleased to see that the AABs are doing so well. When I was last in Iraq, I worked with General Odierno to help develop that concept. The foundation for the AABs is a brigade combat team. What we've done is added some additional capability to that brigade combat team to help them be able to engage at the brigade and division level and help train those staffs.

All of the indications that I've seen to date have been very positive. That we, just taking a brigade combat team and augmenting it with the right things, we've done the appropriate thing, in this case.

In terms of the impact on the Iraqi security forces, I think, as I look at where they are now, versus where they were 3 years ago, the change is remarkable. I think that change was brought about, in large measure, because of the fact that we partnered with the Iraqi security forces and really worked side-by-side with them and developed them as quickly as we possibly could to reach a certain

level. Now we need to continue to focus on those brigade and division staffs to complete their training.

Senator BEN NELSON. Do we have enough AABs, or are we planning to increase the number of AABs to be certain that the conditions on the ground will support our direction in departing?

General AUSTIN. My assessment, and again, I'll continue to refine this assessment, if confirmed, as I go in, is that we absolutely have the right amount of AABs on the ground, and certainly we're going down to 50,000 troops by 1 September. From all that I've seen of the plans that U.S. Forces-Iraq and General Odierno have put together, they have shaped this 50,000 force exactly right and that has all of the capability in terms of training and force protection that it needs to be successful.

Senator BEN NELSON. If conditions change, because conditions are always fluctuating, will you be certain to let us know if you need more AABs to facilitate that withdrawal?

General AUSTIN. I will not hesitate to inform my supervisors, Senator, in the event that things change and I need to ask for additional capability.

Senator BEN NELSON. Again, thank you.

General AUSTIN. You have my word on that. Thank you, sir.

Senator BEN NELSON. General?

General ODIERNO. Senator, if I could just add on the AABs, I've been very pleased with the work of the AABs, we have six on the ground today. The way they've been trained, we have passed lessons learned back to the Army, the Army is the one whose developed these, and they've changed how they operated the National Training Center and the Joint Readiness Training Center. They have prepared them to deal with the specific environ that we've asked them to work in, and I've been very pleased with the outcome. It shows the flexibility of the Brigade Combat Team of the Army that they're able—with some adjustments—to meet different mission requirements. I think that's the important piece, and that gets to the flexibility and adaptability that Secretary McHugh talked about, and I think that's important to understand because as I go to my new job in JFCOM, you want forces that are flexible and adaptable and can meet the requirements of many different mission sets. That's what we're going to need in order to have an efficient armed services here, as we move forward, and continue to look at doing things with maybe less resources in the future.

Senator BEN NELSON. Thank you both for your comments, and good luck to both of you.

Thank you.

Chairman LEVIN. Thank you, Senator Nelson.

Senator Graham.

Senator GRAHAM. Thank you, Mr. Chairman.

Congratulations to both of you on the job you have done and the new jobs you're going to undertake, here.

General O—I always butcher your name, I'm just going to call you General O—there must be a height requirement for these jobs. [Laughter.]

We mentioned yesterday the World Cup is going on and it's fun to watch, and I'm pulling for the U.S.A., but I have really no idea what they're doing when they play soccer. So, we're going to talk

football. I think you indicated, we're probably on the 10-yard line when it comes to Iraq?

General ODIERNO. I did, Senator. I do think we are on the 10-yard line. I think the next 18 months will determine whether we get to the goal line, or really give the Iraqis an opportunity to get the goal line beyond 2011.

Senator GRAHAM. But, from our national perspective, we're on the 10, and I think you said we probably have four downs? It's first and 10 on the 10, we have a new quarterback coming in.

General ODIERNO. That's right.

General AUSTIN. I'll take the ball, Senator.

Senator GRAHAM. I couldn't have found a better guy to be the new quarterback.

Now, the Sons of Iraq, how is that going, General O, in terms of getting those people integrated in the Iraqi security forces?

General ODIERNO. We started out with about 103,000 Sons of Iraq. About 40,000 have been transitioned into other Government of Iraq jobs. They actually stopped the transition because they were starting to realize the value in many areas of what they were providing in terms of intelligence and other things, so they've slowed that down, and they're now doing some reevaluation of the Sons of Iraq program, and how they want to transition that.

Senator GRAHAM. Are they still getting paid?

General ODIERNO. They are.

Senator GRAHAM. One thing that we need to watch for, General Austin, is you have thousands of young Sunnis that are receiving a government paycheck, I think it's like $90 a month, is that right?

General ODIERNO. Three hundred.

Senator GRAHAM. Three hundred? Okay, $300 a month. We have to make sure that if that pay stops that we have a plan, do you agree with that, General Austin?

General AUSTIN. I absolutely agree with that, Senator. I was there, again, in the early days we begin to transition the Sons of Iraq to working for the government and work along with the Prime Minister to outline a plan to effectively transition them. I think they've done a pretty good job, and we need to continue to do that in the future.

Senator GRAHAM. Okay, who's paying? Is that coming from the Iraqi budget?

General AUSTIN. Absolutely.

Senator GRAHAM. Okay.

Now, Article 140 boundary dispute issues, I think there are a couple of trip wires left in Iraq and one of them that stands out to me is how do you resolve the Arab-Kurdish conflict in Kirkuk and the boundary dispute. If you could both give me, maybe, a 30-second overview of where we're at and what could we do in Congress to help you?

General ODIERNO. We have established a tripartite security architecture in the disputed areas for about 6 months now, and it's been very successful in reducing tensions. It's Pesh Merga, Iraqi Army and U.S. forces manning checkpoints and joint security areas where they do patrolling in these areas, and it has calmed things down considerably. The United Nations (U.N.) is now taking on the

role of now mediating the long-term issues of the border issues and the status of Kirkuk and other issues.

Senator GRAHAM. Do you think that will get resolved for this new government in a year?

General ODIERNO. It depends. My guess is, some of that will be discussed during the governmental formation process. How well that goes could determine how quickly it could happen. I do believe though, to solve the whole problem, it will be longer than a year.

Senator GRAHAM. General Austin, do you agree that is one of the big outstanding issues that the Iraqi people have to resolve?

General AUSTIN. Senator Graham, I absolutely do.

I think that, I would be delighted if it could be resolved in a year but——

Senator GRAHAM. Probably not.

General AUSTIN. I really believe that it's going to take awhile.

Senator GRAHAM. Do you feel like we have enough resources and focus to help them get it resolved?

General AUSTIN. I think that we're doing the right things in terms of working with the government to help them build confidence—bring about confidence-building measures to bring the two sides closer together. I think, again, it's encouraging to see that the U.N. is continuing to try to help, we'll require their help in the future.

Senator GRAHAM. Okay.

General AUSTIN. But this is going to take a lot of work.

Senator GRAHAM. Okay.

The hydrocarbon law. Have you had to pass the hydrocarbon law, is that right, General O?

General ODIERNO. That's correct, Senator.

Senator GRAHAM. From my point of view, for what it's worth, is that until the Iraqis have a statute that divides the oil up between each group where everybody feels like they're getting the resources of the country fairly shared, it's going to be a tough go. Do you see a breakthrough in the hydrocarbon law any time soon?

General ODIERNO. I think the hydrocarbon law, itself, probably might not get passed. But, I think there are other alternatives.

Senator GRAHAM. They do it year-by-year, budgeting-wise, don't they?

General ODIERNO. Yes, year-by-year, but also they get a revenue-sharing agreement.

Senator GRAHAM. Right.

General ODIERNO. I think it would be important. I think that's something that people are looking at now, and I think that would help significantly.

We've had some thawing, there was an argument about whether the Kurdistan Region could develop their own oil, they have solved that problem. They have now begun to develop that. The Government of Iraq, the central government is helping them, so that's a breakthrough. We're starting to see small breakthroughs in the overall resolution of this. But again, there's still work that has to be done in that area.

Senator GRAHAM. The rules of engagement—as I understand it, we're partnering with the Iraqi security forces, we have right of

self-defense, obviously, but when you make a raid, now, at night, do you have to get a warrant?

General ODIERNO. Under the security agreement, all operations must be warranted.

Senator GRAHAM. Is that working okay?

General ODIERNO. It is working very well.

Senator GRAHAM. Do you have good confidence in your judicial system, there are no leaks?

General ODIERNO. It's not perfect.

Senator GRAHAM. Not perfect.

General ODIERNO. No system is perfect. But our ability to present evidence and get warrants, we absolutely have the ability to do that. That's working well.

Senator GRAHAM. That's very encouraging.

One last question to both of you. General O, we're talking about the consequences to the United States of winning in Iraq, and I think they're enormous. Probably a good time now, given Afghanistan and where we are at in the world—if, for some reason, we didn't make it into the end zone, what would be the consequences of Iraq failing?

General Austin, if you could tell this committee, what are the one or two things that keep you up at night when you think about Iraq?

General ODIERNO. First, if we had a failed state in Iraq, it would create uncertainty and significant instability, probably, within the region. Because of the criticality of Iraq, its relationship to Iran, its relationship to the other Arab states in the region, if it became unstable, it could create an environment that could continue to increase the instability. If it becomes unstable and ungoverned, it opens the area, potentially, for terrorists, in order to allow Iraq to become a place where terrorism could be exported.

Now, I don't believe we're close to that. I believe we're far away from that happening. I think we're definitely on the right path. But those are the kinds of things that would happen if we had a complete breakdown inside of Iraq.

General AUSTIN. Senator Graham, we will be successful in Iraq, we will get the ball into the end zone. I believe that because of all of the great work that our young men and women continue to do on a daily basis and the commitment of this entire country to accomplishing that in the right way.

You mentioned the thing that keeps me awake at night, the one thing that is foremost in my mind is that if their leadership is unable to transfer power in a peaceful manner, that would create conditions that would cause us to, perhaps, revert to sectarian behavior and people to lose confidence in their ability to be properly represented. That is one of the major things.

But I am confident that, based upon what we've seen thus far, this peaceful transition will occur. It will just take some time for them to form a government.

Chairman LEVIN. Thank you, Senator Graham.

Senator Hagan.

Senator HAGAN. Thank you, Mr. Chairman.

I did want to tell our nominees today, not only are you nominees, but you certainly are American heroes, and we thank you for your commitment and your service.

I also want to thank Mrs. Odierno and Mrs. Austin, because I too have been married around 30 years. We all chose great partners, but I really appreciate your support of these two excellent individuals before us today. Thank you for all that you have done over the years for our troops and their families, because I know how critically important that is.

General Odierno, I'm delighted that you've been nominated to replace General Mattis as Commander of JFCOM and you are extremely well-qualified to lead the joint integration effort. You effectively established a coherent and integrated joint force in Iraq, you know what it takes to fight jointly in an irregular warfare environment, and you are also one of the primary architects of the surge in Iraq and the Sunni-Anbar Awakening. I appreciate the time you spent with me and several of our other Senators this past March, and your team. I thank you for that time.

General Austin, I'm also incredibly proud that you have been nominated to replace General Odierno as the commander of the U.S. forces in Iraq. You, too, are extremely well-qualified to lead our forces in Iraq as we draw down our military presence there and develop a long-term relationship with the Government of Iraq and the Iraqi security forces. I'm proud of your outstanding work as the Commander of the 18th Airborne Corps, and the Multi-National Corps-Iraq. You did a tremendous job in planning and executing all of the military operations in Iraq, and fighting alongside the Iraqi Army, and our coalition partners.

General Odierno, among your expected duties as the Commander of JFCOM will be to serve as the joint conventional force provider and oversee joint military concept and doctrinal development, joint training, and joint interoperability and integration. How will you work with the Military Departments, geographical combatant commanders, and intergovernmental agencies to resolve gaps in joint warfighting capability, and how do you plan to respond to overseas contingencies utilizing the whole-of-government approach?

General ODIERNO. Thank you, ma'am, very much.

I would say a couple of things. The first thing I have to be able to do is reach out to the combatant commanders themselves, have a discussion with them of what their needs and requirements are, whether it be U.S. Northern Command (NORTHCOM), associated with our internal defense and work with Department of Homeland Security and what we need there, or whether it be CENTCOM and all of the things associated with that. I have to be able to help us to understand how we can use and integrate all of the capacities and capabilities we have within the Services in order to meet those requirements, and I have to understand what those requirements are.

Then I have to work with the Services, with the Service providers within the Services, as well as the Service doctrinal leaders in order to ensure that we are integrating all of the efforts that are going on to meet the future needs, whether it be irregular warfare or homeland defense requirements that we have. We will continue to dedicate ourselves to that to include a training program that al-

lows us to continue to train with our interagency partners. We continue to build relationships with the interagency as we go after this whole-of-government approach, which applies whether it be in NORTHCOM for internal U.S. security, or whether it is in the CENTCOM area of responsibility (AOR), or the PACOM AOR in Korea, as we have to work with all of our interagency partners, and how we better utilize that, and gain efficiencies in using this whole-of-government approach, which is the way ahead for us.

Senator HAGAN. Let me take that one step further, how will you synchronize concepts for joint warfighting with the President's national security strategy, the Secretary of Defense's Force Employment guidance, and the combatant commanders' theater security cooperation strategy?

General ODIERNO. Clearly what we have to do is we have to—I have to personally go out and first talk with them, understand those concepts, and then figure out how I—through working with the Services—can help to develop the right capacities and capabilities to meet those needs. What we have to do is, in addition to that, through our simulation experimentation, come up with new ideas, come up with better ways to integrate these requirements and integrate the solutions that are being developed by the Services to meet the requirements of the national security strategy, of the guidance I get from the Secretary of Defense, and the combatant commanders' requirements.

This is a very complex process. But we have to figure out a way to do it as efficiently as possible, and yet have the right capabilities at the right place at the right time. That's what I have to focus on, ma'am.

Senator HAGAN. Okay.

General Austin, I know that the U.S. military drawdown in Iraq should not be equated with disengagement from Iraq. We have to define our relationship to reflect a strategic partnership between both countries across economic, political, security and developmental sectors, and assist the Iraqi Government in transitioning to full management and funding of its own security and governance programs.

The U.S.-Iraq Strategic Framework Agreement does that, laying out the contours for a long-term bilateral strategic relationship. The challenge is to translate the Strategic Framework Agreement into programs that will ensure Iraq's security, stability and development, while respecting Iraqi sovereignty and acknowledging that the Iraqis are in charge of shaping their future. A long-term, strategic relationship with Iraq is fundamental in achieving lasting security and stability in the country and in the region.

As Commander of the U.S. forces in Iraq, how will you work with the State Department to translate the Strategic Framework Agreement into programs that will ensure Iraq's security and stability?

General AUSTIN. Thanks, Senator. I believe that the relationship between Commander of U.S. Forces-Iraq and the Ambassador is a very important relationship. Going into Iraq, if I'm confirmed, I'll do everything within my power to, number one, establish a great relationship and nurture that relationship each and every day.

I think that the both of us, engaging the Iraqi leadership routinely, and shaping the way ahead, along all lines of operation—

economic, political, cultural—I think we certainly can build towards a very strong relationship and sustained relationship.

This will take a whole-of-government approach. We often focus solely on the military, but it's clear to me that as we continue on, the Iraqis want to have a good relationship along a number of dimensions with the U.S. Government, and not just solely the military.

I think that relationship between myself and the Ambassador and then between the both of us and the leadership of the Government of Iraq is really important and we'll work hard at that as we go in, Senator.

Senator HAGAN. How do the current election results and the timing and the leadership in Iraq affect this?

General AUSTIN. Certainly, Senator, we'd like to see a government formed as quickly as possible. Having said that, we want it done right, and not necessarily quick, but the Iraqis will form their government on their own time, and they will make their own choices.

The longer it takes, of course, it creates space for other events to occur, it also creates the space for people to feel as if they won't be properly represented, they've been disenfranchised. We are concerned about that. But, I think whoever is the leadership when the government's formed, we'll move out and engage that leadership and develop a strong partnership with them, and shape the way ahead for a lasting relationship.

Senator HAGAN. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Hagan.

Senator LeMieux.

Senator LEMIEUX. Thank you, Mr. Chairman.

I want to start by echoing the comments of my colleagues and thank you, both of you, for your service and your wives for their support of you. I know how difficult it is for families of people in the military, and we are all supported by our spouses, but especially those in the military, so a special thank you for both of your wives.

I want to talk to you about the neighbors that surround Iraq. In looking at a map, it occurs to me that Iraq's in a pretty tough neighborhood.

Recently we've read reports about Iran conducting military attacks again Kurdish villages inside Iraq. There's also been incursions by Turkey, as I understand it, with the Kurdish section of Iraq.

If you could give, General Odierno, an update to us about the relationship between Iran and Iraq, and Turkey and Iraq, and I want to talk to you, then, afterwards also about Syria, and give us an overview and then I'll have some specific questions for you.

General ODIERNO. On the northern areas and the border issues that are going on, these are generated by the Kurdish terrorist organizations that have been operating up in Northern Iraq for a very long time who, in the spring, has conducted offensive operations into both Iran and Turkey to kill Iranian as well as Turkish military forces. This has caused a response back, both from Iran and Turkey into the Northern mountains of Iraq.

We have set up with Turkey a trilateral intelligence collection organization, coordination element between the Government of Iraq, Turkey, and with some support from the U.S. Government, in order for Turkey to help and respond against this threat.

Iran, although they have come close to the border, there's no indication that Iran has actually conducted any ground-crossed border operations into Kurdistan.

Overall, with the relationship with Iran to the Government of Iraq—many people have many different opinions. Mine is that Iran would like to see an Iraq that is weak, that does not have strong relations with its other Arab nations, therefore would leave a larger void for Iran to have more influence inside of Iraq.

In addition, Iran does not want to see a long-term strategic relationship with the United States. They want to have that relationship. There's many reasons why they want that. But, in my view, that's why it's so important for us to execute the strategic framework agreement, and build strong bilateral ties with the Government of Iraq for the future.

Turkey has huge investments inside of Iraq, in Northern Iraq, Central Iraq. They have been working extremely hard to help build the economies in both Kurdistan and Northern Iraq. They have a lot of equities inside of Iraq, they're trying to build a strong relationship, there's been quite a bit of political engagement between the leaders of Turkey and the leaders of Iraq, and I think that's something that we will, hopefully, continue to see.

We've seen the strongest relationships we've seen in a very long time between President Barzani and the Prime Minister in Turkey in trying to work together to solve some of this Kurdish terrorist issues that occur up in Northern Iraq. We've seen some good meetings, agreements to assist each other with these problems, and also agreements for the first time that the Government of Turkey would recognize Kurdish rights inside of Turkey. I think those are all positive developments. There's still a lot more work that has to be done in that area, but it is a positive development.

Senator LEMIEUX. Is Iran still trying to actively destabilize Iraq?

General ODIERNO. Iran still funds smaller groups, they still fund, train smaller groups inside of Iraq to destabilize—for two reasons. One, to go after U.S. forces inside of Iraq. Second, in order to, I believe, intimidate in some cases, in order for political reasons inside of Iraq, with the Government of Iraq.

Although the movement is smaller, the size of the elements are smaller than they once were, they are still active.

Senator LEMIEUX. Are they providing weapons?

General ODIERNO. They provide training and weapons to these groups.

Senator LEMIEUX. Can you speak for a moment about Syria, and what the Syrians are doing? Are they providing weapons? I was reading that there was a recent attack along the border area between Syria and Iraq.

General ODIERNO. I do not believe that the Government of Syria is providing weapons to groups to conduct attacks inside of Iraq. However, we continue to see foreign fighter facilitation occur through Syria, although it is lower than it's been before, they are still able to move through Syria. We would like to continue to see

them take action against these facilitation networks that originate in many other places—Northern Africa and many others—in order to attempt to conduct operations inside of Iraq.

In addition, there still is a large ex-Ba'ath Party element inside Syria who continues to be very active and boisterous against the Government of Iraq, which appears to be somewhat destabilizing to the Government of Iraq, and we'd like to see them take action against that, as well.

Senator LEMIEUX. Okay.

General Austin, can you speak to how you envision the troop drawdown going? I mean, that's obviously going to be a big issue during your time of leadership and how will that process work, and how will you be able to maintain the stability that the U.S. forces, as well as the Iraqi Government have been able to achieve in recent months, with less troops?

General AUSTIN. First of all, Senator, I think that U.S. Forces-Iraq and General Odierno have laid out a really good plan to accomplish the drawdown and get us to where we need to be by the end of calendar year 2011. As I go in, I'll assess where we are with that plan, if I'm confirmed, and adjust, as needed.

But, I think that the current plan takes us to where we need to be, we're ahead of schedule in terms of the retrograde of a rolling stock, our vehicles and a vast amount of other equipment that we've moved out. There have been good control mechanisms and oversight mechanisms that have been put in place to manage and monitor the flow of equipment and people and so we'll make sure that that remains on track.

The key to executing a responsible withdrawal is ensuring that the Iraqi security forces have the capability to provide for their own internal security as we transition. Certainly, it will be this continual balancing act of making sure that they have a level of proficiency and required equipment and the resources to do what needs to be done to continue to secure the people, the country as a whole, as we draw down.

I'm confident, right now, we're well on the way to accomplishing that. Again, if there are any changes that need to be made, certainly we'll evaluate and adjust on target.

Senator LEMIEUX. Thank you, both.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator LeMieux.

Senator Webb.

Senator WEBB. Thank you, Mr. Chairman.

General Odierno, General Austin, I would like to begin by thanking you for the clarity and the careful precision of your answers today. A lot of issues here have a lot of nuance to them, and I think it's been very helpful to listen to how precise you have been answering some questions that could have taken you one place or another.

I have read the Strategic Framework Agreement and the SOFA. There are a lot of implications in those documents that are a bit vague, and we've been hearing your answers today with respect to what might happen if we leave too soon, and quite frankly, what might happen if we stay too long. I think both of those concerns need to be addressed.

I wanted to ask you a question about this withdrawal plan, but before I do, I don't want to forget, or lose the time, General Odierno, on the mentor program, to follow-on a comment of the Chairman, I hope you'll take a really hard look at that. I don't think that there's anyone up here who would deny the value of mentor programs. There was a lot of mentoring that went on in the United States military well before this specific type of program came into place, and there are, I think, legitimate concerns about, in some cases, the amount of compensation that has been provided, and in others the lack of transparency, quite frankly, with individuals who are retired, receiving retirement pay, also working for defense industry and not required, because of the form of these contracts, to disclose potential conflicts of interest and these sorts of things. There's a lot of concern up here on that.

Also, out in the retired community at large, I think there's a lot of concern from people who are not involved in the mentor program. I just hope you'll take a look at that.

With respect to the transition in Iraq, this is not a classical military retrograde. This is not the shrinking perimeter that you've seen in historical cases of a military disengaging from a country. It's a very complicated set of issues involving funding and involving transfers of missions, involving the longevity of intermediate programs. Some of them involve transfer of functions to the Iraqi Government, which has been discussed. Some of them involve transfer of functions to civilian contractors, as we discussed briefly yesterday. Some of them involve transfer of responsibilities and functions to the Department of State.

What I would like to hear from you, is in a form that is now taking place, what is this going to look like at the end of 2011? What's the U.S. military going to be doing at the end of 2011 and where will these other overlaps have occurred?

General ODIERNO. Senator, thank you very much for the question. It is a very important one. It is the key to what we need to do here between now and the end of 2011. How we transition and how we do this will have a long-term impact, I think, on our relationship with the Government of Iraq, and that's why this is such an important time.

I call it a thinning of the lines. I've called it that for a while. As we slowly withdraw our forces, we don't leave any areas, but we think our presence there and we give more and more responsibility over to the Government of Iraq. But it's more complex than that, that's from a security perspective. Overall, our relationship with Iraq will be determined by how we transition the many tasks that U.S. Forces-Iraq does now to other entities. General Austin mentioned a couple of these, how we transfer to the U.S. Embassy, what we transfer to the Government of Iraq as a task. Then some will be transferred to CENTCOM, because many of the things we do as we plan the future of regional security architecture and a long-term engagement with Iraq, will be run by CENTCOM. It's our responsibility to build a plan, to determine which of these tasks gets transitioned to which entity, and who is best qualified to do that.

We have gone through and done this. We have looked at over 1,200 different tasks. Some will be terminated because they're no

longer necessary, some will be turned over to the embassy, some will be turned over to CENTCOM, and some will be given to the Government of Iraq. It's important which tasks go where, who has the capacity to execute which tasks, and who will be the ones who will be able to best engage with the Government of Iraq on these tasks.

Although I won't get into any specifics, I want to assure you that we're spending an awful lot of time on this. A part of this is contractors. We have been working very hard to reduce the size and number of contractors in Iraq to make sure we only need those that are necessary. As we transition, we will continue to do this analysis, because fundamentally, as you all know, contractors are very expensive on the battlefield. We will continue to look at this very carefully.

We're also working with the State Department to transition what we have that can be reasonably transitioned to them, in order to support their missions beyond 2011. We're looking at this in a lot of detail, Senator.

Senator WEBB. Thank you very much for that comment.

General Austin, we only had a brief period to meet yesterday because of overlapping schedules, but I hope we can count on having this Wartime Contracting Commission make another visit soon into Iraq and come out with an idea on the contracting side of how this is going to look like. They've been very valuable to us.

General AUSTIN. Senator, if confirmed, you have my guaranty that we will embrace them as they come back into theater. You also have my guaranty that I will work hand in hand as a partner with the embassy to ensure that we don't just hand off tasks, but we work to develop and shape the capability that's required to accomplish those tasks. I know that's the road that General Odierno has started down, and I'll pick up from where he left off and continue to make sure that we have a great relationship working with the embassy.

Senator WEBB. Needless to say, it's a very tedious task that you are going to take on and that, General Odierno, you have done so well on. We don't often pay enough attention to it up here. Once the casualty numbers went down in Iraq, we haven't focused on this, but it's clearly the most vital thing we have left to do in Iraq, is defining the nature of how all these components fit together. I wish you all the best.

Thank you, Mr. Chairman.

Chairman LEVIN. If Senator Sessions is ready, it goes to him.

Senator SESSIONS. Thank you, Mr. Chairman. Being ranking member on the Senate Judiciary Committee is a full-time job. I have conflicts around here a lot, but I want to express my admiration for both of these individuals. I have great confidence in you and would sincerely wish to express my appreciation for your fabulous service. Anybody who's traveled into Iraq or Afghanistan and seen the hours and the dedication of our leaders and all of our personnel know how fabulous they are, and we appreciate you and salute you.

One of the things, General Odierno, I don't want you to repeat maybe what you've been asked before, but from my conversation yesterday, you believe that we can meet our goals of troop reduc-

tions in Iraq as of September. How would you advise the American people as to what risks remain? Should we be very confident or should we feel good about where we are, but risks remain, or are there great risks? How would you evaluate what you are leaving onto General Austin?

General ODIERNO. Senator, I would say we have continued to make steady progress inside of Iraq. On the date of 1 September or 31 August and the change of mission that is going to occur and the reduction to 50,000 transition forces is quite significant. But I think it is time for us to do that and it shows another point of progress. The fact that the Iraqi security forces have taken over responsibility, the fact that the Government of Iraq is increasing its ability to function. They still have a ways to go, but they are getting better in their ability to function. That's allowing us to transition and end combat operations and move to stability operations, where we can assist them and helping them to sustain long-term stability. I think it's another step.

The next step is, how do we establish that long-term relationship? How do we implement the strategic framework agreement that allows us to have a long-term relationship with Iraq, in order to sustain stability not only inside of Iraq, but add to the stability in the region? I think that's what we have to gain. What do I worry about? I worry about not so much security, but the impact of the political progress and economic progress on security.

We've talked a long time about buying time and space. They've done some work with that time and space, but we're now at a critical juncture of time in Iraq, the formation of a new government that will set the stage for Iraq for the next 4 years. The letting of 12 oil contracts in 2010, which will start to come to fruition over the next several years. How well that goes will say a lot and how economically Iraq starts to move forward. I think all of those points is really what's important, and how that goes will determine Iraq's future, in my mind, Senator.

Senator SESSIONS. You and your predecessor, General Petraeus, had fabulous relationships, as I understand it, with the ambassador. You will have a new ambassador coming into Iraq soon.

General ODIERNO. It has not been officially announced yet, Senator. Ambassador Hill is currently the ambassador. I don't know how much longer he'll be there. He's been a great teammate.

Senator SESSIONS. General Austin, in September, what do you understand how the relationships may change between you as combatant commander or the general at least in Iraq, with the State Department? Will they take on a greater leadership role and has that been sorted out? Have you worked that out before you get there or what's your thinking?

General AUSTIN. It's being worked out as U.S. Forces-Iraq gets smaller, the footprint decreases. I think, as General Odierno said, there's a great working relationship right now with Ambassador Hill. Certainly the ambassador is the senior person in country and I look forward to working with whoever the ambassador is.

But I think that partnership, Senator Sessions, is absolutely critical. I think the example that we set flows down to all the folks in the State Department and in the military throughout the commands and directorates.

I was there when Ambassador Crocker and General Petraeus were there, and was there with General Odierno worked with Ambassador Crocker as well. I was, and so I saw the great working relationship that they had and I look to create the same kinds of conditions for our troops and our State Department officials as we go back into country, if I'm confirmed.

Senator SESSIONS. I think that's true and it's my understanding you've already discussed the importance of making sure we adequately apply our resources to the top priorities in Iraq, and that one of those is the Iraqi army and security forces. I really feel strongly that at this point in history, and I guess you both agree, that we shouldn't short change the immediate need and make sure that the Iraqi army gets the training and support to take on the higher level of responsibility we expect of them. Would you comment on that or have you already?

General ODIERNO. Senator, we've talked our way through that already. I would just say that it is important that we set them up for success in order to mitigate the risks that are ahead. I've been very pleased with how the Iraqi army and police continue to perform. They still have some key things that they do not yet have that I think are necessary for them to be prepared to take on full responsibility at the end of 2011 when we leave, and that's what we're working towards now.

Senator SESSIONS. Thank you both, thank you for your service.

General Austin, I'm glad you have your masters as an Auburn War Eagle, that's another good thing in your training that's going to help you, I'm sure.

Mr. Chairman, thank you for this hearing, and I just recall when you and I and others were in Iraq at the worst possible time, how discouraged and worried we were, but you should never count out the U.S. military in the efforts that they executed that turned that around, and now we're in such a better glide path that a lot of people would not have thought it possible. Our prayers are that we'll be able to do some of the same things in Afghanistan. It's looking difficult now, but perhaps we're seeing all the negatives now, and I think that we have to believe that we can put that on the right glide path too.

Thank you, sir.

Chairman LEVIN. Thank you very much, Senator Sessions.

Senator Kaufman.

Senator KAUFMAN. Thank you, Mr. Chairman.

Thank you for your service and thank you to your wives and your family, and I feel totally inarticulate in trying to express how much I do appreciate how much more, as I travel around this country, how much the American people appreciate what you're doing.

General Austin, you have literally big shoes to fill, and I'm sure you're going to fill them, and I'm sure you're going to do very well at it. The reason I came over here, because most of the questions when they get to me have already been asked, is I just couldn't pass up the opportunity to say, General Odierno, how much I appreciate, not just your service, not just the fact that you were there, but the quality of your service. I mean, just sitting here listening today, and we've embarked on a new counterinsurgency

strategy, and requires a lot of new skills for our military. It's amazing how they've risen to it.

But when you look back at the history of Iraq, your grasp on not just the military, but the economic and the political issues and how they interact, just like you were talking about a few minutes ago, about how the oil contracts are going to be important. I don't think people thought that's the way you fought a war 10, 15, 20 years ago. It's really key, and how the coalition works, and how you work with the secretary. I think Iraq is—when we look back in history—will be the place where we finally figured out how to deal with the bad guys in a new and creative way, and I think Iraq will be the thing, and I think one of the key players will be you. I just wanted to thank you for that.

General ODIERNO. Thank you, Senator.

Senator KAUFMAN. One of the things I wanted to talk about a minute, I've used this example of what a good job you do, is what you did with the problems between the Kurds and the Iraq army. When I was over there last year, I left Kirkuk pretty well convinced that they were going to be shooting at each other very shortly. I think your solution to go there and begin these joint checkpoints and the joint groups going into the cities and the rest of it worked real well. Is that continuing to work well?

General ODIERNO. It is and, in fact, it's starting to expand. We now have agreement from the Prime Minister and President Barzani to now incorporate four brigades of the Pesh Merga to the Iraqi army, and that's an incredible step forward that we are now working.

Senator KAUFMAN. Yes.

General ODIERNO. We're now working at figuring how we can help to train and equip them as they now are able to be integrated into the Iraqi army.

Senator KAUFMAN. General Austin, do you think—I know you're not going to know all the details of this—we're going to be able to continue to have U.S. forces after September 1st along that border to help keep bad things from happening?

General AUSTIN. Certainly, Senator, and I do believe that there will be a requirement to continue to work with the elements up there for some time. Again, what we want to see is the Iraqi Government, the leadership of the Iraqi Government embracing this issue to a much greater degree in the future. As time goes along, they have to establish a national vision so that we can unify the country. That's going to take some time, but I think it certainly can be done. We'll do everything we can to work with the ambassador and work with the leadership of both elements to ensure that they're making progress.

Senator KAUFMAN. General Odierno, in your new position, how do you feel about Secretary Gate's effort to rebalance the military, to get more emphasis put on these counterinsurgency efforts as we move forward?

General ODIERNO. I think the concept of regular warfare counterinsurgency are keys to the future. As I look back over the last 7, 8, 9 years, it's the complexity of the environment that we now have to operate in. There's so many different things that impact on military operations and the success that we have to have,

is that we have to rethink how we do business and how we operate in this environment.

People learn and watch what's gone in Iraq and Afghanistan, and they will try to take those lessons, if they ever have to come up against U.S. forces anywhere in the world, and we have to be able to be prepared in order to feel how we would deal with that and make ourselves more prepared than they ever will be. That takes some intellectual capacity and it takes thought and it takes experience and it takes thinking out of the box in some cases.

But I think more importantly, that Secretary Gates has pointed out, is that we have to be efficient in what we do. We have to become more efficient, and I think that's the key. How can we become more efficient and make our forces more adaptable? That's what I think is important for me to focus on, if I'm confirmed and assume my new position.

Senator KAUFMAN. This is my final question. One of the things I've been interested in more and more is nonlethal weapons; to give the warfighter an opportunity, if a bus is coming up to the back of the convoy, to either let them come and blow you up or having to shoot in there and kill women and children, or if you're at a forward operating base and there's a car coming at you at a high rate of speed or individuals. I went down to Dahlgren and I was impressed with where we're going. Can you just talk a little bit on your feeling about nonlethal weapons in terms of here?

General ODIERNO. This kind of warfare is about precision and it's about collateral damage, it's about eliminating collateral damage, and it's actually killing innocent people that's really what this is about. What we've learned is, if we're not careful and we get careless, even though it's for our own force protection, if we kill innocent people, the negatives to the mission are significant. We have to continue to think of ways of how we can stop this. Nonlethal weapons is one.

We've learned a lot about that and the importance of nonlethal weapons and other ways for us to do other things besides fire first. I think we've learned that over time, but those are very difficult decisions these young soldiers, sailors, or marines have to make on the ground. Sometimes you don't have a lot of time to make it, so you want to be able to provide them the capacity of something a little bit different than having to maybe fire live rounds. Maybe there's something else they can do to protect themselves and protect those innocent people that are in a situation they don't quite understand.

Senator KAUFMAN. Thank you.

Thank you both for your service.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Kaufman.

I have just a few additional questions. General Odierno, the current readiness reporting systems in the process of being implemented to a system called Defense Readiness Reporting System (DRRS), which has been slow to come into operation, since a decision was made now, I think 8 years ago or so to switch from a previous system called Status of Resources and Training. Now, do you know or do you have an opinion as to why full implementation of this DRRS is taking so long?

General ODIERNO. Senator, I don't know why it has taken so long. I think there's many nuances within the system that people are trying to work out, but I will take a look at it, Mr. Chairman, and find out more information.

Chairman LEVIN. All right, will you give us, after you're confirmed, a chronology or timetable more accurately to complete that transformation? Will you do that?

General ODIERNO. Absolutely, Senator.

[The information referred to follows:]

I am not familiar enough with the Defense Readiness Reporting System (DRRS) to speak with confidence about this topic. However, if confirmed, I will assess DRRS and Joint Forces Command's role in it, and answer your question within 90 days of assuming command of Joint Forces Command.

Chairman LEVIN. General, let me make sure I understand something that you said about the Iraq budget. When it was adopted, the budget that they're currently operating on had a deficit, and since then, as I understand what you said, because of an increase in oil prices and therefore in oil revenues, the projected deficit in Iraq under this budget is $10 billion less than when the budget was adopted.

General ODIERNO. What I said was, there was a budget of——

Chairman LEVIN. In other words, there's no surplus.

General ODIERNO. There's no surplus.

Chairman LEVIN. But the deficit that was projected has been reduced because of the increase in oil prices.

General ODIERNO. Because of a $10 billion surplus, of cash that they had.

Chairman LEVIN. Is that the result of the increase in oil prices?

General ODIERNO. No, I don't know. I need to get you an answer on that.

Chairman LEVIN. Okay, but it was something that they didn't count on.

General ODIERNO. They had $10 billion in cash reserves from last year. I think it had to do with their expenditures from 2009.

Chairman LEVIN. Were less than they expected.

General ODIERNO. Were less than they expected.

Chairman LEVIN. Okay, so they had $10 billion more in cash than was projected in that deficit.

General ODIERNO. That's right.

Chairman LEVIN. Excuse me, in that budget.

General ODIERNO. That's correct.

Chairman LEVIN. Okay.

General Austin, I have one additional question for you and that has to do with the situation on the ground of religious minorities in Iraq. It continues to be very fragile in some places, and it's sometimes bleak. The U.S. Commission on International Religious Freedom concluded in their May 2010 report that systemic ongoing and egregious religious freedom violations continue in Iraq, and that the religious freedom situation in Iraq remains grave, particularly for the country's smallest, most vulnerable religious minorities. I've been very much involved in trying to find ways to give greater protection to those minorities, particularly the Iraqi Christian community, and I'm wondering if you, when you are confirmed, will you keep this committee apprised of the security situa-

tion in the Ninevah area, particularly, but any other area where there are religious minorities. Also, on the conditions of those minorities in those regions, and will you take all reasonable steps to increase the security for those people?

General AUSTIN. I will, Mr. Chairman.

Chairman LEVIN. Thank you.

We thank you both again. We thank your wives, your families for their great support. We hope that we can get these nominations confirmed in the next few days, hopefully by the end of next week surely. We'll do everything we can to speed up these confirmations both before these votes, both in this committee, but also on the floor of the Senate.

We will stand adjourned.

[Whereupon at 11:34 a.m., the committee adjourned.]

[Prepared questions submitted to GEN Raymond T. Odierno, 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 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. The Department has made great progress in the joint arena since the enactment of Goldwater-Nichols. The changes to the Joint Officer Management process enacted by the National Defense Authorization Act of 2007 have corrected some longstanding shortfalls. I don't believe there is a need for any major modifications to the act; however, as we learn more about ourselves given the current world environment and the challenges we face, it is important that we continue to refine and review joint and interagency operations and requirements.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. We have learned the absolute necessity for strong civil-military cooperation. Congress should consider means to increase integration of all U.S. Government agencies in appropriate training and force readiness environments in order to build the foundation for more effective "whole-of-government" approaches to crisis prevention or crisis resolution.

Continue Departmental efforts, such as Capability Portfolio Management, to integrate acquisition and resource allocation processes in meeting joint capability requirements. In other words, Services develop 'Service-Specific' systems and capabilities after joint review and authorization to ensure joint/interoperability issues are addressed.

DUTIES

Question. What is your understanding of the duties and functions of Commander, U.S. Joint Forces Command?

Answer. The Unified Command Plan focuses the command on two main missions: (1) providing conventional forces trained to operate in a joint, interagency, and multi-national environment, and (2) transforming the U.S. military's forces to meet the security challenges of the 21st century. The Commander, U.S. Joint Forces Command (JFCOM) serves as the chief advocate for jointness and interoperability, championing the joint warfighting requirements of the other combatant commanders. As such, he is responsible for five major areas:

- Serves as the Primary Joint Force Provider for conventional forces. In this role, JFCOM analyzes conventional forces worldwide to identify the

most appropriate and responsive sourcing solutions that are then recommended to the Chairman, Joint Chiefs of Staff to meet combatant commander requirements. Commander, JFCOM provide those forces under its combatant command authority as trained and ready joint capable forces to the other combatant commanders when directed by the Secretary of Defense. As the Department's Joint Deployment Process Owner, it maintains the global capability for rapid and decisive military force projection and redeployment.

• Serves as the lead Joint Force Integrator, responsible for recommending changes in doctrine, organization, training, material, leadership and education, personnel, and facilities to integrate Service, defense agency, interagency, and multi-national capabilities. As the Joint Command and Control Capability Portfolio Manager responsible for leading the Department of Defense's (DOD) effort to improve interoperability, minimize capability redundancies and gaps, and maximize capability effectiveness.

• Serves as the Executive Agent for Joint Concept Development and Experimentation. In this role, JFCOM leads and coordinates the Joint Concept Development and Experimentation (JCDE) efforts of the Services, combatant commands, and defense agencies. Additionally, the Commander of JFCOM integrates multi-national and interagency warfighting transformation and experimentation efforts to support joint interoperability and future joint warfighting capabilities.

• Serves as the lead agent for Joint Force Training. This effort is focused at the operational level with an emphasis on Joint Task Force (JTF) Commanders and their staffs and the ability of U.S. forces to operate as part of a joint and multi-national force. Additionally, JFCOM is responsible for leading the development of a distributed joint training architecture and developing joint training standards.

• Provides operational joint enabling capability packages that deploy on short notice to assist combatant commanders to rapidly form, organize, and operate a joint force headquarters. Additionally, assists combatant commanders in the planning, forming, training, and operation of their designated JTF-Capable headquarters.

BACKGROUND AND EXPERIENCE

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

Answer. I'm very fortunate to have had the opportunity to not only serve for 34 years in uniform, but also to have commanded troops from the platoon level up to my present assignment as Commander of U.S. Forces-Iraq. Commanding in a joint, combined, interagency environment for almost 6 years, mostly in combat, at the division, corps, and force-level has provided me a unique perspective on joint interagency operations. I have conducted full-spectrum operations, counterinsurgency operations, and stability operations and have been on the leading edge of groundbreaking Army and Marine Corps doctrine. In every assignment I was fortunate to serve for, and lead, brave, innovative, and hardworking people, both in uniform as well as senior civilian leadership. Above all, I have tried to learn, mentor, and lead at every chance. All of this has prepared me for this opportunity.

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 commanders of the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander, U.S. Joint Forces Command, to the following:

The Secretary of Defense.

Answer. The Commander, U.S. Joint Forces Command performs his duties under the authority, direction, and control of the Secretary of Defense, and is directly responsible to him to carry out its assigned missions.

Question. The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense, in accordance with established authorities, and except as expressly prohibited by law, has the full power and authority to act for the Secretary of Defense and to exercise the powers of the Secretary of Defense upon any and all matters concerning which the Secretary of Defense is authorized to act pursuant to law. If confirmed, I will keep the Deputy Secretary of Defense informed on appropriate matters.

Question. The Under Secretaries of Defense for:

Answer. The Under Secretaries of Defense, as the principal staff assistants, provide advice, assistance, and support to the Secretary of Defense in managing the Department and in carrying out such duties as prescribed by the Secretary or by law. Within their areas, Under Secretaries exercise policy and oversight functions. In carrying out their responsibilities, and when directed by the President and Secretary of Defense, communications from the Under Secretaries to commanders of the unified and specified commands are transmitted through the Chairman of the Joint Chiefs of Staff. If confirmed, I will work closely with the Under Secretaries in the areas of their responsibilities.

Question. Policy.

Answer. The Under Secretary for Policy is the principal staff assistant and advisor to the Secretary and 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.

Question. Personnel and Readiness.

Answer. The Under Secretary for Personnel and Readiness is the principal staff assistant and advisor to the Secretary and Deputy Secretary of Defense for Total Force management; National Guard and Reserve affairs; health affairs; readiness and training; military and civilian personnel; language; dependents' education; equal opportunity; moral, welfare, recreation; and quality of life matters.

Question. Acquisition, Technology, and Logistics.

Answer. The Under Secretary for Policy is the principal staff assistant and advisor to the Secretary and Deputy Secretary of Defense for all matters relating to the DOD Acquisition System; research and development; modeling and simulation; systems integration; logistics; installation management; military construction; procurement; environment, services; and nuclear, chemical, and biological programs.

Question. Intelligence.

Answer. The Under Secretary for Intelligence is the principal staff assistant and advisor to the Secretary and Deputy Secretary of Defense for all matters regarding intelligence, counterintelligence, security, sensitive activities, and other intelligence-related matters.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Chairman is established by title 10 as the principal military advisor to the President and Secretary of Defense. The Chairman serves as an advisor and is not, according to law, in the operational chain of command, which runs from the President through the Secretary to each combatant commander. The President directs communications between himself and the Secretary of Defense to the combatant commanders via the Chairman of the Joint Chiefs of Staff. This keeps the Chairman fully involved and allows the Chairman to execute his other legal responsibilities. A key responsibility of the Chairman is to speak for the combatant commanders, especially on operational requirements. If confirmed as Commander, JFCOM, I will keep the Chairman and the Secretary of Defense promptly informed on matters for which I am personally accountable.

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

Answer. The Vice Chairman of the Joint Chiefs of Staff performs duties as prescribed by the Chairman of the Joint Chiefs of Staff with the approval of the Secretary of Defense. When necessary, the Vice Chairman of the Joint Chiefs of Staff shall act as the Chairman of the Joint Chiefs of Staff and shall perform the duties of the Chairman of the Joint Chiefs of Staff until a successor is appointed or the absence or disability ceases. If confirmed, I will keep the Vice Chairman informed on matters as appropriate.

Question. The Secretaries of the Military Departments.

Answer. The Secretaries of the Military Departments are responsible for the administration and support of the forces assigned to the combatant commands. The Commander, U.S. Joint Forces Command coordinates closely with the secretaries to ensure the requirements to organize, train, and equip forces assigned to JFCOM are met. Close coordination with each Service Secretary is required to ensure that there is no infringement upon the lawful responsibilities held by a Service Secretary.

Question. The Chiefs of Staff of the Services.

Answer. The Chiefs of Staff of the Services organize, train, and equip their respective forces. No combatant commander can ensure preparedness of his assigned forces without the full cooperation and support of the Service Chiefs. As a member of the Joint Chiefs of Staff, the Service Chiefs have a lawful obligation to provide military advice. The experience and judgment of the Service Chiefs provide an invaluable resource for every combatant commander. If confirmed as Commander, JFCOM, I will continue the close bond between the command, the Service Chiefs and the Commandant of the U.S. Coast Guard in order to fully utilize their service

capabilities, and to effectively employ those capabilities as required to execute the missions of U.S. Joint Forces Command.

Question. The Supreme Allied Commander Transformation (SACT).

Answer. SACT is one of two co-equal Strategic Commanders within NATO's command structure. SACT supports NATO in the education, training and transformation of functional commands and staff elements that plan for and conduct operations, with multi-national and joint forces, over the full range of Alliance military missions authorized by the North Atlantic Council/Defense Planning Committee. I believe the vision to place NATO's North American Strategic Command in Norfolk alongside U.S. Joint Forces Command was exactly correct. Our current enemy mandates that we continue to build and support the symbiotic relationship between Joint Forces Command and Allied Command Transformation. Currently there is great synergy, collaboration, and support between the two Commands, and it is very much a two-way street that benefits both NATO and the United States.

Question. The other combatant commanders.

Answer. In general, JFCOM is a supporting command—its job is to make the other combatant commands more successful. If confirmed, I will continue the close relationships with other combatant commanders to increase the effectiveness we've created, and continue to build mutual support. The joint capabilities required by combatant commanders to perform their missions—today and in the future—forms a large basis of JFCOM's mission. Today's security environment dictates that JFCOM work very closely with the other combatant commanders to execute our national military strategy.

Question. The commanders of each of the Service's training and doctrine commands.

Answer. JFCOM's relationship with each of the Service's training and doctrine commands is marked by close cooperation and routine collaboration. U.S. Fleet Forces Command and U.S. Army Training and Doctrine Command are key partners in training and doctrine issues given their close proximity to JFCOM in the Hampton Roads area. JFCOM participates with all Service Doctrine Centers in Joint Doctrine Community conferences and the JFCOM doctrine staff is in daily contact with Service doctrine centers. DOD training programs that JFCOM manages such as the Joint National Training Capability and Joint Knowledge Online could not function without the direct support of the Services.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges and problems confronting the Commander, U.S. Joint Forces Command?

Answer. From my present view, the most significant challenge is meeting the combatant commander's (COCOM) force sourcing requirements. The task of providing trained and ready joint forces on a predictable and stable schedule that is reactive to combatant commanders and minimizes stress on families while providing adequate time for training, will continue to be a challenge for anyone with the Global Force Provider mission.

The second challenge is the continued implementation of Irregular Warfare competencies in the General Purpose Force and maintaining the appropriate level of balance between conventional and irregular capabilities.

With my unique combat experience over the past 7 years, it will provide an opportunity to review and institutionalize joint warfighting and civil-military lessons learned and ensure the Joint Force is proactive and adaptive to the complex environment we will face today and in the future.

Question. Assuming you are confirmed, what plans do you have for addressing them?

Answer. Certainly, if confirmed, I will continue to work with the other combatant commanders, as well as the Services through JFCOM's component commands, to shape JFCOM's ability to provide the most logical and effective sourcing solutions for the Joint Warfighter. With respect to Irregular Warfare, I will continue to follow the Secretary of Defense's guidance and seek balance between our conventional, irregular, and nuclear capabilities. Finally, I will develop a mechanism to capture and implement joint and interagency operational and strategic lessons learned.

JOINT FORCE PROVIDER

Question. What is your understanding of the role of Joint Forces Command as the joint force provider to meet combatant commander requirements?

Answer. As the conventional Joint Force Provider (JFP), it is JFCOM's goal to source all validated rotational and emergent force requirements in support of the combatant commanders. To accomplish this, JFCOM provides DOD leadership with

recommended force sourcing solutions to make proactive, risk-informed force management and allocation decisions. JFCOM works to source these force requirements by collaborating with JFCOM Service components, each of the Services (both Active and Reserve) and combatant commands to meet combatant commands' force requirements.

Question. From your experience as Commander, U.S. Forces-Iraq, what are your observations and evaluation of the performance of Joint Forces Command in meeting your command's force requirements?

Answer. Overall, JFCOM, along with the other stakeholders in the Global Force Management process are doing a good job in supporting the combatant commands' force requirements. But demand is currently outpacing force supply in specific capability areas and the current systems are not perfect. Problems remain: force stress, persistent shortfalls, use of In-Lieu-Of (ILO) forces, etc. At times, the force providing processes have not proven agile enough to keep up with the pace of change and unplanned requirements. This is the source of some frustration. To their credit, however, JFCOM and other stakeholders in the Global Force Management Process are reviewing their processes: determining how to streamline procedures and increase visibility in order to increase responsiveness to combatant command force requirements.

Question. In this regard, include your observations and evaluations of the use of 'in lieu of' forces to meet theater requirements.

Answer. In my judgment, ILO forces have provided effective solutions to meet theater requirements. ILO solutions are, by definition, substitutions of force when the standard force is unavailable. As such, ILO solutions provide capability to meet theater requirements that would otherwise go unfilled. I have been extremely pleased with the ability of the Joint Force to adapt to the needs of the theater commander. Of critical importance as ILO forces are continued to be employed is ensuring that they have received the proper training and equipment in order to enable their effectiveness. The quality of preparedness has been outstanding.

Question. Based on your evaluation, what in your view are the most urgent challenges requiring Joint Forces Command attention and how would you propose to meet these challenges or improve the command's efficiency or effectiveness as the joint force provider to our combatant commands?

Answer. The most urgent challenge impacting Joint Forces Command's effectiveness as Primary Joint Force Provider is access to high quality force readiness and force availability data. JFCOM is teaming with the Office of the Secretary of Defense (OSD), the Joint Staff, Service headquarters and technical organizations (DISA) in several initiatives that will integrate policy, processes, authoritative databases and technology that affect Joint Force sourcing and Global Force Management.

JOINT FORCE READINESS

Question. Joint Forces Command's current mission statement acknowledges its responsibility to provide "trained and ready joint forces" to our combatant commanders. The readiness of our non-deployed forces, especially our ground forces, for worldwide commitment has been impacted by the ongoing wars in Iraq and Afghanistan.

What is your unclassified assessment of the readiness of our non-deployed land, air, and sea forces in general, and specifically with respect to homeland defense and counter-terrorism missions?

Answer. That portion of the armed services making up the ground force is essentially either deployed forward supporting our Overseas Contingency Operations or is in some stage of resetting for future deployment. Those units that are in reset are challenged in their readiness by equipment needs, rotation of manpower and time to train. The Services have proven adaptive in preparing ground forces for their next deployment—but in many cases, they achieve a deployment ready state just in time for their next deployment rotation. The air and maritime forces are more ready across the board, but specific skill sets within those forces are also stressed due to deployments (e.g., Military Intelligence, EOD). As forces draw down in Iraq and the Army begins to realize some relief from its current high operational tempo (except in high demand skill sets), it is important we develop mechanisms to increase readiness of our non-deployed ground forces and develop ready force packages to meet worldwide needs.

Question. What policies, programs, or actions would you specifically propose to strengthen the readiness of our non-deployed air, land, and sea forces?

Answer. Continued support of current joint training and readiness programs that prepare our forces and joint headquarters to be ready when called upon by a com-

batant commander. Additionally, I will look to support initiatives such as inserting joint enabler into the immersive training environment, as well as continuing civil-military cooperation in a training environment.

READINESS REPORTING SYSTEMS

Question. Global Status of Resources and Training System (GSORTS) measures unit readiness for combat missions at the high end of the spectrum of war rather than counterinsurgency, stabilization or other contingency missions. The Department has developed and begun fielding the Defense Readiness Reporting System (DRRS) to replace GSORTS.

Based on your years of command experience, both in garrison and while deployed, what are your views of the importance of a comprehensive, objective, accurate, reliable, adaptable, and timely readiness reporting system?

Answer. A readiness reporting system as you have described is obviously important. Such a system should incorporate both resource assessments as well as mission assessments. This will provide the basis for force analysis that underpins JFCOM's recommended sourcing solutions to meet the geographic combatant commander's force needs.

Question. What in your view should be the requirements of a readiness reporting system capable of meeting Joint Forces Command's mission as joint force provider?

Answer. In general terms, the readiness system should reflect objective readiness metrics and subjective assessments of a force's ability to carry out specific mission tasks or a spectrum of military missions.

Question. In this regard, is it more important for Joint Forces Command to have a clear picture of available Service capabilities or the readiness data on specific units and systems, or both?

Answer. JFCOM would require both to perform its Joint Force Provider role. JFCOM currently works with its Service components and each Service to generate the shared understanding of what Service capabilities are available and why they are available—based on unit readiness data. In its effort to improve Joint Force Provider processes, JFCOM has defined needs for information including:

- Force availability
- Force capabilities
- Force structure
- Force readiness
- Global Force Management (GFM) strategic guidance (priorities)
- Force location
- Force apportionment
- Common operating picture
- Works in progress (pending changes in the force)

Question. What weight would you assign to each of the requirements you identify?

Answer. High priority items include: force availability, force capabilities identifier, force structure, force readiness. GFM strategic guidance, force location and force apportionment are medium priority. Common operating picture and works in progress are low priority.

Question. What is your understanding of, or experience with, the new DRRS?

Answer. I have very little experience with this system. Theoretically, I believe this system will be an improvement over the current Joint Readiness System, although I need to discuss DRRS with the Service components to determine their confidence in the system before declaring my own overall assessment.

Question. How would you evaluate this new system's ability to assess the personnel, equipment, and training readiness of forces and its utility in support of Joint Forces Command's joint force provider process?

Answer. My brief understanding is that DRRS includes a subjective readiness reporting system that focuses on evaluation of a force's ability to execute mission essential tasks rather than just measuring equipment, supply, manning and training levels as a means of assessing readiness.

Question. One of the concerns about the GSORTS and DRRS is the use or misuse of the commander's "subjective upgrade." Commanders are authorized to raise or lower their reported level of readiness in a more subjective fashion than is otherwise required in a strict application of objective standards as defined in the readiness reporting regulation.

During your years of command, in general have you used this authority to subjectively upgrade or downgrade your readiness reports? If so, what philosophy has guided your use of subjective upgrade or downgrade?

Answer. I have used subjective reporting in the past within the parameters of the reporting system at the time. If the reporting system directs an assessment of a

units full spectrum combat mission, then the full suite of equipment, manning and training is necessary to ready that unit to the full spectrum level. If the unit is tasked with a less demanding mission, for example, disaster relief—then a subjective report of readiness against that lesser mission is helpful to reflect that the unit is capable of success with the current state of manning, equipment and training. It's important to keep in mind that readiness reports are intended for senior headquarters consumption and their information needs and intents are key variables in defining any readiness system. I have never hesitated to apply my military judgment in assessing the readiness of units I commanded. No one understands the capabilities or shortfalls of a unit better than a commander and his chain of command. Quantitative assessments alone cannot adequately articulate a unit's readiness and I strongly endorse holistic appraisals by commanders.

Question. How have you mentored your subordinate commanders in their use of subjective upgrade in their readiness reporting to and through you?

Answer. The Army trains leaders to be honest, forthright, critical thinkers and they are selected to leadership positions based, in large part, on their demonstration of good judgment. I have relied on the good judgment of my subordinate commanders to reflect accurately their unit's capabilities within the parameters of the readiness reporting system. The readiness of their units has been a subject of frequent discussion with my subordinate commanders. I expect them to apply their judgment and report their honest assessment, even in open-ended environments where current readiness reporting does not apply.

Question. What in your view are the benefits and dangers of the use of subjective upgrades or downgrades?

Answer. The obvious danger is an overestimation of capabilities that may be used as the basis for a decision to commit a unit to a mission that it is not prepared to undertake. But commanders as well as their chain of command have a firsthand understanding that allows reflection of capabilities that are not measured in an objective based system (e.g., a unit with a great deal of leadership experience, but has not yet completed all training may be more capable than objective assessment reveals).

Question. If confirmed, how would you monitor the use of subjective upgrades or downgrades in the readiness reporting system to ensure that Joint Forces Command has the most accurate, reliable, and timely information necessary to meet its responsibilities as joint forces provider?

Answer. I will monitor reports of force readiness through my Service component commanders who are in the best position to continually assess the accuracy and reliability of readiness reports. I will also travel and observe unit training and share Joint training lessons learned.

JOINT FORCE TRAINER

Question. Joint Forces Command also serves as a major joint force trainer. In this role, the command certifies the training readiness of Joint Task Force headquarters to plan, organize and manage the execution of joint force operations at all levels of conflict. The command supports combatant commander joint exercises and mission rehearsal exercises prior to deployment of major headquarters. However, Joint Forces Command does not certify the training readiness of deploying forces at the unit or "tactical" level.

Based on your experience as Commander, U.S. Forces-Iraq, what is your evaluation of the readiness of Army, Navy, Air Force, and Marine Corps units as they are arriving in Iraq?

Answer. Overall, the readiness of units arriving in Iraq has been high. The strain on the force after 9 years of conflict is significant but I believe the Services have done a good job in resetting units and getting them ready to deploy.

There will always be issues with manning, equipment, and training, but the Services have been adaptive and incorporated feedback from the theater by making necessary adjustments in their force preparations. There has been constant dialogue with JFCOM and the Service training centers to provide immediate feedback in order to adjust training and the training environment.

Question. Based on your observations and evaluations, should U.S. Joint Forces Command be assigned a greater role in setting standards and the certification of the training readiness of tactical units prior to their deployment?

Answer. I believe the supported combatant commander should set the requirements for what units need to be trained in, and in what conditions, and to what standard, if a standard can be determined. If there is something we have learned in Iraq and Afghanistan it is that this enemy is adaptive and does not follow doc-

trine. Trying to set a standard for everything that a unit must do is challenging but it should be done where possible.

I also believe that the Services understand their role in providing trained and ready forces based on the supported commander requirements. When a unit commander states to his boss that he has conducted the required training then we must take that commander at his word.

What JFCOM can do is facilitate the articulation of the supported commander's requirements to the Services. This can be done with the annual Joint Training Plan which provides training guidance to the Service components. JFCOM should also support the Service training programs in replicating the environments of Iraq and Afghanistan in their training.

CONTRACTING SENIOR MENTORS

Question. The number of contractors working under U.S. Joint Forces Command currently exceeds the number of uniformed military personnel assigned to U.S. Joint Forces Command. Those contractors who are hired as Senior Mentors can earn upwards of $1,600 per day for their services.

In your view, what value do contracted Senior Mentors provide to U.S. Joint Forces Command and do you believe they are being overpaid?

Answer. Senior mentors bring years of experience and expertise and they are vital to how we train, teach and mentor our commanders to lead complex, joint and combined operations. I have personally experienced the advantage of senior mentors as I prepared for combat operations as a Division, Corps, and Force Commander. They provide unique perspective and experience to manage large organizations and help solve complex problems. Not everyone is qualified to provide these unique insights.

Our senior mentors are a key component of a training team that includes midgrade active duty officers who act as Observer-Trainers. The senior mentor provides credibility for this training team due to his many years of experience.

The impact of senior mentors on our exercise program and in senior leader education programs such as Capstone, Keystone, and Pinnacle cannot be overstated.

It is difficult to put a price on the value of our senior mentors but the amount of time they spend mentoring a commander and staff during an exercise can often be significant. Their duties sometimes take them to locations such as Iraq, Afghanistan, and Djibouti where they might log significant amounts of time in austere locations.

Question. In your view, is the Senior Mentor Program transparent enough with respect to potential conflicts of interest?

Answer. I have not been involved in monitoring the program to provide an absolute yes. In all the years I have benefitted from senior mentors, did I ever experience or believe there was a conflict of interest. I understand that as part of the transition from senior mentor to a highly-qualified expert position, these flag and general officers will undergo ethics and conflict of interest training/counseling and be required to file an Office of Government Ethics Form 450.

Question. How can the current process be made more cost-efficient and effective?

Answer. My understanding is that JFCOM has been working with Department of the Navy, their Executive Agency, over the last 2 months to develop a quality senior mentor program at JFCOM that is fully in line with the Secretary of Defense's intent while ensuring they don't risk ongoing or planned mission support. It will be important to develop a risk mitigation plan phasing SM HQE transitions to ensure continued mission support during this time period. We will work to ensure every senior mentor has transitioned as soon as practicable and have a management process that will be in place to manage and support their mission activities.

Question. Given the decision by Secretary Gates to convert and in-source contractors into government employees, could U.S. Joint Forces Command also benefit from such a shift given the high percentage of contractors currently residing in U.S. Joint Forces Command?

I believe JFCOM is currently striving to do this. JFCOM is currently working on a plan to transition many of the Senior Mentors used in the past, to government employees in the form of highly-qualified experts. In addition, JFCOM will comply with the President's directive to reduce the portion of work performed by contractors and to hire government employees.

LESSONS LEARNED

Question. One of Joint Forces Command's missions is to conduct lessons learned studies that can result in changes to joint tactics and doctrine. These efforts are informed by the command's wargaming experimentation program, as well as a num-

ber of advisors, including retired general officers, who have been sent to Iraq to review the operational situation.

Based on your experience as Commander, U.S. Forces-Iraq, what are your observations and evaluation of the Joint Forces Command's lessons learned efforts?

Answer. JFCOM's Joint Center for Operational Analysis (JCOA) embeds collection teams with the supported combatant commands and Joint Task Forces to conduct lessons learned collection during the course of operations. This approach is a great leap forward over conducting interviews to collect information after the fact as we've historically done. It provides a level of timeliness, fidelity and impact that has not been achieved in previous lessons learned programs. Service teams also use this approach. From these collection efforts, JFCOM not only improves tactics and doctrine, but improves Joint warfighting across the full doctrine, organization, training, materiel, leadership, personnel, and facilities (DOTMLPF) spectrum. This has permitted rapid adaptation and sharing of "best practices" among our various services and units. Lessons learned are a proven force multiplier in making us a truly adaptive force.

Question. What are your observations and evaluation of how these lessons learned impacted the conduct of operations in Iraq?

Answer. I observed two types of impacts: the first is the immediate impact provided by forward collectors' observations to the operational commanders, and the second is the result of subsequent analysis and recommendations being shared with senior DOD, U.S. Government, and coalition leadership. JCOA analysis identified lessons and derived recommendations that were fed into multiple efforts. As a result of the sharing of joint and Service lessons learned, training has been re-oriented in real time, organizations have been modified, and doctrine rewritten to strengthen our intellectual approach to this form of war. We have also on several occasions asked JCOA to conduct specific assessments of our ongoing programs such as Information Operations, Civil-Military Operations, and Joint-Combined Staff Integration.

Question. If confirmed, how would you propose to improve the command's lessons learned systems?

Answer. Key to the collection of needed data is trust in the purpose and concept of JCOA's embedded missions. I intend to work with my fellow combatant commanders to set positive conditions at the highest level for JCOA's employment as a tool for analytical support. We will continue to infuse a sense of urgency in disseminating best practices uncovered by sharing lessons learned.

Additionally, the ability of U.S. forces to turn world-wide collected lesson observations into knowledge has reached a new level with the implementation of the Joint Lessons Learned Information System (JLLIS). JLLIS is the DOD Program of Record for Lessons Learned managed by the Joint Staff J–7. It allows for transparency among all the service and combatant commands' lessons learned databases. The key for JFCOM will be the development of business models to process this large amount of information into knowledge, which we can then use to guide improvements for the Joint Warfighter.

Finally, if confirmed, I intend to engage the Secretary of Defense and Chairman on methods for ensuring resource allocations to the recommendations that go forward.

NATIONAL GUARD READINESS FOR CIVIL SUPPORT MISSIONS

Question. An issue of concern to the Congress is the apparent low levels of readiness of the National Guard for its domestic or civil support missions. The reality is that we do not know with great confidence the true "readiness" of the Guard for its domestic support missions because there is no national readiness reporting system that objectively captures the Guard's personnel, equipment, or training requirements or their status relative to those requirements.

What is your assessment of the Guard's current readiness to respond to the range of domestic contingencies that our states may face?

Answer. I believe the National Guard maintains a good level of readiness to respond to the range of domestic contingencies normally faced by a State in a given year. This year National Guard forces have responded, or are expected to respond under state control, to floods, fires, hurricanes, oil spills and tornadoes. Governors and their The Adjutant Generals (TAGs) generally will not offer National Guard forces for deployment if they believe that offering will negatively impact the state's ability to respond to its citizens needs. The National Guard forces that have returned from deployment to Iraq and Afghanistan generally are at lower readiness levels and the Army is working diligently to reset these forces.

Question. What in your view is the role or responsibility of Joint Forces Command, as the joint force provider, in developing a readiness reporting system that monitors the Guard's readiness for civil support missions?

Answer. I believe once the DRRS is fully evolved and National Guard units are reporting readiness via DRRS, the mission essential task based readiness system could reflect Guard readiness for civil support missions.

JOINT REQUIREMENTS OVERSIGHT COUNCIL

Question. The Joint Requirements Oversight Council (JROC) has the responsibility to assist the Chairman of the Joint Chiefs of Staff in identifying and assessing the priority of joint military requirements to meet the national military strategy and alternatives to any acquisition programs that have been identified.

How would you assess the effectiveness of the JROC in the Department's acquisition process?

Answer. As the Multi-National Forces-Iraq and now the U.S. Forces-Iraq Commander, I am the end user of capability requirement and development decisions the JROC makes. I believe the JROC is effective at engaging the acquisition and programming communities early on by validating COCOM, Service, and Agency requirements/capability gaps. The JROC has approved a streamlined method for managing requirements achieved through information technology. This requirements governance process allows the operational user more flexibility in prioritizing delivery of requirements as operational needs change and will synchronize well with the proposed changes in the information technology acquisition process. The JROC is very effective in assessing and conveying the COCOMs' needs to the acquisition process through a rigorous Capability Gap Analysis process.

Question. Do you see the need for any change in the organization or structure of the JROC?

Answer. I think the Department is already pursuing necessary changes to improve the process and I strongly support the VCJCS and JROC efforts to include an "upfront" assessment of cost, schedule, and performance as part of the requirements process; including the evaluation of trade-off alternatives. The JROC provides independent military advice to our senior leaders regarding which issues become validated military requirements and which do not. I think the JROC is organized and structured effectively to provide that independent military voice. I also believe the combatant commanders need a voice through the JROC to influence the resource and acquisition processes as they relate to joint requirements. If confirmed, I look forward to investigating options that include combatant commander representation in the JROC.

Again, the JROC has already taken steps in this direction by delegating Joint Capability Board (JCB) authority to several of the functional combatant commands. This delegation included naming the Deputy Commander of JFCOM as the Chairman of the Command and Control (C2) JCB addressing all command and control requirements. This puts JFCOM very much in the role of primary advisor to the JROC on command and control issues. Similarly, the Deputy Commanders of U.S. Special Operations Command (SOCOM) and U.S. Transportation Command (TRANSCOM) have been delegated JCB Chairmanship for their respective functional areas.

Further, the SASC has proposed in the 2011 National Defense Authorization Act to allow the Commander or Deputy Commander of any combatant command to participate in a JROC which has topics that significantly impact their operations and requirements. This will also enhance the ability of the combatant commanders to influence the JROC decisions.

Question. In your view, should the Commander, U.S. Joint Forces Command, have a seat on the JROC?

Answer. I do not believe it is necessary for the JFCOM Commander to have a seat on the JROC in order to be effective at influencing the direction and types of joint force capabilities. In October 2008, the JROC delegated the chairmanship of the command and control Joint Capabilities Board to the JFCOM Deputy Commander. In that role, JFCOM is the primary advisor to the JROC on command and control capabilities.

Question. If confirmed, how would you plan to interact with the JROC in pursuing the development of improved joint force capabilities?

Answer. I would offer the JROC as it is chartered is sound, and I am confident that General Cartwright will continue to lead us in the right direction. I will continue in the path set forth by General Mattis to bring significant issues to the attention of the JROC and leverage the JFCOM Chairmanship of the Command and Con-

trol JCB to the maximum extent possible to influence the development of joint force capabilities.

Question. Do you feel that the Commander, U.S. Joint Forces Command, should have a larger role in the activities of the JROC, given the unique JFCOM mission to support joint warfighting?

Answer. In my view, we must continue to "operationalize" the JROC and acquisition processes to respond with agility when Warfighter Challenges are presented and validated. The Joint Capability Integration and Development System (JCIDS) is designed to impact mid- to far-term capabilities and funding (3 years and beyond). The process has less flexibility to quickly respond to emerging requirements within the planning, programming, budgeting, and execution process in the near-term budget years (1–2 years). I strongly support initiatives such as the Information Technology Oversight and Management process that provides the required flexibility to take full advantage of evolving commercial information technology and incorporate it throughout a program's lifecycle. U.S. JFCOM's expanded role as the Chair of the C2 JCB provides a stronger voice in the JROC process.

The Joint Urgent Operational Needs process has been used effectively over the last several years. However, there still exists a gap in our ability to deliver joint warfighting capabilities that are needed in the 1–3 year range due to issues with all three core processes: requirements, acquisition and programming. I will be working with the VCJCS to identify ways to bridge this gap, potentially through changes in the JROC/JCIDS process that will then influence how we can acquire these capabilities in a timelier manner.

JOINT REQUIREMENTS

Question. Commander, U.S. Joint Forces Command, is responsible for advocating for the interests of combatant commanders in the overall defense requirements and acquisition process.

From your perspective has the U.S. Joint Forces Command effectively represented the requirements and needs of combatant commanders to the JROC and the Military Services?

Answer. Yes, U.S. Joint Forces Command has well represented the requirements and needs of the combatant commanders to the JROC.

Question. In your view, are combatant commanders capable of identifying critical joint warfighting requirements and quickly receiving needed capabilities?

Answer. Yes, as one of the component commanders for U.S. Central Command it is my belief that the combatant commander, in working with their component commanders is perfectly and uniquely suited to identify those joint urgent needs for adjudication by the JROC. Enhanced representation by the combatant commanders on the JROC will ensure that these needs are given the appropriate priority for delivery.

Question. What suggestions, if any, do you have for improving the requirements and acquisition process to ensure that combatant commanders are able to quickly receive needed joint warfighting capabilities?

Answer. The combatant commanders often face issues that require new capabilities in the near-term that cannot be supported by the traditional requirements, acquisition and programming processes. While the Services have some flexibility to adapt to these needs, current processes are often too bureaucratic and focused on the long-term to meet these needs. I will work with the JROC to advocate improvements to the existing requirements process that will accelerate our ability to provide the required joint warfighting capabilities. Flexibility and adaptability of our processes is essential as we continue to operate in a dynamic and changing operations and strategic environment.

JOINT CAPABILITY DEVELOPMENT

Question. In your view, how successful has U.S. Joint Forces Command been in developing and delivering new joint capabilities to the warfighter?

Answer. I think very successful. JFCOM continues to work with the COCOMs to determine warfighter gaps and challenges and look for solutions. JFCOM develops new capabilities, often partnering with the Services, and leverages experimentation expertise, Joint Capability Technology Demonstrations, and interim joint capability development efforts to find solutions that can be operationally tested and fielded. In response to a CENTCOM Joint Urgent Operational Need (JUON) JFCOM partnered with the Services to develop and field test the Joint Airborne Communication System (JACS). The JACS systems have evolved under the JFCOM Joint Communications Support Element (JCSE) from a 1,000 lb. package that required aircraft support to a 100 lb. package that is currently undergoing final testing for ulti-

mate integration on existing Service unmanned aircraft system (UAS) platforms. The JACS system more than triples the communication range capability of ground forces operating at extended ranges from forward bases. The early versions of JACS have been successfully tested in the Iraq AOR.

Question. What steps would you take to improve JFCOM's efforts in this area?

Answer. The ability to expeditiously develop new capability hinges not only on identifying the right technology, but also on having access to the resources (manpower and funding) to effectively pursue solutions that meet the warfighter's needs. In addition to Research and Development (R&D) funding, interim solutions also require temporary Operation and Maintenance (O&M) to ensure sustainability. If confirmed, I will work with my staff to ensure that JFCOM in partnership with OSD AT&L and others as appropriate, are adequately funded and provided the authorities necessary to enable the development and fielding of interim solutions, until a Service Program of record is available to meet COCOM urgent needs.

BUDGET AND RESOURCES

Question. Since 2001, the U.S. Joint Forces Command budget authority has risen considerably because of additional functional mission responsibilities assigned to the command.

Have the increases kept pace with the JFCOM taskings and do you foresee the need for future growth?

Answer. As any organization reacts to changes in organizational priorities, customer demands (DOD and COCOMs), and other external influences, that organization is forced to reassess the resources available to it and the resource structure in place to meet the demand. I understand building the resources to support JFCOM missions and functions has been a departmental effort over 10 years, and the informed allocation of those resources is intended to provide for that mission in support of delivering the appropriate tools to the warfighter. At this point in time, I can only assume that the resources have kept pace with the growing mission responsibilities.

I do not believe the JFCOM headquarters has any excess capacity, and a recent DOD COCOM Management Headquarters Analysis bears that out. So, as Joint Warfighting capability gaps are identified, it will be critical for the department to assess the risk as it relates to the overall ability of the force to complete its mission, and then determine the appropriate allocation/reallocation of resources as required to mitigate or accept that risk. We must seek efficiencies and constantly assess and adjust within the resources we have been given. However, with the current economic condition of our country, and the expected downward pressure on the overall budget, I view the near-term opportunity for growth unlikely.

Question. In what specific areas do you see the need for future growth?

Answer. Without having the opportunity to assess and evaluate JFCOM, I am not able to provide an informed answer to that question.

Question. Do you believe that JFCOM has adequate staff to efficiently manage this increase in budget authority and mission responsibilities?

Answer. I believe the answer is yes, but once again, that is something I will have to assess for myself. Anytime an organization experiences rapid growth like JFCOM, there is always concern about failure to address the management and oversight elements.

Question. Approximately two-thirds of JFCOM headquarters staff is composed of government civilians or contractors.

In your view, what explains this large civilian and contractor workforce?

Answer. From the recently completed COCOM Baseline Review, I understand JFCOM's management headquarters staff is the leanest of any COCOM. Like every COCOM HQ, the civilian and contractor components of the workforce augment the military component. Taken together, I expect the components operate as a team to execute the unique missions and functions assigned by the Unified Command Plan and other directives. JFCOM's government civilians generally perform duties that are inherently governmental in nature, such as financial and program management, while our military personnel provide the essential element of recent and relevant operational experience and perspective. I expect to find the contractor component of JFCOM's workforce to be lean and well-managed by a trained cadre of government acquisition professionals and held accountable to specific and rigorous performance standards.

Question. Do you believe that JFCOM has an appropriate mix of military and civilian personnel?

Answer. I simply do not know at this time. This is something I will have to review and access once I am there. I understand significant workforce rebalancing is occur-

ring in response to the legislative enablers, and the Department's guidance, on acquisition reform and in-sourcing. Hopefully, these initiatives will lead to a workforce that is both more effective and less expensive.

JOINT FORCES COMMAND LIMITED ACQUISITION AUTHORITY

Question. Congress has provided Commander, U.S. Joint Forces Command, with the authority to develop and acquire equipment for battle management command, control, communications, and intelligence and other equipment determined to be necessary for facilitating the use of joint forces in military operations and enhancing the interoperability of equipment used by the various components of joint forces.

What is your assessment of the benefits of this authority?

Answer. Limited Acquisition Authority (LAA), which was delegated by the Secretary of Defense to U.S. Joint Forces Command from 2004 through 2008, proved to be a useful and flexible tool for JFCOM to support other combatant commands. LAA to JFCOM was discontinued at the end of fiscal year 2008.

Question. Do you concur with the findings and recommendations of the Government Accountability Office (GAO) in its April 2007 report which were somewhat critical of JFCOM's use of limited acquisition authority?

Answer. I am not familiar with the results of the GAO report.

Question. What internal changes, if any, would you recommend to improve the execution of the authority?

Answer. If confirmed I would commit to studying this more thoroughly.

Question. Do you believe that an increase in acquisition staff size is necessary?

Answer. I am not in a position to speak for USD(AT&L) on makeup or organization of the Defense Acquisition Work Force in DOD. I understand that JFCOM has no acquisition staff and none is required at this time, but we will study this more thoroughly.

Question. Do you believe this authority should be made permanent?

Answer. If confirmed, I will commit to studying this more thoroughly.

Question. What additional acquisition authorities, if any, does U.S. Joint Forces Command require to rapidly address such joint warfighting challenges?

Answer. If confirmed I will review. My initial reaction is none at this time.

Question. Do you believe similar acquisition authority should be extended to other combatant commands, and, if so, which commands and why?

Answer. SOCOM already has acquisition authority to meet specific needs of their special operations mission. It is my understanding that LAA was given to JFCOM to meet the unique interoperability and C2 missions assigned to the command under the Unified Command Plan (UCP) and reinforced recently by the Joint C2 CPM mandate of the Deputy Secretary of Defense. For those missions, JFCOM should be the single entity determining the joint solutions to interoperability and C2 problems faced by all the COCOMs.

Question. Will you recommend that the Department directly fund JFCOM to support the authority—which has not occurred to date?

Answer. No. Again, if the LAA statue was extended, or made permanent, and JFCOM was empowered by USD(AT&L) to execute all aspects of acquisition authority, I would recommend funding by way of an acquisition contingency fund (Program element) made up of RDT&E, O&M and OP subheads available to USD(AT&L) to fund LAA approved projects.

Question. What role, if any, should oversight officials from the Office of the Under Secretary of Defense for Acquisition, Logistics, and Technology play in the utilization of JFCOM's acquisition authority?

Answer. If the LAA statue was extended, and JFCOM was empowered by USD(AT&L) to execute LAA, I strongly believe approval of LAA projects should remain the decision of Commander, JFCOM. USD(AT&L) should have a responsibility to arrange funding for the LAA projects and continue to perform an oversight role in ensuring JFCOM doesn't violate acquisition regulations in the execution of the LAA mission.

DEFENSE SCIENCE AND TECHNOLOGY PROGRAMS

Question. The Department's Science and Technology (S&T) programs are designed to support defense transformation goals and objectives. These programs are intended to ensure that warfighters—now and in the future—have superior and affordable technology to support their missions and to give them war-winning capabilities.

Do you believe there is an adequate investment in innovative defense science and technology activities to develop the capabilities the Department will need in the future?

Answer. The Department's current S&T investment level is probably about right. If confirmed, I must continue JFCOM efforts to steer that investment on solutions to debilitating capability gaps and on the future warfighter enablers. That requires continuing to work closely with OSD and Joint Staff, other COCOMS, and the Services to ensure we are making the most effective and efficient use of the funding we currently receive. I know JFCOM has developed partnering relationships with the Services, Agencies, other Federal labs as well as with large and small private sector companies which need to be embraced to help speed capability development at reduced costs and promote that necessary future capability development.

Question. Do you believe the Department's investment strategy for S&T programs is correctly balanced between near-term and long-term needs?

Answer. This is an area where I plan to review and analyze more closely should I be confirmed. The challenge is ensuring that we have a proper S&T portfolio that allows us to invest in the more risky, revolutionary technologies; yet, sustain our investments in technologies that are needed for the current fight and programs of record in the POM. I intend to continue working closely with OSD, Joint Staff, other COCOMs, and the Services to ensure we maintain the proper balance to develop future capabilities while addressing the gaps identified in the Science and Technology Integrated Priority Lists and the identified Joint Warfighter Challenges.

Question. What is the role of JFCOM's modeling and simulation program in the development of new warfighting capabilities for DOD?

Answer. I believe JFCOM modeling and simulation (M&S) should focus on developing new warfighting capabilities, and facilitate a more comprehensive understanding of the national and global security environment of the 21st century. It needs to replicate the complexity and terrain of the security environment without placing soldiers, sailors, airmen, and marines in harm's way. In addition, JFCOM M&S should enable complete integration of the other key players in national security, such as multi-national and interagency partners, with little attendant risk (politically and operationally). Distributed operations allow participants greater access to joint venues through the network, and from their home stations, thus driving down costs and encouraging participation.

Modeling and simulation not only enables development of new warfighting capabilities, but constitutes a new, emerging warfighting capability in itself. For instance, an experimental modeling and simulation capability that permitted the rapid assessment of enemy transportation routes through mountainous areas during laboratory experiments has been fielded and is in active use in Afghanistan. Other M&S transformational capabilities developed through experimentation and demonstration may be useful capabilities in planning, mission rehearsal, mission execution, and assessment in direct support of operators.

Question. How would you characterize JFCOM's relationship between DARPA and the Services on S&T programs and how could those relationships be improved?

Answer. My understanding is JFCOM has enjoyed a good relationship with DARPA and the Services. JFCOM supports a DARPA intern program, and also recently appointed the DARPA Director as a member of the JFCOM Transformation Advisory Group. This provides the JFCOM senior leadership with key strategic insight. I understand actions are ongoing to more fully embrace DARPA's capability and strengthen collective efforts. The Services' involvement with JFCOM appears healthy with a program that has Service officers at JFCOM to understand Joint and coalition needs, work on JFCOM's mission areas, and pull in Service equities and capabilities. JFCOM, in coordination with OSD and Joint Staff, leverages the Services S&T efforts to find opportunities for tighter integration of S&T programs in Joint capability development activities, such as Joint Capability Technology Demonstrations (JCTD). I will look to strengthen these relationships by keeping DARPA and the Services continuously informed of Joint and coalition needs, thus allowing them to address these needs within the Department's budget cycle.

TECHNOLOGY TRANSITION

Question. The Department's efforts to quickly transition technologies to the warfighter have yielded important results in the last few years. Challenges remain to institutionalizing the transition of new technologies into existing programs of record and major weapons systems and platforms.

What are your views on the success of JFCOM programs in transitioning new technologies into use to confront evolving threats and to meet warfighter needs?

Answer. JFCOM has an established track record of identifying Joint capability gaps and then developing solutions to meet the Joint WarFighter need. I have seen the results of these efforts first hand in Iraq. I do believe we need to work harder at fielding solutions faster using off-the-shelf technology and leverage private sector

best practices. As the threat in the Irregular Warfare arena continually evolves at a quickening pace, we must be proactive in meeting the warfighters needs in a timely manner.

Question. Do you believe there are improvements that could be made to transition critical technologies more quickly to warfighters?

Answer. I believe our process for identifying capability gaps and joint warfighter requirements is solid—in the past I have made my fair share of recommendations. However, the solution development process under Joint Capability Integration Development System (JCIDS) is overly complex, burdensome and unable to respond quickly to urgent warfighter needs. All critical Joint Urgent Operational Needs (JUONs) require expediting within the existing Joint Rapid Acquisition Cell (JRAC). Increased resourcing and empowerment of the JRAC to address these needs would ensure quicker solution delivery.

Question. What are your views on the current balance of activities in the Joint Experimentation portfolio across battlespace awareness, building partnerships, command and control, force application, logistics, and protection?

Answer. A balanced joint experimentation portfolio is an important element of the Departments comprehensive approach to address the operational requirements of the warfighters. The UCP tasks JFCOM to lead and coordinate JCD&E efforts across the Department. JFCOM does this through an enterprise approach in order to balance the varied experimental needs of the combatant commands and Services.

JOINT COMMAND AND CONTROL (JC2) CAPABILITY PORTFOLIO MANAGER

Question. DOD recently assigned JFCOM the acquisition oversight role of JC2 Capability Portfolio Manager. Note: DOD recently assigned JFCOM as the military lead for the C2 Capability Portfolio.

As you understand it, what does this responsibility entail and do you believe it is consistent with the overall JFCOM mission and funding levels?

Answer. Given the UCP responsibilities assigned by the President to U.S. Joint Forces Command, specifically in the area of joint integration and interoperability, I think our assigned role as the military lead for the Department's Command and Control (C2) capability portfolio is consistent with our mission and appropriately resourced. Command and Control is obviously a critical military capability, at every echelon and across the Services. We fight and operate as a joint force, which in turn requires that our C2 capabilities are integrated and interoperable. Our ability to manage information and present it to commanders in order to make decisions is imperative for success. The information environment becomes more complex every day. How we manage information to improve integrated Battle command must be a top priority.

Question. What do you see as the major challenges towards the development and deployment of joint, interoperable command, control, and communications systems?

Answer. The major challenge is trying to integrate all the C2 capabilities developed and fielded by title 10 Service providers. This may sound like a simple task, but C2 requirements vary across the Services and Joint Force. There are also technical challenges associated with trying to integrate complex systems of systems, networks, data, C2 software interfaces and communications/delivery (space, aerial and surface layers). My preference is obviously for the Services to develop joint, interoperable C2 capabilities on the "front-end" rather than the Joint Force Commander having to integrate these capabilities in theater. We are not there yet. We must work together to develop joint warfighting concepts, doctrine, requirements, training, and integrated joint architectures and standards.

JOINT EXPERIMENTATION

Question. How would you rate the success of the joint experimentation activities of JFCOM, and the Department as a whole, in supporting the development of new concepts of operations?

Answer. I understand that significant improvements in relevance and impact have been achieved in joint experimentation over the past few years. JCD&E results are delivering real change across DOTMLPF for the joint warfighter in response to DOD's most pressing problems. JFCOM's joint experimentation activities are an important element of the Department's efforts to ensure we remain superior in the future threat environment. JCD&E efforts generate solutions for the combatant commands' and Services' most significant challenges and provide a framework to understand the challenges of the future joint operating environment and the ways in which the joint force will operate. Warfighters are directly involved in developing and validating concepts, and transitioning solutions across the full spectrum of doc-

trine, organization, training, materiel, leadership and education, personnel and facilities.

Question. What changes would you recommend to increase the effectiveness of joint experimentation activities?

Answer. The joint experimentation community must continue to improve the relevance and impact of concepts and capabilities for the warfighter, while ensuring focus on the most pressing warfighter challenges while ensuring visibility and transparency of concept development and experimentation. Projects must focus on precisely defined military problem statements and produce results in 12 months or less. We must formalize partnerships between experiment sponsors, subject matter area experts and transition agents to ensure the accuracy and rapid transition of results to drive enduring change for the joint warfighter.

Question. Based on your experience, do you believe that the overall Department commitment and investment in joint experimentation is adequate to ensure the effective integration and interoperability of our future forces?

Answer. We are better, but we still have much work to do. The integration and interoperability of joint forces is improving; however, security challenges we face now and in the future mandate a comprehensive approach to include interagency and multi-national partners. My guess is that additional funding for joint experimentation would be needed to facilitate this broadened body of work.

Question. What do you believe to be the appropriate role for JFCOM in determining how the respective Services should invest their experimentation dollars?

Answer. The UCP assigns JFCOM responsibility to lead joint concept development and experimentation (CDE) and coordinate the CDE efforts of the Services, combatant commands, and defense agencies to support joint interoperability and future joint warfighting capabilities. The Commander of JFCOM is also tasked with leading the development, exploration, and integration of new joint warfighting concepts and serving as the DOD Executive Agent for joint warfighting experimentation. This does not require strict JFCOM control of how Services invest their experimentation dollar, but does require a clear communication of the planned activities of Service experimentation and the ability to develop a common vision of the course of experimentation with the CJCS and Joint Chiefs.

JFCOM must be the proponent that creates an awareness of experimentation activities in the department and serves to synchronize the efforts of the JCD&E Enterprise. Services can then exercise their appropriate fiscal authorities under title 10, guided by that common vision of the course of experimentation.

URBAN OPERATIONS

Question. JFCOM's experimentation and lessons learned efforts have had significant recent activity dedicated to understanding and development of urban operations concepts.

What is your assessment of current DOD capabilities to conduct urban operations?

Answer. We are much better today than we were 8 years ago because our troops and their leaders are more experienced, truly adaptive and superbly trained. But we must now develop realistic training environments combined with simulations to continue to improve our ability to operate in an urban environment. If the enemy adapts, we must have the ability to think and constantly adapt. We must be able to confront an adaptive enemy that simultaneously combines irregular and conventional tactics, weapons and organizations.

Question. What major issues need to be addressed to improve those capabilities?

Answer.

- Increased capacity for human intelligence.
- Greater urban operations reconnaissance and surveillance to assist in the counter-IED fight. This includes C–IED organization and doctrine.
- Joint command and control systems that enable the integration not only of military capability, but also of interagency capability in a coalition environment that enables true information sharing with our partners.
- Precise and non-lethal weapons that minimize collateral damage and civilian casualties.
- Strategic communications capabilities that improve our ability to help the population understand the truth about what we are doing and gain their support. Additional investment in language and cultural awareness for our troops who interact on a daily basis with the population we hope to positively influence is also essential.
- The ability to better visualize the urban operating environment, including the ability to sense through the massive structures of the city.

- Force tracking in the urban environment to ensure we know exactly where all of our forces are located.
- Abilities to Process, Exploit, and Disseminate the tremendous ISR capabilities that we possess to the lowest tactical levels.
- Creation of processes and simulation that enable the development of our small units to perform at increasingly higher levels.

Question. Based on results from the JFCOM Urban Resolve 2015 experiment last year, efforts are being made to promote the concept and fielding of airborne persistent surveillance assets such as Angel Fire.

What is your assessment of the value of the development of improved sensors, aircraft, and downlink technology and the field testing and integration of these assets with feeds from other battlefield sensors?

Answer. It is incredibly valuable. My experience in Iraq tells me that one of the keys to success in counterinsurgency is a focus on the environment that allows commanders to gain a view of the enemy that enables timely decisionmaking. The increase in numbers of intelligence, surveillance and reconnaissance platforms does not ensure that the information derived from those sensors is properly fused. A critical component in implementing this approach is the development/implementation of capabilities to combine the information from these ISR platforms in a form accessible by the commander at the lowest operational level. If confirmed, I intend to continue to emphasize the development of improved sensors and to ensure processes are jointly synchronized and focused to enhance ISR integration with warfighting capabilities. ISR is working in Iraq because tactical leaders are maximizing the effectiveness of a limited resource. The optimal use of ISR is enabled through decentralized control that provides the greatest flexibility at the lowest levels within the command.

IRREGULAR WARFARE

Question. The Secretary of Defense has stated that irregular warfare (IW) must become a Department core competency.

What, in your view, does it mean to make irregular warfare a core competency and how will we know if that has been achieved?

Answer. In my opinion, this means enhancing our ability to conduct a variety of missions such as: train, advise, and assist foreign security forces; create a safe secure environment in fragile state; provide essential government services and humanitarian relief as necessary; and identify and defeat irregular threats from both state and non-state actors. We will know that irregular warfare has been achieved as a core competency when we have institutionalized many of the lessons learned in Iraq and Afghanistan into our joint training and doctrine. We must define the role of conventional and unconventional forces and broaden the spectrum of operations so that we can routinely conduct operations in a variety of complex physical and mental environments.

Question. What is your evaluation of the Department's efforts to date to achieve this objective?

Answer. Significant lessons have been learned from recent operations, and the Services have made progress adapting force structure and fielding necessary capabilities to succeed in these complex environments. Modular Brigades, Human Terrain Teams, expanded Counter-IED capabilities, revised doctrine and concepts, enhanced pre-deployment training are among many of the relevant, necessary adaptations that have been made. Nevertheless, U.S. forces must continue to adapt to stay ahead of determined adversaries intent on exploiting our weaknesses.

Question. What, in your view, is the role of U.S. Joint Forces Command in achieving this objective for the Department and with each of the Services?

Answer. U.S. Joint Forces Command is uniquely positioned to assist the Department in developing the right concepts and capabilities required to ensure irregular warfare becomes a core competency of the joint force. Specifically, JFCOM can assist the Department in establishing joint standards for IW relevant training and readiness, recommending mechanisms for increasing interoperability and integration of SOF and GPF related activities. Furthermore, JFCOM can assist in developing joint IW relevant doctrine and concepts, and regularly assessing the readiness and proficiency of the joint force to conduct Irregular Warfare related operations.

Question. What, in your view, are the most important challenges to overcome in making irregular warfare a Department core competency?

Answer. The challenge as we forge ahead is to improve our ability to be agile and responsive enough to stay ahead of an irregular enemy. This requires balance and agility. Additionally, to obtain a balanced force we must gain irregular warfare proficiency without forfeiting our conventional and nuclear dominance and do this in

a resource constrained environment while engaged in two major contingencies. If confirmed, I will continue to work closely with the Office of the Secretary of Defense to increase our flexibility and adaptability for fielding capabilities on the battlefield in the present warfight as well as further institutionalize irregular warfare in military doctrine, training, capability development and operational planning.

Question. What initiatives or improvements would you recommend, if any, to overcome these challenges or accelerate the achievement of this objective?

Answer. Adoption of institutional education for noncommissioned officers and officers is absolutely critical to developing adaptive leaders with the understanding and skills necessary to overcome our future challenges. What quickly became clear to me from my deployments to Iraq, is that in war, human beings matter more than any other factor. We must equip our leaders with an education that gives them the understanding of the political, strategic, historical and cultural framework of a more complex world as well as a deep understanding of the nature of war. In addition, we must include our interagency partners in our training and education programs. Irregular warfare must include all of our interagency partners and their unique skills.

"WHOLE OF GOVERNMENT" APPROACH IN JOINT OPERATIONS

Question. The Secretary of Defense has emphasized a "whole-of-government approach" to national security policies, programs, and operations.

What, in your view, does a "whole-of-government approach" in joint operations mean?

Answer. A "whole-of-government approach" to joint operations is applying all potential resources available within the U.S. Government to solve complex problems. It implies working with our civilian interagency partners throughout the process of assessing the situation on the ground, planning to address the challenges, executing strategies, and developing assessment tools to monitor our progress. In Iraq we have developed a comprehensive Joint Campaign Plan that integrates the unique capabilities of our interagency partners, the United Nations, nongovernmental organizations, and other governmental agencies.

Question. What is your evaluation of the Department's efforts to bring a "whole-of-government approach"?

Answer. At all levels, departmental, Service, COCOM and in the field DOD is making an all out effort to improve our ability to coordinate and collaborate with our civilian agency teammates. In the field, civilian counterparts are imbedded with military units, like Provincial Reconstruction Teams. At the Service level, we use civilian consultation in the development of capabilities to address our security force assistance responsibilities. COCOMs have aggressively sought to improve civilian agency coordination and outreach functions and OSD and Joint Staff have taken steps to include civilian agency input in the development of our plans. But we must continue to break down interagency barriers to more effectively deal with the complexity of the modern security environment.

Question. What, in your view, is the role of U.S. Joint Forces Command in developing and implementing a "whole-of-government approach" to joint doctrine, training, planning, and operations?

Answer. JFCOM is in a supporting role for an overall DOD effort. Its particular niche is ensuring that all Joint doctrine, training, planning and approach to operations use a whole-of-government and comprehensive approach. Additionally, JFCOM's UCP charter makes it responsible for the conduct of interagency and multi-national experimentation and concept development. Joint leadership training programs from Capstone to Pinnacle must provide a forum for our senior leaders to grow, adapt, and forge interagency relationships.

Question. What, in your view, are the important challenges to overcome in making a "whole-of-government approach" a central part of joint doctrine, training, planning, and operations?

Answer. JFCOM is and has been addressing this challenge for a number of years, and I am told that the term "whole-of-government" approach was coined in a JFCOM experimentation effort. I think the most important challenge in making a "whole-of-government" approach a reality is to get buy-in from our interagency partners. This will build their capacity so that we can consistently train together, encourage them to participate in and consult with us on the development of improved methods and capabilities for planning and operations thru experimentation, and the revision of Joint doctrine.

Question. What initiatives or improvements would you recommend, if any, to overcome these challenges or accelerate the achievement of this objective?

Answer. I believe an assessment focused on the advantages and disadvantages of increasing their capacity would be the key to accelerating the achievement of this objective.

STABILITY AND SUPPORT OPERATIONS

Question. Operations in Iraq and Afghanistan have underscored the importance of planning and training for post-conflict stability and support operations. Increased emphasis has been placed on stability and support operations in DOD planning and guidance in order to achieve the goal of full integration across all DOD activities.

What is your assessment of the Department's current emphasis on planning for post-conflict scenarios?

Answer. The Department has made great progress in its emphasis on military planning for post-conflict scenarios. These efforts have helped to codify the best practices and procedures that the recent experiences have taught us. Additionally, Department planning guidance now emphasizes activities associated with both precluding contingency plan execution as well as post-conflict requirements comparable to what we have historically placed on preparations for major combat operations.

However, these activities require a whole-of-government effort. Typically during a crisis, those in military and civilian agencies have come together with the best intentions and eventually respond in a unified manner. The lack of integrated planning can make the initial efforts awkward, uncoordinated, and inefficient. The Department is an active participant in the executive branch's efforts to improve the integration of U.S. Government efforts.

Question. How can the new directives on post-conflict planning and the conduct of stability and support operations be better implemented?

Answer. The DOD Instruction on Stability Operations (16 Sep 2009) provides comprehensive guidance to the Department to ensure the development of both the capability and capacity to conduct stability operations. One of the most important highlights is the need to institutionalize and expand the Department's efforts towards integrated, "whole-of-government" planning and execution. If confirmed as Commander, JFCOM, I will keep the emphasis on matters for which I am personally accountable such as:

- Capturing the Joint lessons learned and improving our ability to share them with our interagency partners
- Developing Joint concepts in collaboration with interagency partners
- Supporting the continued expansion of Interagency partner participation in both the planning and execution of joint training and experimentation events
- Integrating Interagency partners into Joint Command and Control solutions.

Question. What lessons do you believe the Department has learned from the experience of planning and training for post-conflict operations in Iraq and Afghanistan?

Answer. Most lessons learned from our experiences of planning and training for post-conflict operations are related to the importance of integrating our interagency, multi-national, and host nation partners. The integration issues emphasize the need to invest in:

- Defining the lead and supporting roles and responsibilities in the planning process
- Developing collaborative decisionmaking processes
- Developing compatible information systems to include interface controls, data sharing and disclosure processes

Continuing to expand opportunities to train with our interagency and multi-national partners in order to improve planning, execution and enhance mutual understanding.

RESPONSES TO WMD THREATS AND NATURAL AND MANMADE DISASTERS IN THE UNITED STATES

Question. The responses of Federal, State, and local agencies to Hurricane Katrina and, more recently, to the catastrophic oil spill in the Gulf of Mexico, have generated debate about the appropriate role for military forces in responding to national crises.

In your view, what is the appropriate role, if any, for U.S. Joint Forces Command in supporting civil authorities responding to natural and manmade disasters or WMD threats within the United States?

Answer. JFCOM's role is that of the Primary Joint Force Provider to Commander, NORTHCOM, or any other designated Supported Commander, following a WMD in-

cident. JFCOM is tasked to develop sourcing solutions to meet force requests of the Supported Commander in a timely manner. JFCOM does not generally provide forces to Governors or TAGs who have purview over their own State National Guard forces. However, if those forces are Federalized by the President, they could be provided to the supported commander by JFCOM. It is generally assumed that in case of a WMD incident the President would choose to use forces under title 10, but there is no guarantee of that eventuality. Should the response be limited to title 32 forces, JFCOM would have a limited role in the response.

Question. Hurricane Katrina has demonstrated the importance of joint and interagency training in preparation for support disaster operations.

In your view, how could U.S. Joint Forces Command influence joint and interagency training to enable better coordination and response for natural and manmade disasters operations?

Answer. There are probably two high-impact approaches JFCOM can use to enable coordination and response during natural disaster operations: experimentation and training. The first discovers best practices and the second trains the entire interagency and nongovernmental partners in those best practices.

WEAPONS OF MASS DESTRUCTION RESPONSE UNITS

Question. What role do you believe U.S. Joint Forces Command should play in the training, assessment of readiness, and employment of units with WMD response missions, such as the Weapons of Mass Destruction-Civil Support Teams and the CBRNE Consequence Management Response Force?

Answer. JFCOM, in its role as Primary Joint Force Provider, will develop sourcing solutions for the Defense CBRN Response force and two Command and Control CBRN Response Elements as defined in the QDR 2010 and the most recent Guidance for Development of the Force. JFCOM ensures that Service training plans are aligned with NORTHCOM Joint Mission Essential Tasks (JMET) for consequence management units, and will also assess readiness against those JMETs and report that assessment to DOD leadership monthly. JFCOM will not employ those units, but will provide them in a timely manner to a supported combatant commander following the Secretary of Defense allocation decision.

JOINT QUALIFIED OFFICERS

Question. How do you assess the necessity for and effectiveness of the current joint qualification system for military officers, including requirements for promotion to general/flag officer rank and professional military education?

Answer. The fundamentals of the Department's professional military education programs that provide joint qualifications are sound, but there are areas that need improvement. As the Secretary articulated in his policy for the Department's Joint Qualified Officer program (DODI 1300.19), today's joint force requires the largest possible body of fully qualified and inherently joint officers suitable for joint command and staff responsibilities. Officer career management plans that identify, develop, and track high-potential officers for joint qualifications are crucial to ensure our best officers are prepared for joint duty assignments and eventual promotion to general/flag officer rank.

Question. In your opinion, does the existing framework for joint qualification contribute sufficiently to producing military leaders who possess the skills, intellect, and motivation to succeed in modern warfare, including counterinsurgency and stability operations?

Answer. As confirmed by the recent House Armed Services Committee Oversight and Investigations Subcommittee Report on in-residence officer Professional Military Education, the Department's PME system is still basically sound. However, there are areas of PME that need improving. A significant challenge is that capacity limitations preclude every officer from completing this Joint Qualified Officer (JQO) requirement within traditional in-residence institutions. One way in which the Department is addressing this challenge is by developing paths for officers to earn joint qualification through alternative joint education, training and experience. These alternatives include online training and broader opportunities for officers to earn points toward joint qualification through operational experience. Another challenge that was confirmed by the HASC study is that curricula change is too often reactive rather than anticipatory. This reactive nature of PME curricula is particularly challenging in the dynamic mission areas of modern warfare such as counterinsurgency and stability operations.

Question. What is your understanding of the role U.S. Joint Forces Command currently plays in overseeing the professional development of joint qualified officers, and do you think that role should change?

Answer. I understand that U.S. Joint Forces Command works closely with the Joint Staff in overseeing the professional development of joint qualified officers. U.S Joint Forces Command actively supports the Chairman and the Joint Staff in development of both the Officer Professional Military Education Policy (OPMEP) and Enlisted Joint Professional Military Education Policy (EPMEP). U.S. Joint Forces Command is actively engaged with the Joint Staff and Offices of the Secretary of Defense to develop and implement a sustainable individual joint education and training program with the capacity to meet the Chairman's intent to ensure the largest possible body of fully qualified and inherently joint officers suitable for joint command and staff responsibilities.

ALLIED COMMAND TRANSFORMATION

Question. Joint Forces Command is responsible for leading the transformation of joint U.S. forces in the areas of providing joint forces to combatant commanders, joint training, joint interoperability, and joint innovation and experimentation. Until September 2009, the Commander of Joint Forces Command was dual-hatted as Supreme Allied Commander Transformation (SACT).

What role, if any, does Joint Forces Command currently have in assisting SACT in accomplishing his mission of leading the transformation of NATO's military structures, forces, capabilities and doctrines to improve interoperability and military effectiveness of the Alliance and its partner nations?

Answer. Similar mission sets and geographic co-location, provides both JFCOM and ACT an excellent opportunity for U.S. and NATO collaboration on joint and coalition warfighting issues. The work JFCOM accomplishes in the areas of Joint Experimentation and Joint Training directly complements similar efforts being undertaken by ACT. The expansion of the NATO/ISAF mission in Afghanistan has increased the frequency of cooperation between the two commands. Lesson learned in Afghanistan by NATO can be applicable for U.S forces in Iraq and the Horn of Africa.

Question. What actions would you anticipate taking, if confirmed, to assist the SACT and his command in improving the capabilities of NATO?

Answer. The co-location of NATO's Transformation Command with JFCOM has already proven to be an invaluable resource to the militaries of all NATO countries, including the United States. I believe SACT and JFCOM enjoy a transparent and collaborative relationship. Within all appropriate authorities, my intent is to build upon that positive relationship. Additionally, where our missions are complimentary, I intend to fully support SACT to improve our Alliance warfighting capabilities.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

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

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Commander, U.S. Joint Forces Command?

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR MARK BEGICH

JOINT PACIFIC ALASKA RANGE COMPLEX

1. Senator BEGICH. General Odierno, the Joint Pacific Alaska Range Complex (JPARC) is the largest instrumented air, ground, and electronic combat training range in the world. Last year, the JPARC was accredited and certified by Joint Forces Command (JFCOM) as a Joint National Training Capability (JNTC) for command post exercises and field training exercises. There are only 33 JNTC certified sites and JPARC. If confirmed, please describe the importance of JPARC to training our forces and how you see the JPARC utilized in the future.

General ODIERNO. I am not familiar enough with the JPARC to speak with confidence about this topic. However, if confirmed, I will assess the JPARC and answer your question within 90 days of assuming command of JFCOM.

2. Senator BEGICH. General Odierno, the accreditation and certification process also identifies improvements needed in range capabilities and identifies measures to mitigate any shortfalls. If confirmed, please describe how JFCOM will work with Alaska Command to make improvements to the range to mitigate shortfalls identified in the accreditation process.

General ODIERNO. I am not familiar enough with the JPARC and the accreditation and certification process to speak with confidence about this topic. However, if confirmed, I will assess the JPARC, and all processes, and answer your question within 90 days of assuming command of JFCOM.

QUESTIONS SUBMITTED BY SENATOR ROLAND W. BURRIS

JOINT FORCES COMMAND MISSION

3. Senator BURRIS. General Odierno, the JFCOM mission is to provide joint forces, training, experimentation, and capabilities for all of the unified commanders and joint commands. The requirements for joint capable forces will continue to grow as we work to meet our defense priorities. What priority will you place on joint qualification and education?

General ODIERNO. I believe that joint qualification and education of our servicemembers is critical to our long-term development, growth, and success as a fighting force.

JFCOM is actively engaged with the Joint Staff and Offices of the Secretary of Defense to develop and implement a sustainable individual joint education and training program with the capacity to meet the Chairman's intent to ensure the largest possible body of fully qualified and inherently joint officers suitable for joint command and staff responsibilities. As Commander of JFCOM, I plan to assess all of the education programs that fall under my area of responsibility to ensure that these programs meet the intent of the Secretary of Defense and the Chairman.

Additionally, I will assess the effectiveness of the programs, with regards to current and future threats and battlespaces to ensure that we are spending our money and our time wisely. I'll make recommendations for changes based on that assessment.

4. Senator BURRIS. General Odierno, do you see a major role for Reserve component forces to assist you in accomplishing your mission?

General ODIERNO. In my time as Commanding General of all U.S. forces in Iraq, I can speak to the importance of the reserve fighting force to our continued success. Thousands of reservists came to the fight with a multitude of skill sets that were vital to our ability to solve the complex issues facing Iraq. While I still need to become better acquainted with the mission of JFCOM, I can say that I do believe in the importance of our Reserve component and am sure it will help us accomplish out mission there.

[The nomination reference of GEN Raymond T. Odierno, USA, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
May 24, 2010.

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

The following named officer for appointment in the U.S. Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be General.

GEN Raymond T. Odierno, USA, 8425.

[The biographical sketch of GEN Raymond T. Odierno, USA, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF GEN RAYMOND T. ODIERNO, USA

Source of commissioned service: USMA.

Military schools attended:
Field Artillery Officer Basic and Advanced Courses
U.S. Naval Command and Staff College
U.S. Army War College

Educational degrees:
U.S. Military Academy - BS - Engineering
North Carolina State University - MS - Engineering, Nuclear Effects
U.S. Naval War College - MA - National Security and Strategy

Foreign language(s): None recorded.

Promotions:

Promotions	Dates of appointment
2LT	2 Jun 76
1LT	2 Jun 78
CPT	1 Aug 80
MAJ	1 Dec 86
LTC	1 Feb 92
COL	1 Sep 95
BG	1 Jul 99
MG	1 Nov 02
LTG	1 Jan 05
GEN	16 Sep 08

Major duty assignments:

From	To	Assignment
Oct 76	Jan 78	Support Platoon Leader, later Firing Platoon Leader, C Battery, 1st Battalion, 41st Field Artillery, 56th Field Artillery Brigade, U.S. Army Europe and Seventh Army, Germany
Jan 78	Aug 78	Survey Officer, 1st Battalion, 41st Field Artillery, 56th Field Artillery Brigade, U.S. Army Europe and Seventh Army, Germany
Aug 78	Oct 79	Aide-de-Camp to the Commanding General, 56th Field Artillery Brigade, U.S. Army Europe and Seventh Army, Germany
Nov 79	Jul 80	Student, Field Artillery Advanced Course, Fort Sill, OK
Aug 80	Dec 80	Liaison Officer, 1st Battalion, 73d Field Artillery, XVIII Airborne Corps, Fort Bragg, NC
Dec 80	Dec 82	Commander, Service Battery, later A Battery, 1st Battalion, 73d Field Artillery, XVIII Airborne Corps, Fort Bragg, NC
Dec 82	May 83	Assistant S–3 (Operations), 1st Battalion, 73d Field Artillery, XVLII Airborne Corps, Fort Bragg, NC
Jun 83	May 84	S–3 (Operations), 3d Battalion, 8th Field Artillery, XVIII Airborne Corps, Fort Bragg, NC
Jun 84	Aug 86	Student, North Carolina State University, Raleigh, NC

From	To	Assignment
Sep 86	Jun 89	Nuclear Research Officer, later Chief, Acquisition Support Division, Defense Nuclear Agency, Alexandria, VA, later detailed as Military Advisor for Arms Control, Office of the Secretary of Defense, Washington, DC
Jun 89	Jun 90	Student, U.S. Naval Command and Staff Course, Newport, RI
Jul 90	Dec 90	Executive Officer, 2d Battalion, 3d Field Artillery, 3d Armored Division, U.S. Army Europe and Seventh Army, Germany
Dec 90	Jun 91	Executive Officer, Division Artillery, 3d Armored Division, U.S. Army Europe and Seventh Army, Germany and Operations Desert Shield/Storm, Saudi Arabia
Jun 91	May 92	Executive Officer, 42d Field Artillery Brigade, V Corps, U.S. Army Europe and Seventh Army, Germany
Jun 92	Jun 94	Commander, 2d Battalion, 8th Field Artillery, 7th Infantry Division (Light), Fort Ord, CA, (relocated to Fort Lewis, WA)
Jun 94	Jun 95	Student, U.S. Army War College, Carlisle Barracks, PA
Jun 95	Jun 97	Commander, Division Artillery, 1st Cavalry Division, Fort Hood, TX
Jun 97	Aug 98	Chief of Staff, V Corps, U.S. Army Europe and Seventh Army, Germany
Aug 98	Jul 99	Assistant Division Commander (Support), 1st Armored Division, U.S. Army Europe and Seventh Army, Germany to include duty as Deputy Commanding General for Ground Operations, Task Force Hawk, Operation Allied Force, Albania
Jul 99	Jul 01	Director, Force Management, Office of the Deputy Chief of Staff for Operations and Plans, U.S. Army, Washington, DC
Oct 01	Aug 04	Commanding General, 4th Infantry Division (Mechanized), Fort Hood, TX, and Operation Iraqi Freedom, Iraq
Aug 04	Oct 04	Special Assistant to Vice Chief of Staff, U.S. Army, Washington, DC
Oct 04	May 06	Assistant to the Chairman of the Joint Chiefs of Staff, Office of the Joint Chiefs of Staff, Washington, DC
May 06	Feb 08	Commanding General, III Corps/Commander, Multi-National Corps-Iraq, Operation Iraqi Freedom, Iraq
Feb 08	Sep 08	Commanding General, III Corps and Fort Hood, Fort Hood, TX
Sep 08	Dec 09	Commander, Multi-National Force-Iraq, Operation Iraqi Freedom, Iraq
Jan 10	Present	Commander, U.S. Forces-Iraq, Operation Iraqi Freedom, Iraq

Summary of joint assignments:

	Dates	Rank
Nuclear Research Officer, later Chief, Acquisition Support Division, Defense Nuclear Agency, Alexandria, VA, later detailed as Military' Advisor for Arms Control, Office of the Secretary of Defense, Washington, DC.	Sep 86–Jun 89	Captain/Major
Assistant to the Chairman of the Joint Chiefs of Staff, Office of the Joint Chiefs of Staff, Washington, DC.	Oct 04–May 06	Lieutenant General
Commander, Multi-National Corps-Iraq, Operation Iraqi Freedom, Iraq/Commanding General, III Corps.	Dec 06–Feb 08	Lieutenant General
Commander, Multi-National Corps-Iraq, Operation Iraqi Freedom, Iraq	Sep 08–Dec 09	General
Commander, U.S. Forces-Iraq, Operation Iraqi Freedom, Iraq	Jan 10–Present	General

Summary of operations assignments:

	Dates	Grade
Executive Officer, Division Artillery, 3d Armored Division, U.S. Army Europe and Seventh Army, Operations Desert Shield/Storm, Saudi Arabia.	Dec 90–May 91	Major
Deputy Commanding General for Ground Operations, Task Force Hawk, Operation Allied Force, Albania.	Apr 99–Jun 99	Brigadier General
Commanding General, 4th Infantry Division (Mechanized), Operation Iraqi Freedom, Iraq.	Apr 03–Mar 04	Major General
Commander, Multi-National Corps-Iraq, Operation Iraqi Freedom, Iraq/Commanding General, III Corps.	Dec 06–Feb 08	Lieutenant General
Commander, Multi-National Force-Iraq, Operation Iraqi Freedom, Iraq	Sep 08–Dec 09	General
Commander, U.S. Forces-Iraq, Operation Iraqi Freedom, Iraq	Jan 10–Present	General

U.S. decorations and badges:

Defense Distinguished Service Medal (with Oak Leaf Cluster)
Distinguished Service Medal (with Oak Leaf Cluster)
Defense Superior Service Medal
Legion of Merit (with five Oak Leaf Clusters)

Bronze Star Medal
Defense Meritorious Service Medal
Meritorious Service Medal (with three Oak Leaf Clusters)
Army Commendation Medal
Army Achievement Medal
Combat Action Badge
Office of the Secretary of Defense Identification Badge
Joint Chiefs of Staff Identification Badge
Army Staff Identification Badge

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by GEN Raymond T. Odierno, 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.)
Raymond T. Odierno.

2. **Position to which nominated:**
Commander, Joint Forces Command.

3. **Date of nomination:**
May 24, 2010.

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 8, 1954; Dover, NJ.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Linda Marie Odierno (Maiden Name: Burkarth).

7. **Names and ages of children:**
Anthony, 31; Kathrin, 29; Michael, 23.

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.
None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational or other institution.
None.

10. **Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
American Legion (Member), Association of the U.S. Army (Member), 4th Infantry Division Association (Member), 8th Field Artillery Regimental Affiliation (Member), the 9th Infantry Regiment Association (Member), and the 1st Cavalry Division Association (Member).

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.
None.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?
Yes, 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?
Yes, I do.

[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

RAYMOND T. ODIERNO, GENERAL, U.S. ARMY.

This 24th day of May, 2010.

[The nomination of GEN Raymond T. Odierno, USA, was reported to the Senate by Chairman Levin on June 29, 2010, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on June 30, 2010.]

[Prepared questions submitted to LTG Lloyd J. Austin III, 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 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. The integration of joint capabilities under the Goldwater-Nichols Act has been a success. The integration of our military forces continues to improve and we are more interoperable today than ever in our Nation's history. This achievement has been remarkable. The next step is to ensure the abil-

ity of military and civilian departments to work closely together to foster whole-of-government approaches to address concerns of national interest.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. Not at this time. However, I do believe that there are key principles of teamwork, cohesion, and interoperability that could be applied to enhance a whole-of-government approach to today's challenges.

DUTIES

Question. What is your understanding of the duties and functions of the Commander, U.S. Forces-Iraq?

Answer. U.S. Forces-Iraq (USF–I) is the military component of the U.S.-Iraq bilateral relationship, responsible for defense and security cooperation. Its mission is to strengthen security and stability in Iraq and to support Iraq's continued development as a sovereign, stable, and self-reliant strategic partner and thereby contribute to peace and stability in the region.

The Commanding General of USF–I commands the U.S. military forces within Iraq and is responsible for all military activities in Iraq conducted in support of the U.S. Ambassador and U.S. objectives. He provides the political-military interface with the U.S. Embassy and Government of Iraq and is responsible for strategic and operational issues affecting security and stability in Iraq. USF–I is under the Operational Control of U.S. Central Command (CENTCOM). USF–I conducts operations in support of the Government of Iraq, U.S. Mission, and other international organizations.

Question. What are the differences between the duties and functions of the Commander, U.S. Forces-Iraq and the Commander, Multi-National Corps-Iraq (MNC–I)?

Answer. When I served as the Commander of MNC–I, an operational headquarters, it fell under Multi-National Force-Iraq (MNF–I), a strategic headquarters. Since that time MNF–I, MNC–I, and the Multi-National Security Transition Command-Iraq headquarters have been combined to form the USF–I Headquarters. The USF–I Commander's responsibilities are substantially broader than those of the Commander of the former MNC–I and include national and regional strategic and political-military issues. The USF–I Commander also has direct responsibility for the missions previously performed by subordinate headquarters under MNF–I. This includes operations, training and assistance, and strategic engagement which now reside directly within the USF–I headquarters.

Question. What background and experience, including joint duty assignments, do you possess that you believe qualifies you to perform these duties?

Answer. My professional military education, operational experience, and assignment history over 35 years of service provides a broad knowledge and experience base and thorough understanding of what is needed to command USF–I in support of the strategic goals outlined by the President for the mission in Iraq. Multiple tours of duty in Iraq and Afghanistan coupled with service at U.S. CENTCOM and on the Joint Staff, have provided invaluable experiences and insights on this mission and enabled an appreciation for what is needed to accomplish our Nation objectives in Iraq during this transitional time in our bilateral relationship.

A summary of key joint and operational assignments includes:

- Assistant Division Commander (Maneuver), 3d Infantry Division (Mechanized), Fort Stewart, GA, and Operation Iraqi Freedom, Iraq
- Commanding General, 10th Mountain Division (Light) with duty as Commander, Combined Joint Task Force-180, Operation Enduring Freedom, Afghanistan
- Chief of Staff, U.S. Central Command
- Commanding General, XVIII Airborne Corps/Commander, Multi-National Corps-Iraq, Operation Iraqi Freedom, Iraq
- Director, Joint Staff

Question. Do you believe that there are any steps that you need to take to enhance your ability to perform the duties of the Commander, U.S. Forces-Iraq?

I believe I am fully qualified and positioned to assume this important position. If confirmed, I would take steps to establish or re-establish relationships across the U.S. and Iraqi Governments, academia, and the business world to ensure full access to the most current information and diversity of perspectives on the strategic issues affecting Iraq and the region.

IRAQ

Question. What is your assessment of the current situation facing the United States in Iraq?

Answer.

Overall:

Iraq is generally secure and a return to levels of violence seen in the 2006/2007 timeframe is unlikely as long as all communities continue to pursue their goals through the political process. The Iraqi Government continues to improve its capability to provide security, essential services, effective governance, and a functioning legal system.

Security:

Security incidents are the lowest on record and continue to decline. Although Iraqi and U.S. operations have eroded the strength and capability of most insurgent and terrorist groups, extremist groups still retain the will and a capability to conduct attacks. In particular Al Qaeda in Iraq (AQI) remains capable of high-profile attacks that damage public perceptions of stability in Iraq; however, the group lacks sufficient popular support to achieve its strategic goals of toppling the Iraqi Government and establishing a base for a new caliphate. The Iraqi security forces are continuing to develop their capability and capacity but remain reliant on U.S. enabling capabilities such as logistics, intelligence, and advisory and training assistance.

Governance:

Iraq conducted a successful national election in March 2010, but political accommodation remains uneven. Mutual distrust among ethno-sectarian groups limits progress in resolving major issues such as control of hydrocarbon resources, revenue sharing, and the relationship between Baghdad and the regions and provinces. An inclusive, popularly accepted new government would be a key indicator of Iraq's ability to eventually overcome these challenges, while prolonged government formation would likely perpetuate policy paralysis.

Unresolved Arab-Kurdish issues, including the status of Kirkuk, remain a primary concern. Ongoing dialogue among Arab and Kurdish leaders, international mediation, the presence of U.S. forces in disputed territories and the deferral of controversial issues are important factors in helping prevent these disputes from escalating to violence.

Development:

Economic conditions have stabilized but remain dependent on current oil prices and levels of production. I am encouraged by recent agreements with major international oil companies to expand the development of some of Iraq's largest oil Reserves. Such contracts have the potential to create jobs and stimulate growth. However, corruption, inadequate infrastructure and essential services, and a poor business environment remain obstacles to investment and hinder economic diversification.

Question. What do you believe are the most important steps that the United States needs to take in Iraq?

Answer. We need to address the primary areas of risk to stability in Iraq. A key to this effort will be support for the transition of the national leadership resulting from the recent elections and the establishment of effective relationships with the new Iraqi Government. The results of this election and the potential for an inclusive coalition government offer an opportunity to help Iraq move toward national unification and a national vision. We need to assist in the continued development of effective ministries to enable the Iraqi Government to appropriately meet the needs of the people and maximize their economic potential. We need to support efforts to develop positive strategic relationships between the Iraqi Government, its regional neighbors, and the United States. We need to support efforts to implement enduring solutions to Arab-Kurd issues. Security and stability are foundational requirements and necessary conditions for progress in these areas. Capable, professional Iraqi security forces are a prerequisite and our ability to effectively train, advise, and equip them is key.

Question. In your view, what are the major challenges that confront the Commander, U.S. Forces-Iraq?

Answer. The Commander USF–I will be faced with supporting the establishment of a new government and establishing relationships with new national leaders. The government formation process will span a period of months and potentially create a significant lapse in governing functions. This will undoubtedly create some degree of degradation in services to the people and legislative actions.

The issues along the disputed internal boundary with the Kurdish Regional Government remain unresolved and the associated Arab-Kurd tensions remain a significant challenge. The underlying economic, social, and security issues must be addressed to achieve an enduring solution.

The establishment of constructive relationships between Iraq and its regional neighbors is required for long term regional stability. Diplomatic efforts to foster these relationships and counter malign external influences will be key to U.S. interests in the region.

The major challenge is managing and communicating risk during the responsible drawdown and transition to full Iraqi sovereignty thereby ensuring that internal and external violent forces do not threaten the security environment.

Question. If confirmed, what broad priorities would you establish and what actions would you initially take as Commander, U.S. Forces-Iraq?

Answer. If confirmed, my priorities and initial actions would center around the essential elements of the mission and the key areas of risk. This would include sustaining the gains in security and stability, mitigating Arab-Kurd tensions, continuing the development of effective, professional Iraqi security forces, establishing positive relationships with the Iraqi Government, maintaining a whole-of-government approach and productive integration with U.S. Embassy-Baghdad efforts, protecting U.S. forces and activities, and managing the responsible drawdown of U.S. forces in accordance with the President's guidance.

LESSONS LEARNED

Question. What were the major lessons that you learned from your experience as Commander, Multi-National Corps-Iraq, that are most applicable to the duties you would assume if confirmed?

Answer. A major lesson is that our counterinsurgency doctrine is sound and that the true center of gravity is the Iraqi people. To hold our gains we needed to stay among the people. To achieve long-term success we needed to have Iraqi security forces capable of holding those gains. This requires partnership based on mutual trust. That partnership had to extend across the Iraqi security forces, into the ministries, and throughout the Government of Iraq.

A second lesson is that there must be a whole-of-government approach to operations in Iraq. A purely military approach is inadequate. Unity of effort amongst the interagency must be a top priority. Establishing effective relationships and partnerships are critical to accomplishing our national objectives. It is through military to military partnership that we maximize the development of the Iraqi security forces' capabilities, maintain situational awareness, and achieve common operational objectives.

Question. What do you consider to be the most significant mistakes the United States has made to date in Iraq?

Answer. We did not recognize and address the reasons for the rapid growth in the level of political disenfranchisement of the Iraqi people that led to the insurgency. This allowed extremist groups to establish themselves and gain support of the population.

We failed early on to appreciate the requirements and adequately resource our forces and civilian agencies in Iraq with the appropriate capabilities that would enable them to work government formation and reconstruction tasks.

We began to transition missions and responsibilities to the Government of Iraq and Iraqi security forces before they had adequate capacity to effectively govern and secure the population resulting in significant instability and ethno-sectarian violence that was exploited by extremist groups.

Question. Which of these mistakes, if any, still impact U.S. operations, and what corrective action, if any, will you take if confirmed?

Answer. I believe the evolution of our resourcing, force posture, doctrine, and operating procedures have effectively addressed these issues over time.

U.S. FORCE REDUCTIONS IN IRAQ

Question. By the end of August 2010, U.S. forces are expected to number at or below 50,000 troops primarily involved in training and equipping Iraqi security forces, force protection, and targeted counter terrorism operations. All U.S. forces are scheduled to depart by the end of December 2011.

Do you believe that there is a purely military solution in Iraq, or must the solution be primarily a political one?

Answer. Iraq requires a U.S. whole-of-government effort in support of our strategic relationship. The capabilities U.S. Government civilian agencies and international organizations provide are essential to progress in national unification, development of Iraq's Government, and the establishment of normalized strategic relations within the region and the rest of the international community.

Question. In your view, what conditions on the ground in Iraq would allow for a recommendation to make further reductions in U.S. forces?

Answer. If confirmed I would continually assess the operational environment and based on this assessment, I would shape the size of the force. It is possible that the environment could change allowing a recommendation for early troop reductions to occur. Examples of such conditions are:

- Regional diplomatic progress that helps Iraq secure its borders and decreases malign external influence.
- The beginnings of a resolution of Arab-Kurd issues including disputed internal boundaries, status of Kirkuk, and hydrocarbons revenue distribution.
- A significant increase in the capability and capacity of national, provincial and local Iraqi Governments that results in a marked increase in stability and the provision of essential services.
- An increase in the capability of Iraqi security forces ahead of programmed development.

Question. In your view, what is the risk, if any, associated with the delay or inability of the Iraqi's to form a government after certification of this year's election results?

Answer. I am encouraged by recent signs of progress in the seating of the government and it appears that all sides are committed to a political resolution of the stalemate. Prolonged government formation is likely to delay movement on major policy issues and, over time, diminish Baghdad's capacity to improve the delivery of services. However, as long as all groups remain engaged in negotiations, Iraqis will probably tolerate a protracted government formation period. An inability to form a government, or marginalization of the Sunni Arabs or Sadrists in the new government, could result in broad cynicism about the political process and halt or reverse the generally positive trajectory of political accommodation in Iraq.

Question. Do you believe that compromise among Iraqi political leaders is a necessary condition for a political solution?

Answer. Yes. I think that an overwhelming majority of Iraq's political leaders are committed to compromise and realize that in order for the new government to be accepted it must be inclusive.

Question. What do you believe will induce Iraqi political leaders to make the compromises necessary for a political solution?

Answer. Political leaders appear dedicated to peaceful government transition in accordance with their constitution. Diplomatic engagement encouraging adherence to constitution procedures reinforces political leaders obligations to the people and the Nation. Key leaders of all Iraqi political blocs recognize, and have publicly called for, inclusiveness in the next government. This recognition is the key for Iraqi political leaders to make the compromises necessary for a political solution.

Question. What leverage does the U.S. have in this regard?

Answer. Our strategic relationship with the Iraqi Government and the Iraqi people, and our continued commitment and support for their development is a key lever. Iraqis perceive the U.S. to be an honest broker among all the players in government formation and value our role. The U.S. has and will continue to advocate for an inclusive and representative government that works on behalf of all the Iraqi people. In the longer term, our commitment to developing a broad strategic relationship with Iraq through the U.S.-Iraqi Strategic Framework Agreement sustains our credibility as a strategic partner in Iraq's future.

Question. Earlier this year, current U.S. Forces—Iraq commander General Raymond Odierno stated that, based on the reasonably high voter turnout and low-level of violence during the Iraqi elections, U.S. forces are still on track to end its combat mission and continue the withdrawal of troops. According to General Odierno, "Only a catastrophic event would keep us from doing that now."

Do you agree with General Odierno's assessment that the U.S. troop drawdown plan remains on track for August and beyond?

Answer. Yes. I agree with General Odierno's assessment.

Question. What, in your view, are the greatest remaining risks to the successful transition of the mission in Iraq and withdrawal of U.S. forces as planned and required by the Security Agreement, and what would you do, if anything, to mitigate these risks?

Answer. The greatest remaining risks to the successful transition include continued communal rivalries across sectarian lines, the insufficient capacity of the Iraqi Government to provide for its people, violent extremist organizations, and malign influence from external countries. These risks cannot be mitigated by USF–I alone. They will require a whole of U.S. Government and Iraqi Government approach. This would include adequate funding for the continued development of the Iraqi security forces and the tasks associated with the transition to a State Department lead in Iraq.

INTERCOMMUNAL CONFLICT

Question. Over the last 2 years, civilian and military leaders in Iraq have noted that the conflict there has evolved and that, although there is still terrorism and insurgency, the greatest current threat is the potential intercommunal conflict over power.

In your view, what have been the most important aspects of the enduring and changing fundamental nature of the conflict in Iraq?

Answer. The absence of a shared national vision and development of a new political culture compatible with democracy represent enduring challenges to stability in Iraq. While there currently is not an effective insurgency that immediately threatens the survival of the Government in Iraq, a lingering Sunni Arab insurgency remains and will rise or further recede based upon political successes of the next government in integrating the Sunni Arabs into the system. Today, the vast majority of Iraqi people want peace, and they want effective governance and prosperity. The Iraqi people and their leaders increasingly see political accommodation and inclusion as the approach for peaceful unification. Some progress has been made in Northern Iraq, but Arab-Kurd tensions over Kirkuk and other disputed internal boundaries as well as hydrocarbons and revenue sharing remain key problems that could trigger violent conflict in the next year.

Question. How would you recommend that military strategy adapt, if any, to the evolving nature of the conflict?

Answer. I believe the current military approach is sound. As always, the commander must continuously assess the situation on the ground and adjust operational procedures accordingly. Based on current conditions the force is postured to transition its focus from combat to stability operations on 1 September 2010. We will partner with, enable, advise, train and equip the Iraqis to ensure the continued development of their capabilities. The development of effective government institutions and the Iraqi security forces is critical for lasting stability and security in Iraq. Confidence building measures like those we are promoting to ensure peaceful resolution of the disputed internal boundaries between the Iraqi Government and Kurdish Regional Government are also a key component.

Question. What is the appropriate role of U.S. forces in response to the threat and conduct of intercommunal violence among militant groups vying for control, particularly in northern Iraq?

Answer. The appropriate role of U.S. forces is to partner with the Iraqis to develop a non-sectarian army and police force capable of maintaining internal security and preventing intercommunal violence and a functioning legal system based on the rule of law. Additionally, USF–I should continue to develop trust and interoperability between the Iraqi security forces and those of the Kurdish Regional Government through the combined security mechanisms established in northern Iraq. Assistance to the Iraqi Government to enhance situational awareness of conditions on the ground will reduce the probability of violent encounters.

Question. Recent months have seen an increase in kidnappings and murders of non-Muslim religious leaders.

In your opinion, are non-Muslim religious minorities in Iraq at greater risk?

Answer. Non-Muslim minorities are vulnerable to the same sectarian tensions that exist throughout Iraq. Insurgent and militant groups continue to attempt to ignite ethno-sectarian violence though recent attacks and have failed to this point. The Iraq Constitution affords minorities the right of protection, and I believe that the Iraqi Government has made efforts to ensure their protection and that many Iraqis recognize minority rights.

Question. Are there any groups that are particularly vulnerable?

Answer. I believe non-Muslims, particularly Yazidis and Chaldean Christians are more vulnerable in certain distinct areas of Iraq, primarily in the central and northern portions of the country. Christians remain a target for AQI and historically they have been targeted in Mosul. The bombing of a bus with Christian students in 2010 highlights the persistent threat posed by AQI. AQI has also attacked members of Iraq's Yazidi minority using suicide vests and vehicle borne improvised explosive devices. It is important to note, however, that every ethnic group in Iraq has been the victim of kidnappings and murders.

Question. If so, what is the appropriate role, if any, for the U.S. military in addressing their vulnerability?

Answer. This requires an Iraqi solution and commitment. We would advise and assist the Iraqi Government and the Iraqi security forces to provide equal protection and enforce minority rights of protection under the rule of law. As the institutions of the Iraqi Government strengthen and grow increasingly capable of providing se-

curity for all of its citizens, the threats to non-Muslim religious minorities will diminish.

CONFRONTING THE MILITIAS

Question. Based on your understanding, is the Iraqi Government taking the steps it must to confront and control the militias?

Answer. Through a combination of security operations and engagement policies, the Iraqi Government is working to manage the challenges presented by Sunni and Shia militia groups. Programs like the Sons of Iraq aim to integrate former Sunni Arab insurgents into the government or security forces or retrain them for other professions. Reconciliation initiatives have also contributed to Muqtada al-Sadr's decision to suspend his Jaysh al-Mahdi militia. However, some terrorist groups, such as Kataib Hizballah, are more difficult for the Iraqi Government to target because they operate covertly and are backed by Iran.

Question. What role would you expect to play on this issue, if confirmed?

Answer. I believe our role would be to support the Iraqi Government's anti-militia policies, and improve the stability of Iraq in order to negate the conditions which generate support for militia groups. We would do this by continuing to develop the capabilities and professionalism of the Iraqi security forces and by encouraging inclusive political processes. Our intelligence capabilities also contribute significantly to this effort as Iraq's capabilities continue to grow. I would continue to monitor militia groups and provide recommendations to the Iraqi Government to address this issue.

LONG-TERM SECURITY RELATIONSHIP

Question. If confirmed, what actions, if any, would you take to ensure an effective and efficient transition from the current military mission through December 2011 to a long-term security relationship with Iraq?

Answer. Along with the U.S. Ambassador to Iraq, we will continue to work with the Iraqi Government, via the Strategic Framework Agreement, to build a long term security relationship with Iraq. In the short-term, I would continue the progress made in developing the Iraqi security forces through our training and foreign military sales. As leadership for the U.S. mission in Iraq transitions from USF–I to Embassy Baghdad, I will continue to support planning for a robust Office of Security Cooperation under Chief of Mission authority. The Strategic Framework Agreement serves as the cornerstone of our partnership with Iraq and I would continue efforts through the Joint Coordinating Committees to solidify our long-term security relationship with Iraq.

Question. If confirmed, what actions, if any, would you take immediately or in the near-term to build a standard security cooperation relationship with Iraq for long-term military sales and support such as the United States has with many other nations in the region and around the world?

Answer. After I have made an assessment I will work with the Ambassador, CENTCOM, and our Iraqi partners to develop a security relationship based on U.S. interests which contributes to regional security and stability.

IRAQI SECURITY FORCES

Question. In your view, what are the minimum essential capabilities required by the Iraqi security forces in order to assume full and independent responsibility for the internal security of their nation?

Answer. It is essential that the Iraqi people feel safe and believe that their police, army, and border forces provide them with an acceptable level of security. The Iraqi security ministries, institutions, and forces must be able to work together to secure the population and critical infrastructure; conduct basic manning, training, and equipping functions; support and enforce the rule of law; conduct operational level command and control; and sustain their respective forces.

Question. What is your understanding of the level of agreement or disagreement, if any, on the definition of these minimum essential capabilities between the Government of Iraq, Ministry of Defense, and U.S. Forces-Iraq?

Answer. I believe there is common understanding and agreement by all parties of what the Iraqi security forces must be able to do in order to assume full and independent responsibility for the internal security of their nation.

Question. If there is disagreement between Iraq and the United States on the minimum essential capabilities required for Iraqi security forces, how would you propose to resolve this challenge if confirmed?

Answer. We would routinely assess capabilities and maintain an ongoing dialog with the Iraqi leadership on missions, threats, readiness, and requirements.

Through this partnered process, I would convey my assessments and best military advice. Experience has shown they have an appreciation for our capability assessment methodologies and understand the process to be very mature, based in a regional security context, and not a direct U.S. force comparison.

Question. What is your understanding of the state of training and equipping of Iraqi security forces?

Answer. Due in large part to USF–I's tremendous efforts to date, I believe the Iraqi security forces are now functioning well as an internal security force, and all organizations are striving to reach their minimum essential capability objectives. Within the MoD, the Iraqi Army is functioning well as a counterinsurgency force. The Iraqi Navy is providing point defense for both of the country's off-shore oil terminals and is on track to achieve its objectives. The Iraqi Air Force has shown significant improvements in accessions, training, and ground support. Within the MoI, both the Federal Police and Oil Police are assessed as operationally capable while the Provincial Police and Border Police have shown progress in performing their security functions.

Question. What is your assessment of Iraqi security forces progress toward assumption of full responsibility for internal security?

Answer. While we are witnessing Iraqi security forces that are increasingly independent and capable of providing internal security much work remains to be done. Continued U.S. efforts to train, advise and equip the Iraqi security forces will be required to meet the President's guidance and vision for a sovereign, stable, and self-reliant Iraq. Without the continued support of the entire U.S. Government, including Congress, we put the achievement of our Nation's objectives for Iraq at risk

Question. In your view, what is the importance, relative priority, and urgency, if any, of the Iraqi security forces developing the capability to defend its borders and airspace from external threats?

Answer. In order to establish its legitimacy, both with its own population as well as with its neighbors, a sovereign nation must be able to defend and enforce its own borders and airspace from external threats. Iraq is no exception to this, as such, I consider this issue to be vital. Iraq is particularly vulnerable to border violations due to the malign intentions of some of its neighbors. We also recognize that there will be gaps in Iraq's ability to enforce its own airspace for some time to come. Both of these issues will require our continued attention and assistance to mitigate.

Question. What is the appropriate role of U.S. forces, if any, in supporting the development of this capability with training, equipment, or other resources?

Answer. Through training, advising, and assistance efforts, USF–I has and will continue to play a critical role in the development of the Iraqi security forces' capacity and capability. While we recognize that some gaps will exist when we withdraw, particularly in their ability to defend against external threats, we will make every effort to mitigate the risks associated with those gaps.

Question. How would you characterize the performance of Iraqi forces in the conduct of security operations during and since the elections earlier this year?

Answer. We are seeing Iraqi security forces that are increasingly capable of conducting counterinsurgency operations and providing internal security for the population of Iraq—a fact that was highlighted by their performance during the March elections. Their actions since the elections have also been critical to maintaining the relatively low level of violence that we have witnessed during the critical period of government formation.

Question. As U.S. forces are withdrawn, are Iraqi Army units assuming the areas and missions of these units?

Answer. Iraqi units have the lead for security throughout the country. U.S. forces and Iraqi Army units work together to ensure that as U.S. units move the Iraqi Army is prepared to assume responsibility.

Question. If so, are gains in reduced violence and increased stability achieved by U.S. forces being effectively maintained in the areas for which Iraqi Army forces have assumed responsibility?

Answer. Yes. Iraq's security environment remains stable at historically low levels of violence. The Iraqi security forces continue to lead the security efforts in Iraq and to disrupt the violent extremists networks.

Question. What is your understanding of the ability and commitment of Iraqi security forces to adequately maintain the readiness of the equipment they have been given or purchased?

Answer. My understanding is that over the past year, the two security ministries have made some progress in developing both infrastructure and capacity, but logistics and sustainment remain areas for continued focus. Supporting the maturation of the Iraqi supply and maintenance system, training a cadre of Iraqis to sustain and maintain their own equipment, and working to increase emphasis across the

Iraqi leadership will ultimately result in an effective force. I believe the Iraqi security forces' leadership has an increasing appreciation for their shortfalls and will want our continued assistance to improve their strategic, operational, and tactical logistics systems.

Question. If confirmed, what action would you take, if any, to expand the development of logistics capabilities and a commitment to a culture of maintenance within the Iraqi security forces to ensure that the equipment they have been provided is maintained and ready to meet their security needs and protect the investment of billions of U.S. and Iraqi dollars over the years?

Answer. I would continue with our detailed efforts, and fully support the priority the Iraqis have placed on getting their logistics capability to a higher level. The U.S. has the best military logisticians in the world, and our example and mentorship for the Iraqi security forces' leaders have been key to improving Iraqi capabilities and leader competency. As commander of MNC–I, I took on the task of emphasizing the importance of logistics competency with the senior Iraqi security forces leadership during visits to Iraqi units, in senior commander forums, and with the national leaders. I would continue this effort if I return as the commander of USF–I.

ADVISE AND ASSIST BRIGADES AND MILITARY/POLICE TRANSITION TEAMS

Question. In your view, does the size, structure, number, and operating procedures for U.S. Advise and Assist Brigades and Military and Police Transition Teams embedded with Iraqi security forces need to be changed in any way? If so, what would you recommend?

Answer. As the MNC–I Commander I played a key role in the development of the size, structure, number, and operating procedures for U.S. Advise and Assist Brigades and am pleased to see that they are performing well. These organizations as well as the embedded Transition Teams provide the appropriate flexibility, partnership capacity, mobility, and force protection for the evolving conditions in Iraq. Adaptations will be addressed as conditions on the ground and feedback from tactical leaders dictate. Part of my responsibility is to recognize when change is needed and convey that to our Service institutions so they can responsively adapt to meet USF–I requirements.

Question. What is your view of the potential transition of this mission to contractors?

Answer. If confirmed, I would thoroughly assess the viability of contractors doing these type missions but I think this could be a viable option. I believe the best approach would be military led, managed, and directed training teams in which contractors provide instruction, subject matter expertise, and team/individual skills training.

Contractors in a supporting versus lead role is appropriate in many if not most cases for military/police training. Based upon our department's recent experience, we utilize highly skilled, former and retired U.S. military and U.S. law enforcement personnel as contractors who are (often) Operation Iraqi Freedom experienced and have the requisite military and police skills. We can leverage contracts and contractors to accomplish this training mission by keeping a military to military or military to police relationship as the organizing and leadership principle that directs the training goals and objectives.

The key to success in this effort as in almost all contracted support efforts is oversight. Oversight starts with adequate numbers of well trained contracting officer representatives. If we were to pursue this, ensuring we have the right oversight personnel and processes in place to monitor contractor performance would be one of my biggest priorities.

Question. What in your view is the appropriate distribution of responsibility and resources for the security assistance, train, advise, and equip mission between special operations forces and general purpose forces in Iraq?

Answer. I think the distribution is based on the nature of the security environment and the current capability of the Iraq special operations and general purpose forces. USF–I's Deputy Commanding General for Advise and Training has responsibility to assess both of these Iraqi forces, and provide recommendations to the USF–I Commander on any re-distribution. From my understanding, the current plan for distribution of resources is effective and producing good results. I do foresee the potential to adjust the "distribution" in the future, but I am not in a position now to give specific recommendations.

Question. What is your understanding of how the Army is ensuring that general purpose forces are properly trained for the advise and assist or transition team mission, to include dissemination of "lessons learned" to incoming brigades and teams?

Answer. Our Army is doing a tremendous job in providing trained and ready forces for Iraq. The Army adapted quickly to these requirements and is meeting USF–I's requirements and continuously working to improve their procedures based on deployed unit feedback and USF–I requirements and recommendations. If confirmed, I would maintain the active ongoing dialog with our Military Services to make sure we properly train our servicemembers and their units for our remaining military tasks in Iraq.

Question. If confirmed, what would you recommend in this regard?

Answer. I foresee a potential requirement to better integrate our Transition Teams with the Advise and Assist Brigades. We started this initiative when I was last in Iraq, and I suspect we can always improve our integration efforts as we learn more lessons and reduce our presence. I also believe we can do the same for the integration of U.S. civilians into the construct. The civilian transition is a key component of our strategy and we must work together by sharing our military experiences and best practices with our civilian team members.

COMMAND AND CONTROL

Question. What is your understanding of the lessons learned about U.S.-Iraqi command and control of combined operations over the last year and especially since the withdrawal of coalition forces from Iraqi urban areas?

Answer. Iraq is an extremely challenging environment in which to command control, but over the last several years we have learned valuable lessons and instituted many interoperable procedures. The most significant of these, which we began in earnest during 2008 and 2009, was working hand in hand with our Iraqi counterparts at their national and provincial operations centers, as well as in combined joint tactical operation centers and outposts throughout Iraq. As we reduce our presence at the tactical operations centers we must ensure that we maintain or increase our presence at the national and provincial centers.

Question. What concerns, if any, do you have about command and control relationships with Iraqi forces in combined operations, and if confirmed, what actions would you take, if any, to mitigate challenges or improve capabilities in this regard?

Answer. I do not have any major concerns over the command and control relationship with Iraqi forces, but I do foresee the need to routinely assess where we are and adjust accordingly as we draw down. It is imperative to maintain situational awareness and an active advisory capacity as force levels decline.

BURDEN SHARING

Question. In your view, what is the appropriate role for the United States, and particularly of U.S. Force-Iraq, in reconstruction activities in Iraq going forward?

Answer. In my view the role of USF–I and the United States in reconstruction activities needs to remain focused on Iraq's efforts and expenditures to improve essential services and infrastructure. USF–I plays a role in advising Iraqi counterparts on security implications, critical infrastructure protection, and security and support for U.S. Government and other international civil development efforts. I am encouraged by reports that the Government of Iraq is currently spending a significant portion of this year's budget on infrastructure and essential services improvements. I think this indicates the effectiveness of U.S. advice and that the Iraq Government recognizes its importance.

Question. In your view, what capabilities or support should be the highest priorities for U.S. financial assistance to the Iraqi security forces?

Answer. I believe the highest priority for U.S. financial assistance to the Iraqi Government should go towards those requirements directly related to the establishment of the minimum essential capabilities for the Iraqi security forces. Once that effort is complete, we should focus our long term security assistance efforts on building a credible capability to deter external threats.

Question. In your view, what capabilities and support for the Iraqi security forces should be the sole financial responsibility of the Government of Iraq?

Answer. I believe we should view this as a partnered effort that involves a variety of cost-sharing options that eventually leads to a long-term security relationship. The Iraqi Government funds the preponderance of the Iraqi security forces' costs, but U.S. financial assistance is still critical for ensuring that there is no degradation of progress.

READINESS OF U.S. FORCES

Question. What is your assessment of the readiness of U.S. forces that have been deployed and are deploying in support of Operation Iraqi Freedom? Have you ob-

served any significant trends or gaps with respect to personnel, equipment, or training readiness in units in theater?

Answer. All forces I observed, inspected, and fought with on multiple tours to Iraq were well trained, led, and prepared for the mission.

In my experience in Iraq, any significant gaps in readiness are proactively addressed by the Service Chiefs to ensure trained, equipped, and prepared forces. If confirmed, I will stay engaged with the Service Chiefs to ensure no lapse during our responsible drawdown.

Question. What are your views on the growing debate over whether the Army is putting too much emphasis on preparing for counterinsurgency operations and/or too little emphasis on preparing for high intensity force-on-force conflict?

Answer. I believe our current force is very capable of prevailing in other conflicts and contingencies that may arise. I believe our Nation has the intellectual capital, and institutional and industrial capacity to maintain the force we have, and to adapt that force to meet future defense and contingency requirements. I think we have adapted our Department of Defense and whole-of-government approaches to win the wars we are currently fighting with an eye on what the future may portend, and with the type capabilities our Nation will require in order to meet the security challenges of the future. At the tactical level the counterinsurgency fight is equally a force on force, controlled violence activity. We have the best trained and equipped military in the world, and we have the best, most adaptive and seasoned combat leaders in our Nation's military.

TRANSITION TO LEAD U.S. AGENCY

Question. As the mission of U.S. military forces in Iraq changes and large numbers of troops begin to redeploy, responsibility for leading the planning and management of U.S. assistance to the Government of Iraq has begun to transition from the Department of Defense (DOD) to the Department of State.

What is your understanding and assessment of the theater's plans for this transition?

Answer. Considerable work has been done over the past year in both Washington and Baghdad to ensure the smooth transition from military to civilian lead in Iraq. I believe the transition plans, developed through the interagency process, are executable. The key to the plan in my mind is to synchronize the State Department's assumption of lead responsibility with our military troop withdrawal, and for our Government to resource the Department of State to accomplish the task. A close civil military partnership with the Ambassador and the interagency will be critical. If confirmed I would work closely with U.S. Embassy Baghdad in the coming months as these plans are put in motion.

Question. What is your understanding and assessment of the progress being made toward the completion of this transition?

Answer. I believe this will be a tough but essential effort. I understand that progress is being made, and Department of State and other U.S. agency capacity shortfalls are being identified and addressed by the administration and Congress. Substantial planning and coordination for this transition is ongoing. As an example, more than 1,000 tasks currently being conducted in Iraq by members of USF–I have been analyzed to determine whether they should transition to Embassy Baghdad, transition to the Iraqi Government, or be terminated. It is this level of detailed planning that will ensure our transition success.

Question. In your view, what are the most significant challenges to the efficient and effective transition of these agency roles?

Answer. Our strategy depends on the development of Iraqi security forces that are capable of defending their population against internal threats and a robust civilian effort that can sustain the positive momentum gained over the last 2 to 3 years. Inadequate resourcing of either could have profoundly negative impact on our partnership with Iraq and their re-integration into the region. The challenge is seamlessly transferring these tasks without degradation in mission performance. This requires that the recipient of the transfers has sufficient capacity to perform the task.

Question. If confirmed, what action would you recommend or take, if any, to deal with these challenges and ensure an efficient, effective, and timely transition?

Answer. I would maintain constant interaction by teaming with the Ambassador and the embassy staff to ensure that all of our transition objectives are met in an effective and timely manner. I would provide my best military advice on how we can complete the transition effectively and efficiently within the scope of U.S. goals for a sovereign Iraq.

RULE OF LAW TRAINING

Question. How important do you consider continued U.S.-supported training to Iraqi leaders in establishment of the "rule of law"?

Answer. I believe that U.S. supported training to Iraqi leaders in establishing the rule of law is critical to the success of the mission in Iraq. Establishment of the rule of law is key to providing domestic legitimacy to the Government of Iraq. The Iraqi Government must have this continued U.S. support to succeed, and I believe this model is an example for the entire region.

Question. What is your understanding and assessment of the impact of previous rule of law training initiatives and the current organization of U.S. Government-led efforts to foster commitment to the rule of law in Iraq?

Answer. Achieving U.S. objectives in Iraq hinges on advancing gains made over the last several years. As a result of previous initiatives, the Iraqis have made progress in the development of the rule of law. There is still much work to do to ensure that mature, professional judicial and criminal justice institutions are in place to complement an increasingly capable police force. It will be critical to our success in Iraq that the U.S. Government allocates the necessary resources to sustain further progress in this area.

Question. Do you believe that additional effort is needed by U.S. military forces and through an interagency approach to develop doctrine and resources for rule of law training?

Answer. I believe sustained effort by U.S. military forces through an interagency approach to continue developing doctrine and resources for rule of law training is important to our overall objectives and that our interagency approach is effective. This type of U.S. sponsored activity increases our democratic credentials in the world, and the application of this program affords the United States the opportunity to improve and refine our doctrine and resources for "rule of law" training efforts in Iraq, the region, and internationally.

SUSTAINMENT OF U.S. COMMITMENT

Question. Based on your knowledge of the Army and its state of readiness, how long do you believe the Army can sustain U.S. troop levels in Iraq of approximately 50,000 troops at their projected operational tempo?

Answer. I have tremendous confidence in the Army leadership and the American people to sustain the force requirements of the drawdown plan. All indications to date project a continued withdrawal of our forces in Iraq under the current timeline. This drawdown also supports our Army's initiative to put the force more in balance and within desired dwell rate ratios in order to improve readiness and Army Soldier and Family support programs.

FORCE PROTECTION

Question. What is your understanding of the status of U.S. forces' distribution in partnership with Iraq forces and to small local bases throughout the area of operations?

Answer. Force distribution and force disposition plans focus on transferring responsibility to Iraqi Forces, and consolidating and protecting U.S. forces at larger bases as we withdraw. The plan is being executed under the guidelines that leaders ensure U.S. servicemembers are adequately trained and resourced for the mission, that they have the authorized rules of engagement that allow for their right of self-defense and unit protection, and that leaders implement thorough risk assessment and risk mitigation procedures. Also, stringent safety procedures for U.S. forces are being practiced and strictly enforced by leaders at all levels. Regardless, U.S. forces must maintain the logistical capability to conduct independent resupply operations throughout the theater.

Question. If confirmed, how would you ensure the protection of those forces and the forces which would have to resupply them on a daily basis?

Answer. Protecting U.S. personnel would be one of my overarching priorities. I have confidence in USF–I's base and route consolidation plan because it was developed in large measure to provide for protection of U.S. forces while we transition responsibility to Iraq, and conduct our withdrawal. Equally, the plan focuses on providing security to the U.S. civilians who will work in some of these locations. The "hub and spoke" bases and routes will require appropriate resourcing, and constant assessment, adaptation and adjustment to maximize force protection of U.S. personnel and conduct an effective transition and withdrawal.

INTELLIGENCE SUPPORT FOR GROUND FORCES

Question. Since the attacks of September 11, 2001, U.S. Special Operations Command and the national intelligence agencies have developed effective equipment, tactics, and intelligence dissemination practices to target al Qaeda personnel and personnel from other related terrorist networks. The effectiveness of these tools and their utility for regular ground forces in battling militias and improvised explosive device networks are now more widely recognized. As a result, some of these tools and capabilities are migrating to Army and Marine Corps general purpose ground forces.

Do you believe that regular Army general purpose ground forces can replicate the capabilities developed by special forces?

Answer. Yes. Our U.S. general purpose forces have adopted many of the same technologies and procedures developed by Special Forces. For example, our Special Operations Forces developed an intelligence gathering, analysis, targeting, exploitation and dissemination process that our general purpose forces follow. We also have a greater level of integration and sharing at our combined fusion centers that provides enhanced intelligence and geo-location capabilities for special and general purpose forces.

Question. What is your understanding of how commanders within U.S. Forces-Iraq are attempting to accomplish this?

Answer. The sharing of tactics, techniques, and procedures is active in Iraq, and reinforced by our Service institutions and agencies through a variety of web-based information initiatives, and with forward deployed support elements in theater. Experience within both communities has increased dramatically in the last several years, and our forces in the field are receiving the benefit of growing institutional knowledge of threats and threat capabilities. An example is the Joint Improvised Explosive Device Organization's and their deployed Task Force Troy in Iraq. Commanders and leaders at all levels are aggressively gathering information and collaborating with deployed support agency elements to maintain a qualitative edge in the fight. As Commander of MNC–I, we benefited enormously from these efforts, and we were able to counter serious threats to our forces. We have also shared a tremendous amount of this knowledge and capability with our Iraqi partners so they can be more capable and independent. If confirmed, I would want to make sure the focus and support is commensurate with our withdrawal and the transition to the Department of State.

Question. In your view, has DOD provided the resources necessary to acquire the equipment and intelligence dissemination support to enable Army and Marine Corps general purpose ground forces to adopt or adapt these tactics, techniques, and procedures?

Answer. Yes, DOD has been committed to acquiring and fielding these resources to our general purpose ground forces. However, as U.S. Forces in Iraq continue their drawdown I expect there will be challenges meeting USF–I's intelligence needs. If confirmed, I would continually assess those needs and the ability to meet them with the capabilities available.

DETAINEE TREATMENT STANDARDS

Question. Do you agree with the policy set forth in the July 7, 2006, memorandum issued by Deputy Secretary of Defense England 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 agree with the policy set forth in Deputy Secretary of Defense England's memorandum of July 7, 2006.

Question. Do you support the standards for detainee treatment specified in the revised Army Field Manual on Interrogations, FM 2–22.3, issued in September 2006, and in DOD Directive 2310.01E, the Department of Defense Detainee Program, dated September 5, 2006?

Answer. Yes, I support the standards of detainee treatment specified in the revised FM 2–22.3 and DOD Directive 2310.01E. I believe those standards and procedures are correct guidelines and were developed based on the hard lessons our forces learned early on in Iraq. They are consistent with our American national values.

Question. Do you share the view of the Judge Advocates General 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. I believe the rationale for prohibiting inhumane and degrading treatment goes far deeper than reciprocity. It is an important consideration and I agree it is an element that should guide us in the standard of treatment for detainees.

Question. Do you believe it is consistent with effective counterinsurgency operations for U.S. forces to comply fully with the requirements of Common Article 3 of the Geneva Conventions?

Answer. Yes, I believe that it is consistent with effective counterinsurgency operations for U.S. forces to comply fully with the requirements of Common Article 3. The joint doctrine for counterinsurgency operations explains the benefits of complying with the standards of the Geneva Conventions and risk associated with failure to comply.

IRAQI STATE-OWNED ENTERPRISES

Question. What is your understanding and assessment of the status of DOD efforts to help restart Iraqi state-owned enterprises to increase employment in Iraq?

Answer. The Strategic Framework Agreement establishes the foundation for building a prosperous, diversified, and growing economy in Iraq. These principles are fundamental to achieving both short and long-term stability and security. On the tactical level, the Commander's Emergency Response Program (CERP), and on the strategic level, the Task Force for Business and Stability Operations (TFBSO) are utilized toward this end.

The TFBSO is a great example, and one I am intimately familiar with from my last assignment in Iraq. TFBSO was dedicated to revitalizing Iraq's economy and creating jobs for Iraqis. TFBSO placed civilians with expertise in industrial operations and factory management on the ground in Iraq—skills previously absent from the American presence there. TFBSO provided training for employees, upgraded equipment, and prepared the factories for large-scale private investment, and provided the example for greater private investment in Iraq. Other efforts like Texas A&M University's in-country agricultural development teams improved Iraqi agricultural diversity, capacity, and environmental protection responsibilities.

Programs like these proved vital for commanders at all levels, and were a key component in establishing the conditions for our withdrawal, and can continue to be a contributor to Iraq's stability and development during and after our transition. If confirmed, I will take a personal interest in these programs to make sure they are effective.

IRAQI REFUGEES

Question. The United Nations estimates that over 2 million Iraqis have been displaced, of which 1.8 million have fled to surrounding countries while some 500,000 have left their homes to find safer areas within Iraq.

What is your assessment of the refugee problem in Iraq? Are more Iraqis returning home?

Answer. The refugee problem from the Iraq war is a regional problem, drawing interest from Syria and Jordan among others. There are over 200,000 Iraqi refugees registered with the UN High Commissioner for Refugees (UNHCR), and it is likely that there are a significant number of unregistered refugees.

Approximately one million Iraqis remain displaced in Iraq from the Saddam era. I do not believe the refugees who are returning home are being supported by a mature Iraqi system that fully reintegrates them back to their homes, and provides for their basic needs. Ultimately, the solution to the problem of Iraqi refugees and internally displaced persons is a stable, secure environment where these displaced people can reintegrate into Iraqi society and obtain employment.

Question. Beyond working to improve the security environment in Iraq, do you believe that the U.S. military should play a role in addressing this issue?

Answer. USF–I can directly help in this effort by encouraging the Iraqi security forces to provide a safe and secure environment. Continued U.S. and international effort under the United Nations is needed to emphasize to the new Iraqi Government that the successful return and reintegration of Iraqi refugees is the Iraqi Government's responsibility, in their national interests, and a key component for normalized relations with their neighbors.

Question. What should the role of the U.S. military be, in your view, with respect to those Iraqis who are returning to find their homes occupied by others?

Answer. USF–I, in conjunction with Embassy Baghdad, will continue to assist the Government of Iraq in addressing the issue of displaced persons. It is important to remember that with the implementation of the Security Agreement in 2009, the Iraqis assumed sovereignty of their country and people. We will continue to advise and assist them as they handle these complex issues.

SPECIAL INSPECTOR GENERAL

Question. The Special Inspector General for Iraqi Reconstruction (SIGIR) conducts comprehensive audits, inspections, and investigations which are valuable to Congress.

If confirmed, what steps, if any, would you take to support the audits, inspections, and investigations conducted by the SIGIR?

Answer. The reports of the SIGIR provides valuable insights to the Force Commander, the Ambassador, officials in Washington, and to the Government and people of Iraq. I fully supported the activities of the SIGIR as the MNC–I Commander and, if confirmed, I would continue to embrace this important Congressional body.

TRAUMATIC BRAIN INJURY

Question. Recent press reports allege that there is a lack of leadership and policy with respect to the evaluation of and treatment for traumatic brain injuries (TBIs) in theater.

What is your understanding of the policy or policies in place that address the needs of deployed servicemembers who have experienced an event which could result in TBI or a concussion?

Answer. I acknowledge traumatic brain injury as a very real medical condition, and one that is adversely affecting many of our servicemembers who have served in Iraq. I know that our military services and medical professionals in and out of the military are aggressively pursuing strategies and treatments for this type injury. I understand that we are developing clinical care instructions for all levels of TBI severity to cover both the deployed, and the non-deployed environment which includes mandatory concussion screening. I believe the Department's protocol for diagnosing, evaluating, treating, and following up on combat related concussion injuries is based on the best scientific evidence available, which is being enhanced through ongoing research efforts. Emerging DOD guidance on mandatory evaluations and rest times after a defined event will help to better address these incidents. If confirmed, I would maintain constant attention on this issue, and the other issues that affect the health and well being of our servicemembers.

Question. In your view, are these policies effective?

Answer. In my view, we need to improve compliance with our protocols, encourage reporting of signs/symptoms, and stay ever vigilant for further improvements in procedures. Clearly in the past, we have missed servicemembers that sustained concussions or TBI whether because they didn't want to leave their unit or because they or their leadership did not understand the importance of being checked out and treated early. New DOD guidance will help as it mandates evaluations close to the injury and establishes policy, assigns responsibility and provides procedures on the medical management of traumatic brain injury in a deployed setting. Services and COCOMs have already begun to implement this guidance. If confirmed I would be committed to ensuring they are effective in Iraq.

MENTAL HEALTH ASSESSMENTS IN THEATER

Question. The Army's Mental Health Advisory Team (MHAT) has made six separate assessments over the past several years detailing the immediate effects of combat on mental health conditions of U.S. soldiers deployed to Iraq. The most recent study, MHAT VI, found that "soldiers on their third and fourth deployment report lower morale and more mental health problems," and that stigma continues to prevent some soldiers from seeking mental health care. These types of reports lend support to the fact that increasing numbers of troops are returning from duty in Iraq with post traumatic stress, depression, and other mental health problems.

What is your understanding of the key findings of this and previous MHAT assessments, actions taken by the Army to address key findings, and the effect of such actions?

Answer. The MHAT is a great Army program. The results of MHAT VI reported that psychological problems and combat exposure in maneuver units are significantly lower than every year except 2004 in Iraq. It was also reported that multiple deployments and dwell time are correlated to mental health issues. There remain barriers to care and stigma associated with seeking care although some improvement in stigma was documented. The Army has augmented mental health staffing in both theaters, particularly Afghanistan where the need was shown to be high. In response to the observed need for resilience, in 2008, the Army established the Directorate of Comprehensive Soldier Fitness to correct the observed gaps in resilience capability. If confirmed, I would focus on effective implementation of corrective

actions and procedures to address the underlining findings, and improve the mental health of our servicemembers in Iraq.

Question. If confirmed, what measures would you support to ensure ongoing mental health assessments of U.S. forces in Iraq?

Answer. I would support all DOD health assessment programs and emphasize leaders' roles in creating resilient units through leadership training and resiliency training. I would stress access of medical assessment teams to all our servicemembers. I would specifically work to decrease the perceived stigma of reporting one's own mental health concerns to medical personnel.

Question. Do you have any views on how to best address the mental health needs of our troops, in terms of both prevention and treatment?

Answer. I have great trust and confidence in our dedicated medical professionals. I would stay abreast of these issues and recommendations, and would work on how to best implement them in Iraq. I would emphasize leaders' roles in providing for the mental health needs of their servicemembers. I would work to ensure adequate staffing, increase access to mental health services, stress the importance of resiliency, and insist on positive, proactive leadership.

Question. Do you believe that mental health resources in theater are adequate to handle the needs of our deployed servicemembers?

Answer. I currently have not had an opportunity to assess all the resources available in theater. In previous tours in Iraq I found resources to be adequate and effective, but with room for improvement. My combat experience also showed me it wasn't necessarily about how many medical resources we had, but whether they were at the right locations, doing the right procedures. I would follow this approach but would not be hesitant to request more mental health resources if warranted.

SEXUAL ASSAULT

Question. If confirmed as Commander, U.S. Forces-Iraq, you will be responsible for ensuring compliance with DOD policies on prevention of and response to sexual assaults involving U.S. military and civilian personnel in Iraq.

What lessons did you learn, if any, while implementing sexual assault training, reporting protocols, and command awareness while serving as Commander, XVIII Airborne Corps and Commander, Multi-National Corps-Iraq that can help improve any of these policies or their implementation in theater?

Answer. I believe that our policies are effective but this remains a core leadership responsibility. Leaders at all level must ensure that there is a culture and climate in place that allows victims to come forward and that each allegation is taken seriously and investigated thoroughly. The implementation of the "I Am Strong" campaign will help to address the concerns victims have about coming forward.

Question. What are the unique issues, if any, that you believe need to be addressed to ensure that policies on prevention, reporting, medical treatment (including mental health care), and victim support are available in the operational environment of Iraq?

Answer. There are several environmental issues in Iraq that have bearing on this issue. Forces and bases will be in a fairly continuous state of transition. The regular turnover of units and personnel could affect the continuity of and quality of care for servicemembers in theater. Maintaining the necessary capabilities to address sexual assault as we reduce our force structure must be carefully planned for to ensure our servicemembers' needs are being met.

Question. What is your assessment of the adequacy of sexual assault prevention and response resources currently available in the U.S. CENTCOM area of responsibility?

Answer. I currently have not had an opportunity to assess all the resources available, but during all my previous combat tours in CENTCOM, I found it to be adequate and effective, but with room for improvement. This is also being addressed in all Service programs like the Army's "I Am Strong" campaign.

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 welcome congressional oversight and I look forward to a continued relationship.

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

Answer. Yes. I will always give my best military assessment to our Nation's leadership.

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 Commander, U.S. Forces-Iraq?

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR ROLAND W. BURRIS

ADVISE AND ASSIST IN IRAQ

1. Senator BURRIS. Lieutenant General Austin, as you are aware our U.S. Forces will complete the drawdown by December 2011 and transition to an advise and assist role. It is critical that we accomplish this with the utmost efficiency to minimize risks to our military personnel. What do you feel is the biggest risk that must be mitigated to ensure that the drawdown goes well?

General AUSTIN. U.S. Forces-Iraq (USF–I) continues partnered operations as we conduct a responsible drawdown to no more than 50,000 forces by August 31, 2010. Assigned forces are currently conducting stability operations and will continue to do so until the end of mission and drawdown of all forces by December 2011. During that time we will continue to train, advise, and equip Iraqi security forces (ISF); provide force protection for U.S. military and civilian personnel and facilities; assist the ISF in conducting counterterrorism operations; and support civilian agencies and international organizations in their capacity building efforts. By the end of 2011, enduring functions will transfer to the U.S. Embassy-Baghdad, the Government of Iraq (GoI), and other international organizations and agencies.

Current risk is anything hindering the political and economic development that is essential for Iraq to become a stable, sovereign, self-reliant nation that contributes to the peace and security of the region. Iraq must develop an inclusive government that represents the Iraqi people, provides essential services and security, and demonstrates the capacity to address national unity challenges such as Arab-Kurd disagreements over disputed internal boundaries. At the same time, the country needs to recapitalize its infrastructure while developing a business climate that encourages economic development and foreign investment, including the establishment of rule of law.

I am confident that our whole-of-government approach will mitigate these risks as we transition to a civilian-led effort. I will work closely with the U.S. Ambassador to encourage a smooth and effective transition to ensure continued progress in meeting our national objectives.

2. Senator BURRIS. Lieutenant General Austin, how will you measure mission success for the advise and assist units?

General AUSTIN. Our advise and assist brigades (AABs) directly assist ISF as they become increasingly capable of providing for Iraq's internal and external security.

A key measure of mission success for AABs includes their successful partnership with the ISF to provide effective security and development of the essential capabilities they will require before the end of 2011. Another measure is the critical role AABs play in the U.S. interagency process with their support of Department of State (DOS)-led provincial reconstruction teams. Finally, they provide connectivity as they engage with various echelons of Iraqi provincial and regional governments. Their capability to maintain situational awareness, support stability operations, operate in combined security areas, support counterterrorism operations, and maintain training and readiness improves as every day goes by. In addition, our AABs work with the ISF to enable them to independently manage shortfalls in Iraqi

sustainment and logistics. We have seen great progress in the ISF's ability to perform these functions and I am confident this progression will continue.

3. Senator BURRIS. Lieutenant General Austin, do you envision a larger or smaller role for Reserve component forces?

General AUSTIN. The Reserve components are key players in U.S. military operations in Iraq and around the world. In order to meet our national objectives, the Defense Department considers all Services and components when responding to Joint Staff and combatant commander requests for forces. I envision the role of our reservists and guardsmen remaining fairly consistent as we conduct our responsible drawdown of forces in Iraq.

QUESTIONS SUBMITTED BY SENATOR DAVID VITTER

STATE DEPARTMENT REQUEST

4. Senator VITTER. Lieutenant General Austin, last week, the Associated Press released an article outlining State Department plans to form a security force for their continued operations in Iraq following our military drawdown. This article cites documents which say the State Department wants 24 of the Army's Black Hawk helicopters, 50 bomb-resistant vehicles, heavy cargo trucks, fuel trailers, and high-tech surveillance systems. As I'm sure you are aware, this article raises concerns about the full transition from military presence to civilian presence in Iraq, and whether conditions are such that it can be accomplished as planned in 2011. As the nominee for Commander of U.S. Forces-Iraq, please describe your thoughts about this State Department request.

General AUSTIN. I believe we are on track to meet the President's stated objective of a responsible drawdown of forces by December 2011, with a successful transfer of responsibilities to the Government of Iraq, the Department of State, and other international organizations. A critical part of accomplishing these objectives is a strong partnership between myself and the U.S. Ambassador, something to which I am wholly committed.

We have already accomplished a considerable amount of work to ensure the transfer of responsibilities will be a smooth one. We must take a whole-of-government approach to transition not just responsibilities, but the resources required to execute them. It is imperative for the U.S. Embassy-Baghdad to be properly resourced for the U.S. mission in Iraq to be successful.

5. Senator VITTER. Lieutenant General Austin, based on your previous experience in Iraq and Afghanistan, do you feel that this military/security capability is appropriate for State Department?

General AUSTIN. DOS has a well established capability for providing diplomatic security for U.S. missions around the world. That said, the Department will face an unprecedented security challenge in Iraq after the withdrawal of U.S. forces.

I believe unique capabilities required to successfully continue the mission after departure of U.S. forces should be carefully considered and fully resourced using a whole-of-government approach. Such resourcing will allow our partners at DOS to pursue sustained political engagement and regional diplomacy in support of a peaceful and prosperous Iraq.

6. Senator VITTER. Lieutenant General Austin, will you concur with the request?

General AUSTIN. I believe the U.S. Embassy-Baghdad must be fully resourced in order to successfully perform its mission as Iraq becomes an increasingly stable, self-reliant sovereign nation. The Department of Defense is carefully reviewing the request from DOS to transfer military equipment, transportation, convoy support, base life support and core logistics services. We will work closely with them to find a feasible, whole-of-government approach to fulfilling these requirements.

7. Senator VITTER. Lieutenant General Austin, should this committee be concerned that this request represents a veiled assertion that U.S. military forces are being withdrawn too quickly, and as such will be leaving State Department personnel at risk?

General AUSTIN. The responsible drawdown of forces currently taking place is consistent with the U.S.-Iraq Strategic Framework Agreement and gives us sufficient capability as we approach the transition to a civilian-led mission in December 2011. I believe this drawdown is taking place at an appropriate pace and will not leave U.S. Embassy personnel with an inappropriate level of risk.

In addition, the security situation in Iraq has vastly improved; security incidents are the lowest on record and continue to decline. Since assuming full responsibility for planning and executing internal security in June 2009, Iraqi security forces have continued to improve their cability to maintain situational awareness, support stability operations, operate in combined security areas, support counterterrorism operations, and improve training and readiness of their personnel.

USE OF CONTRACTORS

8. Senator VITTER. Lieutenant General Austin, what are your views on the use of contractors in roles customarily left to the military?

General AUSTIN. I believe it is appropriate to use contractors in roles complementing the Defense Department's effort to provide support and services to the mission. Doing so allows commanders to allocate more forces for combat and other inherently military operations. This has been a critical component of our effort to achieve U.S. objectives in Iraq. However, the key to success in this effort, as in almost all contracted support efforts, is oversight. As conditions in theater evolve I will continually monitor not only force levels but also the role of contractors in support of the mission.

9. Senator VITTER. Lieutenant General Austin, is this a risk in Iraq as the drawdown continues?

General AUSTIN. I do not believe our use of contracted personnel leads to an unacceptable level of risk as we conduct our responsible drawdown of forces. As USF–I Commander, I will continually evaluate the conditions on the ground to determine what composition of forces (including contracted personnel) is appropriate for us to achieve our national objectives.

[The nomination reference of LTG Lloyd J. Austin III, USA, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
May 18, 2010.

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

The following named officer for appointment in the U.S. Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be General.

LTG Lloyd J. Austin III, USA, 5848.

[The biographical sketch of LTG Lloyd J. Austin III, USA, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF LTG LLOYD J. AUSTIN III, USA

Source of commissioned service: USMA.

Educational degrees:
U.S. Military Academy - BS - No Major
Auburn University - ME - Educational Administration
Webster University - MA - Management

Military schools attended:
Infantry Officer Basic and Advanced Courses
U.S. Army Command and General Staff College
U.S. Army War College

Foreign language(s): None recorded.

Promotions:

Promotions	Dates of appointment
2LT	4 Jun 75
1LT	4 Jun 77
CPT	18 Nov 79
MAJ	1 Jun 86
LTC	1 Jul 92
COL	1 Aug 97
BG	1 Jan 02
MG	1 Jan 05
LTG	8 Dec 06

Major duty assignments:

From	To	Assignment
May 76	Jan 78 ..	Rifle Platoon Leader, A Company, 1st Battalion, 7th Infantry, 3d Infantry Division (Mechanized), U.S. Army Europe and Seventh Army, Germany
Jan 78	Feb 79 ..	Scout Platoon Leader, Combat Support Company, 1st Battalion, 7th Infantry, 3d Infantry Division (Mechanized), U.S. Army Europe and Seventh Army, Germany
Mar 79	Sep 79 ..	Student, Infantry Officer Advanced Course, U.S. Army Infantry School, Fort Benning, GA
Oct 79	Apr 81 ..	Commander, Combat Support Company, 2d Battalion (Airborne), 508th Infantry, 82d Airborne Division, Fort Bragg, NC
Apr 81	Oct 81 ..	Assistant S–3 (Operations), 1st Brigade, 82d Airborne Division, Fort Bragg, NC
Oct 81	Oct 82 ..	Operations Officer, U.S. Army Indianapolis District Recruiting Command, Indianapolis, IN
Oct 82	Dec 84 ..	Company Commander, U.S. Army Recruiting Battalion, Indianapolis, IN
Jan 85	Dec 85 ..	Student, Auburn University, Auburn, AL
Dec 85	Jun 88 ..	Cadet Counselor, later Company Tactical Officer, U.S. Military Academy, West Point, NY
Jul 88	Jun 89 ..	Student, U.S. Army Command and General Staff College, Fort Leavenworth, KS
Jun 89	May 91	S–3 (Operations), later Executive Officer, 2d Battalion, 22d Infantry, 10th Mountain Division (Light), Fort Drum, NY
Jun 91	Oct 92 ..	Executive Officer, 1st Infantry Brigade, 10th Mountain Division (Light), Fort Drum, NY
Oct 92	Apr 93 ..	Director, Directorate of Plans, Training, Mobilization, and Security, U.S. Army Garrison, Fort Drum, NY
May 93	Mar 95	Commander, 2d Battalion, 505th Parachute Infantry Regiment, 82d Airborne Division, Fort Bragg, NC, and Operation Safe Haven, Panama
Mar 95	Jun 96 ..	G–3 (Operations), 82d Airborne Division, Fort Bragg, NC
Aug 96	Jun 97 ..	Student, U.S. Army War College, Carlisle Barracks, PA
Jun 97	Jun 99 ..	Commander, 3d Brigade, 82d Airborne Division, Fort Bragg, NC
Jun 99	Jul 01 ...	Chief, Joint Operations Division, J–3, The Joint Staff, Washington, DC
Jul 01	Jun 03 ..	Assistant Division Commander (Maneuver), 3d Infantry Division (Mechanized), Fort Stewart, GA, and Operation Iraqi Freedom, Iraq
Sep 03	Aug 05	Commanding General, 10th Mountain Division (Light) and Fort Drum, Fort Drum, NY, to include duty as Commander, Combined Joint Task Force-180, Operation Enduring Freedom, Afghanistan
Sep 05	Dec 06 ..	Chief of Staff, U.S. Central Command, MacDill Air Force Base, FL
Dec 06	Feb 08 ..	Commanding General, XVIII Airborne Corps and Fort Bragg, Fort Bragg, NC
Feb 08	Apr 09 ..	Commanding General, XVIII Airborne Corps/Commander, Multi-National Corps-Iraq, Operation Iraqi Freedom, Iraq
Apr 09	Aug 09	Commanding General, XVIII Airborne Corps and Fort Bragg, Fort Bragg, NC
Aug 09	Present	Director, The Joint Staff, Washington, DC

Summary of joint assignments:

	Date	Grade
Chief, Joint Operations Division, J–3, The Joint Staff, Washington, DC	Jun 99–Jul 01	Colonel
Commanding General, 10th Mountain Division (Light) with duty as Commander, Combined Joint Task Force-180, Operation Enduring Freedom, Afghanistan (No Joint Credit).	Sep 03–Apr 04	Brigadier General/ Major General
Chief of Staff, U.S. Central Command, MacDill Air Force Base, FL	Sep 05–Dec 06	Major General
Commanding General, XVIII Airborne Corps/Commander, Multi-National Corps-Iraq, Operation Iraqi Freedom, Iraq.	Feb 08–Apr 09	Lieutenant General
Director, The Joint Staff, Washington, DC	Aug 09–Present ...	Lieutenant General

Summary of operations assignments:

	Date	Grade
Commander, 2d Battalion, 505th Parachute Infantry Regiment, 82d Airborne Division, Operation Safe Haven, Panama.	Nov 94–Feb 95	Lieutenant Colonel
Assistant Division Commander (Maneuver), 3d Infantry Division (Mechanized), Operation Iraqi Freedom, Iraq.	Mar 03–Apr 03	Brigadier General
Commanding General, 10th Mountain Division (Light) with duty as Commander, Combined Joint Task Force-180, Operation Enduring Freedom, Afghanistan (No Joint Credit).	Sep 03–Apr 04	Brigadier General/ Major General
Commanding General, XVIII Airborne Corps/Commander, Multi-National Corps-Iraq, Operation Iraqi Freedom, Iraq.	Feb 08–Apr 09	Lieutenant General

U.S. decorations and badges:
Defense Distinguished Service Medal (with Oak Leaf Cluster)
Distinguished Service Medal (with Oak Leaf Cluster)
Silver Star
Defense Superior Service Medal (with Oak Leaf Cluster)
Legion of Merit (with Oak Leaf Cluster)
Defense Meritorious Service Medal
Meritorious Service Medal (with four Oak Leaf Clusters)
Joint Service Commendation Medal
Army Commendation Medal (with six Oak Leaf Clusters)
Army Achievement Medal (with Oak Leaf Cluster)
Combat Action Badge
Expert Infantryman Badge
Master Parachutist Badge
Ranger Tab
Joint Chiefs of Staff Identification Badge

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by LTG Lloyd J. Austin III, 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.)
Lloyd J. Austin III.

2. **Position to which nominated:**
Commander, U.S. Forces-Iraq.

3. **Date of nomination:**
May 18, 2010.

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 8, 1953; Mobile, AL.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Charlene Denise Banner Austin (Maiden name: Banner).

7. **Names and ages of children:**
Reginald Hill (stepson), 41.
Christopher Hill (stepson), 38.

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.
Association of the U.S. Army.
National Infantry Association.
Rocks Incorporated.
555 Parachute Infantry Regiment Association.

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals, and any other special recognitions for outstanding service or achievements.
Patriot Award, October 2009, Awarded for exceptional service to country, Patriot Foundation, Pinehurst, NC.

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

13. **Personal views:** Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even if those views differ from the administration in power?
Yes.

[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

LLOYD J. AUSTIN III.

This 18th day of May, 2010.

[The nomination of LTG Lloyd J. Austin III, USA, was reported to the Senate by Chairman Levin on June 29, 2010, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on June 30, 2010.]

NOMINATION OF GEN DAVID H. PETRAEUS, USA, FOR REAPPOINTMENT TO THE GRADE OF GENERAL, AND TO BE COMMANDER, INTERNATIONAL SECURITY ASSISTANCE FORCE, AND COMMANDER, U.S. FORCES-AFGHANISTAN

TUESDAY, JUNE 29, 2010

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, Ben Nelson, Bayh, Webb, McCaskill, Udall, Hagan, Begich, Burris, Kaufman, McCain, Inhofe, Chambliss, Graham, Thune, Wicker, LeMieux, Brown, Burr, Vitter, and Collins.

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

Majority staff members present: Ilona R. Cohen, counsel; Jessica L. Kingston, research assistant; Michael J. Kuiken, professional staff member; Gerald J. Leeling, counsel; Peter K. Levine, general counsel; William G.P. Monahan, counsel; Michael J. Noblet, professional staff member; Russell L. Shaffer, counsel; and William K. Sutey, professional staff member.

Minority staff members present: Joseph W. Bowab, Republican staff director; Adam J. Barker, professional staff member; John W. Heath, Jr., minority investigative counsel; Michael V. Kostiw, professional staff member; David M. Morriss, minority counsel; Diana G. Tabler, professional staff member; and Dana W. White, professional staff member.

Staff assistants present: Brian F. Sebold and Breon N. Wells.

Committee members' assistants present: Vance Serchuk, assistant to Senator Lieberman; Carolyn A. Chuhta, assistant to Senator Reed; Nick Ikeda, assistant to Senator Akaka; Greta Lundeberg, assistant to Senator Bill Nelson; Ann Premer, assistant to Senator Ben Nelson; Patrick Hayes, assistant to Senator Bayh; Gordon I. Peterson, assistant to Senator Webb; Tressa Steffen Guenov, assistant to Senator McCaskill; Jennifer Barrett, assistant to Senator Udall; Roger Pena, assistant to Senator Hagan; Lindsay Kavanaugh, assistant to Senator Begich; Roosevelt Barfield, assistant to Senator Burris; Halie Soifer, assistant to Senator Kaufman;

Anthony J. Lazarski, assistant to Senator Inhofe; Lenwood Landrum and Sandra Luff, assistants to Senator Sessions; Clyde A. Taylor IV, assistant to Senator Chambliss; Andy Olson, assistant to Senator Graham; Jason Van Beek, assistant to Senator Thune; Erskine W. Wells III, assistant to Senator Wicker; Brian Walsh, assistant to Senator LeMieux; Scott Clendaniel, assistant to Senator Brown; Brooks Tucker, assistant to Senator Burr; and Ryan Kaldahl, assistant to Senator Collins.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody.

Before we begin today's hearing, I want to comment on the loss that our committee, the Senate, and the Nation suffered yesterday morning. Robert C. Byrd was a member of this committee for nearly 3 decades. Just as he did in all of his Senate work, he was a relentless advocate for the enduring traditions of the Senate, including our respect for the legislative authority that the Constitution places in our hands to exercise and to defend. He was an eloquent spokesman for the vital role that Congress plays in national security and foreign affairs in our constitutional system. He was a treasured colleague and a friend to the members of the Senate Armed Services Committee, to the entire Senate, and to the people of this Nation. His life's work and his legacy will help guide us, and will guide future Senates.

This morning, the committee considers the nomination of General David H. Petraeus to be Commander of the North Atlantic Treaty Organization (NATO) International Security Assistance Force (ISAF) and Commander, U.S. Forces-Afghanistan.

General, you testified before this committee on Afghanistan just 2 weeks ago, and certainly no one foresaw the events that bring you to testify here again today. When confirmed, you will bring highly experienced leadership and a profound understanding of the President's strategy in Afghanistan, which you helped shape as Commander, U.S. Central Command (CENTCOM).

I want to thank you for your willingness, at the President's request, to leave that position to take charge of the campaign in Afghanistan. We appreciate your sacrifice and that of your family. Your wife, Holly, is with you this morning. We all want to thank her personally for her commitment and her sacrifices along the way.

I must tell you, General, that her understanding of your doing your patriotic duty, as you are now doing again, taking over the command in Afghanistan, her understanding and support of that is truly inspiring. We thank her.

We profoundly thank you, Mrs. Petraeus.

I also want to express my gratitude to General McChrystal for his great service to our Nation over 3 decades. Fate takes strange bounces at times, and working through them with dignity and honor, as has General McChrystal, is a hallmark of leadership and of character.

The challenges in Afghanistan are in many ways as complex or more complex than those that General Petraeus inherited when he assumed command in Iraq. Recent news reports indicate that progress in Afghanistan is spotty. Casualties among U.S., ISAF,

and Afghan security forces are higher. While some normal activities have returned to Helmand, insurgent intimidation and violence continues to threaten governance and development in the south. The Karzai Government has yet to deliver services to win allegiances locally. Recent reports suggest that Afghanistan's Tajik and Uzbek minorities are concerned about President Karzai's overtures to Taliban leaders through Pakistani intermediaries.

At our hearing 2 weeks ago, General Petraeus emphasized that "a counterinsurgency operation is a roller coaster experience," but he said that, in his view, the trajectory, "has generally been upward, despite the tough losses."

I have long believed that the number-one mission in Afghanistan is building the capacity of the Afghan security forces to be able to take increasing responsibility for their country's security. General Petraeus said, 2 weeks ago, that increasing the size and capacity of the Afghan security forces is "central to achieving progress in Afghanistan."

U.S. and ISAF forces need to focus their resources and energy on this effort. There is a significant shortfall, still, of trainers to provide basic instruction to Afghan recruits, and of mentors to embed with Afghan units in the field.

Building the capacity of the Afghan security forces to provide security is not simply what we seek, it's what the Afghan people seek. That's what we were told by a hundred or so elders at a shura in southern Afghanistan last year. When we asked them what they wanted the United States to do, they told us that we should train and equip the Afghan army to provide for their country's security, and then we should depart.

The 1,600 delegates to the Afghanistan Consultative Peace Jirga at the beginning of this month adopted a resolution calling on the international community to "expedite" the training and equipping of the Afghan security forces so that they can gain the capacity to provide security for their own country and people.

I remain deeply concerned, however, by reports that there are relatively few Afghan army troops in the lead in operations in the south, where fighting is heaviest. The Afghan army now numbers around 120,000 troops, including over 70,000 combat troops. In the past, ISAF reported that over half of Afghan battalions were capable of conducting operations either independently or with coalition support. However, a recent report, released just today by the Special Inspector General for Afghanistan Reconstruction (SIGAR), finds that the capability rating system used by the training mission "overstated operational capabilities of the Afghan security forces, and has not provided reliable or consistent assessments."

ISAF agreed with that report and recently has adopted a new standard for measuring Afghan capability by which measure around one-third of Afghan units are now determined to be effective, with coalition support, in conducting operations. However, even under that new measure, there are significantly more Afghan army troops that could lead operations in Kandahar than the 7,250 Afghan troops now in Kandahar. The level of Afghan security forces in Kandahar, both army and police, is scheduled to rise to only 8,500 personnel by the fall, according to a chart provided by General McChrystal last month. The influx of ISAF forces in and

around Kandahar will outpace the increase in Afghan forces by October, according to that same chart.

The current slower pace of operations in Kandahar provides the opportunity to get more Afghan combat-capable forces south, to take the lead in operations there. Having the Afghan army in the lead in operations in Kandahar is the insurgency's worst nightmare. The Afghan army enjoys the support of the Afghan people, and they are strong fighters.

Meanwhile, according to a recent New York Times survey, only 40 percent of Afghans have a favorable view of the United States. General Petraeus, I hope you will promptly review the deployment of capable Afghan security forces to try to get more Afghan troops down to the south and in the lead in operations there before those operations are accelerated in the field in the fall.

Finally, a few words about the July 2011 date set by the President for the beginning of reductions in our combat presence in Afghanistan. That decision also made clear that the pace of those reductions would be dependent on circumstances at that time, and that the United States would continue a strong strategic commitment to Afghanistan.

That July 2011 date imparts a necessary sense of urgency to Afghan leaders about the need to take on principal responsibility for their country's security. We saw in Iraq the importance of setting dates as a way of spurring action. President Bush, in November 2008, decided to move all U.S. forces out of Iraqi cities and towns by June 2009, and to withdraw all U.S. forces from Iraq by the end of December 2011. That decision helped focus the Iraqi Government and military on the need to take principal responsibility for the security of their own country. The Afghan success and ours depends on that happening in Afghanistan, as well.

We've already seen a positive effect of setting the July 2011 date to begin reduction of our troops. Lieutenant General Caldwell, who commands our training efforts in Afghanistan, told us that, when President Obama announced the date, the Afghan leadership made a great effort to reach out to the local leaders and elders, resulting in a surge in recruits for the Afghan army. General Petraeus has said that he agrees with the President's policy, setting that July 2011 date; and indeed, he told me that, if he ceases to agree, that he would so advise his Commander in Chief, which, of course, he has a responsibility to do as a military commander.

It is my hope—and I believe that Senator McCain and other members of this committee would surely join in this—that we can vote on General Petraeus's nomination by the end, possibly, even of today, so that the full Senate can act before the July 4th break.

Senator McCain.

STATEMENT OF SENATOR JOHN MCCAIN

Senator MCCAIN. Thank you, Mr. Chairman.

Let me thank our distinguished witness for joining us here today for a very unexpected and extraordinary hearing.

I want to echo the Chairman in welcoming General Petraeus's wife, Holly. We all know that General Petraeus, like all of our fighting men and women, could never do his job for our Nation without the sacrifice and support of his family. On behalf of our en-

tire committee, Mrs. Petraeus, we sincerely thank you, and we think you made a wise decision, more than 34 years ago, to accept a blind date with a young cadet. [Laughter.]

As I said in our hearing 2 weeks ago, General Petraeus, I believe you are one of our finest-ever military leaders. I hope that does not provoke the same reaction as it did then. [Laughter] But, seriously, we're all grateful for your willingness to answer the call of service again in yet another critical mission. You're an American hero, and I am confident that you will be quickly and overwhelmingly confirmed.

Before I go further, let me say a word of praise for another American hero, General Stanley McChrystal. He's a man of unrivaled integrity. What is most impressive about his long record of military excellence is how much of it remains cloaked in silence. Few understand fully how General McChrystal systematically dismantled al Qaeda in Iraq, or how he began to turn around our failing war in Afghanistan. These achievements, and others like them, are the true measure of Stanley McChrystal, and they will earn him an honored place in our history.

The events that led to this hearing are unexpected and unfortunate, but they don't mean we are failing in Afghanistan. I agree with the President, that success in Afghanistan is "a vital national interest," and I support his decision to adopt a counterinsurgency strategy backed by more troops and civilian resources. This is the only viable path to true success, which I would define as an Afghanistan that is increasingly capable of governing itself, securing its people, sustaining its own development, and never again serving as a base for attacks against America and our allies. In short, the same results we are slowly seeing emerge today in Iraq.

Before heading out to Iraq 3 years ago, General Petraeus, you told this committee that the mission was "hard, but not hopeless." I would characterize our mission in Afghanistan the same way. Nevertheless, many of the same people who were defeatist about Iraq are now saying similar things about Afghanistan. But, Afghanistan is not a lost cause. Afghans do not want the Taliban back. They're good fighters, and they want a government that works for them, and works well.

For those who think the Karzai Government is not an adequate partner, I would remind them that, in 2007, the Maliki Government in Iraq was not only corrupt, it was collapsed and complicit in sectarian violence. A weak and compromised local partner is to be expected in counterinsurgency. That's why there's an insurgency. The challenge is to support and push our partners to perform better. That's what we're doing in Iraq, and that's what we can do in Afghanistan if we make it clear that, as long as success is possible, we will stay in Afghanistan to achieve it, as we did with Iraq, not that we will start to withdraw, no matter what, in July 2011.

I appreciate the President's statement, last week, that July 2011 is simply a date to "begin a transition phase to greater Afghan responsibility." For those who doubt the President's desire and commitment to succeed in Afghanistan, his nomination of General Petraeus to run this war should cause them to think twice.

Still, what we need to hear from the President, what our friends and enemies in Afghanistan and the region need to hear, is that the withdrawal of U.S. forces from Afghanistan will be determined solely by conditions on the ground.

Let me explain why I believe the July 2011 date is so harmful. What we're trying to do in Afghanistan, as in any counterinsurgency, is to win the loyalty of the population, to convince people, who may dislike the insurgency, but who may also distrust their government, that they should line up with us against the Taliban and al Qaeda. We're asking them to take a huge risk, and they will be far less willing to run it if they think we will begin leaving in a year. One U.S. marine put it this way about the Afghan/Shi'a encounters, "That's why they won't work with us," she said, "They say, 'You'll leave in 2011,' and the Taliban will chop their heads off."

The same goes for the Afghan Government. We're told that setting a date to begin withdrawing would be an incentive for the Karzai administration to make better decisions, and to make them more quickly. I would argue it's having the opposite effect; it's causing Afghan leaders to hedge their bets on us. This is not only making the war harder, it's making the war longer. If the President would say that success in Afghanistan is our only withdrawal plan, whether we reach it before July 2011 or afterwards, he would make the war more winnable and hasten the day when our troops can come home with honor, which is what we all want.

In addition to being harmful, the July 2011 withdrawal date increasingly looks unrealistic. That date was based on assumptions made back in December about how much progress we could achieve in Afghanistan, and how quickly we could achieve it. But, war never works out the way we assume, as today's hearing reminds us all too well. Secretary Gates said last week, "I believe we are making some progress, but it is slower and harder than we anticipated." I agree. Marjah is largely "cleared" of the Taliban, but the "holding and building" is not going as well as planned. Our operation in Kandahar is getting off to a slower and more difficult start than expected. The Dutch and Canadian Governments plan to withdraw, soon. It looks increasingly unlikely that NATO will make its pledge of 10,000 troops. Meanwhile, I think it's safe to say that the performance of the Afghan Government over the past 7 months is not as even or as rapid as we had hoped.

None of this is to say that we are failing, or that we will fail, in Afghanistan; it just means that we need to give our strategy the necessary time to succeed. We cannot afford to have a stay-the-course approach to starting our withdrawal in July 2011, when the facts on the ground are suggesting that we need more time.

This is all the more essential now, with General Petraeus assuming command, pending his confirmation. He is proof that we can win wars, and we need to give him every opportunity, and remove every obstacle, to win in Afghanistan.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

General Petraeus.

STATEMENT OF GEN DAVID H. PETRAEUS, USA, NOMINEE FOR REAPPOINTMENT TO THE GRADE OF GENERAL, AND TO BE COMMANDER, INTERNATIONAL SECURITY ASSISTANCE FORCE, AND COMMANDER, U.S. FORCES AFGHANISTAN

General PETRAEUS. Mr. Chairman, Senator McCain, members of the committee, thank you for the opportunity to appear before you today, and thank you for the rapid scheduling of this hearing.

I am, needless to say, humbled and honored to have been nominated by the President to command the NATO International Security Assistance Force and U.S. Forces in Afghanistan, and to have the opportunity, if confirmed, to continue to serve our Nation, the NATO alliance, our non-NATO coalition partners, and Afghanistan, in these new capacities.

At the outset, I want to echo your salute to the extraordinary service of Senator Robert Byrd. With his death, America clearly has lost a great patriot.

I'd like to begin this morning by also saying a few words about General Stan McChrystal, someone I've known and admired for nearly 30 years. General McChrystal has devoted his entire professional life to the defense of this Nation, and he and his family have made enormous personal sacrifices during his lengthy deployments over the past 9 years, in particular. His contributions during that time were very significant.

I can attest, for example, that the success of the surge in Iraq would not have been possible without General McChrystal's exceptional leadership of our Special Mission Unit forces there. Similarly, the development of the Joint Special Operations Command (JSOC) during his unprecedented tenure commanding JSOC was extraordinary, as well.

Most importantly, of course, he has made enormous contributions in leading the coalition endeavor in Afghanistan over the past year. During that time, he brought impressive vision, energy, and expertise to the effort there. He made a huge contribution to the reorientation of our strategy, and was a central figure in our efforts to get the inputs right in Afghanistan, to build the organizations needed to carry out a comprehensive civil/military counterinsurgency campaign, to get the right leaders in charge of those organizations, to develop appropriate plans and concepts, and to deploy the resources necessary to enable the implementation of those plans and concepts.

We now see some areas of progress amidst the tough fight ongoing in Afghanistan. Considerable credit for that must go to Stan McChrystal.

As we take stock of the situation in Afghanistan, it is important to remember why we are there. We should never forget that the September 11 attacks were planned in southern Afghanistan, and that the initial training of the attackers was carried out in camps in Afghanistan before the attackers moved on to Germany and then on to U.S. flight schools.

It was, of course, in response to those attacks that a U.S.-led coalition entered Afghanistan, in late 2001, and defeated al Qaeda and the Taliban elements that allowed al Qaeda to establish its headquarters and training camps in Afghanistan.

In the subsequent years, however, the extremists were able to regroup, with al Qaeda establishing new sanctuaries in the tribal areas of Pakistan, and the Taliban and its affiliates reentering Afghanistan, in an effort to reestablish the control they once had in much of the country.

In light of those developments, our task in Afghanistan is clear. Indeed, President Obama has explained America's vital national interests there, "We will not," he has stated, "tolerate a safe haven for terrorists who want to destroy Afghan security from within and launch attacks against innocent men, women, and children in our country and around the world."

In short, we cannot allow al Qaeda or other transnational extremist elements to once again establish sanctuaries from which they can launch attacks on our homeland or on our allies.

Achieving that objective, however, requires that we not only counter the resurgent Taliban elements who allowed such sanctuaries in the past, we must also help our Afghan partners develop their security forces and governance capacity so that they can, over time, take on the tasks of securing their country and seeing to the needs of their people.

The United States is not alone in seeing the task in Afghanistan as a vital national interest. Indeed, 46 countries, including our own, are providing forces to the ISAF coalition, and others, like Japan, provide vital economic assistance.

Earlier this year, our NATO allies and other coalition partners committed well over 9,000 additional troopers to the effort; approximately 60 percent of those additional forces are currently in place, and, when the rest are deployed, they'll bring the number of non-U.S. forces in Afghanistan to over 50,000. That expansion takes place as we are in the final months of deploying the 30,000 additional U.S. troopers, a deployment that is slightly ahead of schedule, and that will bring the total number of U.S. servicemembers in Afghanistan to nearly 100,000 by the end of August. Notably, this number will be more than three times the number of U.S. forces on the ground in early 2009.

Complementing the military buildup has been the tripling of the U.S. civilian structure in Afghanistan with substantial additional numbers still deploying. This is essential for, as the President has made clear, the campaign in Afghanistan must be a fully integrated civil/military effort, one that includes an unshakable commitment to teamwork among all elements of the U.S. Government, as well as unshakable commitment to teamwork with members of other NATO and coalition governments and the United Nations (U.N.) assistance mission in Afghanistan, as well as, of course, members of the Afghan Government itself. I will seek to contribute to such teamwork and to unity of effort among all participants.

We know, in fact, that we can achieve such unity of effort, because we've done it before. During my more than 19 months in command of the Multinational Force-Iraq, I worked very closely with Ambassador Ryan Crocker, members of the U.S. Embassy, the U.N. Special Representative, and representatives of the embassies of key coalition partners, and we all worked closely together with our Iraqi partners.

I look forward to working just as closely with Ambassador Karl Eikenberry and the U.S. Embassy in Kabul; Ambassador Mark Sedwill, the NATO senior civilian representative; Staffan de Mistura, the Special Representative of the U.N. Secretary General, the same position he held in Baghdad; Ambassador Vygaudas Usackas, the European Union (EU) Special Representative; and, most importantly, of course, with President Karzai and members of the Afghan Government. Indeed, I've talked, in recent days, with all of these members of the team, including President Karzai, as well as with Ambassador Holbrooke, the U.S. Special Representative for Afghanistan and Pakistan. We are all firmly united in seeking to forge unity of effort.

As I noted in my testimony before this committee 2 weeks ago, I was part of the process that helped formulate the President's strategy for Afghanistan, and I support and agree with his new policy. During its development, I offered my forthright military advice, and I have assured the President that I will do the same as we conduct assessments over the course of the months ahead. He, in turn, assured me that he expects and wants me to provide that character of advice.

As I also explained to this committee 2 weeks ago, I specifically agreed with the messages of greater commitment and greater urgency that the President expressed in his address at West Point in December, when he announced the new policy. As you'll recall, the greater commitment was explained in terms of the additional 30,000 U.S. forces, the tripling of the number of U.S. civilians, and the funding for an additional 100,000 Afghan security force members. The greater urgency was highlighted by the President announcing the intent to begin a process, in July 2011, of transitioning tasks to Afghan forces and officials, and of beginning what the President termed "a responsible drawdown of the U.S. surge forces," with the pace of both the transition of tasks and the drawdown of forces to be based on conditions on the ground.

It is important to note the President's reminder, in recent days, that July 2011 will mark the beginning of a process, not the date when the U.S. heads for the exits and turns out the lights. As he explained, this past Sunday, in fact, we'll need to provide assistance to Afghanistan for a long time to come.

Moreover, as President Karzai has recognized, and as a number of allied leaders noted at the recent G–20 summit, it is going to be a number of years before Afghan forces can truly handle the security tasks in Afghanistan on their own. The commitment to Afghanistan is necessarily, therefore, an enduring one, and neither the Taliban nor Afghan and Pakistani partners should doubt that.

Our efforts in Afghanistan have, appropriately, focused on protecting the population. This is, needless to say, of considerable importance, for, in counterinsurgency operations, the human terrain is the decisive terrain. The results in recent months have been notable. Indeed, over the last 12 weeks, the number of innocent civilians killed in the course of military operations has been substantially lower than it was during the same period last year. I will continue the emphasis on reducing the loss of innocent civilian life to an absolute minimum in the course of military operations.

Focusing on securing the people does not, however, mean that we don't go after the enemy. In fact, protecting the population inevitably requires killing, capturing, or turning the insurgents. Our forces have been doing that, and we will continue to do that. In fact, our troopers and our Afghan partners have been very much taking the fight to the enemy in recent months. Since the beginning of April alone, more than 130 middle- and upper-level Taliban and other extremist-element leaders have been killed or captured, and thousands of their rank-and-file members have been taken off the battlefield. Together with our Afghan partners, we will continue to pursue, relentlessly, the enemies of the new Afghanistan in the months and years ahead.

On a related note, I want to assure the mothers and fathers of those fighting in Afghanistan that I see it as a moral imperative to bring all assets to bear to protect our men and women in uniform and the Afghan security forces with whom ISAF troopers are fighting, shoulder to shoulder. Those on the ground must have all the support they need when they are in a tough situation. This is so important that I have discussed it with President Karzai, Afghan Defense Minister Wardak, and Afghan Interior Minister, Bismullah Kahn, newly approved yesterday, since my nomination to be Commander, ISAF, and they are in full agreement with me on this.

I mention this because I am keenly aware of concerns by some of our troopers on the ground about the application of our rules of engagement and the tactical directive. They should know that I will look very hard at this issue.

Along with you and other members of this committee, Mr. Chairman, I recognize that enduring success in Afghanistan will require the development of Afghan national security forces in sufficient numbers and sufficient quality. This is, of course, hugely important and hugely challenging. Indeed, helping to train and equip host-nation forces in the midst of an insurgency is akin to building an advanced aircraft while it is in flight, while it is being designed, and while it is being shot at. There is nothing easy about it. But, our efforts in this important area have been overhauled in the past year, and those efforts are now broadly on track, for the first time, to achieve overall approved growth goals and to improve Afghan security force quality, as well.

Indeed, Afghan security force development has been advanced considerably by partnering efforts that were expanded under General McChrystal's command by the establishment of the NATO Training Mission Afghanistan and by the appointment of Lieutenant General Bill Caldwell to command that organization.

Despite the progress in recent months in Afghan security force development, there is considerable work, nonetheless, to be done to reduce attrition further and to develop effective leaders, especially with respect to the Afghan National Police. Further progress will take even greater partnering, additional training improvements, fuller manning of the training and mentoring missions, and expanded professional education opportunities. Initiatives are being pursued in each of these areas.

Recent salary and benefits initiatives are helping to improve recruiting and retention of Afghan security forces. Training capacity

has been increased significantly, and the density of trainers to trainees has been increased from 1 trainer per 79 trainees to 1 trainer for 30 trainees. The unprecedented intensity of our teamwork with the Afghan forces is also beginning to show results.

Today, Afghan military headquarters typically are colocated with ISAF unit headquarters, sometimes even sharing the same operating centers. Nearly 85 percent of the Afghan National Army (ANA) is now fully partnered with ISAF forces for operations in the field. In short, ISAF and Afghan forces train together, plan operations together, and fight together.

Furthermore, I should note that Afghan forces are now in the lead in Kabul and in a number of other areas. In such cases, Afghan units are now the supported forces, operating with significant assistance from ISAF, to be sure, but already shouldering the responsibilities of leadership.

An excellent example of this was the recovery operation for the Pamir Airways crash north of Kabul last month. Afghan border police found the site. Recovery operations were planned, coordinated, and executed jointly by the Afghan Ministry of Defense and Ministry of Interior at the Afghan National Military Coordination Center. The recovery operation, at an elevation of more than 12,500 feet, was executed by Afghan helicopter crews and Afghan commandos. Even the media, in information issues, were handled by Afghan personnel. That case is, to be sure, not the norm throughout Afghanistan. Nonetheless, the Afghan security forces are very much in the fight and sacrificing for their country, and nothing reflects this more than the fact that their losses are typically several times ours.

There is no question that levels of violence in Afghanistan have increased significantly over the last several years. Moreover, the Taliban and its affiliates had, until this year, steadily been expanding the areas they control and influence. This year, however, ISAF has achieved progress in several locations. The initial main effort has been in the central Helmand River Valley, and Afghan, U.S., and United Kingdom (U.K.) forces have expanded security there, though, predictably, the enemy has fought back as we have taken away his sanctuaries in the districts of Marjah, Nad-i-Ali, Nawa, Lashkar, and elsewhere. Nothing has been easy in those operations, but, 6 months ago, we could not have walked through the market in Marjah, as I was able to do with the district governor there, 2 months ago.

We are now increasing our focus on Kandahar Province, an area of considerable importance to the Taliban. We're working hard to ensure that our operations there are based on a strong, integrated civil-military, and Afghan-international approach to security, governance, and development. So-called "shaping operations," including a high tempo of targeted Special Forces operations, have been ongoing for some months. President Karzai and his ministers have also conducted shura councils and a number of other political initiatives focused on increasing the sense of inclusivity and transparency in the province, elements of the way ahead that are essential, and have been stressed by President Karzai.

In the months ahead, we'll see an additional U.S. brigade, from the great 101st Airborne Division, deploy into the districts around

Kandahar City, where it will operate together with an additional Afghan army brigade. We'll see the introduction of additional Afghan police and U.S. military police to secure the city itself, along with other U.S. forces and civilians who will work together with the impressive Canadian-led Provincial Reconstruction Team that has been operating in the city.

The combination of all these initiatives is intended to slowly but surely establish the foundation of security that can allow the development of viable local political structures, enable the improvement of basic services, and help Afghan leaders and local governance achieve legitimacy and greater support by the Kandaharis.

While relentless pursuit of the Taliban will be critical in Kandahar and elsewhere, we know, from Iraq and other counterinsurgency experiences, that we cannot kill or capture our way out of an industrial-strength insurgency like that in Afghanistan. Clearly, as many insurgents and citizens as possible need to be convinced to become part of the solution rather than a continuing part of the problem.

The National Consultative Peace Jirga, conducted in Kabul several weeks ago, was an important initiative in this arena. The reintegration policy that President Karzai signed today—and I talked to him about it on the way here this morning—will be critical to the effort to convince reconcilable elements of the insurgency to lay down their weapons and support the new Afghanistan. We look forward to working with our Afghan and diplomatic partners in implementing this newly signed policy.

Recent months in Afghanistan have, as you noted, Mr. Chairman, seen tough fighting and tough casualties. This was expected. Indeed, as I noted in testimony last year and again earlier this year, the going inevitably gets tougher before it gets easier when a counterinsurgency operation tries to reverse insurgent momentum.

My sense is that the tough fighting will continue; indeed, it may get more intense in the next few months. As we take away the enemy's safe havens and reduce the enemy's freedom of action, the insurgents will fight back.

In the face of the tough fighting, however, we must remember that progress is possible in Afghanistan, because we have already seen a fair amount of it, in a variety of different forms, beyond the recent security gains. For example, nearly 7 million Afghan children are now in school, as opposed to less than 1 million, a decade ago, under Taliban control. Immunization rates for children have gone up substantially and are now in the 70- to 90-percent range nationwide. Cell phones are ubiquitous in a country that had virtually none during the Taliban days, though the Taliban does try to shut down some of those towers at night; and does it, as well.

Kabul is a bustling, busy city, as are Herat, Mazar-e-Sharif, and Jalalabad. Roads and bridges and other infrastructure have been repaired or built. Commerce is returning to those parts of Helmand where ISAF and Afghan forces are present.

Even in places where governance remains weak, innovative efforts, like the Afghan Government's National Solidarity Program, supported by American and international civilians, as well as by our troopers, have helped enable local shura councils to choose

their own development priorities, and receive modest cash grants to pursue them.

Enabling further such progress, though, and successfully implementing the President's policy, will require that our work in Afghanistan is fully resourced. It is essential for the conduct of this mission, for example, that the supplemental funding measure now before Congress be passed. This committee and the Senate have passed it, and it was heartening to hear Speaker Pelosi's call, last week, for the House to do the same, expeditiously.

Beyond that, as always, I also ask for your continued support for the Commanders Emergency Response Program (CERP). CERP-funded projects are often the most responsive and effective means to address a local community's needs; indeed, CERP is often the only tool to address pressing requirements in areas where security is challenged. Our commanders value CERP enormously, and they appreciate your appropriating funds for CERP each year.

As I close, I'd like to once again note the extraordinary work being done by our troopers on the ground in Afghanistan, Iraq, and elsewhere around the world. Our young men and women truly deserve the recognition they have earned as America's new greatest generation. There is no question that they comprise the finest, most combat-hardened military in our Nation's history.

There is also no question that they and their families have made enormous sacrifices since September 11, in particular. Many of them have deployed on multiple tours to perform difficult missions under challenging circumstances against tough, even barbaric, enemies. We cannot, in my view, ever thank our soldiers, sailors, airmen, marines, and coastguardsmen enough, but what Americans have done to support those in uniform and our deployed civilians has been truly wonderful. Indeed, nothing has meant more to our troopers and their families than the appreciation of those here at home.

As you noted, Mr. Chairman, my wife, Holly, is here with me today. She is a symbol of the strength and dedication of families around the globe who wait at home for their loved ones while they're engaged in critical work in Afghanistan, Iraq, and elsewhere. She has hung tough while I've been deployed for over 5½ years since September 11. So have untold other spouses, children, and loved ones, as their troopers have deployed and continued to raise their right hands, time and time again. Clearly, our families are the unsung heroes of the long campaigns on which we have been embarked over the past decade.

One of America's greatest Presidents, Teddy Roosevelt, once observed that, "Far and away the best prize that life has to offer is the chance to work hard at work worth doing." There are currently nearly 140,000 coalition troopers and over 235,000 Afghan security force members engaged in hard work very much worth doing in Afghanistan. If I am confirmed by the Senate, it will be a great privilege to soldier with them in that hard work that is so worth doing in that country.

Thank you very much.

Chairman LEVIN. Thank you very much, General Petraeus.

Let me, since we now have a quorum, take care of some important committee business. I would ask the committee now to con-

sider a list of 3,839 pending military nominations, included in this list are the nominations of General Raymond Odierno to be Commander, U.S. Joint Forces Command, and Lieutenant General Lloyd Austin to be Commander, U.S. Forces-Iraq. These nominations have been before the committee the required length of time.

Is there a motion to favorably report those nominations?

Senator LIEBERMAN. So moved.

Chairman LEVIN. A second?

Senator MCCAIN. Second.

Chairman LEVIN. All those in favor, say aye. [Chorus of ayes.]

Opposed, nay. [No response.]

The motions carry.

[The list of nominations considered and approved by the committee follows:]

MILITARY NOMINATIONS PENDING WITH THE SENATE ARMED SERVICES COMMITTEE WHICH ARE PROPOSED FOR THE COMMITTEE'S CONSIDERATION ON JUNE 29, 2010.

1. In the Air Force, there are 2,990 appointments to the grade of major (list begins with Jeremy C. Aamold) (Reference No. 1519).
2. Capt. Margaret A. Rykowski, USNR, to be rear admiral (lower half) (Reference No. 1527).
3. Capt. Gregory C. Horn, USNR, to be rear admiral (lower half) (Reference No. 1528).
4. Capt. Paula C. Brown, USNR, to be rear admiral (lower half) (Reference No. 1529).
5. BG Rex C. McMillian, USMCR, to be major general (Reference No. 1569).
6. RADM(lh) Alton L. Stocks, USN, to be rear admiral (Reference No. 1596).
7. RADM(lh) William A. Brown, USN, to be rear admiral (Reference No. 1598).
8. Capt. Elaine C. Wagner, USN, to be rear admiral (lower half) (Reference No. 1601).
9. Capt. Colin G. Chinn, USN, to be rear admiral (lower half) (Reference No. 1602).
10. In the Navy, there are two appointments to the grade of rear admiral (lower half) (list begins with Willie L. Metts) (Reference No. 1625).
11. Capt. Thomas H. Bond, Jr., USN, to be rear admiral (lower half) (Reference No. 1627).
12. In the Air Force, there are 125 appointments to be major (list begins with Mark J. Aguiar) (Reference No. 1661).
13. In the Air Force, there are 47 appointments to be lieutenant colonel (list begins with Verona Boucher) (Reference No. 1664).
14. In the Navy Reserve, there is one appointment to the grade of captain (Lynn A. Oschmann) (Reference No. 1688).
15. In the Navy Reserve, there is one appointment to the grade of captain (Diane C. Boettcher) (Reference No. 1689).
16. In the Navy Reserve, there are four appointments to the grade of captain (list begins with Stephen J. Lepp) (Reference No. 1690).
17. In the Navy Reserve, there is one appointment to the grade of captain (Caroline M. Gaghan) (Reference No. 1691).
18. In the Navy Reserve, there are five appointments to the grade of captain (list begins with David W. Howard) (Reference No. 1692).
19. In the Navy Reserve, there are two appointments to the grade of captain (list begins with Kevin A. Askin) (Reference No. 1693).
20. In the Navy Reserve, there are three appointments to the grade of captain (list begins with John B. Holt) (Reference No. 1694).
21. In the Navy Reserve, there is one appointment to the grade of captain (Jeffrey S. Tandy) (Reference No. 1695).
22. In the Navy Reserve, there are three appointments to the grade of captain (list begins with Russell L. Coons) (Reference No. 1696).
23. In the Navy Reserve, there are 12 appointments to the grade of captain (list begins with Kevin P. Bennett) (Reference No. 1697).
24. In the Navy Reserve, there are 15 appointments to the grade of captain (list begins with Richard A. Balzano) (Reference No. 1698).
25. In the Navy Reserve, there are four appointments to the grade of captain (list begins with John T. Archer) (Reference No. 1699).

26. In the Navy Reserve, there are 18 appointments to the grade of captain (list begins with Steven T. Beldy) (Reference No. 1700).
27. In the Navy Reserve, there are 72 appointments to the grade of captain (list begins with James D. Beardsley) (Reference No. 1701).
28. RADM(lh) Samuel J. Cox, USN, to be rear admiral (Reference No. 1718).
29. RADM(lh) Michael S. Rogers, USN, to be rear admiral (Reference No. 1719).
30. RADM(lh) David G. Simpson, USN, to be rear admiral (Reference No. 1720).
31. RADM(lh) David A. Dunaway, USN, to be rear admiral (Reference No. 1721).
32. In the Navy, there are two appointments to the grade of rear admiral (list begins with Terry J. Benedict) (Reference No. 1722).
33. In the Navy, there are three appointments to the grade of captain (list begins with Lloyd P. Brown, Jr.) (Reference No. 1737).
34. In the Navy, there are 19 appointments to the grade of captain (list begins with Danny K. Busch) (Reference No. 1738).
35. In the Navy, there are 14 appointments to the grade of captain (list begins with William S. Dillon) (Reference No. 1739).
36. In the Navy, there are five appointments to the grade of captain (list begins with Nora A. Burghardt) (Reference No. 1740).
37. In the Navy there are 11 appointments to the grade of captain (list begins with Bruce J. Black) (Reference No. 1741).
38. In the Navy, there are 12 appointments to the grade of captain (list begins with Chad F. Acey) (Reference No. 1742).
39. In the Navy, there are 21 appointments to the grade of captain (list begins with James S. Biggs) (Reference No. 1743).
40. In the Navy, there are five appointments to the grade of captain (list begins with Richard W. Haupt) (Reference No. 1744).
41. In the Navy, there are five appointments to the grade of captain (list begins with Edward A. Bradfield) (Reference No. 1745).
42. In the Navy, there are four appointments to the grade of captain (list begins with Brian D. Connon) (Reference No. 1746).
43. In the Navy, there are four appointments to the grade of captain (list begins with Conrado K. Alejo) (Reference No. 1747).
44. In the Navy, there are nine appointments to the grade of captain (list begins with Eric D. Cheney) (Reference No. 1748).
45. In the Navy, there are 169 appointments to the grade of captain (list begins with James A. Aiken) (Reference No. 1749).
46. Capt. James H. Rodman, Jr., USNR, to be rear admiral (lower half) (Reference No. 1751).
47. Capt. Victor M. Beck, USNR, to be rear admiral (lower half) (Reference No. 1752).
48. Capt. Gerald W. Clusen, USNR, to be rear admiral (lower half) (Reference No. 1753).
49. Capt. Bryan P. Cutchen, USNR to be rear admiral (lower half) (Reference No. 1754).
50. In the Navy Reserve, there are four appointments to the grade of rear admiral (lower half) (list begins with Kelvin N. Dixon) (Reference No. 1755).
51. In the Navy, there is one appointment to the grade of captain (James R. Peltier) (Reference No. 1787).
52. In the Navy, there are 76 appointments to the grade of captain (list begins with Joseph C. Aquilina) (Reference No. 1788).
53. In the Navy, there are 13 appointments to the grade of captain (list begins with Stephen G. Alfano) (Reference No. 1789).
54. In the Navy, there are 27 appointments to the grade of captain (list begins with Christopher A. Blow) (Reference No. 1790).
55. In the Navy, there are 11 appointments to the grade of captain (list begins with Jeffrey A. Fischer) (Reference No. 1791).
56. In the Navy, there are 25 appointments to the grade of captain (list begins with Catherine A. Bayne) (Reference No. 1792).
57. In the Navy, there are 23 appointments to the grade of captain (list begins with John D. Brughelli) (Reference No. 1793).
58. In the Navy, there are 13 appointments to the grade of captain (list begins with Billy M. Appleton) (Reference No. 1794).
59. In the Navy, there are 12 appointments to the grade of captain (list begins with Eric M. Aaby) (Reference No. 1795).
60. LTG Lloyd J. Austin III, USA, to be general and Commander, U.S. Forces-Iraq (Reference No. 1800).
61. GEN Raymond T. Odierno, USA, to be general and Commander, U.S. Joint Forces Command (Reference No. 1818).

62. RADM(lh) Scott A. Weikert, USNR, to be rear admiral (Reference No. 1819).
63. RADM(lh) Patricia E. Wolfe, USNR, to be rear admiral (Reference No. 1820).
64. RADM(lh) Donald R. Gintzig, USNR, to be rear admiral (Reference No. 1821).
65. RADM(lh) Steven M. Talson, USNR, to be rear admiral (Reference No. 1822).
66. RADM(lh) Lothrop S. Little, USNR, to be rear admiral (Reference No. 1823).
67. In the Navy Reserve, there are three appointments to the grade of rear admiral (list begins with Garry J. Bonelli) (Reference No. 1824).
68. LTG Francis H. Kearney III, USA, to be lieutenant general and Deputy Director for Strategic Operational Planning Directorate, National Counter Terrorism Center (Reference No. 1827).
69. In the Navy, there is one appointment to the grade of lieutenant commander (Axel L. Steiner) (Reference No. 1841).
70. In the Navy, there is one appointment to the grade of commander (Clifford R. Shearer) (Reference No. 1842).
71. In the Marine Corps, there are five appointments to the grade of major (list begins with Adam M. King) (Reference No. 1843).
Total: 3,839.

Chairman LEVIN. Now, General, we ask standard questions of all nominees that come before us. The standard questions are as follows:

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

General PETRAEUS. Yes.

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

General PETRAEUS. 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 PETRAEUS. I have not.

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

General PETRAEUS. I will.

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

General PETRAEUS. I will.

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

General PETRAEUS. Yes.

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

General PETRAEUS. Yes.

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 PETRAEUS. I do.

Chairman LEVIN. Thank you.

Let us try a 7-minute first round for questioning.

General, you've commented on these questions in your testimony, and I want to ask them again, to get very clear, direct answers to them.

Two fundamental elements of the Afghanistan strategy that the President announced in December 2009 are, first, a surge of 30,000

additional U.S. troops by the end of the summer, to help regain the initiative; and, second, the setting of a July 2011 date for the beginning of reduction in our combat presence in Afghanistan, with the pace of a reasonable drawdown to be determined by the circumstances at that time.

Do you agree with the President's policy?

General PETRAEUS. I do.

Chairman LEVIN. Do you agree that the setting of that July 2011 date to begin reductions signals urgency to Afghan leaders that they must more and more take responsibility for their country's security which is important for success of the mission in Afghanistan?

General PETRAEUS. I do.

Chairman LEVIN. In a report released this morning, the SIGAR concluded that the way ISAF has been measuring the capability of the Afghan security forces was flawed. The ISAF command basically agreed and has revised its approach for measuring the capability of Afghan forces. With the revised approach, ISAF figures, now, that 30 percent of Afghan forces are assessed to be effective, with coalition support.

At the end of May, there were some 120,000 Afghan army troops, including at least 70,000 combat troops. Taking just this lower combat troop level, that would mean that around 25,000 Afghan troops can operate effectively, with coalition support. Yet, according to figures provided in your answers to advance policy questions, General, the Afghan army has only around 7,250 Afghan army soldiers present for duty in Kandahar Province, which is so central to success in Afghanistan. Now, that's less than one-third of the effective Afghan forces that are available.

Would you agree, first of all, that the Afghan army has broad popular support, and that the Afghan people want the Afghan army to be taking the lead, where possible, to provide security?

General PETRAEUS. I would.

Chairman LEVIN. Would you also agree the Afghan army are excellent fighters?

General PETRAEUS. By and large. Again, you'd need to walk your way around the country and discuss them a little bit more granularly, but that's generally correct.

Chairman LEVIN. As a general statement.

General PETRAEUS. Yes.

Chairman LEVIN. Do you agree that it is in our interest, and it's in the interest of a successful outcome in Afghanistan, to increase the number of Afghan units who can lead, to take the lead in operations?

General PETRAEUS. Absolutely.

Chairman LEVIN. Why is that?

General PETRAEUS. We want them doing the fighting, rather than us, obviously.

Chairman LEVIN. What about the reaction of the Afghan people to the——

General PETRAEUS. That's another piece of it. Again, we want Afghan ownership of Afghan problems, whether it's security problems, political problems, economic problems, you name it. That's part and parcel of that, obviously.

Chairman LEVIN. General, will you review the—and I'm not going to keep asking you "if confirmed," because I'm going to assume that, with all these questions—so, I'm going to say, "when confirmed," will you review the—you're not allowed to assume confirmation, by the way, but I am allowed to assume confirmation——[Laughter.]

So, when confirmed, will you review the deployments of forces in Afghanistan, to see how more Afghan army and police forces can be brought in to increase the number of Afghan security forces in Kandahar, to take the lead in that campaign?

General PETRAEUS. If confirmed, I will do that, Mr. Chairman.

Chairman LEVIN. Thank you.

General PETRAEUS. If not, I'll do it as the CENTCOM Commander. [Laughter.]

Chairman LEVIN. One way or another, we're going to count on you to do that. [Laughter.]

Earlier this month, General McChrystal announced that he was slowing the operations of Afghan and ISAF forces in and around Kandahar to allow more time for discussions with local leaders, and to try to get more of their buy-in, as well, try to get better governance, as well. ISAF taking additional time in Kandahar should mean that we will have more Afghan-led operations in a few months. I'm just wondering whether or not you would agree that, since we have slowed, somewhat, the pace of operations of Afghan and ISAF forces in and around Kandahar, that will present an opportunity, at least, to bring in more Afghan forces capable of leading in the Kandahar campaign during this period.

General PETRAEUS. In fact, Mr. Chairman, as I mentioned in my opening statement, there is a plan to deploy an additional Afghan army brigade to partner with the additional U.S. brigade, and also additional Afghan police battalions and individual police, as well.

Chairman LEVIN. If there are possibilities to increase the numbers of Afghan troops that can lead, above that plan, will you also take a look at that?

General PETRAEUS. I will.

Chairman LEVIN. Do you know off-hand how many Afghan troops there will be in Kandahar by September?

General PETRAEUS. I think that it will be in the range of 7,500 to 8,000 at that time.

Chairman LEVIN. What about in Helmand?

General PETRAEUS. Let me answer that for the record, Mr. Chairman.

Chairman LEVIN. All right.

[The information referred to follows:]

We currently estimate that there will be 6,835 Afghan National Security Forces troops in Helmand Province in September 2010.

Chairman LEVIN. Let me mention to you—and that's fine—the figures that your office provided to my staff last evening were somewhat surprising in that regard, and I want you just to doublecheck those figures for us.

General PETRAEUS. I will do that.

Chairman LEVIN. They showed that there is a total of 40,000 Afghan and coalition security forces in Helmand, while there's only a total of about 11,000 in Kandahar. If you could doublecheck those

figures and explain why there's so many fewer combined forces in Kandahar than in Helmand, since Kandahar is really going to be the central effort—if you could take a look at those numbers and explain that, for the record, I'd appreciate it.

General PETRAEUS. Happy to do that.

[The information referred to follows:]

As of July 2010, there are approximately 4,700 International Security Assistance Force (ISAF) and 7,550 Afghan National Security Forces (ANSF) troops in Kandahar City in support of Operation Hamkari for a total of approximately 12,250. In September 2010, we estimate that there will be 7,000 ISAF and 9,470 ANSF troops for approximately 16,470 total security forces.

Chairman LEVIN. The press reported, last week, that Pakistani officials have approached the Karzai Government with a proposal that includes delivering the Haqqani network, which runs a major part of the insurgency in Afghanistan and is an ally of al Qaeda, into a power-sharing arrangement.

Now, President Obama and Central Intelligence Agency Director Panetta have expressed skepticism about the likelihood that Taliban leaders would accept such a proposal, but the President also noted that attempts to draw Afghanistan and Pakistan interests closer together is a useful step.

I'm wondering whether you share Director Panetta's skepticism about the potential for Pakistan to broker a reconciliation deal between the Taliban leadership and the Afghan Government at this time.

General PETRAEUS. Let me just say, first of all, just an interesting item. In talking to President Karzai in the vehicle on the way over here, he assured me that he has not met with a Haqqani group leader, by the way, in recent days or I think, at any time.

Now, with respect to Pakistani involvement in some form of reconciliation agreement, I think that is essential. Now, whether that is possible, such an agreement, I think is going to depend on a number of factors that will play out over the course of the summer, including creating a sense, among the Taliban, that they are going to get hammered in the field, and perhaps should look at some options.

Now, we have already seen cases where lower- and mid-level Taliban leaders have, indeed, sought to reintegrate, and there have been more in recent days. Small numbers, here and there. The reintegration decree, that was approved by President Karzai today, will help codify the process for this. That should help. Again, as you'll recall in Iraq, we did a substantial amount of reconciliation. But, whether or not very senior leaders can meet the very clear conditions that the Afghan Government has laid down for reconciliation, I think, is somewhat in question. In that regard, I agree with Director Panetta.

But, clearly we want to forge a partnership or further the partnership that has been developing between Afghanistan and Pakistan. Those countries are always going to be neighbors, and helping them develop a constructive relationship would be an important contribution.

Chairman LEVIN. Thank you very much, General.

Senator McCain.

Senator MCCAIN. Thank you, General. Just to follow up, obviously the key to success in reconciling with the Taliban is to first convince the Taliban that they cannot succeed, militarily, in prevailing. It's also true that the majority of the people of Afghanistan are in opposition to a Taliban return to power. Is that correct?

General PETRAEUS. It is.

Senator MCCAIN. There's no doubt about that.

General PETRAEUS. There's no love lost for the Taliban. They remember the barbaric activities, the oppressive social practices, and the extremist ideology practiced by the Taliban, and there's no love for them.

Senator MCCAIN. So, you could interpret that, in some ways, as an advantage over the situation you found in Iraq at the beginning of the surge?

General PETRAEUS. That's correct, Senator, although over time we were able to hang around the neck of al Qaeda in Iraq the same kinds of labels—extremist ideology, oppressive practices, and so forth. Indeed, those weighed them down every time they carried out another act of indiscriminate violence, as the Taliban have done. We obviously will work with our Afghan partners to ensure that the Afghan people know who has been killing the vast majority of the civilians in that country.

Senator MCCAIN. Is Marjah going as well now as we hoped last December?

General PETRAEUS. Probably not as well as the optimistic assessments. Now, again, I think I'm very clearly on the record—last year, this year, and so forth—in stating that this is going to be hard, and it was going to be hard all the time.

Senator MCCAIN. Right.

General PETRAEUS. The truth is, I'm not surprised by these kinds of challenges.

Senator MCCAIN. I'm not either. In Kandahar, we're not where we had wanted to be 7 months ago, and the Afghan Government isn't performing as well as we had expected. Would you agree with Secretary Gates' comment, "We are making some progress, but it is slower and harder than we anticipated"?

General PETRAEUS. I would.

Senator MCCAIN. Do you agree with that statement?

General PETRAEUS. I would, Senator.

Senator MCCAIN. That argues, then, for a reassessment of the July 2011 commitment to begin a withdrawal.

Let me tell you why Americans are confused, and why our allies are discouraged and our enemies are encouraged. As short a time ago as Sunday before last, the President's chief advisor, Rahm Emanuel, said, "Everybody knows there's a firm date. What will be determined that date, or going into that date, will be the scale and scope of that reduction, but there will be no doubt that's going to happen. July 2011 is not changing. Everybody agreed on that date."

David Axelrod, June 13, "He is committed to begin that process of withdrawal in July of next year, and that continues to be the plan, and we're going to pursue that on that schedule."

Mr. Alter, in his book, said, "This would not be a 5- to 7-year nation-building commitment, much less an open-ended one. The timeframe the military was offering for both getting in and getting out

must shrink dramatically, he"—Obama—"said. There would be no nationwide counterinsurgency strategy. The Pentagon was to present a targeted plan for protecting population centers, training Afghan security forces, and beginning a real, not a token, withdrawal within 18 months of the escalation."

That's why people are confused, I would say, General. I know you're put in the position where you have to say that it's based on conditions.

Last January, a few of us were in Arghandab Province. We met an old tribal leader, who entertained us with stories, how they beat the Russians. He turned to me, and he said, "Are you Americans staying, or are you leaving, like you did last time?"

I quote from an article in today's New York Times—"A senior American intelligence official said the Taliban had effectively used their deadline to their advantage. He added that the deadline had encouraged Pakistani security services to 'hedge their bets and continue supporting groups like the Haqqani network. They've been burned before, and they've seen this movie before,' the official said."

That's the problem here, in whether we are going to prevail and convince the people of Afghanistan to come over to our side and to stand up against the Taliban, rather than, as the military person said, "They say you'll leave in 2011. The Taliban will chop their heads off." It's frustrating.

General, at any time during the deliberations that the military shared with the President when he went through the decision-making process, was there a recommendation from you or anyone in the military that we set a date of July 2011?

General PETRAEUS. There was not.

Senator MCCAIN. There was not. By any military person that you know of.

General PETRAEUS. Not that I'm aware of.

Senator MCCAIN. I thank you.

Do you think that it's of concern, the situation with Pakistan and the Inter-Services Intelligence (ISI), continuing to work with the Taliban?

General PETRAEUS. Again, what we have to always figure out, with Pakistan, Senator, is, are they working with the Taliban to support the Taliban or to recruit sources in the Taliban? That's the difficulty, frankly, in trying to assess what the ISI is doing in some of their activities in the Federally Administered Tribal Areas, in contacts with the Haqqani network or the Afghan Taliban.

There are no questions about the longstanding links. Let's remember that we funded the ISI to build these organizations, when they were the Mujahideen and helping to expel the Soviets from Afghanistan. Certainly residual links would not be a surprise. The question is what the character of those links is, and what the activities are behind them.

Senator MCCAIN. Obviously, one of the biggest problems we're facing is corruption. There's a Wall Street Journal article of June 28, 2010, "Corruption Suspected in Airlift of Billions in Cash from Kabul." Do you have anything to tell us about that, what is one of the more disturbing news reports that I have seen?

General PETRAEUS. There have been actions taken—this spring, in fact—by the Afghan Government, the establishment of new anticorruption bodies, the prosecution of certain cases, and also, on our side, for example, the establishment of a Task Force 2010, headed by a two-star naval contracting officer, she commanded the Joint Contracting Command that supported us in Iraq, which is going to examine where the contract money is going—not only who are the subcontractors, but who are the subs to the subcontractors, and so forth.

President Karzai has committed to supporting this effort. I've discussed it with him in the past, and we will obviously focus on it intently, if confirmed.

Senator MCCAIN. I'm sure you may have seen that this committee, the majority decided that we would cut a billion dollars from aid to Iraq military and put in earmarked porkbarrel projects. Is that of concern to you, that they would cut half of the necessary aid to the Iraqi military?

General PETRAEUS. It is of concern, Senator. We obviously contributed to the development of that particular request. We think that money is needed at a critical time in the transition in Iraq, where we are transitioning from Defense lead on a number of these different programs to State Department lead. To do that, the Iraqi Ministry of Interior and Ministry of Defense forces have to be at certain levels so that that transition can be successful. Indeed, therefore, there is concern about that. I know that General Odierno and the Secretary have expressed that, as well.

Senator MCCAIN. I thank you, General. Again, we're deeply appreciative of your willingness to serve, and your entire family.

General PETRAEUS. Thank you, Senator.

Chairman LEVIN. Thank you, Senator McCain.

Senator Reed.

Senator REED. Thank you, Mr. Chairman.

Again, thank you, General, not only for your testimony today, but your service to the Army and to the Nation.

In the course of your colloquy with Senator McCain, you indicated that you did not make a recommendation with respect to a deadline. But, your statements indicate you support that approach. Is that correct?

General PETRAEUS. That's correct.

Senator REED. You're fully supportive of the President's policy, including beginning a transition, based upon the condition on the ground, in July 2011.

General PETRAEUS. Let me be very clear, if I could, Senator. Not only did I say that I supported it, I said that I agreed with it. This is, again, an agreement that was made back, of course, in the fall of last year, based on projections about conditions that we hoped would obtain, that we were going to strive to achieve in Afghanistan, a full year from now. That was an 18-month-or-more projection at that time.

As I mentioned in my opening statement, I saw this, most importantly, as the message of urgency to complement the message of enormous additional commitment.

Let's remember that it wasn't just this 30,000 additional forces. The President—and, actually, the previous President had started

some deployment of additional forces before he left office. But, we started with some 30,000–31,000 U.S. forces in Afghanistan in 2009, and we will now be approaching 100,000 by the deployment of the final 30,000. This is a substantial additional commitment complemented, again, by a message of urgency.

Senator REED. In looking forward to next year, when there is a conditions-based redeployment of forces, we are starting at a much, much higher base than we've ever had in that country, in the 8 or 9 years that we engaged. Is that correct?

General PETRAEUS. It's not just our forces. There will actually be more NATO forces, and, more importantly, there will be substantially more Afghan forces. But, again, all based on projections right now.

Senator REED. Right.

One of the other aspects of the timeline is—particularly if the Taliban thought that this was sort of just playing out our hand and leaving—it raises a question of, why would they be so active on the ground, militarily?

General PETRAEUS. They're active on the——

Senator REED. Their behavior suggests that they believe now that we're staying, but we're winning or at least we can win.

General PETRAEUS. It's actually a great point. The reason they're active on the ground, militarily there's probably a couple of reasons. One is, they're fighting to retain safe havens and sanctuaries that they've been able to establish in recent years. Again, when we take them away, they must retake them. Marjah was the nexus of the Taliban. It had improvised explosive device (IED)-producing "factories," if you will, supplies, headquarters, medical facilities, and the illegal narcotics industry, all tied into one. They lost a great deal when they lost Marjah, and it's not surprising that they fight back.

Now, the other reason, though, is, they're also fighting to break our will. This is a contest of wills. They can sense concern in various capitals around the world. Of course, they want to increase that concern.

Senator REED. I'll ask the question, given our very aggressive operations, if we succeed in the next several months, their ability to be influential within Afghanistan is severely diminished. Is that correct?

General PETRAEUS. It is correct. We have insights, intelligence, into when they're feeling pressure, and they are feeling pressure right now, there's no question about it—more in certain areas than others, to be sure, and not to say they're still not trying to expand, in certain areas, also. As I mentioned, 2 weeks ago, it is a roller coaster existence. There are setbacks for every small success. But, what you're trying to do is determine if the trajectory is generally upward. That's, indeed, how we see it.

Senator REED. Going back to Marjah, civilians have returned after the initial fighting, is that correct?

General PETRAEUS. That is correct.

Senator REED. That they're conducting agricultural activities and permissible activities.

General PETRAEUS. They are. As I mentioned, I walked through Marjah, about 2 months ago, with the district governor. The mar-

ket was reopened. We sat there, ate bread that was produced right there—it was great bread—and chatted with the locals. Had a lot of security around, of course, but also had dozens, if not hundreds, of locals around.

Senator REED. Let me turn to an issue that you alluded to in your opening statement, General, and that is the rules of engagement.

General PETRAEUS. Right.

Senator REED. Could you elaborate? Because this is a very sensitive balance between providing effective fire support for troops in contact, and also minimizing, hopefully eliminating, collateral casualties. Could you comment on it?

General PETRAEUS. Okay. We must remain committed to reducing the loss of innocent civilian life to an absolute minimum in the course of military operations. Tragically, inevitably, there will be civilian casualties in the course of operations. Indeed, the Taliban will try to create situations in which that is the result. It's essential. Again, and President Karzai knows that I remain committed, continue the commitment that General McChrystal made in this area.

Now, we have rules of engagement. Those are fairly standard. We also have a tactical directive that is designed to guide the employment, in particular, of large casualty-producing devices—bombs, close air support, attack helicopters, and so forth. That's an area we have to look very closely at, because, of course, if you drop a bomb on a house, if you're not sure who's in it, you can kill a lot of innocent civilians in a hurry.

Having said that, as I mentioned in my opening statement, we have to be absolutely certain that the implementation of the tactical directive and the rules of engagement is even throughout the force, that there are not leaders at certain levels that are perhaps making this more bureaucratic or more restrictive than necessary when our troopers and our Afghan partners are in a tough spot. When they are in a tough spot, it's a moral imperative that we use everything we have to ensure that they get out of it.

Senator REED. Thank you.

One of the persistent issues here is the lack of governmental capacity on the part of the Afghanis. In Marjah, the criticism is, we cleared it, civilians have come back, but the Afghan Government hasn't come back or established itself. I know this gets into that gray area between civ-mil and your mil and there are civilians there. But, one of the structural defects within the Afghani Government is highly centralized government, and all the action is in the provinces, which needs much more effective provincial support, more independent governance. Is that an issue that you and Ambassador Eikenberry are going to take to President Karzai, along with our national security team, to talk about how they can empower local officials more than have a national ineffectual government?

General PETRAEUS. Certainly. Again, a key to this is to helping the reestablishment of viable local social organizing structures, if you will. As you noted, this is a very centralized form of government. President Karzai is sensitive to the challenges that presents at lower levels. He has empowered governors in certain areas. Ac-

tually, interestingly, Helmand has one of the most active governors in all of Afghanistan. The challenge there is not one of desire, it's literally a lack of human capital, and, in particular, human capital that is willing to go into a really tough spot, like that in Marjah, when there are many requirements and demands and folks hiring human capital elsewhere, in locations that are safer. That's the challenge. But, it is certainly something that we have to address. It's critical. You must complement the activities, you must build on the security foundation that our troopers and Afghan troopers fight so hard to provide.

Senator REED. Thank you very much. My time's expired.

Thank you.

Chairman LEVIN. Thank you, Senator Reed.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

I think the problem, General, all the discussion we're having right now, on the withdrawal and the timetable and all of that, is the mixed message. Frankly, I was relieved, a little bit, when the President spoke at West Point and he said it would be conditions on the ground. I think the conditions or the perception out there is whatever you want it to be. My perception is that we're not going to be pulling out until the conditions on the ground would justify it. But, I think the Taliban probably has the perception of "cut and run," and that's what they're talking about.

I just would say that I think it's important, as when you're communicating on the conditions there, that you talk about, "Yes, we are in it to win, and conditions on the ground," and certainly there's enough that has been said that would fortify that position.

General PETRAEUS. I tried to make that clear in my statement today when I mentioned that neither the Taliban nor our Afghan and Pakistani partners should have doubts about our continuing the fight.

Senator INHOFE. You did. That's good. In your opening statement, you also talked about the merits of the CERP. I do appreciate that, because I've seen that in action, I see how it works. We actually cut that by $300 million, from $1.1 to $0.8 million. Was that a mistake?

General PETRAEUS. We asked for $1.1 billion because we believe we need $1.1 billion. We're also aware, though, that we have not used some of those funds in the past, and we've returned them. The truth is, though, that all we do is return them to the Service operation and maintenance account so that those funds are still used for very valid reasons. But, we believe that we will need that. That's why we asked for it. We would hope to get it.

Senator INHOFE. I agree with that.

I was real pleased to hear you mentioned, several times, your conversations you have had with Karzai. Frankly, I wasn't aware of that.

General PETRAEUS. As the CENTCOM Commander, Senator.

Senator INHOFE. Yes, I understand that.

General PETRAEUS. In recent days.

Senator INHOFE. I have to say this, though, in the years that I've been on this committee, and, previous to this, the House Armed Services Committee, when we go through confirmations, this is the

first time that I've heard the chairman say "when confirmed," not "if confirmed." So, let's just keep that in mind.

General PETRAEUS. We've had, actually, three conversations, Senator.

Senator INHOFE. Yes, sir.

General PETRAEUS. Once right after the nomination and then two more in recent days, including, as I mentioned, one coming over today. By the way, he asked that I give my best to Chairman Levin and Senator McCain. But we were talking, in fact, about the reintegration decree that he just approved this morning, which is really quite a positive development, and now the focus shifting to the Afghan People Protection Program effort that his national security team is working on.

Senator INHOFE. I think that communications—that's important, because a lot of people don't realize you have that relationship. That is very important.

There are a lot of things that have been done in Iraq that perhaps should be done. I am very comfortable that you're going to go in and take advantage of that. One of them was this Task Force Observe, Detect, Identify, and Neutralize that its objective was to take back the roads. General Petraeus, under your leadership in Iraq, our forces were using that "take back the road" strategy, combined man and unmanned surveillance aircraft, and quick reaction teams. The results were great, at least what I have read, that they have been credited with killing 3,000 IED emplacers, and capturing 150 high-value targets. I assume that program has not been taking place in Afghanistan. Am I correct? Is that something that will work there? Or is there some condition there that is different than Iraq?

General PETRAEUS. There are small components of it. But, again, we just have to realize that, when you only have 30,000 troops there which is what we had, up until 18 months or so ago, now this has become the main effort, appropriately, and we are now seeing that kind of commitment. As the CENTCOM Commander, and then also with the support of the Secretary and the President, we provided substantial additional intelligence, surveillance, and reconnaissance (ISR) assets. Those are among some of those that you talked about, but many others. This is a very comprehensive effort when you're trying to get the IED emplacers.

Senator INHOFE. Is there anything you can think of that you could share with us that has met some success in Iraq that would also apply to Afghanistan?

General PETRAEUS. Many, many things, Senator. We have shifted substantial numbers of them over there, and others are still being established.

Senator INHOFE. Okay.

General PETRAEUS. We've done a substantial amount of infrastructure development. Of course, that's what's necessary, because you have to have platforms for all of this.

Senator INHOFE. Yes.

General PETRAEUS. Indeed, we will take the same kind of approach there that we took in Iraq.

Senator INHOFE. That's good. I think, for the record, it would be good if you could send us some of these things that have worked there that perhaps might be worthwhile in Afghanistan.

General PETRAEUS. I'd be happy to do that.

[The information referred to follows:]

The biggest lesson learned from the counter improvised explosive device (IED) fight in Iraq is that it takes a comprehensive approach to address the problem, and that no one solution or technology alone will be sufficient. As in Iraq, reducing the IED threat in Afghanistan will result from a combination of efforts by International Security Assistance Force (ISAF) and our Afghan National Security Forces (ANSF) partners. The first critical component is that we are increasing the number of ISAF and ANSF security forces in Regional Commands South and Southwest. This has already allowed us to secure Marjah, which previously functioned as an insurgent sanctuary. In fact, there was significant IED manufacturing infrastructure in Marjah that the Taliban no longer enjoys access to. As we increase the ring of security around Kandahar City in Operation Hamkari, we will secure areas to the west and north of Kandahar that have also served the enemy as critical sanctuaries. There is no substitute for the persistent presence of ISAF and Afghan security forces on the ground, living among the population. The second requirement is to attack the enemy's network. This includes the leadership, logistics, and transportation components. To this end we are aggressively targeting and attacking these nodes. Finally, all of these efforts are enabled by intelligence, surveillance, and reconnaissance (ISR) platforms and the fusing of this data with information from other sources. Secretary Gates has placed significant emphasis on increasing ISR capability in Afghanistan, and the level of support we have there has more than doubled in the last 12 months. We are also in the process of fielding a significant number of persistent surveillance systems.

Senator INHOFE. Quickly, an unnamed military official stated, recently, "We're on an Afghan timetable, and the Afghan timetable is not the American timetable, and that is the crux of the problem." Then, after that, General Mills made the statement, that I'm sure you recall, talking about, "I think we can move faster. We need to impart to our Afghan partners a sense of urgency. They have to understand there's a timeline."

The timeline they refer to here, how do you interpret his statement?

General PETRAEUS. I've seen this movie before, as well. We used to talk about the different watches or different clocks that were out there when I was in Iraq, and you'd hit the Baghdad clock to see why it was going backwards, or to get it going forward, and, in the meantime, you were aware that there were other clocks, including perhaps one up here, that was moving a bit more rapidly.

This, again, is common to counterinsurgency efforts. They're tough. There's nothing easy about them, and they aren't quick.

Senator INHOFE. In 2004, our Oklahoma 45th was over there. They had the responsibility of training the ANA to train themselves. I went over there at, you could call it graduation time. I don't think they call it that.

General PETRAEUS. Right.

Senator INHOFE. But, we watched them in the field. I'm not sure whether you were there, but you certainly had people there.

When I looked at the looks on the faces of these guys, they were very proud that they were taking over. That sense of pride was obvious. I was there for quite a while, because that 45th had been training them for a period of time. I received nothing but glowing reports.

Then we get reports, like the one that has been referred to here, that was written up yesterday in the New York Times, where they

talk about that the United States used the past 5 years to rate the readiness and so forth, that it wasn't working. General Caldwell had said that—he was in charge of the training over there—the report was inaccurate. General Rodriguez said it was more accurate. I'm sure it's somewhere in between.

But, in terms of these guys and the expressions on their faces and the pride that they had, do you think they've lost some of that, or do you still think that they have the capability of being great warriors and taking this thing over?

General PETRAEUS. They are great warriors. But they're in a tougher fight.

Senator INHOFE. Yes.

General PETRAEUS. It's easy to stand tall when the enemy isn't all that significant. Again, we went through this in Iraq, as well, where the Iraqi security forces not only relatively went down, they went down absolutely, because they were so threatened by the deteriorating security conditions. That's what we have to ensure does not happen in Afghanistan.

If I could, just briefly, about the report by the SIGAR, the Special Inspector General for Afghanistan—General Arnold Fields—by the way, with whom I had a very good relationship in Iraq, when he was in a capacity there—worked very hard to support in Afghanistan. I think very highly of him, and I will commit that to him, if confirmed, there, as well.

The capability milestone rating, I think, truthfully, more has been made of this—all it does is tell you what the levels of manning, training, and equipping are. It didn't have the kind of subjective evaluation of fighting, which is really what you need. It sort of tries to project that, well, they could be independent, or they can't.

What General Rodriguez, rightly, is referring to is a new evaluation system that's been brought online as he has gotten his operational headquarters online, because he's the one who oversees the fighting. General Caldwell does the training, the equipping, and the infrastructure, and then provides those forces, or the Afghans provide the forces, to partner outside the wire, along with our forces, who are under the command of General Rodriguez. I think, rightly, he has taken this on, and you'll get a more—this is a subjective evaluation of, Can they fight? Can they do it on their own? How much assistance do they need?—and so forth. I think that's where the debate is, really. I think General Caldwell trying to point out, rightly, that, over the course of the last 7 months or so, there's been substantial progress with the establishment of the NATO Training Mission Afghanistan and the overhaul of a whole bunch of processes.

The fact is that what we were doing was recruiting police and then putting them in the fight. It was basically a recruit-assign-and-then train-when-you-get-to-it model. That just can't be. You have to recruit, train, and then assign. The Afghan Government is fully supportive of that.

There have been quite a few significant changes made with the advent of the NATO Training Mission Afghanistan and General Caldwell taking command of it.

Senator INHOFE. That's a very valuable clarification. We appreciate it.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Inhofe.

Senator Akaka.

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

I want to add my welcome to General Petraeus and your wife, Holly to this hearing.

General PETRAEUS. Thank you, sir.

Senator AKAKA. I would like to congratulate you on your nomination to this very critical position, and also to thank the men and women that you lead. Their commitment and dedication is appreciated and honored.

General Petraeus, I understand Secretary Gates to have said that you will have the flexibility to reconsider the campaign plan and the approach in Afghanistan. I'm sure that you will consider many issues as you assess operations in Afghanistan.

General, what are some of the key elements you will look at in the assessment? Is there anything you plan on changing immediately?

General PETRAEUS. Senator, I think the campaign plan is sound. First of all, I obviously contributed to the President's policy. At CENTCOM, we supported General McChrystal and Ambassador Eikenberry as they developed the civil-military campaign plan to operationalize the President's policy. We think it is sound. I've been one of those, of course, who oversees that process.

Again, I will look hard at it, as any new commander does when he comes in, if confirmed, and see if there are tweaks needed in various places.

As I did mention in my opening statement, I do think we have to look at the implementation of the tactical directive and the rules of engagement. That is something that clearly our troopers, in some cases, some units, have some concerns about; and therefore, they are my concerns.

But, by and large, I think that this is more about executing, now, than it is about redesign. That's why it was important to hear that President Karzai, as I said, approved the reintegration policy. This is of enormous significance. This has been under development for months. It capitalizes on the National Consultative Peace Jirga that was held, of nearly 2,000—between 1,500–2,000 participants in Kabul, several weeks ago. It presents a real opportunity, I think. It codifies all of the processes that we have been waiting for to integrate those elements of the insurgency who are reconcilable, an important element of any counterinsurgency effort.

But, by the same token, we will continue to relentlessly pursue those who are irreconcilable. We will seek to empower and to secure villages and valleys with local security initiatives. This is something else that President Karzai and I discussed, literally on the way over here again this morning. It's the next big focus that he told me about, that he and his national security advisor, in fact, discussed yesterday, so that you have a comprehensive approach. That's what this takes—everything from the very hard-edged, targeted Special Mission Unit operations, to the reintegration of reconcilables, to conventional forces expanding their security zones,

in some cases actually clearing, so that you can then hold and build. Then also local security initiatives, some of them working around our great Special Forces A Teams, who are out there, very courageously, in villages, and helping to empower and to support local elements that want to resist the Taliban, as well.

All of that, of course, complemented by the whole host of political, economic, even diplomatic initiatives that can help produce progress, overall, and, over time, make it enduring, as that was the approach that we took in Iraq, and it's the approach you have to take in any counterinsurgency effort.

Senator AKAKA. General, last week the Army announced that it had exonerated the three officers who were issued letters of reprimand related to their actions prior to the Battle of Wanat. The independent investigating officer, a Marine lieutenant general, had recommended that two officers should receive reprimands. After your review, you added a third, and concurred with the results.

General, first, I'm interested in your reaction to the Army's decision to withdraw the letters of reprimand to the three officers. Second, would your recommendation concerning the letters of reprimand change, based on any information presented to you by General Campbell, who was the Army official charged with reviewing and taking action on the independent investigation report?

General PETRAEUS. In this case, Senator, what we did at CENTCOM—first, I directed Lieutenant General Natonski, supported by a very able U.S. Army two-star division commander, Major General Perkins, who, by the way, did the Thunder Run in Baghdad—but, they did a reinvestigation of the circumstances in this case. Your characterization of our findings is correct. We did not recommend any action. What we did is provide the results of our investigation, and then provided that to the authority that has jurisdiction, if you will—command authority, in this case, which is the U.S. Army.

General "Hondo" Campbell, a very distinguished, great soldier, in fact, who is just about to retire, took that on, reviewed the investigation exhaustively, and did a further review of his own.

This is like any process, where there was an original finding, then we reinvestigated another finding, then, again, a final review. We discussed that. I respect his view in this particular case. I support the process. But, I did not change the finding that I affirmed after the investigating officers provided it to me. Again, I support this particular process.

Senator AKAKA. Thank you very much for your responses, General.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Akaka.

Senator Chambliss.

Senator CHAMBLISS. Thanks, Mr. Chairman.

Again, General Petraeus, thanks to you, thanks to your family, for the great commitment that you continue to make to provide protection to America, as well as literally the whole world.

I can't help but note the number of combat stripes you have on your sleeve there, which is certainly an indication not only of your commitment, but of the fact that you've been gone from your family for an awful long time over the last several years. I note, also, that

those number of combat stripes are comparable to those on the sleeve of General Stan McChrystal. I was very pleased to hear you mention him the number of times that you did in your opening statement, because he certainly has laid the groundwork, in Afghanistan, for a successful military operation.

General McChrystal has been a great military leader, he's a great man and a military officer that I had the privilege of visiting in theater several different times when he was under your command. I know the great work that he did there. I know how recognized it is by you. I also know the respect that he had of the men and women that served under him. Wherever life takes him now, obviously we all wish him the best and thank him for his service.

General, I want to make sure that you appreciate the seriousness that this issue of the deadline, as well as the issue of the rules of engagement, are. I'm not going to really get into that, because I think you've had the opportunity, and you have adequately addressed those two issues. But, if we're going to have military success in Afghanistan—and there is no other option, I know, on our minds, as well as in your mind—it's imperative that you have the tools with which you need to work. As you review the situation on the ground leading up to July 1, 2011, I know we'll be hearing more from you on that issue.

I want to ask you about another side to the Afghan situation, and something that you and I have had a little bit of conversation about, but, your success in Iraq, particularly in the Ramadi area, when we saw a turn in the conflict there, was in large part due to the fact that the Iraqi people got engaged and decided they wanted to see a peaceful resolution of the conflict in Iraq, and joined forces with your army, as well as our colleagues and our partners in Iraq. Thus, we saw a complete change in the direction of that war.

We haven't seen that situation in Afghanistan; and unless there's confidence on the part of the Afghan people that we're going to be there, I don't think it's going to happen. That's an issue that you'll address with respect to this deadline.

But, there's another part to it. In Iraq, there was an economy which could be built upon. It was founded on oil. It has been rebuilt on oil. It appears to be moving in the right direction; the Iraqi people have a good feeling about it.

In Afghanistan, I don't see that, number one, foundation to be built upon; but, second, until there is security within Afghanistan, it's going to be very difficult for that confidence to be achieved. Two areas of their economic situation that I know are available or are potentials:

Number one, the agricultural economy of Afghanistan does have a lot of potential. You and I have talked about the fact that I had the opportunity to observe what's going on in Lashkar Gah with respect to what the U.S. Agency for International Development (USAID) and other partners are doing to build up that aspect of the economy.

Also, with the recent finding of minerals and metals in Afghanistan, there is additional potential for providing the Afghans with some sort of quality of life.

But, unless you have security in the country, neither one of those avenues for building that economy is going to be possible.

I would simply like you to comment, number one, on your idea about partnering with the Afghan people and with the Afghan Government to start this economy, or move it in a positive direction, and second, how that interrelates with the ability to incorporate the mindset of the Afghan people to understand why it's important that we have peace and security there.

General PETRAEUS. First of all, I think there is a good partnership between the military side of the campaign and, again, the Embassy—USAID Director Rajiv Shah—and also proper emphasis, enormous emphasis that Ambassador Holbrooke has put on the agriculture effort, along with Secretary Tom Vilsack. I think that has all been very positive.

Clearly, what we have to do is expand the security bubble in key areas, when it comes to agriculture, provide alternative crops to those who are growing the poppy, and so forth, to make that more viable.

There are a lot of initiatives, everything from rebuilding the canal structures or cleaning or what have you—refurbishing the canal structures that USAID, by the way, put into Afghanistan decades ago. The reason central Helmand Valley is so fertile is because it was an USAID project that was hugely successful. By the way, they remember the Americans for that. All of that founded on security, to be sure.

Now, beyond that, I think it is worth recalling, because there were some news stories on it recently, that Afghanistan is not without natural blessings in a whole host of ways, including extraordinary mineral resources. It has extensive—some of the largest resources of all, when it comes to lithium, iron ore. It has coal. It has tin. It has lumber. It has precious gems, and so forth.

But, of course, you have to extract it. You have to have extractive industries. You have to have the lines of communication. Again, you have to have security. You also have to have the governance structures in which that can function. There has to be a legal framework that provides sufficient incentives. But, it's my hope, in fact, in all seriousness, that we could see some of what are called "adventure venture capitalists" enter Afghanistan who can help the Afghan Government and people capitalize on, take advantage of, these extraordinary mineral blessings that they have.

Senator CHAMBLISS. Thanks very much, General. Again, thanks for your commitment.

General PETRAEUS. Thank you, sir.

Chairman LEVIN. Thank you, Senator Chambliss.

Senator Ben Nelson, and then Senator Graham will follow Senator Nelson. Then we're going to take a 10-minute break.

Senator BEN NELSON. Thank you, Mr. Chairman.

General, thank you and your wife and your family for your continuing service to our country. We appreciate it. I know the country is in your debt for taking on this assignment.

I'd like to follow up on a couple of questions that I had 2 weeks ago about the Afghan population and whether or not they believe that the country is going in the right direction with the NATO and

U.S. forces there directing it. Secretary Flournoy said, I think, that 59 percent of the Afghan people were of that opinion.

Now, much has been made about the July 11 withdrawal. Is there a way that we can—and particularly with your leadership—assure the Afghan people that this is not a cut-and-run deadline or a drop-dead date for decisions? Because I think that may impact what further acceptance there is, as you've indicated, of the effort on their behalf.

General PETRAEUS. We absolutely can, Senator. In fact, I have sought to do that with my encounters, with the Afghan Government as the CENTCOM Commander, also with our Pakistani partners, with whom we've worked very hard to forge a good partnership, and who have done such impressive counterinsurgency operations, at high cost to themselves, against the Pakistani Taliban on their side of the Durand Line.

As you note, Secretary Flournoy did point out the results of these polls that almost paradoxically seem to show that, although levels of violence have gone up, they have actually have greater hope for the future, and greater optimism. That's obviously something that we want to play on, and to show them that their hopes are well-founded by our actions, together with our Afghan partners.

Senator BEN NELSON. There is some concern that many will, maybe, withhold their support because they're concerned about the Taliban coming back in and, as you've indicated, chop their heads off if they collaborate with us. You believe that we can, by showing our commitment, overcome some of that resistance, which is natural for people to be concerned?

General PETRAEUS. I do. I think it would be a mistake for them to hedge their bets forever. Clearly that's what we want to demonstrate by our operations on the ground, by our development of the Afghan National Security Forces who can take over the tasks and show that, again, that is not just possible, but will happen. Also, to demonstrate to the Taliban that they should not continue what it is that they are doing, either. There are not only incentives for reintegration, there are enormous penalties for not reintegrating.

Senator BEN NELSON. Will potential withdrawal of some of the NATO forces be a bump in the road, in terms of that perception, or will that be something that could simply embolden the Taliban?

General PETRAEUS. I wouldn't say that it will embolden them. It will perhaps give them a little cause for optimism. What we have to do, obviously, is compensate. Whenever there is a shift, whenever there is an addition, a reduction, what have you, obviously, you have to redo your battlefield geometry, as it's said. We have done that already, to compensate for the expected departure of one nation's forces. We'll do that as we have to.

On the other hand, we're also accommodating the additional forces, for example, that are coming from Jordan or, from Georgia, and also from some of the countries in the CENTCOM region, and then also some others around the world.

Senator BEN NELSON. In that regard, as you satisfy the government that we are there to stay, and work toward building the confidence of the Afghan people, will the rules of engagement, by clearly stating them, as you have, also tell the Taliban that it's

going to be "game, set, match" one of these days, in terms of their future?

General PETRAEUS. I think what impresses the Taliban is not in the rules of engagement. It's the precise, targeted operations that are designed to give them no rest. The idea is, if you can get your teeth into the jugular of the enemy, you don't let go. This word "relentless" is an important word to describe the campaign against the Taliban, just as other efforts also have to be relentless in our commitment to try to help the Afghan Government provide a better future for their people.

Senator BEN NELSON. We talked, a few weeks ago, about the benchmarks and metric measurement of our success. In that regard, what should we expect between now and December just as a date and point of time?

General PETRAEUS. Certainly what we'll be looking at will be the security situation in districts, and, in some cases, even subdistricts, because you really do have to have a fairly granular look at this. You can look at levels of violence within districts, for example, because that's what matters.

If you have been able, for example, to move the violence out of Marjah, and it's on the periphery, as it generally is right now—touch wood—again, that is important, because that is protecting the population. It allows commerce to resume, schools to reopen, health clinics to be rebuilt, much of which was damaged by the Taliban during its control of that particular area. So, that's important.

Then, of course, as the Chairman has focused on, rightly, How are the Afghan security forces doing in these different efforts, different locations? Not just numbers, but level of contribution, capability, quality, and so forth, as well. Then you get into the areas of the provision and the establishment of local governance, of local services, and of that whole process of pointing to a brighter future for the people of that particular area.

But, again, I think you have to do it in a fairly granular fashion to try to understand what's going on, and also to confirm that the approach does produce the kind of progress that we're seeking to achieve.

Senator BEN NELSON. Is it fair to say that strengthening the local governments will have a positive impact on the central government of President Karzai's?

General PETRAEUS. It is, certainly, as long as that local governance is, of course, distinguished by two very important qualities. Those are: inclusivity—in other words, everyone in that area feels as if they have a seat at the table and are involved and represented; and then, transparency, so that everyone has a sense of what's going on, and, in particular, where the money is going, because that's very important, needless to say, as well.

Senator BEN NELSON. Is that why you said, "It's hard, and it's hard all the time"?

General PETRAEUS. That, and many other reasons, Senator. Thank you.

Senator BEN NELSON. Thank you, and good luck. We're all depending on you.

General PETRAEUS. Yes, sir.

Chairman LEVIN. Thank you, Senator Nelson.

Senator Graham.

Senator GRAHAM. Thank you, Mr. Chairman.

General Petraeus, I can't tell you how much it means to all of us that you're willing to do this. It is very unfortunate that General McChrystal is resigning from the Army. In case he's listening, I think about everyone here who's met him has nothing but great respect for his service, and the incident which led to his resignation is very unfortunate, should not be the end of his evaluation, in terms of being an Army officer. He was a terrific Army officer, and I want to let everyone know that most everybody who met him believes that.

General PETRAEUS. Right.

Senator GRAHAM. Now, I don't know how this translates in Pashtun, but it's not translating well for me in English, in terms of where we're at and where we're going. I would not use the word "relentless," General, in terms of the policy that we're embarking on, regarding the enemy. That's just my two cents' worth.

From what I can take, here's the summary of your testimony, from my point of view, and I may be wrong. It doesn't appear there are going to be any civilian changes, in terms of the team in Afghanistan. Is that correct?

General PETRAEUS. That's beyond my purview, Senator.

Senator GRAHAM. Okay. From what I can tell, it doesn't seem to be contemplated.

From your testimony, I think you've created an expectation by the American people, in July 2011 we will begin to withdraw from Afghanistan. Is that a correct assumption I've made, or not?

General PETRAEUS. What I have done is restate the policy as it currently exists, Senator. The policy, again, that, as I stated, I supported and agreed to, back last fall, to begin a process, in July 2011, under which tasks are transferred to Afghan security forces and government officials, and a "responsible drawdown" of the surge forces begins, pace to be determined by conditions.

Senator GRAHAM. The Vice President has been quoted as saying, about this particular topic, "Come July, we're going to begin to leave in large numbers. You can bet on it." Is his view of the policy correct?

General PETRAEUS. Well, first of all, I've heard——

Senator GRAHAM. If that's——

General PETRAEUS.—Secretary Gates——

Senator GRAHAM.—an accurate statement——

General PETRAEUS. I've heard——

Senator GRAHAM. If that is an——

General PETRAEUS.—Secretary Gates——

Senator GRAHAM. Excuse me.

General PETRAEUS.—state that he——

Senator GRAHAM. Excuse me, sir. Let me ask my question.

Is his statement, if accurate, does that make sense, in terms of what you think the policy to be?

The Vice President of the United States has been quoted, in a book widely published in the United States, which I am sure the enemy can have access to, that, "Come July 2011, we're going to be leaving in large numbers, you can bet on it." Is he right?

General PETRAEUS. First, let me just state something that he said that I could share with you and others.

Senator GRAHAM. Okay.

General PETRAEUS. In the National Security Council meeting that followed the meeting that I had with the President in the Oval Office, at which the President laid out what the future was going to be and described his expectations, the Vice President grabbed me and said, "You should know that I am 100 percent supportive of this policy." I said that, "I'm reassured to hear that. Is it okay to share that with others?"

Beyond that, I might add that I'm hosting the Vice President for dinner tonight at our quarters in Tampa. Again, we have another opportunity to continue that conversation.

The third and final point is, Secretary Gates has said, I believe in testimony, that he never heard Vice President Biden say that remark, either. For what it's worth.

Senator GRAHAM. It's worth a lot, because he's saying one thing to one person, allegedly, and he's saying another thing to you, and they don't reconcile themselves. That is exactly my point. It depends on who you seem to be talking to, because a lot of liberal people in this country are being told, directly and indirectly, "We're getting out, beginning July 2011. How fast, I don't know, but we're beginning to leave." Somebody needs to get it straight, without doubt, what the hell we're going to do, come July, because I think it determines whether or not someone in Afghanistan is going to stay in the fight.

Now, this is not all your problem to fix. This is a political problem. Because I'm assuming the July deadline did not come from you. You said it didn't. You agreed to it, but somebody other than you came up with this whole July-get-out-of-Afghanistan deadline, and I think it's all politics. But, that's just me.

In the House, Friday, the Speaker of the House said, "I don't know how many votes there are in the caucus, even conditions-based for the war hands down, I just don't. We'll see what the shape of it is the day of the vote."

A letter was sent to the President by Barbara Lee, a Democratic member of the caucus from the House Foreign Relations Committee. It said, "Mr. President, we believe that it is imperative for you to provide Congress and the American people with a clear commitment and plan to withdraw U.S. forces from Afghanistan. This should include not only a date certain for the initiation of this withdrawal, but a date for the completion and a strategy to achieve it."

You're advising Congress now. We fund the war. What would you say to her recommendation that war funding have a condition placed upon it that no funds can be expended until you deliver to us, Congress, a withdrawal strategy?

General PETRAEUS. What I have stated here this morning is, again, first of all, the importance of, of course——

Senator GRAHAM. Would it be wise of us to put that in legislation——

Chairman LEVIN. I wonder if he could just finish the answer.

Senator GRAHAM. I think my question is pretty simple. Would it be wise for Congress to put such a condition on war funding? Would it undermine the mission?

General PETRAEUS. Let's think about it from the enemy's perspective and from the perspective of our friends. As I sought to do in my opening statement this morning, they should be assured that, with respect to, one, we are going to pursue them relentlessly. With respect, Senator, earlier, we are pursuing the enemy relentlessly. Make no mistake about it. When you're back out there as "Colonel Graham," you'll see it once again.

Senator GRAHAM. Yes, sir.

General PETRAEUS. We look forward to having you as part of the ISAF Command, if confirmed.

Senator GRAHAM. I'll look forward, but my time's up. You have a chance to advise Congress. Should we put a condition on war funding that would say, "You have to submit a plan for withdrawal by the beginning of next year"? Does that undercut our mission, or not?

General PETRAEUS. It would be contrary to the whole policy, which has talked about conditions-based.

Senator GRAHAM. Thank you.

General PETRAEUS. I hope that's enough of an answer.

Senator GRAHAM. Thank you.

Chairman LEVIN. Thank you, Senator Graham.

We're going to take a 10-minute break. [Recess.]

We'll be back in order.

Senator Bayh.

Senator BAYH. Thank you very much, General.

I want to express my appreciation for our phone call the other day. I really did appreciate your courtesy. It's great to see you here. Again, thank you for your continued service to our country, and your family's willingness to support you in that service.

I just have three questions. It seems, predictably, that most of the dialogue here this morning is focused upon the July date for next year. There are some who have argued that a deadline is important, to create a sense of urgency on the part of the Afghans and our allies, and also to ensure that we don't enable dysfunctional behavior on their part. There are others of you, you have heard here, who think that the presence of a deadline shows a lack of resolve on our part, and undermines their willingness to do some of the tough things, over the long haul, that need to be done.

It seems to me that you're attempting to strike a commonsense middle ground here, to get the benefits of creating a sense of urgency, while still reassuring our allies that the deadline is flexible and will take into account changes on the ground.

If you could just elaborate a little bit upon the importance of trying to strike that balance, not choosing one or the other, but also the difficulties of getting it right. It seems to me, therein lies that major challenge we confront.

General PETRAEUS. Therein does lie the challenge, I think. On the one hand, productivity experts say that there's no greater productivity tool than a deadline. Indeed, as I mentioned, the message of urgency that the deadline conveyed, keeping in mind that this 18 months or more, when it was announced, out in the future, I'm

convinced it was not just for domestic political purposes. It was for audiences in Kabul, who, again, needed to be reminded that we won't be there forever. But, we will be there, and presumably for quite some time, as I mentioned in my opening statement—various quotations from various G–20 leaders, President Obama, and others.

Senator BAYH. Can I interject just for a moment, General? It seems to me the message there to the Afghans is, "Look, we're here, and you can rely on us, but you have to do your part, too. You cannot exclusively rely upon us."

General PETRAEUS. I think that's it. I think there is a sense, again, that, on the one hand, "Don't take us for granted, but do expect us to be there. But, we want to be there with you." I think it did actually galvanize some degree of action. There may have been some message for some of us in uniform that we needed to get on with it.

The truth is that early on in the process we were looking at a more deliberate campaign. We compressed that. Getting the troops on the ground much more rapidly than was originally even thought possible, frankly, much less desirable.

I think, in that sense, again, all helpful. On the other hand, again, you have to make sure that the enemy does not interpret that as that moment where, as we've said, the United States is heading for the exits, looking for the light switch, to turn it off, because we're out of here. Because that is not accurate, at least not in my perception.

Again, I was part of the process, actually went with the President to West Point to hear the speech. I sat there, heard it. What I took from it were two messages. Again, an enormous commitment, when you think about it, that it requires substantial additional resources, as we have discussed—and the funding for that is very important, but also the message of urgency. That's what this July 2011 conveyed. That's how I took that.

Senator BAYH. It's always tempting to choose an all-or-nothing approach, but on something this complex, sometimes the truth lies somewhere in the middle, and it seems to me that's exactly the approach you and the President have taken. I think it's the right one.

My second question, there are some who question our mission there entirely by saying, "Look, we were attacked from Afghanistan by al Qaeda, but al Qaeda is not really there anymore. They've moved over into the tribal areas in Pakistan." You touched upon this in your opening statement. Can you give us your assessment about the likelihood—if we were to withdraw from Afghanistan prematurely, and the Afghans did not have the capability of securing their territory—the likelihood that al Qaeda would reestablish itself in that place?

General PETRAEUS. I think there's a high likelihood of it, especially if the pressure continues on them in the tribal areas. They have sustained significant losses, as is well known. In the tribal areas, their freedom of action has been reduced by operations by the Pakistani Army and Frontier Corps in the former Northwest Frontier Province, Khyber Pakhtunkha, and in several of the agencies of the tribal areas, certainly not all of them, and certainly there are still, without question, extremist elements there that

have sanctuary there and are carrying out operations inside Afghanistan; and others that are transnational, as is the case of al Qaeda and some other elements in Pakistan, as well.

But, the Pakistanis have carried out impressive operations over the course of the last year. Their means are not unlimited, however, and they have a lot of short sticks in hornets' nests right now, and they have to consolidate some of their gains. They have to do the hold and build and transition phases, as well as they did the clearance phases in places like Swat Valley.

Senator BAYH. That is a good segue to my final question, General. As we were discussing yesterday, I'm confident that, with your leadership and the civilian leadership, we're going to do our part here. Certainly there are some differences of opinion—that's been well documented—but, we have a pretty good team, and particularly our men and women who wear the uniform are going to perform heroically and do their jobs well.

But, ultimately, this is not up to us. Ultimately, it's up to the Afghans, primarily, and then some of the neighbors, principally the Paks, to do their job, as well.

My final question to you would be first about the Afghans and then about the Paks. Are the Afghans willing to reconcile themselves to being, not a nation-state, perhaps, as we would ideally describe it, but at least to resolve enough of the ethnic tribal tensions to view themselves first as Afghanistanis, and second as members of ethnic and tribal groups, sufficiently to establish a strong enough state? That's number one. Do they have it within them to do their job?

Second, the Paks: Are they in the process of reassessing their own strategic interests, which heretofore have led them to believe that a weak Afghanistan, subject to their influence, was in their national security interest? Do they now understand that an Afghan Government with sufficient strength to secure their own territory is, in fact, in the strategic interests of Pakistan?

General PETRAEUS. I think the answer to both of those is yes. I think it is within the capacity of the Afghan people to see themselves as Afghans, perhaps first, even before their tribal or ethnic or sectarian identity. Certainly the country has existed as a country—arguably, it's existed as a country longer than ours has. It has had extended periods of time when it has been ruled by a leader out of Kabul.

But, as with any society like that, what it will require is this inclusivity and transparency in the activities of governance. President Karzai has discussed that with me and Ambassador Holbrooke, on several occasions. That is something that we look forward to supporting him in striving to achieve.

With respect to the Pakistanis, I think there is some reassessment that has gone on with respect to Afghanistan. I think as important has been the reassessment of the situation within their own borders.

What took place about 12 to 18 months or so ago, when the Pakistani people, the leadership, and the clerics all came to recognize that the most pressing existential threat to their country was that posed by internal extremists who had threatened the writ of gov-

ernance in Swat Valley and the rest of what is now called Khyber Paktunkwa, and then in a number of areas of the tribal areas.

The fact is, I think they came to recognize that the concept that was in practice, and still may be in some areas—that concept, that you can allow poisonous snakes to have a nest in your backyard, as long as they only bite the neighbors' kids, inevitably turns around and ends up biting you in the backside. I think they have come to see the challenges of this.

Now, to be fair to them, let's remember that many of these groups were formed, in the beginning, with our money, through the ISI, when we were trying to help get rid of the Soviets out of Afghanistan, and the Mujahideen were our heroes at that time. Those very groups put down roots and, in some cases, turned into transnational extremist elements and other extremist elements that have threatened the idea of Pakistan being able to move forward, and actually want to turn the clock back several centuries. I think that they have come to recognize the threat that these groups pose to their country, but have also realized that they cannot deal with all of them simultaneously, and that their means, particularly when it comes to the holding, building, and transition phases, is somewhat limited.

That's why the Kerry-Lugar-Berman bill was so important. That's why a sustained, substantial commitment—again, we talked about the idea of a sustained commitment—that's why that is so important, with respect to Pakistan, as well.

Senator BAYH. General, thank you, again, for your service and for your leadership.

General PETRAEUS. Thank you, sir.

Chairman LEVIN. Thank you, Senator Bayh.

Senator Thune.

Senator THUNE. Thank you, Mr. Chairman.

General, thank you for once again answering the call to duty. As you can tell, members on this committee, I think Members of Congress, irrespective of their political affiliation, have tremendous confidence in you, as do the American people. Our hopes and prayers are with you and our troops that this can be a successful mission and undertaking. Thank you, to your wife, Holly, too, for being willing to take on the responsibilities and the sacrifice that goes with having you away all these months.

I was pleased to hear you say, I think in response to an earlier question today, I raised the question a week ago, when you were here, about the issue of rules of engagement, particularly with regard to close air support, and to hear you say that you are going to evaluate those. I think it does get at this whole issue of not only protecting our men and women in uniform, but also the perception that we are in this to win. I appreciate you doing that.

Could you speak to the importance, with regard to close air support, of the B–1 in the current fight in Afghanistan, both in terms of providing close air support, as well as providing ISR to our troops on the ground?

General PETRAEUS. First of all, if I could, just to be precise, it's really about the implementation of the rules of engagement and the tactical directive, both of which I think are fundamentally sound. I don't see any reason to change them in significant ways.

Rather, what we do need to do is make sure that the intent behind those, the intent being to reduce the loss of innocent civilian life in the course of military operations to an absolute minimum, that's an imperative for any counterinsurgent. We must achieve that. I have pledged to continue to do that, to continue the great work that General McChrystal did in that regard.

But, at the same time, we have to find that balance between ensuring that we also bring everything to bear, if our troopers get in a tough spot, and make sure that process is very rapid in responding, when it is absolutely necessary to do that.

Now, the B–1 does play a very big role in that regard. It is a great platform in at least two respects, maybe more. One, it carries a heck of a lot of bombs, substantial ordnance. Second, it has very good ISR capabilities. It can loiter for a good time, when it's not being used to drop bombs, which is, frankly, what it does most of the time, because we're not dropping bombs constantly. It is up there waiting, in a Combat Air Patrol. Then what we do is, we use whatever optics that particular bomber has on it, the sniper pod or what have you. It is almost like having another unmanned aerial vehicle, in terms of full motion video and so forth, not quite the same resolutions and differences in the capabilities, but it is very helpful in that regard, as well.

It's not just a case of a very capable bomber just boring holes in the sky, waiting to open the bomb-bay doors. It is also a case of a platform that's very capable, even as it is just doing that, flying around in circles.

Senator THUNE. Let me ask you, I don't want to beat this to death; I think you answered it at great length, but this was in written response to the advance policy questions for the committee. You state that you agree with the President's decision to begin reductions of U.S. forces in July 2011.

You also assess, in your responses to the committee's advance policy questions, "An increasing percentage of insurgents are motivated by the perception that the Taliban will eventually emerge as the dominant Pashtun political entity in Afghanistan."

You also write in your response to the advance policy questions, "The Taliban believe that they can outlast the coalition's will to fight, and believe the strategy will be effective, despite short-term losses."

Do you believe that the July 2011 date to begin reductions of U.S. forces contributes to the perception among the insurgents that Taliban will eventually emerge as the dominant Pashtun political entity in Afghanistan?

General PETRAEUS. Only if it is interpreted what I think is incorrectly. Again, that really comes back to Senator Bayh's question, earlier, I think, of being very careful in how we explain what that represents. Of course, that's what I sought to do in my opening statement today, as well.

This is a test of wills, though. The enemy has to know that we have the will to prevail.

Senator THUNE. I appreciate your efforts to try and clarify that. I think it is critical that the enemy knows that, that our friends, as you mentioned earlier, know that we are committed. We can't

do this halfway. There has to be an understanding that we are in this to win.

You know that the Senate passed its version of the war supplemental before the Memorial Day break, consistent with the Department's request. The House has yet to mark it up or to take up the legislation. I certainly, as I think my colleagues here all do, support funding for the troops. I was compelled, as many of my colleagues here were, to vote against the emergency supplemental when it left the Senate, because the majority had included a lot of additional domestic spending that many of us disagreed with. We are now seeing that the Democrat majority, some of our colleagues in the House, are seeking to add some domestic spending items to the bill, as well.

My question is, Could you comment on the urgency of the funding, in the first place, and perhaps elaborate a little bit on what the consequences of delaying that funding would be, when it comes to our military operations, particularly those in Afghanistan?

General PETRAEUS. As the old saying goes, "You can never go wrong by quoting your boss." In this case, I'd like to recall what I believe Secretary Gates said—perhaps you might confirm it—but, I believe that he said something along the lines that, "If the supplemental wasn't passed by the 4th of July, then what happens is, the Services have to start going into various drills," because the consequences won't be felt in Afghanistan. The Services will find the money to fund our operations in Afghanistan. I'm convinced of that. The Secretary and the President will ensure that is the case.

What will happen, though, is, there will have to be a whole host of other activities, that are either reduced or shut down or stopped, to find the funding for that. I think that would be in other areas that the various Military Departments have operations, maintenance, training, recruiting, and other readiness activities.

Senator THUNE. I assume that you would like to see a clean supplemental appropriation, though. It was talked about earlier. I think Senator Graham alluded to some discussion in the House right now about perhaps attaching some conditions on Afghanistan to a supplemental appropriation bill.

General PETRAEUS. Senator, I'll leave that up to Congress. All we want is the resources to enable us to continue the fight.

Senator THUNE. I suspect we have a better opportunity of getting you those resources if, in fact, it is a clean bill.

There was a report that the Taliban had attacked a wedding party in Arghandab district, a few weeks ago, killing at least 39 people. There are also reports the Taliban executed a 7-year-old child in Helmand Province for cooperating with the Afghan Government. I'm curious to know, with regard to the village where the wedding party was attacked, what we've done to provide assistance to the survivors. Since this village was clearly allied with us against the Taliban, why were we not able to protect it? I know, as a counterinsurgency strategy, that's one of the main objectives, is to protect the population. Could you perhaps provide a little bit of insight about how that is going and that element of our strategy?

General PETRAEUS. I don't know the circumstances of what security precautions were taken for this particular wedding. Again, no question but that the Taliban bombed and killed dozens of innocent

civilians in attacking what should have been a celebration, and turned it into a tragedy.

With respect to the assistance to the survivors, that one I'd like to take for the record and see what it is that the unit there has done.

[The information referred to follows:]

We believe that the Arghandab wedding was specifically targeted due the large number of Afghan National Police (ANP) who were present. This particularly brutal attack was perpetrated by an insurgent who employed a suicide vehicle born improvised explosive device, or in plain language a car bomb. By our numbers, he killed 38 Afghans, 14 of whom were Afghan Police. Eighty-four others were wounded in the attack.

Our intelligence analysis determined that this was not a revenge killing, and the Taliban appear to have specifically targeted the ANP officers attending the wedding. This terrible act illustrates the desperation of the Taliban. While increased violence at the hands of the Taliban is deplorable, it must be viewed in context. Heightened violence throughout the summer was anticipated by International Security Assistance Force (ISAF) as a result of our increased operational tempo and efforts to separate the population from the insurgency.

ISAF forces conducted key leader engagements with the ANP following this tragedy and extended its greatest condolences to the families of those who were wounded or killed. However, as ISAF was not involved in the incident itself, the Afghan Government is responsible for providing assistance to the survivors who were members of the Afghan National Security Forces.

General PETRAEUS. I suspect, by the way, that this is what CERP is so useful for, is this kind of activity in immediate need in security circumstances that are challenging.

But, what you have highlighted is something that I think we all need to highlight much more, and something that we will strive to do in our strategic communications, and it is just merely truthfully to report the extremist activities, the indiscriminate violence, and the oppressive practices that have always been associated with the Taliban.

Despite their supposed change in strategy this year—they also have committed, they said, to not killing innocent civilians—despite all of that, they have continued to carry out actions, just like you have said. In fact, their IEDs kill innocent civilians in Afghanistan on a daily basis. We must get the word out on that more effectively.

Senator THUNE. Thank you, General. Thank you, again, for your service.

General PETRAEUS. Thank you, sir.

Senator THUNE. Thank you, Mr. Chairman

Chairman LEVIN. Thank you, Senator Thune.

Senator Webb.

Senator WEBB. Thank you, Mr. Chairman.

General, I would like to reiterate what I said to you in my office, and that's how much I respect your stepping forward here, in what is really an unusual historical circumstance, in that, at least on paper, you are accepting a demotion in order to undertake these responsibilities. As you alluded to a little earlier, you're kind of your own boss right now. There was a country song, when I was a kid, by a group called "Flatt and Scruggs," called "I'm My Own Grandpa."

General PETRAEUS. There's been an amazing alacrity of approving ISAF-submitted requests in the CENTCOM headquarters in the past several years.

Senator WEBB. Yes. Then the question becomes, "If you don't like what you're doing, can you fire yourself?" [Laughter.]

I would also like to express my appreciation for the comments you're making about rules of engagement here, and the need to review them. I struggled with this as a rifle platoon and company commander in a very difficult war. I worry about it, as a father, in this war, with a son who is a lance corporal in Anbar Province. Actually, I wrote a movie called, appropriately enough, "Rules of Engagement." It's a very delicate question in these politically-driven operations. But, as clearly as I can say this, there are no circumstances—none—in which we should put our people unreasonably at risk, where they cannot take actions in order to protect themselves. There's a perception out there, among a lot of military people, that that has occurred. You can go a long way—I think you already have gone a long way, in terms of clarifying that to the people who are out there serving.

Last year, a little more than a year ago, when you were testifying, I raised some of my concerns about this Afghanistan venture. They were basically based on uncontrollable unknowns, particularly when it comes to the use of the military itself, unknowns that are beyond the scope of military operations, as, for instance, Can the Afghanis really put together a viable national government? Can they really grow to 400,000?—which I assume is still the goal, when you combine the National Police Force with the National Army, which is probably five times as high as what any viable ANA before, on a national level, has ever reached.

Also the question on the strategy of clear, hold, and build. I recall having a discussion with you a year ago on that. We kind of know who's going to clear, and they've done a pretty good job, in terms of clearing. It was not really clear, no pun intended, who was going to hold and who was going to build.

I would like to share with you an excerpt from a letter that I received yesterday, and get your thoughts on the phase 2 and phase 3 of this strategy. This letter was written by an individual who was a great mentor to me, as I became a Marine Corps general, and very thoughtful individual who's had family members—like so many of us have, he's had family members in Afghanistan for more than 5 years at this point. He said this, "The national strategy, as currently implemented, is seriously flawed," talking about clear, hold, and build. He went on to point out that the clear phase is a military responsibility. He has great faith in it, although he did have some discussion about the difference between living among the population and operating out of forward operating bases, and those sorts of things. He says, "The hold phase is where the strategy's serious problems start. The Afghan National Police are the logical force to hold a cleared area. The bulk of the population, with ample reason, considers the ANP to be a corrupt, untrustworthy, and illegitimate organization. This problem is compounded by the fact that the bulk of the population also holds the same view of the Karzai Government. They consider the central government to be a corrupt, irrelevant entity. The build phase is now largely a figment of the imagination," according to this general. "In the final analysis, the three-pronged strategy has two broken prongs. It is a charade summing to the point that the problem and its cures are es-

sentially in the political, vice the military, realm. We have a solid military base in Afghanistan," writes the general, "however, it is meaningless, unless the civilian leadership attacks the political problems."

I would imagine that, in concept, you would probably at least agree with his bottom line here. The question is, in your capacity, what do you believe can be done in order to attack these political problems and make this policy a success?

General PETRAEUS. The truth is that, in counterinsurgency operations, military leaders end up getting involved in civil-military activities; you've lived it, you know it. That is not just inevitable, it is essential. You must capitalize on every capability that is out there—host nation, U.S., international, whatever it may be. But, at times, you have to make up for what might not be there, same three categories.

But, to reach an enduring situation, such as we were able to reach, I think—touch wood—and not just in Anbar, but in Iraq, writ large, although the final chapter is certainly not written, and there's plenty of political drama going on there now—but, over time, we were, obviously, able not only to clear areas and to turn bad guys into at least no longer bad, no longer opposing, in many cases supporting the new Iraq. Then citizens stepped forward, they were given a stake in the success of the new Iraq, they felt included, and there was a certain degree of self-policing among the community that is so important as it works forward, and then as you establish the formal security forces, and so on.

There's no question that the police, in an insurgent situation, facing an insurgency, are the most vulnerable. They are very susceptible to intimidation, to assassination, and, in some cases, sadly, corrupt activities, as well, or even illegal activities. There has to be improvement in that very important element of the security forces.

With respect, I think the build phases actually are coming along reasonably well. But, again, that's something that we are largely doing with our CERP, and then with our USAID comrades, and others—U.K. Department for International Development, and so on. But, again, the question there is to get to something that is sustainable, that's enduring, that's self-sustaining over the long term.

Then there's really a fourth phase to the clear, hold, and build. There's a transition phase. That's the phase when we begin to thin out, we begin to hand off tasks.

Of course, you don't merely need to do this so that, ultimately, we can reduce our forces in theater. You need to do it so that you can send your forces elsewhere, so that, as we solidify a situation, say, in Nawa, you can focus a bit more in Marjah or Nadi Ali, or push out a bit farther, to increase the security bubble for the people. You don't have to go everywhere. This is not a nationwide effort, in that regard. But, you do have to be able to protect the population and the key lines of communication.

Now, I've talked, in recent days, with Ambassador Eikenberry, with Ambassador Sedwill, the NATO senior civilian representative, with Ambassador Holbrooke, General Lute, the EU rep, and various Afghan Government officials, NATO Secretary General, and a whole host of others, about these kinds of issues. There's no ques-

tion that we have to do everything that we can to enable our Afghan partners to address the kinds of challenges that you have talked about right here.

This all begins with a foundation of security, though, because you cannot expect local police to survive in a fierce insurgent situation. You can't expect local commerce to develop. You can't rebuild schools, and so forth. So, that's obvious. But, we have to get the foundation and the security. I think that is doable, as the writer of that letter mentioned. We clearly have to address the kinds of challenges that have made the hold and build phases so challenging, and then enable the transition phases, as well.

Senator WEBB. I thank you for that, and I wish you the best. I still have a great number of concerns about the stability of the political environment in that country. But, as I said to you in my office, I will do everything I can to support your effort here.

You have my upmost respect for having accepted this call, because that's basically what it is, for someone who has already done what you've done. This is a call to service, and I respect that very much.

Thank you, Mr. Chairman.

General PETRAEUS. A privilege to do it, Senator. Thank you.

Chairman LEVIN. Thank you, Senator Webb.

Senator Wicker.

Senator WICKER. Thank you very much, General.

The compliments and best wishes, on both sides of the aisle from this committee, are heartfelt and genuine. I hope you hear them, and I hope you understand them. I do admire you, unqualifiedly, and appreciate what you're doing.

Let me, first of all, echo what Senator Webb said about the rules of engagement. We should never have rules that put our troops in danger, in the hope that we're winning hearts and minds. We ought to win hearts and minds among the Afghans, but we need to make sure that our rules of engagement protect our troops.

You said you are going to look very hard at this issue. I'm not asking a question here, but I would assume that means we're going to look very hard at, maybe, altering or amending those rules of engagement, and applying them uniformly across the board.

General PETRAEUS. It's the latter piece of it, Senator. Again, rules of engagement are pretty straightforward. They don't vary enormously from place to place. Our troopers have been exercising similar rules of engagement in these various campaigns in recent years.

What we need to do is ensure that the application of them, and, as importantly, the tactical directive, which talks about the use of close air support, and other, again, enablers, that is uniform, and again, there are not leaders at certain levels that are imposing additional checks and balances at times when lives are on the line. That's the real key.

If I could also touch on one other topic, though. It is not mutually exclusive that you can ensure the security of the population, minimize the loss of innocent civilian life, and also ensure that you bring whatever is necessary to bear when your troopers are in a tough spot. Do we take a risk in military operations? Of course we do. I mean, in any operation. The minute you go outside the gate,

if you don't want to take risk, then you shouldn't be there in the first place. That's what we do. But, we have a solemn obligation, really, a moral imperative, to ensure that when our troopers and our Afghan partners are in a tough spot, that we do what is necessary to support them in those tough spots.

It's also important that they understand, again, the context in which they're operating. There are examples such as a house, and you're taking fire from the house. Now, our impulse is to take the fight to the enemy. We close with and destroy the enemy in the infantry. That's our motto, this kind of thing. This is not conventional combat, and if there are civilians in the house—if you don't know who's in the house, you really do need to think twice before you take out the house, if that fire on you is not pinning you down. Maybe you want to break contact, keep the house under observation for a while.

Our soldiers are magnificent; as I mentioned, they're the most combat-experienced force and the finest force our Nation has ever fielded—they can understand the intent, on the one hand, to minimize loss of innocent civilian life, and, on the other hand, to make sure that we do whatever is necessary if they get in a tight spot.

Senator WICKER. Thank you, General. That was not going to be my question, but it's such an important topic that I felt it was important to go ahead and let you enlarge on that.

General PETRAEUS. It is an important topic. Thank you.

Senator WICKER. Let me say, also, I take your testimony, about the timeliness, at face value. You said, 2 weeks ago, that, in an ideal world, timelines aren't the best, are not your favorite.

General PETRAEUS. I said, "I think you have to think hard about them," or something like that. It wasn't quite what you said, but something like that.

Senator WICKER. You've talked about a responsible drawdown—2011 will begin a process—but, that our relationship and our partnership in Afghanistan is going to be an enduring one, and the Taliban know their enemy should not doubt our resolve. I take that at face value. I want to read some excerpts from the Wall Street Journal today, by Bret Stephens, and he speaks pretty plain. Free speech is great in the United States. He says, "With a wink of its left eye, the Obama administration tells its liberal base that a year from now the United States will be heading for a quick Afghan exit. 'Everyone knows there's a firm date,' insists White House Chief Rahm Emanuel. With a wink of its right eye, the administration tells Afghanistan, Pakistan, NATO allies, and its own military leadership that the July 2011 date is effectively meaningless. 'The notion that a major drawdown will begin next year, absolutely has not been decided,' says Defense Secretary Robert Gates."

The problem with this is it appears, from what we're learning from the Speaker of the House today, that a wink to the left may not be sufficient, and that there is a move afoot in the other body to use the power of the purse to impose timelines that the administration has not agreed to, that you would feel uncomfortable with. I don't think it's your role, as general, to call for vetoes of legislation, but it is the role of the Secretary of Defense and the President. I would hope that they make it clear that such restrictions on a war-funding bill by the House of Representatives would be un-

acceptable, and should be, and would be, vetoed, should they reach the President's desk.

The article goes on to say, "General Petraeus won in Iraq because George W. Bush had his back, and the people in Iraq, friend and foe, knew it. By contrast, the fact that we've been unable to secure the small city of Marjah, much less take on the larger job of Kandahar, is because nobody, right down to the village folk, believes that Barack Obama believes in his own war."

Let me say this. There's no better fighting force in the history of the planet than the American fighting force in Afghanistan today. We are fighting an enemy that has 10 percent support among the Afghan people. There's no way on Earth that our fighting force can lose this war. The only way that our effort can be unsuccessful is that if we have a government in Washington, DC, that is unworthy of that fighting force. I want to be part of a bipartisan team that gives you the resources and the time to accomplish the mission.

Since the General took a moment to talk about rules of engagement, let me just ask you this. Could you comment—compare and contrast—the relationship you had in Iraq, between you, as the general, and Ambassador Crocker, and the approach that has been used in Afghanistan between General McChrystal and Ambassador Eikenberry? What lessons can we learn from your experience with Ambassador Crocker in Iraq? What do you hope the civilian-military relationship will look like, now that you're headed back to Afghanistan?

General PETRAEUS. Let me just reiterate, if I could, what I said in my opening statement about being committed to forging a civil-military partnership, to achieving unity of effort between the civilian and military elements, and not just between U.S. military and civilian, but between the ISAF military and the international civilian efforts, and then, of course, between those efforts and those of our Afghan partners. I think I may have mentioned that, in the past several days, without presuming confirmation, I have had conversations with—in fact, we did four-way conversations—we had Ambassador Eikenberry, Ambassador Holbrooke, General Lute, and myself on the phone. These have been quite productive. This is, I think, the way to go about it, so that everyone is all on there. Ambassador Eikenberry is going—if confirmed, depending on how rapidly—we have various timelines—the intent is to stop in Brussels, on the way, to meet with the Secretary General of NATO, the Chairman of the Military Committee, the permanent representatives of the North Atlantic Council, the military representatives, and so forth. Having talked to the Secretary General, the chairman, and then the NATO chain of command, the Supreme Allied Commander, Europe, and the Commander of Joint Forces Command, Brunssum, General Ramms, who's the ISAF boss on the NATO chain. Ambassador Eikenberry will join me in Brussels. We'll huddle there, after the activities with NATO and then fly into Kabul together. Ambassador Mark Sedwill, the NATO senior civilian representative for ISAF, will do the same.

I think that there is every intent, and everyone has committed to forging this civil-military partnership that can help us achieve

unity of effort on the U.S. and international side, and then, as I said, unity of effort with our Afghan partners, as well.

Senator WICKER. Will you be applying lessons learned between you and Ambassador Crocker in Iraq?

General PETRAEUS. Of course.

Lessons learned from that, from the study of history, of watching other circumstances, watching it in Iraq, in previous assignments there, and so forth, as well, without question—and in Bosnia and Haiti and Kuwait and a variety of other places, too; Central America, for that matter.

Senator WICKER. I wish you the very best, and want to be helpful in any way.

Thank you for your service.

General PETRAEUS. Thank you, Senator.

Chairman LEVIN. Thank you, Senator Wicker.

Senator Udall.

Senator UDALL. Good afternoon, General. Thank you for being here today.

I want to share the same sentiments that Senator Webb did with you about taking a demotion and once again responding to the call.

I want to also add my comments to the expectation, that I think we all have on the committee, that leadership, as you've demonstrated, and as Tom Ricks mentioned in a recent column, is about getting everybody on the same page. You don't need to respond, but I hold the President responsible, on down through the chain of command, that we'll get the kind of unified team in Afghanistan to make this strategy a successful one.

I'm reminded, moving to the second point I'd like to make, that Lincoln, I think, famously said, "The best generals always seem to work for the newspapers." I think that's what he said. There have been a whole slew of comments in columns, over the last few weeks, from people that I respect—Ignatius, Douthat, McCaffrey, Ricks, Viscovich, Cordesman—there's a long list of smart people who've laid out a lot of different approaches to the challenge we face in Afghanistan. I wanted to mention a couple of them in the following comments.

For those who think the smart thing to do is just to leave Afghanistan, I think Douthat put it pretty well, when he said, "The best exit strategy is probably success strategy. For those who think that a counterterrorism approach or a containment strategy would be easy, think about the long term responsibilities that those would involve."

At the other end of the scale, you have those who say we ought to have an open-ended approach in Afghanistan, that there shouldn't be any real urgency. I disagree with that approach, as well. President Bush showed that timelines in Iraq could work. You made the point earlier that we've combined a sense of urgency with an enormously larger commitment of troops and support in Afghanistan.

Again, you don't have to comment, but I hold those comments out as reflecting my point of view for the citizens of Colorado and members of this committee.

Let me just move to a question you've been asked, and answered some different ways here this morning. A lot of people think we've

had success in Iraq. We can just replicate it in Afghanistan. What's different, in Afghanistan, when it comes to our counterinsurgency strategy?

General PETRAEUS. They are two very different countries, obviously. It might be worth recalling that, back in September 2005, after I completed a second tour in Iraq, when we stood up the train-and-equip mission, and so forth, I was asked to come home through Afghanistan—by the Secretary of Defense—and to do an assessment of the situation over there, and particularly the train-and-equip program. I did that. In the course of doing that, when I reported out to him, of course with the aid of PowerPoint, which is one of the First Amendment rights of every four-star general in expressing his freedom of expression—but, anyway, we laid out a PowerPoint slide, and the title of the slide was "Afghanistan"—and it had the does-not-equal sign—"Afghanistan Does Not Equal Iraq," and then laid out the factors that were different: the very different level of human capital in Afghanistan, a country that's been wracked by well over 3 decades of conflict, and started out, prior to that time, as one of the fifth poorest countries in the world, the lack of infrastructure, the lack, at that time, to my awareness at that time, of the kinds of natural resource blessings, energy blessings that Iraq has; the lack of the very strong central government that Iraq had, arguably a bit too strong, under Saddam. But, again, you can just keep going on down the list: 70 percent illiteracy in Afghanistan, probably 80-some-odd percent literacy in Iraq. So, we laid that out.

All of this means that you have to adapt very substantially. You certainly can't take lessons learned in Iraq and just apply them in a rote manner in Afghanistan. They have to be applied with a keen understanding of the situation on the ground, village by village, valley by valley. All counterinsurgency is local, as they say. I think we have to be very measured, again, in trying to transfer anything from Iraq.

Having said that, there are certainly principles of counterinsurgency, there are certainly experiences that we had there, and certainly there are capabilities and capacities that we developed there that are very much of value, when it comes to our abilities to fuse intelligence, the breakthroughs in each of the disciplines of intelligence imagery, human intelligence, signals intelligence, and so forth, and on and on. I think that has helped us.

For example, we know that there are certain organizations that you need. When I talked about getting the inputs right in Afghanistan, what I meant was, trying to replicate, certainly, the organizations that we had in Iraq, in Afghanistan. We didn't have the inputs right. When I took over as CENTCOM Commander, having focused almost exclusively, for the previous 5 or 6 years, on Iraq, and opened the aperture further, to really look hard at Afghanistan, I was struck by how many actions we needed to take to get the inputs right, in terms of the organizations, the people, the concepts, and above all, the resources.

As I mentioned, on General McChrystal's watch—and on General McKiernan's, prior to that—there has been a substantial effort to get those inputs right. We're almost at the point where we have the additional forces on the ground that will enable the full implemen-

tation of the approach. That approach will have to be carried out with a keen and as precise an awareness of local circumstances on the ground in Afghanistan, and without some thought of, "Well, it worked this way in Baghdad. Why won't it work this way in Kabul?"

Senator UDALL. Let me mention that Ambassador Crocker used to say, I believe, that "Just because you walked out of a movie, it doesn't mean it's over." In that context, I've read some accounts that there's not much tangible planning being put in place for after July 2011, particularly on the civil-military front. Could you speak to what kind of planning is being done, and what's in place for that timeframe after July 2011?

General PETRAEUS. The focus, I think, understandably, of really the last year and a half has been, first, to help the President contribute to getting the policy right, then to develop the implementation plans to operationalize that policy, in terms of a civil-military campaign plan, and then to expand it with our Afghan partners, and then to make, in some cases, some substantial tweaks along the way, particularly with the Afghan National Security Force effort. That has been the focus. Now we're into the implementation of those plans.

At some point, obviously we'll start looking harder at this. But, I think right now, our effort, rightly, needs to look at what it is that we need to do between now and the end of this fighting season. There will be an assessment at the end of this year, after which, undoubtedly, we'll make certain tweaks, refinements, perhaps some significant changes to get us to that point at which we obviously want to begin these processes that we've talked about beginning in July 2011.

Senator UDALL. Thanks, General. I see my time's expired.

I support the way forward, and I'm going to very carefully study the assessments at the end of this year and as we move forward.

Thank you for being here.

General PETRAEUS. Thank you, Senator.

Chairman LEVIN. Thank you, Senator Udall.

Senator LeMieux.

Senator LEMIEUX. Thank you, Mr. Chairman.

General, thank you for being here. Again, thank you, to you and to your wife, Holly, for again answering the call of duty. We are going to miss you at MacDill in Tampa, but we know we'll get you back to Florida eventually, like we get most folks to Florida.

I also want to thank your senior team for also making the sacrifice and the commitment to go with you. I know that is a sacrifice. I am just very appreciative of all that you, your wife, your family, and your team has done for this country.

General PETRAEUS. If I could, I'd just thank them, as well. CENTCOM hasn't exactly been sitting on the beach at Florida, much as we'd like to. A number of them have raised their right hands and volunteered to go back into the fray here, and to deploy to Afghanistan. I do appreciate that very much.

Senator LEMIEUX. General, you said, a moment ago, in answering a question from Senator McCain, that you were not consulted on the development of the drawdown date.

General PETRAEUS. I was consulted. Let's be very precise, if I could—did we propose it or it was something like that. I mean, we—there's no question that, in the final session, that this was discussed and we support it and agree to it.

Senator LEMIEUX. But, it was not something that you proposed?

General PETRAEUS. That is correct.

Senator LEMIEUX. Not something, as far as you're aware, that was proposed by any of the other leadership of the military?

General PETRAEUS. Not that I'm aware of.

Senator LEMIEUX. You're a student of military history in this country, and you're well expert in it. Do you find that the adoption of something like that, coming from the civilian side, the elected leadership of the country, without being offered by the military—do you find that to be normal, based upon the history of this country?

General PETRAEUS. I'm not a student of every deliberation that's ever taken place about this kind of stuff. I have watched enough of them, though, as the Executive Officer to the Chairman of the Joint Chiefs, and then, of course, in various capacities as a general officer, to know that a whole lot of things intrude that are—and appropriately intrude—because there are many other interests out there than the strictly military interests and strictly military advice.

In fact, I've had good conversations with individuals, in recent days, about the role of a commander in a situation such as that of being Commander, ISAF. In my view, it is to understand the mission very clearly, to have dialogue with one's chain of command, and ultimately the Commander in Chief, to ensure that everyone understands it the same way—and, for what it's worth, this is a process I went through with President Bush at the beginning of the surge—to then develop and recommend what is believed to be the right approach to accomplish that mission; to assess the resources necessary to enable implementation of that approach that military strategy, and in this case, a civil-military strategy, frankly; to identify the levels of risk associated with different levels of resourcing; and then to have dialogue about all of that, as it goes forward, recognizing that, when Commander, ISAF made a recommendation to me, for example, as CENTCOM Commander, I had a broader purview. It wasn't only about Afghanistan in CENTCOM, we also certainly still had Iraq. There's Yemen, there's Iran, there's Lebanon. There's a whole host of other challenges. It goes to the Pentagon and, of course, now it's the whole world.

You also now start to have, probably, resource implications and the opportunity costs of doing something in one place and not in another. Obviously and appropriately, when it goes across the river to the White House, the President has to be interested in fiscal considerations, political considerations, diplomatic considerations. All of that is appropriate.

Senator LEMIEUX. I understand.

General PETRAEUS. I won't find it unusual to have, again, something be inserted that was not from the bottom up.

Senator LEMIEUX. I'm just trying to think of a precedent in American history where we were fighting a war, and, before we've won that war, we've decided that there would be a day that we

would start withdrawing our troops. Are you aware of such a precedent?

General PETRAEUS. You might just go back and look, with respect, at the 2005–2006 timeframe in Iraq; look at the efforts at transitioning of tasks to Iraqi security forces prior to the beginning of the surge, and so forth. I think I'd be careful, if I could, with respect, Senator.

Senator LEMIEUX. The amount of troops that General McChrystal had recommended was 40,000. The President agreed to send 30,000 troops, with the understanding that 10,000 troops would be drawn down upon from our international partners. What's the status of those 10,000 troops?

General PETRAEUS. I think that right now you are always recalculating numbers—but, the latest number that I was given is that 9,700 have been pledged. Of that, I think about 60 percent of those are actually on the ground. Beyond that, Secretary Gates has been given—and he has explained this publicly—a "flex factor," if you will, of some 10 percent on top of the 30 percent, so that he doesn't need to go back to the President if——

Chairman LEVIN. The 10 percent on top of the 30,000?

General PETRAEUS. I'm sorry—30,000, right—so that, if required for emerging force protection needs and so forth, that he can very quickly make determinations and enable the deployment of those forces to protect our forces, or to deploy something that is urgently needed without having to, again, get into a deliberation.

Senator LEMIEUX. Are those international troops there without caveats? Are they able to fight, just as our U.S. troops are able to fight?

General PETRAEUS. It varies from country to country, clearly. Certainly there are countries with caveats. For what it's worth, when I was the commander in Iraq, many of the international contributions had caveats, some of them official and, by the way, some of them non-official, or unofficial. Certainly, the coalition commander should ask for everything, there's never been a coalition commander that wouldn't like fewer caveats, more troops, more money, and now, by the way, more bandwidth, as well, because bandwidth is another key need.

But, when you get all that, after having done that, your job is to stop whining and to get on with it and put it all together; understand the strengths and weaknesses, the capabilities and limitations of each element in the force, and try to make the best use of those elements that are provided.

Senator LEMIEUX. When you get on the ground in Afghanistan—this will have to be my final question, because my time is up—I assume you're going to make an evaluation of the troops that have deployed, as well as our international partners that have troops. Is it possible that, in the next coming months, as you're on the ground making those decisions, that you could request additional troops, beyond those that have been pledged?

General PETRAEUS. Not only is it possible, I will, if confirmed, do that at NATO when I am there. We're going to stop at NATO, en route to Kabul, and there is a requirement for forces that has not been met by NATO. This is a NATO standing requirement for additional trainers. Chairman Levin talked at considerable length

about this, 2 weeks ago, as we worked our way through the numbers of what the requirement is, what has been already put on the ground, what is pledged, and then what is still out there as a requirement. I will state to our NATO partners the importance of filling, in particular, those trainer and mentor billets, because that's all about the development of the Afghan National Security Forces.

Senator LEMIEUX. My question wasn't clear enough. Is it possible that you may ask the President for additional troops, as well?

General PETRAEUS. Senator, as I said 2 weeks ago, as I said this morning, I will offer my best professional military advice, and if that's part of it, then that's what I'll provide.

Senator LEMIEUX. Thank you again, General.

Thank you, Mr. Chairman.

General PETRAEUS. Thank you. Thanks for the tremendous support that Florida provides to those at MacDill, and all of our Armed Forces.

Senator LEMIEUX. Yes, sir.

Chairman LEVIN. Thank you, Senator LeMieux.

Senator Hagan.

Senator HAGAN. Thank you, Mr. Chairman.

General Petraeus, I am glad that the President has chosen you to be the Commander of U.S. forces in Afghanistan and NATO's ISAF. There's nobody better equipped to do this job than you. You wrote the counterinsurgency field manual when you were the Commanding General of the U.S. Army Combined Arms Center, and you implemented it as the commander in Iraq during the surge in troops and the change in the Iraqi strategy. You were also fundamental in helping to shape President Obama's strategy in Afghanistan. I want to say to you, thank you, and to Mrs. Petraeus, for your continued sacrifice and service.

Mrs. Petraeus, I want to personally tell you how much we all appreciate your support and personal sacrifice. Your patriotism is most obvious. On behalf of the citizens and the soldiers and the families in North Carolina, I just want to tell you, once again, thank you very much.

General Petraeus, earlier today you mentioned that President Karzai is sensitive to empowering provincial and district governors in Afghanistan. It seems that President Karzai tends to favor a more centralized government in Kabul. As you mentioned, it's important that there is inclusivity and transparency for all in Afghanistan. However, the Taliban shadow governments continue to pose significant problems throughout Afghanistan. How will you work with President Karzai to continue to develop local Afghan Government capacity? How will you ensure that President Karzai understands that it's in his best interest to build the local governance capacity?

General PETRAEUS. First of all, Senator, thanks, to all those in the Tarheel State who do so much for our country. I'm hard-pressed to think of three greater platforms than what you have there with the Army, Air Force, and Marine Corps, and what a privilege it's been to serve at the center of the military universe—that being, of course, Fort Bragg, NC.

With respect to the point about centralized government, of course, the constitution is what mandates the centralization of that

government in Afghanistan, and President Karzai is, of course, carrying out the law of that constitution. But, without question, I will work very hard with Ambassador Eikenberry, with Ambassador Mark Sedwill, with Ambassador Staffan de Mistura, the special representative of the Secretary General of the U.N., who, by the way, again, had that same position in Iraq, to help President Karzai really operationalize these qualities that he has identified as being essential to successful local governance. Those are inclusivity and transparency.

We've had long conversations about this. Ambassador Holbrooke and I, after we did the review-of-concept drill, a civil-military review-of-concept drill, a few months ago in Kabul, which involved not just the U.S. and ISAF and coalition, but also Afghan civilian, as well as military officials, sat for over 2 hours with President Karzai, and talked about this very subject. Because, again, we were giving him an outbrief from the conduct of this drill, where we identified certain areas that needed greater emphasis. Rule of law, by the way, was one of them—the judicial sector of that, in particular—and which he very much agrees with.

But, again, this discussion about, How do you ensure that all elements of a local community, subdistrict, district, province feel that they are represented adequately and fairly? That's critical.

Arguably, one of the challenges in Kandahar is that that situation does not obtain. That's why he went down there twice in recent months alone to hold large shura councils. Folks will say, "Well, he stacked them with all his own players." You could have fooled me, because some of them stood up, on camera, with the microphone, and criticized the government, criticized President Karzai. He did some self-criticism.

That's the kind of process that needs to be carried out so that the people do feel that what the "new Afghanistan," if you will, offers—what the Government of Afghanistan offers—is, indeed, a better future, a fairer one, and has brighter prospects than the future that the Taliban might be able to hold out.

The Taliban, in the past, has been able to play on grievances, some of them quite legitimate. When there has been predatory activity by local police or other security officials, or government officials, that obviously plays into the Taliban's hand. Clearly, the whole issue of corruption does, as well. We've had conversations with President Karzai about that, as well. He recognizes the seriousness of it. We have to help him there. Indeed, there are structures and activities on both the Afghan and the international side that have been established in recent months that should be able to help with that, including our task force, to look very hard at contracts.

Senator HAGAN. Thank you.

As CENTCOM Commander, you have been able to effectively develop a good working relationship with the Pakistani military leadership. How do you plan to utilize those relationships, as Commander of the U.S. forces in Afghanistan?

General PETRAEUS. That relationship is crucially important. We worked it very hard, as did Admiral Mullen, and as did, by the way, General McChrystal, who made a number of visits to Islamabad to meet with General Kayani and with other Pakistani

officials. But, the relationship between the Afghan Government and the Pakistani Government, between the militaries, and so forth, is critical. As I mentioned earlier, they are always going to be neighbors. They have had, at various times, differing objectives in the future. What we need to do is to help them realize that there are mutual objectives that could help each country more, if they seek them, rather than by seeking objectives that are in conflict.

Senator HAGAN. Reportedly, Pakistan wants to have a role in the Afghan reconciliation initiatives, with senior members of the Afghan Taliban. It's also been reported that Pakistan wants to be a channel to the Pashtuns in Afghanistan, and wants to utilize reconciliation as a mechanism to influence Afghanistan and avert Indian regional encirclement. How will you work with the Afghan Government and military to manage Pakistan's strategic interests?

General PETRAEUS. We can certainly facilitate that dialogue; participate in the dialogue; be perhaps, an honest broker in that dialogue. We are friends to both. We are enormously enabling both in a tough fight. One of its fights, by the way, is to keep our lines of communication open. You enable us to provide substantial amounts of coalition support funding to them, well over a billion dollars, for the course of their past fiscal and calendar year. Well up into the hundreds of billion—or, hundreds of millions in foreign military financing and other mechanisms, plus the $1.5 billion of Kerry-Lugar-Berman for each of the next 5 years. That's very important. That's a symbol, again, of our sustained, substantial commitment. It shows that we do not want to do to them what we did after Charlie Wilson's war, which was, having achieved the outcome that we wanted, washed our hands of it and left. I think it's very important. They've seen that movie before, as well. I think it's very important that they realize that we are in this with them, with both of them—and, by the way, with India, as well. India has legitimate interests in this region, without question, as do others, if you want to extend it further.

I think we can facilitate that. This would be—again, a civil-military effort, very much. But, we'll use those relationships that we have developed to that end.

Senator HAGAN. Thank you. I see that my time is up. I know you've had a long morning. We all look forward to your confirmation.

General PETRAEUS. Thank you, Senator.

Chairman LEVIN. Thank you, Senator Hagan.

General, as you've reiterated, setting a July 2011 date to begin reduction of our forces is a message of urgency to the Afghan Government to take principal responsibility for their own security by increasing the capacity of their security forces, particularly their army.

Now, that message to the Afghan Government reflects the urgency that I think we all feel. It's also an urgency for the Afghan units that are capable of leading operations, to take that leadership, particularly in Kandahar.

Now, there's another target of this message of urgency, which is aimed at increasing the size and the capability of the Afghan forces, and the hope and belief that they need to take the lead in

operations, particularly in Kandahar. That other target, beside the Afghan Government, of this message, is the Taliban itself.

The size and capability of the Afghan army, and having Afghan forces leading operations more and more, is bad news for the Taliban. Now, I've described that as the Taliban's worst nightmare, because their propaganda, that they are fighting against foreign forces who want to control Afghanistan, will ring more and more hollow with the Afghan population as the Afghan army, which has support of the Afghan people, is leading the effort to defeat the insurgents. Is that something that you would generally agree with?

General PETRAEUS. I would.

Chairman LEVIN. Now, finally, General, you were asked, earlier, about the funding for the Iraq security forces. According to a Defense Department report, the Iraq Minister of Defense requested $7.4 billion as part of the 2010 budget, but the Iraq Minister of Finance cut the request to $4.9 billion. That's a $2½ billion cut in Iraqi support for their own military, from the request that was made by the Minister of Defense. Were you familiar with the Government of Iraq's cut to the Ministry of Defense request?

General PETRAEUS. With respect, I missed that Mr. Chairman.

Chairman LEVIN. That's all right.

General PETRAEUS. However, having heard it, I want to assure you that I will communicate with my friend, Minister of Finance, Bayan Jabbar, and express my concern about that, my hope that they would increase that amount, and, if they can't do it in the formal budget, to do it in a supplemental, such as they have done in the past, because, it's very important that they get full funding for their forces, just as, obviously, it is for ours.

Chairman LEVIN. The Minister of Finance recently announced that Iraq now has a windfall of an additional $10 billion in oil revenue, above what it had budgeted for in 2010. Are you familiar with that additional unexpected $10 billion in oil revenues for Iraq?

General PETRAEUS. That sounds a bit high. It may be on projections, frankly. I think that's going to fluctuate with the price of oil, obviously. But, the fact is that they were ahead of their projected revenues. That is something that we typically watch. Once a month or so, we see that. That would enable them, indeed, to fund it more fully, clearly, than he did. I'll express that to him.

Chairman LEVIN. General, we thank you. We admire you greatly. We wish you a successful mission, with all of your troops. We add our thanks, to all of the people who work with you, for, as you put it, raising their right hand, as well, and those that are able to go back to Afghanistan to do so.

We will stand adjourned with, again, our gratitude to you and to Mrs. Petraeus.

[Whereupon, at 12:49 p.m., the committee adjourned.]

[Prepared questions submitted to GEN David H. Petraeus, USA, by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

AFGHANISTAN-PAKISTAN STRATEGY AND MAJOR CHALLENGES

Question. What role, if any, did you play in the formulation of the President's strategy for Afghanistan and Pakistan?

Answer. In my position as Commander, U.S. Central Command (CENTCOM), I was part of a group that included the President and his national security team that engaged in an extensive review of our options, mission, and objectives in Afghanistan. The review process involved multiple sessions with the President, in which we discussed and challenged the assumptions underlying the strategy in Afghanistan. Additionally, the process included a review of the situation in Pakistan, which is closely related to the situation in Afghanistan. While participating in each of these sessions, I offered to the President my best professional military advice.

Question. In his speech at West Point in December 2009, the President formulated his strategy for Afghanistan and Pakistan.

Do you agree with that strategy?

Answer. Yes.

Question. Do you agree with the President's decision to begin reductions of U.S. forces in July 2011?

Answer. Yes.

Question. Why or why not?

Answer. I support the policy of the President. As the President has stated, July 2011 is the point at which we will begin a transition phase in which the Afghan Government will take more and more responsibility for its own security. As the President has also indicated, July 2011 is not a date when we will be rapidly withdrawing our forces and "switching off the lights and closing the door behind us."

The President's speech at West Point was intended to convey two messages, one of enormous additional commitment and one of urgency. I believe there was value in sending a message of urgency—July 2011—as well as the message the President was sending of commitment—the additional, substantial numbers of forces. But it is important that July 2011 be seen for what it is: the date when a process begins, in which the reduction of U.S. forces must be based on the conditions at the time, and not a date when the U.S. heads for the exits, as the President reiterated on 24 June.

Question. Do you agree with the President's decision that the pace of reductions beginning in July 2011 will be conditions based?

Answer. Yes.

Question. Why or why not?

Answer. The pace of the drawdown of our forces in Afghanistan should, as the President has stated, be a responsible one, based on conditions on the ground beginning in July 2011, in order to ensure that Afghanistan can build the capacity to take full responsibility for its own security.

SECURITY SITUATION IN AFGHANISTAN

Question. What is your assessment of the security situation in Afghanistan and the nature, size, and scope of the insurgency?

Answer. The security situation in Afghanistan remains tenuous, with instability fueled by a resilient and still-confident insurgency, tribal tensions, political challenges, and competition for influence in the future. A deeply rooted criminal element, fueled by illicit economic activity and the narcotics industry, further threatens stability and continues to serve as an impediment to creating good governance and effective security forces. The formal governance system in Afghanistan appears weak, but is reinforced by strong power broker networks. The nexus between weak formal structures and strong informal ones is a key driver of support for the opposition and the insurgency, and also fundamentally undermines insurgents' interest in reconciliation and reintegration.

While the Taliban are the dominant Afghan insurgent group, the insurgency is by no means monolithic. Moreover, primary motivations for joining the insurgency have evolved over the past 5 years from ideological affinity with Mullah Omar's beliefs to disenfranchisement with local and national conditions. While the key goals and values of insurgent leaders remain largely constant, an increasing percentage of insurgents are motivated by intra-Pashtun rivalries, political disenfranchisement, and the perception that the Taliban will eventually emerge as the dominant Pashtun political entity in Afghanistan.

Meanwhile, the strategic objectives of the Taliban-dominated insurgency remain expelling foreign forces from Afghanistan, preventing the Government of the Islamic Republic of Afghanistan (GIRoA) from developing into an effective government, and reinstating the Islamist Government headed by Mullah Omar. Insurgent leaders view their tactical and operational losses in 2010 as inevitable and acceptable. The Taliban believe they can outlast the Coalition's will to fight and believe this strategy will be effective despite short-term losses. The Taliban also believe they can sustain momentum and maintain operational capacity. We assess that the Taliban strategy

is largely designed to establish influence over the Afghan population, by whatever means necessary. In some cases this will mean exercising brutal, coercive intimidation, and in other cases providing services for the population, such as the application of Sha'ria law to fill the societal need for speedy justice. Nevertheless, polling consistently shows that Afghan public opinion is largely opposed to the Taliban, though public sentiment also reflects dissatisfaction with the GIRoA in some areas.

It is difficult to arrive at quantitative estimates of Taliban manpower. Even though the increase in International Security Assistance Force (ISAF) strength in 2010 caused some concern for insurgent leaders, they continue to show an ability to adapt and respond to ISAF changes, and the size and intensity of the insurgency has increased in proportion to ISAF's expansion. The Taliban's increasing ability to project its influence in Regional Command-South, Regional Command-Southwest and Regional Command-East and to create instability in Regional Command-West and Regional Command-North indicate the Taliban suffer no shortage of manpower. They likely believe they will be able to maintain their current strength and possibly grow.

Central to Taliban themes and messages is their depiction of ISAF forces as occupiers supporting an apostate and corrupt regime. Senior Taliban leaders understand the ISAF strategy and have made adjustments to enhance their own population-centric insurgency in competition with the ISAF counterinsurgency approach. They recognize the need to keep the local population distanced from the GIRoA and ISAF, as exemplified by the recent increase in assassinations, murder, and intimidation tactics focused on Afghans who work with the GIRoA and ISAF. These are traditional insurgent tactics, which the Taliban likely deem sufficient to achieve their goals for the 2010 fighting season. They are unlikely to significantly alter their strategy, except to adapt to local conditions.

Afghans remain optimistic, however, about the direction of their country, despite the many shortcomings of the GIRoA and the tumultuous security environment. Afghans overwhelmingly prefer the GIRoA to the Taliban. Additionally, many Afghans continue to support potential negotiations with the Taliban to end the years-long conflict.

CIVILIAN-MILITARY COOPERATION IN AFGHANISTAN

Question. What is your assessment of the current level of cooperation and coordination between the military and civilian efforts in Afghanistan to implement the counterinsurgency strategy, both within the U.S. Government and between the North Atlantic Treaty Organization (NATO) ISAF and international civilian entities?

Answer. My judgment is that the current level of civil-military cooperation and coordination is good and has been strengthened during the past year. Clearly, civil-military partnership is the key to establishing unity of effort in all our activities. It is my intention to take further steps to enhance civil-military planning and coordination as we move ahead in our campaign in Afghanistan.

Much progress has been made in the past year. The Afghanistan-Pakistan Strategic Implementation Plan of July 2009 called for greater civil-military cooperation and directed the development of U.S. Government integrated civil-military campaign plans for both Afghanistan and Pakistan. These plans were cooperatively developed by U.S. Embassy Kabul and U.S. Forces-Afghanistan (USFOR–A)/ISAF in conjunction with CENTCOM and the office of the Special Representative for Afghanistan and Pakistan. Indeed, we are currently in the process of reviewing the Afghanistan civil-military campaign plan to take into account the adoption of development clusters by the Afghan Government and the transition process which is being jointly developed by ISAF and the Afghan Government.

Civil-military cooperation has also been strengthened with the ongoing "civilian surge" of approximately 1,000 additional civilian officials to help build governance and development capacity in Afghanistan. The civilian surge has enabled ISAF and the ISAF Joint Command Headquarters, along with each of the regional headquarters staffs, to evolve into fully integrated civil-military teams. The civilian surge has also increased civilian support at the provincial level, where Provincial Reconstruction Teams and District Delivery Teams are the tactical manifestation of our civil-military cooperative efforts. They prioritize our collective efforts and help to enhance unity of effort at the local level.

The appointment of a NATO Senior Civilian Representative, currently Ambassador Mark Sedwill, as a NATO counterpart to Commander, ISAF has greatly improved cooperation between ISAF and international civilian agencies. Likewise, the appointment of Senior Civilian Representatives to each of the regional headquarters has served to improve our overall civil-military cooperation and coordination.

We have also undertaken to synchronize our civil-military activities through periodic civil-military Rehearsal of Concept (ROC) Drills, which have helped identify areas where we can improve our partnership while giving us a shared understanding of future key events and operations. The most recent ROC Drill, which I co-hosted in April in Kabul with Ambassador Richard Holbrooke, brought together the senior leaders of practically every major Afghan, U.S., NATO, and international agency operating in Afghanistan. The conference yielded invaluable insights about how to better coordinate our collective efforts, and it is our intent to conduct a follow-up ROC Drill in the second half of this year.

BUILDING THE AFGHAN NATIONAL SECURITY FORCES

Question. The current strategy for training and equipping the Afghan National Security Forces (ANSF) calls for growing the Afghan National Army (ANA) to a level of 171,000 and the Afghan National Police (ANP) to a level of 134,000 by October 2011.

In your view, will the currently-planned end strength levels for the ANA and ANP be sufficient to provide security and stability in Afghanistan, or should these end strength levels be increased? If increased, what levels would you recommend for the ANA and the ANP?

Answer. I am aware of ongoing analysis by the NATO Training Mission-Afghanistan (NTM–A) on the need for growth beyond currently approved goals. While the exact numbers needed are still being determined, I am not willing to say that the currently approved strength of 305,600 will prove sufficient. If I am confirmed, within 90–120 days of assuming command, I will make my own assessment of the need for any increase, provide that recommendation to the U.S. and NATO chains of command, and continually assess the appropriate size and structure of the ANSF to ensure that we do all possible to enable transition of security tasks to Afghan forces as soon as is possible.

Question. What in your view are the greatest challenges to building the capacity of the ANSF to assume responsibility for Afghanistan's security?

Answer. The development of leaders remains our top priority and is essential for building a professional ANSF. Leadership deficiencies within the ANSF—including insufficient numbers of junior officers and noncommissioned officers, gaps in the midgrade ranks, and the presence of corruption in some ranks—pose the greatest threat to our Afghan allies. Significant efforts have been made to improve leader development programs, to include adding new and overhauling existing ANA and ANP leader courses.

Attrition in some elements of the ANSF, particularly Afghan National Civil Order Police and the southern ANA Corps, also remains a problem. As we have executed our accelerated growth plans, it has become apparent that a complex interaction exists amongst recruiting, retention, and attrition. This interaction affects our efforts to meet quantitative goals while maintaining adequate quality. In order to meet both quantitative and qualitative objectives, training and instructor shortfalls must be filled.

An additional challenge includes balancing current operational requirements with the demands of long-term programs that are focused on growth, quality, and supporting institutions. There is an inherent tension between running long training and education programs, and striving to keep a large percentage of the existing ANSF in near-continuous operations. Our challenge is to find the appropriate balance between the two demands.

NTM–A/Combined Security Transition Command-Afghanistan (CSTC–A) manning remains a challenge. Though these organizations have received a significant influx of U.S. personnel since November 2009, there remain unfilled requirements. The Joint Staff, the Services, and SHAPE are working to bring in personnel with the appropriate skill sets to meet ANSF quantitative goals in a timely manner, while simultaneously improving ANSF quality. If NTM–A/CSTC–A receives all confirmed NATO pledges, it will have approximately 724 additional personnel, bringing us to 91 percent of our required NTM–A/CSTC–A personnel.

Finally, internal security depends on the three pillars of judiciary, corrections, and policing. While NTM–A/CSTC–A is directly responsible for supporting policing, other organizations are responsible for the development of corrections and the judiciary. The lagging progress of the judiciary is a serious concern, and if corrective measures are not taken soon to accelerate the development of the justice system, the professionalization of the Afghan police will be put at risk. It is for this reason that we have supported the development of a civil-military rule of law task force.

Question. There remains a shortfall in the number of training personnel required for the NATO Training Mission Afghanistan (NTM–A). At a recent hearing, the

committee heard testimony that NTM–A lacks 450 "institutional" trainers. In addition 574 trainers have been pledged by NATO members but have yet to arrive in theater, and another 235 trainers are "pending" confirmation from NATO member capitals. Separately, the training effort is short some 14 Operational Mentoring and Liaison Teams (OMLTs) for training the ANA and 140 Police OMLTs for building the capabilities of the ANP.

What is your assessment of the ANA?

Answer. The ANA remains the most respected element of the ANSF. ANA, and police forces are now jointly leading security efforts in Kabul. They have recently conducted joint air mobile operations in the north, where Afghan Air Force helicopters transported army forces to support local police. Moreover, ANA commanders are now partnering with coalition forces during joint operational planning.

In IJC's most recent assessment of ANSF operational effectiveness, 5 of 19 assessed ANA brigades are capable of planning, executing, and sustaining regional security operations with limited, yet still essential, support from partnered ISAF units. The remaining 14 brigades are assessed as requiring partnered assistance to conduct the majority of their functions. Of the major ANA headquarters assessed, two (205th Corps and 111th Capital Division) are assessed as capable of performing their missions with limited support, while the remaining five major headquarters require comprehensive ISAF support.

The ANA still lacks the combat power to adequately secure terrain, but new ANA growth is helping to ameliorate this shortcoming. The ANA's logistics efforts need greater emphasis, but the planned fielding of greater logistics assets should improve the Afghans' ability to adequately sustain themselves.

Question. What in your view should be done to encourage NATO allies to provide more institutional trainers?

Answer. Nations are generally resistant to additional contributions for two reasons: money and force caps. With regard to money, we can encourage our NATO allies by allowing the use of Afghanistan Security Forces Funds (ASFF) or Lift and Sustain money, when appropriate, to fund the deployment and life support of trainers. In some cases, especially regarding police trainers, allied organizations that are potential contributors to NTM–A do not have sufficient funding to support the deployment of their trainers. Under current U.S. policy, we cannot provide funding if nations do not qualify for L&S support or if the organization in question is outside the Ministry of Defense (MoD) structure.

In the case of non-MoD forces, exceptions to policy may be made for nations already approved for L&S funding. However, L&S funds only cover MoD forces, and not police forces that work with the Ministry of the Interior. To meet this critical gap, NTM–A has sought approval to use ASFF funding for police trainers during the next 2 fiscal years to ease the issue of funding and provide resources for vital trainers during this critical period of ANSF growth.

In addition, we should continue to coordinate and facilitate countries willing to donate funding for other countries that are willing to deploy but lack the necessary funds. The United Arab Emirates, for example, recently made a generous offer to help fund deployments to assist in overcoming the shortage of required trainers.

NATO members are also constrained by force cap issues. Several member nations have limitations on the number of forces they can have in theater. Germany, Spain, France, U.K., and Italy are all examples of nations that could provide more trainers but are unable to do so because of domestic political reluctance to increase troop numbers. To overcome some of these force cap issues, we should ask our NATO allies to send instructors to teach in ANSF schools on a rotational, temporary duty basis. This would provide the specialized trainers required, while building capacity for the Afghan forces and enhancing the expertise of coalition partners.

Question. What should be done to encourage NATO allies to provide additional OMLTs and Police Operational Mentor and Liaison Teams (POMLTs)?

Answer. In addition to the proposals I have already mentioned, the United States can encourage our allies to provide more OMLTs and POMLTs by offering to provide NATO interoperable equipment that would give the OMLTs/POMLTs greater capability to move and communicate. Many nations are unable to equip their forces to meet NATO standards. The United States supports many such nations now, although we are constrained by our own resource requirements and the overall shortage of critical assets such as mine resistant ambush protected (MRAP) (though the MRAP shortage will be eliminated late this fall).

Additionally, many Central and East European nations require U.S. augmentation, often through the State Partnership Program, to fill critical billets within the OMLT/POMLTs. We can continue to provide this augmentation, within the limits of our own force limitations.

PARTNERING WITH AFGHAN SECURITY FORCES

Question. The committee received a briefing on plans for the campaign in Kandahar, which called for the deployment of Afghan and ISAF security forces partnered together to provide a "rising tide" of security in and around Kandahar over a period of months.

How many Afghan troops are there now in Kandahar?

Answer. As of 27 June, the ANA's 205th Corps has 7,261 soldiers present for duty in Kandahar province. New expansions to the ANA have allowed the 205th Corps to focus its efforts on Kandahar, effectively doubling the number of Afghan troops there, and additional new forces are expected to reach the 205th Corps in the remainder of 2010 and in 2011.

Question. How many Afghan troops are there now in Helmand?

Answer. As of 27 June, the ANA's newly formed 215th Corps has 6,794 soldiers present for duty in Helmand province. Over the remainder of 2010, the 215th Corps will continue to be fielded towards its authorized strength of 11,000.

Question. If confirmed, what steps, if any, would you recommend to increase the number of operations in which Afghan security forces are in the lead, particularly in RC-South?

Answer. The tested concept of embedded partnering remains our most critical tool to increase the effectiveness of ANSF. As we complete the Coalition force flow and concentrate our combined efforts in both Helmand and Kandahar, embedded partnerships will enable us to accelerate the development of the fielded Afghan force and foster stronger leadership. The Afghans' local knowledge, cultural understanding, and intuitive feel for the operating environment, coupled with our technology, air assets, and logistics support are proving time and time again to be a powerful combination.

Over time, this partnership will result in Afghan units that increasingly operate as the supported force in even more operations, and to a greater degree than they do today. Although coalition forces are already serving in a supporting role in many areas, we still provide many of the required enabling capabilities, such as access to fires, air assets, and logistics support. Even in a supporting capacity, our role will still be very significant. Embedded partnering will allow us to reduce the scope of our supporting role over time as Afghan forces continue to develop these capabilities for themselves. Afghan soldiers, police, and National Directorate of Security representatives recognize the great value of embedded partnering, appreciate sharing the risk, and want to lead.

CONTRACT OVERSIGHT AND PRIVATE SECURITY CONTRACTORS

Question. If confirmed, what steps, if any, would you recommend to ensure adequate oversight is in place for U.S. and ISAF contracts in Afghanistan?

Answer. We will continue to work closely with the Commission on Wartime Contracting to implement their recommendations, while leveraging the newly established Joint Theater Support Contracting Command. This will eliminate duplicative contracts and ensure appropriate clauses are included in contracts. We will also strive to ensure sufficient manning of contracting officer representatives for all critical contracts.

As we continue to refine inputs for Afghanistan, we have determined the need to redesignate Task Force Spotlight under one-star leadership and to stand up Task Force 2010 to manage contracts below prime contractor level. This will enable us to adequately enforce provisions requiring prime contractors and private security contractors (PSCs) to report detailed census data, 100 percent synchronized pre-deployment and operational tracker and biometric registration, 100 percent individual arming authorization, and serious incident reporting. Accurate and detailed information of this nature is paramount for effective oversight to prevent contracts below the prime contractor level from falling into the hands of malign actors.

Question. The committee's review of Department of Defense (DOD) private security contracts found that private security companies actively recruit from the Afghan security forces and frequently pay more than the Afghan security forces. DOD reported in October 2009 that "private security contractors are, on average, paid more" than the Afghan security forces.

If so, what steps would you envision taking to correct that problem, if confirmed?

Answer. Task Force Spotlight is currently examining the issue to ensure Afghan security forces' wages are competitive with those of PSCs. One solution may be to build comparative salary caps into our contracts to ensure PSCs and ANSF are paid more equitably. However, we must do so without degrading the quality of PSCs recruited, and without subverting the ability of companies to pay the fair market value for services. We are also taking steps to share biometric data collected by the

Government of Afghanistan on ANSF personnel to ensure companies do not hire ANSF personnel who are absent without leave.

Question. There is evidence that DOD security contractors are relying on local warlords and strongmen to provide men to staff their guard forces.

If confirmed, what steps would you take to ensure that:

a. providers of manpower for security contractors are properly vetted; and

b. that individuals we rely on for security are not detracting from the counterinsurgency mission?

Answer. To ensure proper vetting of PSCs, we must demand their immediate adherence to existing contractual requirements. We have not adequately enforced current provisions requiring prime contractors and PSCs to report detailed census data, register their employees properly, report serious incidents. Biometric data has been collected on only about 4,500 PSC and employees.

To reduce the influence of malign actors and power brokers, we must leverage our intelligence communities and investigative agencies to bring actionable information into the contracting process. We may need legislative flexibility to terminate contracts for bad actors or to award contracts to those who adhere to requirements and are committed to partnering in the counterinsurgency campaign. Task Forces Spotlight and Task Force 2010 have been charged to examine these issues within USFOR–A.

To ensure that PSCs are not detracting from the counterinsurgency mission, we must require that they adhere to rules for the use of force, guidelines for escalation of force, and the principles of the Law of Armed Conflict. They must use only appropriate and measured force for defensive purposes. To this end, we will work with the Government of Afghanistan to ensure PSC personnel are properly trained, regulated, inspected, and investigated when required.

Our counterinsurgency mission depends heavily on perceptions, and therefore requires a clear distinction between licensed, trained, and restrained PSCs that help us accomplish our mission, and illegally armed groups that must be disbanded and held accountable for their actions. As the security environment in Afghanistan improves, our need for PSCs will diminish, but in the meantime, we will use legal, licensed, and controlled PSCs to accomplish appropriate missions.

REINTEGRATION AND RECONCILIATION

Question. In your assessment, what percentage of low- to mid-level Taliban fighters may be willing to reintegrate with Afghan society and switch to supporting the Afghan Government if provided the right incentives, such as protection from reprisal and employment?

Answer. It is difficult to make a reliable estimate of low- to mid-level Taliban fighters willing to reintegrate, given the uncertainty regarding incentives and guarantees of protection and employment. Theoretically, it is possible to reintegrate many insurgent fighters—indeed, all those that are not the ideologically driven, irreconcilable insurgents. Practically, the primary challenge to the reintegration process is that the Afghan Government must identify the right incentives and provide the necessary resources to ensure the effective and sustained reintegration of these fighters—all with coalition support and partnership, to be sure. The government must also develop the reconcilable fighters' confidence that it can deliver on reintegration promises, and must overcome the issue of corruption by some government and ANSF representatives that erodes trust in local governance. The program must also overcome the potentially corrosive effects of local power brokers who may inhibit its impartial implementation. In addition, overcoming the traditional Pashtunwali concept of revenge and reprisal may take a significant amount of time, as may overcoming the belief of other ethnic groups that the program would unfairly benefit and empower Pashtuns.

Additionally, not every insurgent fighter will need to be reintegrated through a government program. Under the right circumstances, many will simply desire to stop fighting and return home, though we do not have a reliable estimate of this number. We assess that there are fighters who would not need government assistance to transition out of the insurgency, but we would encourage reconciled insurgents identify themselves in case they later decided to take advantage of government assistance in reintegration.

Question. What is your assessment of the reintegration plan that has been developed by the Government of Afghanistan with ISAF assistance?

Answer. The Afghan Government's reintegration plan will be of central importance in our efforts to improve Afghanistan's security and long-term stability. This GIRoA program, currently under final review by President Karzai, offers the poten-

tial to reduce violence and provide realistic avenues to assimilate Pashtun insurgents back into Afghanistan society.

Afghan officials are still working to provide implementation details in a few key areas of the plan. First, the deliberate process for identification, tracking, execution, and oversight of the reintegration process from start to finish still has to be refined. These formal program processes are critical to ensure accurate reporting, identification of key insurgent candidates for reintegration, adequate protection of citizens and former insurgents, and impartial administration. Additionally, an oversight process will be needed to ensure compliance with standards and provide mechanisms for redress of systemic Afghan societal problems that have helped fuel the insurgency. The success of this program will require substantial support and resources from ISAF at national and local levels, which we will be prepared to provide.

It will be important to ensure that reintegration processes are put into place and made functional speedily, so that GIRoA's invitation for insurgents to formally reintegrate can yield rapid results. Previous reintegration initiatives have failed, in part, because program implementation moved more slowly than policy discussion. Another failure of this sort could well harden insurgents to reject further reintegration overtures, and could risk dramatically eroding public and international trust and confidence in the Afghan Government. Finally, reintegration success will depend in part on enduring improvements in security and local governance, and on the perception that malign powerbrokers and corrupt government activities are being addressed and significantly reduced.

CIVILIAN CASUALTIES AND RULES OF ENGAGEMENT

Question. A critical objective of the counterinsurgency strategy is to provide protection to the Afghan people, including minimizing the risk of civilian casualties. ISAF has issued revised procedures aimed at reducing the risk to civilians from military operations.

In your view, do the current rules of engagement (ROEs) in Afghanistan, for both NATO and U.S. forces, provide the necessary flexibility to allow forces to engage the enemy, protect themselves, and minimize the risk of civilian casualties?

Answer. There is an inherent tension in counterinsurgency operations between engaging the enemy and protecting the population. In fact, in the past few days, I have had a good discussion with President Karzai on this topic, noting that, if confirmed, I would continue the emphasis on reducing loss of civilian life in the course of operations to an absolute minimum, while also ensuring that we provide whatever assets are necessary to ensure the safety of ISAF and Afghan forces when they are in a tough spot. As we have done in numerous after action reports and through other feedback mechanisms in recent months, we will need to continue to educate our leaders on the implementation of the ROE moving forward.

Question. If confirmed, what general changes, if any, would you make to the current ROEs?

Answer. One of my highest priorities, should I be confirmed as Commander of USFOR–A, will be to assess the effect of our ROE on the safety of our forces and the successful conduct of our mission.

HEALTH OF THE FORCES

Question. What is your assessment of the adequacy of health and mental health capabilities supporting our expanding force structure in Afghanistan?

Answer. I believe that our forces in Afghanistan are properly postured with health professionals and required medical assets. A comprehensive Health Service Support assessment was completed as part of the force expansion planning, and we have worked closely with JFCOM and the Services to completely source all new requirements in medical force structure.

In mental health support, we continue to refine our capabilities and assess this complex concern. We recently responded to recommendations made by Mental Health Advisory Team-6 and we are increasing behavioral health personnel to meet and maintain the recommended 1:700 ratio, while also appointing a theater behavioral health consultant that will proactively manage the provision of behavioral health services throughout Afghanistan.

Question. How do you intend to implement the new DOD Policy on management of mild traumatic brain injury throughout Afghanistan including working with NATO forces?

Answer. The DOD policy for mild traumatic brain injury (mTBI) (concussion) gives specific direction to line leaders and medical personnel in their response to mTBI. It also addresses exposures to blast events that are potentially related to mTBI. I will continue to ensure appropriate command emphasis is placed on this

crucial effort to identify, evaluate, and manage all personnel exposed to potential concussive events, as defined in the policy. In addition, CENTCOM continues to develop a joint solution to track all such exposures by utilizing the operational Combined Information Data Network Exchange system already in use in theater. This will provide us a mechanism to ensure proper evaluation, post-event rest period, and future evaluation based on exposure to multiple events. While this DOD policy will not apply to other NATO forces, we will work to ensure the impact of its requirements on our coalition partners is minimized.

Question. Will you, if confirmed, assess the adequacy of sexual assault and suicide prevention programs and if necessary request additional resources to support these essential programs?

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 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.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR CLAIRE MCCASKILL

WANAT, AFGHANISTAN

1. Senator MCCASKILL. General Petraeus, last week the Army reversed a decision to reprimand commanders who had responsibility for the nine troops who were killed at Wanat. The decision to issue reprimands was based on an inquiry that you ordered to be conducted. In March 2010, letters of reprimand were issued to three officers for "failing to properly prepare defenses" at Wanat. This decision provided some vindication for the families, who maintained that their sons were left vulnerable by the chain of command. General Charles Campbell, USA, Commander of U.S. Army Forces Command, who conducted the review of your inquiry, revoked the reprimand, citing that it would have a "chilling effect" on ground operations. The Army said that the second look at the incident proved that the officers were "neither negligent nor derelict" and that "their actions were reasonable under the circumstances."

One of those nine dead young men was Corporal Gunnar Zwilling, a Missouri native. His father, Kurt Zwilling, has been fighting a long time to get answers about what happened to his son and the reversal by the Army was really hard for him to take. It took away some measure of closure or explanation for the tragedy at Wanat. As we move into the next critical phase in the fight in Afghanistan, it is critical that our military leaders learn from the tragic lessons of Wanat and continue to work in every manner possible to protect our brave men and women in harm's way. Further, where there is a question about command decisions in instances where we lose soldiers in battle, the Army must better be able to review the questions and arrive at a single, responsible and definitive response. An ever-wavering process only provides for uncertainty and pain and erodes confidence in

Army's leadership. As you modify and implement the current counterinsurgency strategy, do you anticipate continuing to use small outposts like the one at Wanat?

General PETRAEUS. Beginning in 2009, senior U.S. commanders, in conjunction with International Security Assistance Force (ISAF) and the ISAF Joint Command, have been reviewing some of our more remote outposts, weighing the value that they provide to the campaign against the risk that they pose to our troopers on the ground. Through this process, we have in fact closed some outposts when it was determined that the outpost provided little or no tactical value but presented significant risk to the small element based there. It is, however, important to differentiate between remote outposts like Wanat and the combat outposts that we routinely employ around population centers like Kandahar. In order to separate the Taliban and other insurgent groups from the population, it is critical that we and our Afghan National Security Force partners live among the people we are protecting. Additionally, Special Forces units will continue to have small elements operating in remote locations as part of our efforts to build local protection forces and deny access support to our enemies in these remote areas.

2. Senator MCCASKILL. General Petraeus, are these outposts an effective use of resources and manpower in the context of fighting the broader war?

General PETRAEUS. Combat outposts that protect the population and deny insurgents access to that population are an essential component of our counterinsurgency campaign and an effective use of resources. Additionally, we often find it necessary to station forces in remote locations in order to achieve some tactical or operational advantage over the insurgency. When we do so, however, it is the result of a deliberate decisionmaking process that weighs the cost and benefits of putting our troopers in that outpost.

3. Senator MCCASKILL. General Petraeus, how will you balance force protection with getting out to the Afghan people?

General PETRAEUS. One of the key paradoxes in counterinsurgency is that when you focus too much on force protection, you inherently make yourself less safe. Finding the balance between force protection and operational effectiveness requires partnering our extremely capable ISAF troopers with Afghan soldiers and police who are more culturally aware. Beyond this, our commanders have to make difficult but deliberate choices about where and why we establish combat outposts. When we choose to position forces in remote outposts, our obligation is to ensure those forces are sufficiently resourced and have the ability to defend themselves. Commanders at every level have to make these decisions, and we have to give them the flexibility to use their best tactical judgment.

4. Senator MCCASKILL. General Petraeus, do you feel that there was real accountability for this incident with all of these investigations?

General PETRAEUS. I stand by the findings of fact, opinions, and recommendations I endorsed as Commander, U.S. Central Command (CENTCOM). This was a thorough investigation, undertaken with painstaking attention to detail over a 3-month period. Efforts included reviewing over 4,000 pages of documentation, reams of information, and interviews of all personnel involved in the incident. I remain committed to the thoroughness and accuracy of the report as well as my recommendations. I also support the administrative process by which it was adjudicated.

5. Senator MCCASKILL. General Petraeus, how will you treat the fact that the Army has produced what are essentially conflicting results on this case?

General PETRAEUS. CENTCOM was responsible for the investigation that primarily focused on the facts and circumstances that preceded the combat action at Wanat, Afghanistan on 13 July 2008. The Army did not dispute the findings of fact and opinions in my report. Those details were critical to our understanding of what occurred and how we can hopefully avoid incidents like this in the future. They have been used to develop lessons learned which are being shared throughout our various service programs and in pre-deployment training. This process I see as vital. The Army, having administrative control for the officers involved, was responsible for any actions against those officers. Any questions regarding "reconciling" the CENTCOM investigation with the Army review and actions in this case should be directed to the Department of the Army, the Chairman of the Joint Chiefs of Staff, and the Office of the Secretary of Defense.

LASHKAR-E-TAIBA

6. Senator MCCASKILL. General Petraeus, there are indications that Lashkar-e-Taiba (LeT) has a growing role in Afghanistan. As you are aware, LeT is the Pakistani-based militant group identified with attacks on Indian targets (most notably the 2008 Mumbai terrorist attack), and there are fears that it has expanded its operations in Afghanistan, reportedly inflicting casualties on Afghans and Indians alike, setting up training camps, and adding new volatility to relations between India and Pakistan. The New York Times wrote recently that LeT is believed to have planned or executed three major attacks against Indian Government employees and private workers in Afghanistan in recent months, according to Afghan and international intelligence officers and diplomats in Afghanistan. Some fear that Afghanistan could become a proxy location for clashes between India and Pakistan.

In addition, some believe that former and current Pakistani Inter-Services Intelligence officers could be encouraging LeT's activities in Afghanistan. Many analysts say that it is likely that LeT has had help from other terrorist groups to get into Afghanistan and perhaps was assisted by the Haqqani network. In March, during CENTCOM's posture hearing with the Senate Armed Services Committee, I flagged concerns for you that LeT's role may be expanding in the region, and even around the world. Are you concerned about LeT potentially causing greater trouble along the border with Pakistan and in Afghanistan itself?

General PETRAEUS. Senator McCaskill, there is no doubt LeT is a capable and dangerous terrorist organization with the intent to bring harm to anyone with a vested interest in a stable Afghanistan. LeT has maintained a presence in Afghanistan since its inception in the late 1980s; however, that presence has been relatively small vis-à-vis the Afghan Taliban. We will continue to monitor and make efforts to counter the influence of LeT in Pakistan and Afghanistan.

7. Senator MCCASKILL. General Petraeus, is it possible that LeT has had support from other terrorist groups, such as the Haqqani network?

General PETRAEUS. Because LeT shares similar goals with other terrorist and insurgent groups in the region, it is possible that LeT has had support from other groups. LeT and the Haqqani network may mutually support each other in Afghanistan, however on a limited basis.

8. Senator MCCASKILL. General Petraeus, how seriously do you take assertions about the potential for Afghanistan to become a proxy area for clashes between India and Pakistan?

General PETRAEUS. I take this issue very seriously and remain committed to ensuring that Afghanistan does not become a proxy area for clashes between India and Pakistan. I plan to work closely with Admiral Mullen, CENTCOM, Ambassador Eikenberry, Ambassador Holbrooke, and Ambassador Patterson to facilitate a cooperative and productive relationship between the Governments of Pakistan and Afghanistan. In order to succeed in Afghanistan, ISAF must continue to work closely with Government of the Islamic Republic of Afghanistan to promote regional security, stability, and cooperation between Afghanistan and all of its neighbors and regional partners.

9. Senator MCCASKILL. General Petraeus, is there the potential that LeT could be planning to attack U.S. targets in Afghanistan?

General PETRAEUS. One of LeT's strategic goals is to eliminate U.S. and western influence in Afghanistan. With the increase of coalition forces in Afghanistan, the potential exists for increased targeting of U.S. personnel and assets. As with all threats to our U.S. and coalition forces, we continue to closely track all indications of planned attacks and take all appropriate measures to ensure the safety of our troopers.

QUESTIONS SUBMITTED BY SENATOR ROLAND W. BURRIS

ASSESSMENT OF AFGHANISTAN

10. Senator BURRIS. General Petraeus, the mission in Afghanistan is now in its 8th year and is currently at a very critical stage. The spring/summer offensive has started and casualties are increasing along with public disapproval. What do you envision as a show-stopper in meeting the President's projected date to begin a drawdown in forces in June 2011?

General PETRAEUS. I support the President's decision to begin a process of responsible transition in July 2011. The thinning out of our forces will be a conditions-

based process based on our commanders' assessments of what is occurring on the ground.

11. Senator BURRIS. General Petraeus, what will be your first priority after you complete your initial assessment of the mission?

General PETRAEUS. My assumption of command represents a change in personnel, not a change in the President's policy. As President Obama and the North Atlantic Treaty Organization (NATO) Secretary General Rasmussen have noted, our military objectives remain the same. To that end, we must first secure and serve the people of Afghanistan in cooperation with our Afghan partners, thereby providing time and space for enduring governance and development initiatives to take root. To accomplish this priority objective, we must help Afghan leaders develop their security forces and governance capacity so that they can, over time, take on the tasks of securing their country and see to the needs of their people.

12. Senator BURRIS. General Petraeus, what do you see as impediments to fully implementing a whole-of-government approach in Afghanistan?

General PETRAEUS. While striking the appropriate balance between a counter-insurgency campaign and laying the foundation for sustainable long-term stability is never easy, U.S. forces in Afghanistan are wholly committed to supporting the President's strategy and achieving the closest possible partnership between civilian and military personnel. Our teams strive daily to ensure our efforts work in tandem to implement a whole-of-government approach. Success in Afghanistan, however, is contingent upon more than simply U.S. synchronization. We must achieve unity within NATO, the broader international community, and the Government of Afghanistan if we are to succeed in our efforts to protect the Afghan people. Possible impediments to implementing a whole-of-government approach could include the withdrawal of key coalition civilian or military capabilities. To ensure these impediments do not arise, we continue to coordinate and update requirements closely with our NATO and coalition partners.

13. Senator BURRIS. General Petraeus, do you envision a scenario where you would want a significant amount of the personnel and equipment being drawn down from Iraq being diverted to Afghanistan?

General PETRAEUS. In my role as the Commander of U.S. Forces-Afghanistan, I would command only those forces in theater once they are provided by the Services. Given the current situation and the uplift of U.S. and NATO forces, I do not currently foresee a requirement for additional forces. However, if circumstances arise that require the commitment of additional forces, I will not hesitate to request those troops or capabilities required.

As the CENTCOM Commander, I worked closely with the Services to deploy refurbished MRAP vehicles from Operation Iraqi Freedom and anticipate this process will continue for this critical force protection system. Further questions regarding force generation and equipping could be better addressed by the Joint Staff and the Services.

14. Senator BURRIS. General Petraeus, do you envision a bigger role for Reserve component forces to take advantage of their civilian-acquired skill sets?

General PETRAEUS. The Reserve component forces play a critical role in Afghanistan. They bring with them a high level of maturity and civilian-skill sets that we are able to leverage in theater. However, the sourcing of forces, whether Active, Reserve, or National Guard, is determined by the Joint Staff and Joint Forces Command and approved by the Secretary of Defense. As Commander, U.S. Forces-Afghanistan, my role is to determine the requirements for forces and capabilities, and then command those forces in theater once sourcing decisions are made and the forces deployed by their respective Services. Therefore, I cannot speak directly to the future commitment of Reserve component forces in theater. The Joint Staff and the Services could best answer this question.

QUESTIONS SUBMITTED BY SENATOR JOHN THUNE

PROTECTING THE AFGHAN POPULATION

15. Senator THUNE. General Petraeus, the Taliban reportedly attacked a wedding celebration in Arghandab District a few weeks ago, killing at least 40 people. There are also reports that the Taliban executed a 7-year-old child in Helmand province for cooperating with the Afghan Government. With regard to the village where the

wedding party was attacked, what have we done to provide assistance to the survivors, and since this village was clearly allied with us against the Taliban, why weren't we able to protect it?

General PETRAEUS. We believe that the Arghandab wedding was specifically targeted due the large number of Afghan National Police (ANP) who were present. This particularly brutal attack was perpetrated by an insurgent who employed a Suicide Vehicle Born Improvised Explosive Device, or in plain language a car bomb. By our numbers, he killed 38 Afghans, 14 of whom were Afghan Police. Eighty-four others were wounded in the attack.

Our intelligence analysis determined that this was not a revenge killing, and the Taliban appear to have specifically targeted the ANP officers attending the wedding. This terrible act illustrates the desperation of the Taliban. While increased violence at the hands of the Taliban is deplorable, it must be viewed in context. Heightened violence throughout the summer was anticipated by ISAF as a result of our increased operational tempo and efforts to separate the population from the insurgency.

ISAF forces conducted key leader engagements with the ANP following this tragedy and extended its greatest condolences to the families of those who were wounded or killed. However, as ISAF was not involved in the incident itself, the Afghan Government is responsible for providing assistance to the survivors who were members of the Afghan National Security Forces (ANSF).

16. Senator THUNE. General Petraeus, isn't it one of our strategic goals to protect the population?

General PETRAEUS. Protecting the population is the priority of effort and it is ISAF's first line of operation. Our counterinsurgency doctrine places particular emphasis on the population's importance. Security, however, is not a blanket that can be pulled out of a closet and thrown over Afghanistan. It must be woven into the population with their own people providing that security. As we continue to deploy more ISAF and ANSF forces into former insurgent safe havens to create what we have characterized as a "rising tide of security," we can expect that the Taliban will resort to high profile attacks such as these. As we continue to build the size and capabilities of the ANSF, we will also reach a point where our Afghan partners are capable of taking more of this responsibility with ISAF forces assuming more of a support role.

17. Senator THUNE. General Petraeus, what will happen to this village when we start to pull troops out of Afghanistan in July 2011?

General PETRAEUS. The President's strategy calls for beginning to withdraw troops from Afghanistan in July 2011. The President has also made very clear that the pace of the withdrawal will be conditions based. A withdrawal of force will occur according to the security conditions on the ground and in a responsible manner. Our strategic main effort is the Afghan Security Forces. We currently plan to build the Army up to 134,000 and the Police up to 109,000 by October 2010; these numbers increase to 171,600 soldiers and 134,000 police by October 2011. Additionally, President Karzai has recently approved the creation of the MOI Afghan Local Police, which will not count against ANSF numbers, but will enhance community security and link communities to the Afghan Government. ISAF will not transition responsibility for a particular district or province until the commanders on the ground believe that the Afghan National Security Forces are capable of addressing the internal and external threats and protecting the population.

ARMY/AIR FORCE DUPLICATIVE UNMANNED VEHICLES

18. Senator THUNE. General Petraeus, the Army's fiscal year 2011 budget proposal requested over $578 million toward the acquisition of MQ–1 unmanned aerial vehicles (UAVs), as well as their payload and weaponization. With that money, the Army would buy 26 more aircraft next year in addition to the 24 purchased this year with 158 total aircraft in the Army inventory by the end of 2015. By comparison, the Air Force has 144 MQ–1 remotely piloted aircraft today. The rationale for these duplicative purchases is that there is an urgent need for more intelligence, surveillance, and reconnaissance (ISR) platforms in the field. Specifically, the Air Force has been tasked to provide 65 combat air patrols (CAPs) on a daily basis using these types of aircraft. What is your view of the use of the Army's MQ–1 aircraft in Afghanistan?

General PETRAEUS. There is in fact a need for additional ISR platforms to support our operations in Afghanistan and the Army UAVs work very effectively—as do var-

ious Air Force platforms. We are working closely with the Secretary of Defense and the Services to ensure that we have all of the capabilities that our troopers need, including unmanned aerial systems.

19. Senator THUNE. General Petraeus, shouldn't we be using these aircraft to augment the Air Force's capabilities in order to achieve the requested goal of 65 CAPs?

General PETRAEUS. It is important to get the UAVs into theater where they support our requirements. There remains more demand than we have resources available and we need additional capability, regardless of whether it is provided by the Army or the Air Force.

20. Senator THUNE. General Petraeus, with the drawdown of all combat troops in Iraq this August, and I assume this includes UAVs, what kind of immediate increase in capacity do you expect will be available to you in Afghanistan in terms of UAVs?

General PETRAEUS. I currently do not anticipate an immediate increase in UAV capacity in Afghanistan due to the drawdown in Iraq. Fewer forces on the ground do not translate into an immediate reduction of intelligence requirements. It is even possible that the requirements will go up for a time. CENTCOM carefully balances capabilities across its area of operations and I am confident our requirements will remain under consideration during the drawdown process. Secretary Gates has placed considerable emphasis on increasing ISR capability for our deployed forces, but there is still much work to do in this regard.

21. Senator THUNE. General Petraeus, how will this immediate increase in capacity aid with the counterinsurgency strategy of securing the Afghan population?

General PETRAEUS. I currently do not anticipate an immediate increase in UAV capacity in Afghanistan due to the drawdown in Iraq. Fewer forces on the ground do not translate into an immediate reduction of intelligence requirements. It is even possible that the requirements will go up for a time. CENTCOM carefully balances capabilities across its area of operations and I am confident our requirements will remain under consideration during the drawdown process. Secretary Gates has placed considerable emphasis on increasing ISR capability for our deployed forces, but there is still much work to do in this regard.

22. Senator THUNE. General Petraeus, Secretary Gates has directed each Service to find savings of $2 billion in next year's budget. What synergies do you envision could be made between the Army and the Air Force with regard to unmanned capabilities and where do you think they can save money and reduce duplication?

General PETRAEUS. The role as Commander of U.S. Forces-Afghanistan is to command the forces provided by the Services within the theater of operations. With regards to redundancies or efficiencies, I believe that the Defense Department and the Services could provide a more useful perspective.

QUESTIONS SUBMITTED BY SENATOR DAVID VITTER

SUCCESS IN AFGHANISTAN

23. Senator VITTER. General Petraeus, what is your definition of victory or success in Afghanistan? Is that definition the same as the President's definition?

General PETRAEUS. As the President stated in his December 1 West Point address, our core goal remains the same: to disrupt, dismantle, and defeat al Qaeda in Afghanistan and Pakistan, and to prevent it from threatening America and our allies in the future. To meet that goal we must deny al Qaeda a safe haven, reverse the Taliban's momentum and deny it the ability to overthrow the government, and strengthen the capacity of Afghanistan's Security Forces and government so that they can take lead responsibility for Afghanistan's future. Success in Afghanistan will be defined by durable, measurable progress towards these objectives. We are working to ensure that the insurgency is defeated within Afghan capacity; that the ANSF has self-sufficient capacity for the provision of security; that legitimate connections between the national government and local communities (local, traditional structures that are sufficiently inclusive) are more than 'Afghan good enough;' and that a degree of stability is achieved that allows for the provision of basic services, economic development, and the establishment of governance. To attain these goals, we must continuously assess the security situation in districts and sub-districts. In order to sufficiently protect the population, our focus will also assess the ANSF in different efforts and locations-not just with regard to quantity, but also to their level

of contribution, capability, and quality. We will also look for the establishment of local governance, services, and processes in a given area. We will need to conduct a granular assessment along the way to ensure that we understand if our approach is enabling the outcome we want to achieve.

AFGHAN MINERAL DEPOSITS

24. Senator VITTER. General Petraeus, do you believe that the discovery of minerals will have any impact on the campaign?

General PETRAEUS. Properly developing Afghanistan's mineral potential may be an engine of job creation, economic growth, and revenue generation. However, much work remains to be done before this potential can be fully realized, particularly in security, infrastructure, capacity building, and regulatory, tax and license reforms.

While long term economic development is essential to Afghan self-sufficiency, I do not anticipate an immediate impact on the campaign as it will take several years to build the required infrastructure.

25. Senator VITTER. General Petraeus, how do you plan on working to ensure that Afghanistan can potentially utilize the mineral deposits to develop a more stable economy and government?

General PETRAEUS. While much of this is outside of ISAF's direct authority, we are working diligently to set the conditions necessary to help Afghanistan realize its full economic potential. U.S. and coalition forces are executing a deliberate counterinsurgency campaign to improve the security environment necessary to support the infrastructure development and encourage private sector investment in Afghanistan's extractive industries.

ISAF is working with the Minister of Mines on a broad range of infrastructure and economic development issues impacting long-term economic growth and creation. Specifically, ISAF is supporting donor efforts to assist the Ministry of Mines in developing its capacity to plan and manage the mining sector. The challenge ahead is coordinating multiple donor programs with Ministry needs.

Donor strategies, now underway, to engage with the Ministry of Mines include:

- Technical assistance in mining policy, regulation management, and licensing reform.
- Creating oversight institutions to assure transparency of mining operations consistent with international standards and programs to enable the Ministry of Mines to support responsible private sector investment
- Capacity building to strengthen the technical capabilities of the Ministry of Mines to assess and regulate the mining sector.
- Support for Ministry incentives for private sector investment to reduce trade barriers and improve the enabling business environment.

CIVILIAN-MILITARY LEVELS

26. Senator VITTER. General Petraeus, do you believe the current civilian-military levels are balanced out or will be balanced out after the 1,000 civilian surge is complete or do you believe more are needed in order to accomplish your definition of success?

General PETRAEUS. In the current phase of the campaign, the 1,000 person civilian surge is sufficient. However, as the ISAF expands into more of the Key Terrain Districts, the number of governance and development activities will grow. This means that the need for civilian expertise will most likely continue to grow.

[The nomination reference of GEN David H. Petraeus, USA, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 24, 2010.

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

The following named officer for appointment in the U.S. Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be General.

GEN David H. Petraeus, 1960.

[The biographical sketch of GEN David H. Petraeus, USA, which was transmitted to the committee at the time the nomination was referred, follows:]

RÉSUMÉ OF SERVICE CAREER OF GEN DAVID H. PETRAEUS, USA

Source of commissioned service: USMA.

Educational degrees:

U.S. Military Academy—BS—No Major.
Princeton University—MPA—International Relations.
Princeton University—PHD—International Relations.

Military schools attended:

Infantry Officer Basic and Advanced Courses,
Armor Officer Advanced Course,
U.S. Army Command and General Staff College,
Senior Service College Fellowship—Georgetown University.

Foreign language(s): None recorded.

Promotions:

	Dates of appointment
2LT	5 Jun 74
1LT	5 Jun 76
CPT	8 Aug 78
MAJ	1 Aug 85
LTC	1 Apr 91
COL	1 Sep 95
BG	1 Jan 00
MG	1 Jan 03
LTG	18 May 04
GEN	10 Feb 07

Major duty assignments:

From	To	Assignment
May 75	Jan 79	Platoon Leader, C Company, later S–4 (Logistics), later S–1 (Personnel), 509th Airborne Battalion Combat Team, Vicenza, Italy.
Jan 79	Jul 79	Assistant S–3 (Operations), 2d Brigade, 24th Infantry Division (Mechanized), Fort Stewart, GA.
Jul 79	May 81	Commander, A Company, later S–3 (Operations), 2d Battalion, 19th Infantry, 24th Infantry Division (Mechanized), Fort Stewart, GA.
May 81	May 82	Aide-de-Camp to the Division Commander, 24th Infantry Division (Mechanized), Fort Stewart, GA.
May 82	Jun 83	Student, Command and General Staff Officer Course, Fort Leavenworth, KS.
Jun 83	Jun 85	Student, Princeton University, Princeton, NJ.
Jul 85	Jun 87	Instructor, later Assistant Professor, Department of Social Sciences, U.S. Military Academy, West Point, NY.
Jun 87	Jun 88	Military Assistant to the Supreme Allied Commander Europe, Supreme Headquarters, Allied Powers Europe, Belgium.
Jun 88	Aug 89	S–3 (Operations), 2d Battalion, 30th Infantry, later 1st Brigade, 3d Infantry Division (Mechanized), U.S. Army Europe, Germany.
Aug 89	Aug 91	Aide/Assistant Executive Officer to the Chief of Staff, U.S. Army, Washington, DC.
Aug 91	Jul 93	Commander, 3d Battalion, 187th Infantry, 101st Airborne Division (Air Assault), Fort Campbell, KY.
Jul 93	Jul 94	G–3 (Operations)/Director of Plans, Training, and Mobilization, 101st Airborne Division (Air Assault), Fort Campbell, KY.
Aug 94	Jan 95	Senior Service College Fellow, Georgetown University, Washington, DC.
Jan 95	Jun 95	Chief Operations Officer, U.N. Mission in Haiti, Operation Uphold Democracy, Haiti.
Jun 95	Jun 97	Commander, 1st Brigade, 82d Airborne Division, Fort Bragg, NC.
Jun 97	Sep 97	Executive Assistant to the Director of the Joint Staff, The Joint Staff, Washington, DC.
Oct 97	Aug 99	Executive Assistant to the Chairman, Joint Chiefs of Staff, Office of the Joint Chiefs of Staff, Washington, DC.
Aug 99	Jul 00	Assistant Division Commander (Operations), 82d Airborne Division, Fort Bragg, NC, and Commanding General, Combined Joint Task Force-Kuwait, Operation Desert Spring, Kuwait.

From	To	Assignment
Jul 00	Aug 00	Acting Commanding General, 82d Airborne Division, Fort Bragg, NC.
Aug 00	Jun 01	Chief of Staff, XVIII Airborne Corps, Fort Bragg, NC.
Jun 01	Jun 02	Assistant Chief of Staff for Operations, SFOR and Deputy Commander, U.S. Joint Interagency Counter-terrorism Task Force, Operation Joint Forge, Sarajevo, Bosnia-Herzegovina.
Jul 02	May 04	Commanding General, 101st Airborne Division (Air Assault) and Fort Campbell, Fort Campbell, KY, and Operation Iraqi Freedom, Iraq.
May 04	Sep 05	Commander, Multinational Security Transition Command-Iraq/Commander, NATO Training Mission-Iraq, Operation Iraqi Freedom, Iraq.
Oct 05	Feb 07	Commanding General, U.S. Army Combined Arms Center and Fort Leavenworth, Fort Leavenworth, KS.
Feb 07	Sep 08	Commander, Multinational Force-Iraq, Operation Iraqi Freedom, Iraq.
Oct 08	Present	Commander, U.S. Central Command, MacDill Air Force Base, FL.

Summary of joint assignments:

	Date	Grade
Military Assistant to the Supreme Allied Commander Europe, Supreme Headquarters, Allied Powers Europe, Belgium (Cumulative Joint Credit).	Jun 87–Jun 88	Major
Chief Operations Officer, U.N. Mission in Haiti, Operation Uphold Democracy, Haiti (No Joint Credit).	Jan 95–Jun 95	Lieutenant Colonel
Executive Assistant to the Director, The Joint Staff, later Executive Assistant to the Chairman, Joint Chiefs of Staff, Washington, DC.	Jun 97–Aug 99	Colonel
Commanding General, Combined Joint Task Force-Kuwait, Operation Desert Spring, Kuwait (No Joint Credit).	Aug 99–Sep 99	Colonel
Assistant Chief of Staff for Operations, SFOR and Deputy Commander, U.S. Joint Interagency Counter-Terrorism Task Force, Operation Joint Forge, Sarajevo, Bosnia-Herzegovina (No joint credit).	Jun 01–Jun 02	Brigadier General
Commander, Multinational Security Transition Command-Iraq/Commander, NATO Training Mission-Iraq, Operation Iraqi Freedom, Iraq.	May 04–Sep 05	Lieutenant General
Commander, Multinational Force-Iraq, Operation Iraqi Freedom, Iraq	Feb 07–Sep 08	General
Commander, U.S. Central Command, MacDill Air Force Base, FL	Oct 08–Present	General

Summary of operations assignments:

	Date	Grade
Chief Operations Officer, U.N. Mission in Haiti, Operation Uphold Democracy, Haiti (No Joint Credit).	Jan 95–Jun 95	Lieutenant Colonel
Commanding General, Combined Joint Task Force-Kuwait, Operation Desert Spring, Kuwait (No Joint Credit).	Aug 99–Sep 99	Brigadier General
Assistant Chief of Staff for Operations, SFOR and Deputy Commander, U.S. Joint Interagency Counterterrorism Task Force, Operation Joint Forge. Sarajevo, Bosnia-Herzegovina (No Joint Credit).	Jun 01–Jun 02	Brigadier General
Commanding General. 101st Airborne Division (Air Assault), Operation Iraqi Freedom, Iraq.	Mar 03–Feb 04	Major General
Commander, Multinational Security Transition Command-Iraq/Commander, NATO Training Mission-Iraq, Operation Iraqi Freedom, Iraq.	May 04–Sep 05	Lieutenant General
Commander, Multinational Force-Iraq, Operation Iraqi Freedom, Iraq	Feb 07–Oct 08	General

U.S. decorations and badges:

Defense Distinguished Service Medal
Distinguished Service Medal
Defense Superior Service Medal (with Oak Leaf Cluster)
Legion of Merit (with three Oak Leaf Clusters)
Bronze Star Medal with "V" Device
Defense Meritorious Service Medal
Meritorious Service Medal (with two Oak Leaf Clusters)
Joint Service Commendation Medal
Army Commendation Medal (with two Oak Leaf Clusters)
Joint Service Achievement Medal
Army Achievement Medal
Combat Action Badge
Expert Infantryman Badge
Master Parachutist Badge
Air Assault Badge
Ranger Tab

Joint Chiefs of Staff Identification Badge
Army Staff Identification Badge

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by GEN David H. Petraeus, 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.)
David H. Petraeus.

2. **Position to which nominated:**
Commander, International Security Assistance Force/Commander, U.S. Forces-Afghanistan.

3. **Date of nomination:**
24 June 2010.

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:**
7 November 1952; Cornwall on Hudson, NY.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Hollister Knowlton Petraeus.

7. **Names and ages of children:**
Anne, 27; Stephen, 23.

8. **Government experience:** List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.
None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, 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.
Council on Foreign Relations

Association of the U.S. Army
Association of Graduates, U.S. Military Academy
82d Airborne Division Assosciation
101st Airborne Division Association
504th Parachute Infantry Regiment Association
Static Line Association
555th Parachute Infantry Regiment Association
187th Infantry Regiment Association
SHAPE Alumni Association
7th Armored Division Association
Princeton Alumni Association
U.S. Parachute Association
Command and General Staff Foundation

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals 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.

[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

DAVID H. PETRAEUS.

This 23rd day of June, 2010.

[The nomination of GEN David H. Petraeus, USA, was reported to the Senate by Chairman Levin on June 29, 2010, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on June 30, 2010.]

NOMINATION OF GEN. JAMES N. MATTIS, USMC, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER, U.S. CENTRAL COMMAND

TUESDAY, JULY 27, 2010

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

The committee met, pursuant to notice, at 3:33 p.m. in room SD–G50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Reed, E. Benjamin Nelson, Webb, Hagan, Burris, Goodwin, McCain, Inhofe, Chambliss, Graham, Thune, LeMieux, and Brown.

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

Majority staff members present: Jessica L. Kingston, research assistant; Michael J. Kuiken, professional staff member; 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; David M. Morriss, minority counsel; and Richard F. Walsh, minority counsel.

Staff assistants present: Paul J. Hubbard and Breon N. Wells.

Committee members' assistants present: Carolyn A. Chuhta, assistant to Senator Reed; Nick Ikeda, assistant to Senator Akaka; Ann Premer, assistant to Senator Ben Nelson; Gordon Peterson, assistant to Senator Webb; Jennifer Barrett, assistant to Senator Udall; Roger Pena, assistant to Senator Hagan; Lindsay Kavanaugh, assistant to Senator Begich; Anthony J. Lazarski, assistant to Senator Inhofe; Clyde A. Taylor IV, assistant to Senator Chambliss; Andrew King, assistant to Senator Graham; Erskine W. Wells III, assistant to Senator Wicker; Brian Walsh, assistant to Senator LeMieux; Scott Clendaniel, assistant to Senator Brown; and Brooks Tucker, assistant to Senator Burr.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good afternoon, everybody. Sorry for the delay. A Senate vote, as I think you all know, takes precedence.

The committee meets today to consider the nomination of General James Mattis for reappointment to the grade of general and to be Commander, U.S. Central Command (CENTCOM).

General Mattis is no stranger to this committee. He's served for more than 30 years in the military, with tours in both Afghanistan and Iraq. In the last few years, General Mattis has served as the Commander of U.S. Joint Forces Command, where many have considered his work to be pioneering.

General Petraeus told me, last week, that he and General Mattis have worked closely and well together. Indeed, General Mattis collaborated closely with General Petraeus in writing the book on counterinsurgency doctrine during General Mattis's tenure as Commanding General of the Marine Corps Combat Development Command. General Mattis will have an opportunity, as the CENTCOM Commander to see the fruits of his most recent labors.

The coming months, in both Afghanistan and Iraq, are critical. In Afghanistan, a top priority for the next CENTCOM Commander will be ensuring that General Petraeus, the Commander of the International Security Assistance Force (ISAF), and U.S. forces—has what he needs to succeed.

While there's been a change in leadership of the effort in Afghanistan, it does not represent a change in policy. Our goal there remains to prevent Afghanistan from being dominated by a Taliban-led insurgency that would once again provide a safe haven for al Qaeda to plan attacks against us and our allies, and, indeed, the world.

Achieving this goal requires helping the Afghan Government and security forces to take principal responsibility for Afghanistan's security and affairs.

The last 6 months have seen the Afghans make some progress in building the capacity of the Afghan security forces to assume principal security responsibility. These include a surge in the recruiting and growth of the Afghan army, resulting in the army meeting its current target strength of 134,000, and meeting that, months early. The partnering of Afghan security forces with coalition forces is improving, with combined forces in the field starting to be predominantly Afghan.

In the coming days, a major joint Afghan Army ISAF operation will be conducted west of Kandahar City in the traditional Taliban heartland of the Arghandab Valley. This operation will involve approximately 10,000 troops, more than half of which will be Afghan forces. It has been jointly planned and, of critical importance, will be carried out with Afghan security forces in the lead. The significance of this will not be lost on the Afghan people, nor on the Taliban, because it will undermine the Taliban propaganda that the United States and its allies are looking to dominate Afghanistan.

There are signs of progress, even if significant challenges remain. These challenges include the threat emanating from Pakistan, where insurgent groups, such as the Haqqani network, the Afghan Taliban, and Quetta Shura continue to find sanctuary. Other challenges include the failure of the Afghan Government to effectively deliver services and forcefully take on corruption, and the maligned influence of powerbrokers, warlords, and private security contrac-

tors who engage in bribery, blatant racketeering, and rip-offs in Afghanistan.

In Iraq, we're on the threshold of another milestone for the President's strategy. By September 1, the U.S. combat mission in Iraq will end, and U.S. forces will transition to the role of advising and assisting the Iraqi security forces, as well as targeted counterterrorism missions. According to General Ray Odierno, the Commander of U.S. Forces Iraq, security continues to improve in Iraq, generally, despite recent high-profile attacks and the drawdown of U.S. forces from 70,000 currently, to 50,000 by the end of August, remains on track.

Given this improvement, General Odierno recently acknowledged that Iraq's problems are principally political and economic. The new Iraqi Government still has not addressed longstanding issues, including the political future of its northern provinces and how to distribute Iraq's abundant oil revenues. A critical part of the drawdown of U.S. forces is the interagency transition from Department of Defense lead to Department of State lead, with respect to U.S.-Iraqi long-term relations and responsibility for stability and reconstruction activities in Iraq. We're interested to hear General Mattis's views on the importance of this transition. If confirmed, what actions he would take, if any, to ensure that it is accomplished efficiently and effectively.

The attempted Christmas Day airline bombing near Detroit reminded Americans that al Qaeda is a global organization that continues to threaten harm to those who do not share its radical views. That nearly catastrophic incident also focused attention on Yemen, a country with an uneven record on counterterrorism, and large ungoverned spaces that serve as attractive sanctuaries for al Qaeda and its recruits. General Mattis will undoubtedly be confronted with challenges emerging from Yemen during his tenure at CENTCOM.

Any counterterrorism successes in Yemen, and across the CENTCOM region, will probably lead to al Qaeda and its supporters moving to other countries in the region. General Mattis will have to reassess, constantly, his efforts, and change the application of resources to respond to changing threats. This committee stands ready to support General Mattis in these efforts.

As General Mattis articulated in response to advance policy questions from this committee, also key among the challenges he will confront is helping to check any aggressive actions by Iran. Iran's pursuit of a nuclear program undermines stability and stokes fear across the region. The brutal tactics and human rights abuses of the Government of Iran in its efforts to silence the voices of the people of Iran are also of deep concern.

As the new bilateral and multilateral sanctions regimes are implemented, it will be critical to continue to work with other countries in the region on robust sanctions enforcement. We expect General Mattis to keep us informed, on a regular basis, of events occurring relative to Iran.

General Mattis, we appreciate the sacrifices that you have already made in the service of our country. We thank you in advance for your willingness to bear the burden of continued service.

Senator McCain.

STATEMENT OF SENATOR JOHN MCCAIN

Senator MCCAIN. Thank you, Mr. Chairman. Thank you also, Mr. Chairman, for holding this timely hearing. Hopefully we can move General Mattis' nomination as quickly as possible so he can get to work.

We're pleased to hear testimony from General Mattis as we consider his nomination to be Commander of CENTCOM. General Mattis is one of America's most accomplished warrior-thinkers, a warrior who has led men in combat with success and valor in Afghanistan, Iraq, and in the wider war against violent Islamic extremism, and a thinker who has advanced our Nation's conduct of warfare in the 21st century through his work on the Counterinsurgency Field Manual and in his recent tour as Commander of U.S. Joint Forces Command.

General Mattis is also known for engaging, at times, in a little straight talk, something that this Senator particularly appreciates.

The CENTCOM area of responsibility (AOR) is the front line for U.S. forces today in this theater. Our men and women in uniform are fighting two wars and facing countless other challenges on behalf of our Nation. Now and in the coming years, we will look to CENTCOM's leadership on a host of critical priorities: to redeploy our forces from Iraq, under conditions of success, while consolidating our long-term strategic partnership with that essential country; to continue building a balance of power in the Middle East that curbs the Iranian Government's pursuit of regional hegemony and a nuclear weapons capability; to support the independence of democratic partners like Lebanon and longstanding friends in the Levant and the Gulf, all of whom are beset by violent enemies; and finally, to stand up for the human rights and democratic aspirations of citizens across the region, especially in a country like Egypt, which is entering a critical period of transition.

But, perhaps the most important near-term priority in the CENTCOM AOR is winning the war in Afghanistan. Since the President's speech at West Point last December, our campaign in Afghanistan has been slower and harder than we had imagined. There have been setbacks and changes that we did not foresee. All of our surge forces will finally be in place by the end of next month.

While many of the North Atlantic Treaty Organization (NATO) forces we were promised are not materializing, this is leading some to doubt whether the war is winnable, whether it's worth the sacrifice, and whether we should begin to withdraw our forces.

Some are seizing on the recent leak of 92,000 highly-classified documents about Afghanistan and Pakistan, drawn from 2004 to 2009, as somehow proof that the war is lost. In actuality, the emerging picture from these documents appear to be little more than what we knew already, that the war in Afghanistan was deteriorating over the past several years, and that we were not winning. In this sense, the WikiLeaks disclosure is simply an extended footnote to a well-known reading of recent history.

That's why a concerted effort has been made since 2009, both in the administration and in Congress, to make wide-ranging changes to our strategy in Afghanistan, to increase our commitment of troops and resources, and to bring new and better leadership to the

mission. As a result, we are beginning to address many of the problems highlighted within these leaked documents.

It's only been 23 days since General Petraeus assumed command in Kabul, and we need to give him the time he needs to review and, if necessary, make changes to our campaign plan to achieve success. But, no matter how many good adjustments we make to our strategy on the ground, our ability to succeed will continue to be severely limited if Afghans and actors in the region, friends and enemies alike, all think we will begin leaving in a year.

I just visited Afghanistan with Senators Lieberman and Graham, and we heard this concern everywhere we went. Our Afghan friends are worried that we will leave and the Taliban will cut their heads off. As long as they believe that, they will hedge their bets on this mission; and that goes for Pakistan, as well. The WikiLeaks controversy has reopened charges that elements of the Pakistani military and intelligence services are playing both sides of the fight in Afghanistan. But, this should not be surprising, especially when we are sounding an uncertain trumpet about our own commitment.

General Petraeus has said about Afghanistan that, "We're in this to win." I imagine you feel the same way, General Mattis. I appreciate that conviction, and I share it. But, we need to hear it, clearly and consistently, from the highest levels of the administration. We need to hear that, when winning a war is a, "vital national security interest," as the President has rightly described the fight in Afghanistan, you don't surge for 1 year and then begin leaving, regardless of whether you've achieved your objectives, or not.

We're asking our Afghan partners to take an enormous chance on us; a wager, in many cases, that could cost them their lives. We should not expect to summon that kind of total commitment and faith in us if we're not prepared to extend the same to them. I know that our military leaders and our troops on the ground are giving every ounce of devotion they have to this mission and to their Afghan partners, on whom success ultimately depends. It is the solemn obligation of political leaders, here in Washington, to be equal to that commitment and the sacrifice it entails. That's the only way we will be successful in this war.

I thank you, General Mattis, for your willing to serve our Nation, once again, when we need you most.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

General Mattis, before I turn to you for your opening statement, we have a set of standard questions which we pose to all nominees.

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

General MATTIS. Yes, sir.

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

General MATTIS. Yes, sir.

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

General MATTIS. No, sir.

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

General MATTIS. Yes, sir.

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

General MATTIS. Yes, sir.

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

General MATTIS. Yes, sir.

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

General MATTIS. Yes, sir.

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 of denial in providing such documents?

General MATTIS. Yes, sir.

Chairman LEVIN. Thank you very much, General. Now, we'll turn to you for your opening statement.

STATEMENT OF GEN. JAMES N. MATTIS, USMC, NOMINEE FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER, U.S. CENTRAL COMMAND

General MATTIS. Thank you, Mr. Chairman, Senator McCain, members of the committee. I appreciate the opportunity to appear before you today.

I am honored to have been nominated by the President to serve as the Commander of U.S. Central Command, and I request my written statement be accepted for the record.

Chairman LEVIN. It will be.

General MATTIS. I wish to acknowledge General Petraeus and the Acting Commander of CENTCOM, Lieutenant General John Allen, and to express my appreciation for their selfless service.

If I am confirmed as CENTCOM Commander, our troops, our regional partners, and our adversaries, alike, should know that CENTCOM's leadership has changed, but our strategy, our mission, and our activities have not. Despite any recent papers leaked to the media, we are remaining in the region. We are not leaving.

There will also be harmony in our relationships. The wars we are fighting require highly integrated civilian-military efforts, from the highest to the lowest levels. If confirmed, I will make every effort to work closely with the civilian and military leaders charged with leading our operations, and to ensure they are fully resourced in a coherent and comprehensive manner.

Consistency in our approach and harmony in our relationships are fundamental to achieving unity of effort in a region vital to our national interests and those of the international community. In the midst of the harsh realities we face, there are also opportunities to work with responsible moderate elements, and I will be eager to do so.

I have no illusions that the CENTCOM region also includes elements that are irreconcilable, part of a movement that is intent on

carrying out attacks on innocent civilians worldwide, and which must be confronted by the strongest possible coalitions. Our enemy's barbaric and medieval actions offer us opportunities to counter their extremist ideology. Those who deliberately kill innocents know their politically bankrupt message cannot win at the ballot box, and thus, repeatedly resort to violent intimidation. That violence alienates the larger population, whose support they seek to gain.

We and our coalition and regional partners, by contrast, are involved in the noble cause of helping to realize a brighter future in the region and internationally. We are the "good guys." Yet, we're not perfect. Regrettably, we make mistakes, about which we are candid and constantly strive to correct. But, we are the ones working to protect the population, to reopen schools, to immunize children, to provide electricity, and to offer new hope, balancing chivalry to the innocent with unflinching military prowess against the irreconcilable elements who choose violence.

This stands in sharp contrast to those we confront who target the innocent, from Kandahar to Islamabad, from London to New York, from Mumbai to Madrid, Moscow to Amman, and the list goes on.

If confirmed, my immediate priority will be the campaign in Afghanistan. The stakes there are high. The military component of our strategy in Afghanistan is sound, and it requires firm execution. I support it fully. I believe that, by steadfastly executing our strategy, we will win in Afghanistan. Nothing about the mission will be easy, however. We recognize that achieving our goals in Afghanistan requires, also, the enduring commitment of the international community.

Inextricably linked to our campaign in Afghanistan is our strategic partnership with Pakistan. Proximity to an area with affiliated terror groups has dealt the people of Pakistan a tough hand, geographically. Pakistan continues to endure great sacrifices in their effort to counter extremism, and I am heartened by their efforts.

There are other significant challenges that will be among my highest priorities if I am confirmed. Among these is the responsible drawdown in Iraq, continuing from 128,500 troops, a year ago, to the September target. As with our current commander, the very able General Odierno, I have unbridled confidence in General Austin's leadership, and I will work to set the broader conditions for his success when he takes the reins.

Iran offers the greatest long-term challenge in the region, as it continues to threaten regional and global stability by pursuing a nuclear weapons program and by funding, arming, and training militant proxies throughout the region. The task of CENTCOM will be to counter the Iranian regime's destabilizing activities, to deter the regime from aggression, and to work in concert with our partners in the region to advance our shared security interests.

Further, al Qaeda and associated extremist groups pose a threat that spans the CENTCOM region and beyond, has threatened Yemen, and requires an integrated response that applies constant pressure to all elements of the enemy network.

If confirmed, I will leverage my experiences in the region over the last 30 years to ethically carry out CENTCOM's missions in

concert with our allies. I have keen respect for the peoples in the region and for their cultures, and I'm eager to work with them once again.

Having been nominated for this position, I am mindful of the extraordinary privilege it has been to serve for over 38 years alongside America's finest young men and women. I will hold our soldiers, sailors, airmen, and marines foremost in my thoughts if you confirm me.

I will also provide my best professional military assessment to this committee and to our national security leadership.

I want to thank Congress, and the members of this committee, in particular, for your support over many years.

Thank you, Mr. Chairman.

[The prepared statement of General Mattis follows:]

PREPARED STATEMENT BY GEN. JAMES N. MATTIS, USMC

Mr. Chairman, Senator McCain, members of the committee, thank you for the opportunity to appear before you today. I am honored to have been nominated by the President to serve as the Commander of U.S. Central Command (CENTCOM). If confirmed, I will apply my experience and pledge my best efforts and my candid assessments in this position.

CONTINUITY OF LEADERSHIP

I wish to acknowledge General Petraeus and to express my appreciation for the selfless service that he exemplifies. He, his wife Holly, and his family have made endless sacrifices in our country's service.

General Petraeus and I share a similar view of the region. We have served together repeatedly: in the Pentagon; fighting together in Iraq; jointly developing the counterinsurgency manual when he was at Fort Leavenworth and I was at Quantico; and as fellow combatant commanders.

I would also like to acknowledge that there has been no loss of momentum since General Petraeus left CENTCOM as Lt. Gen. John Allen continues to do superb work as the Acting Commander of CENTCOM. John has been a steady hand during this period of transition, resolutely continuing our regional strategy and reassuring our partners that there will be no change in our relationships with them.

CONSISTENCY IN OUR APPROACH

If I am confirmed as CENTCOM Commander, I will carry out a strategy that is consistent with the strategy currently in place. Our troops, our regional partners, and our adversaries alike should know that CENTCOM's leadership has changed, but our mission and activities have not. The CENTCOM team has generated a great deal of momentum, and if confirmed, I intend to sustain and strengthen what the team has set in motion.

HARMONY IN OUR RELATIONSHIPS

The wars we are fighting require highly integrated civilian-military efforts from the highest to the lowest levels. I will work in tandem with General Petraeus, General Odierno, General Austin, and the other military and civilian members of the President's National Security Team, as well as our many international partners in the region and around the world. If confirmed, my duty will be to pursue harmony in our civil-military relationships, to represent the needs of our commanders, and to ensure our military and civilian leaders are fully resourced in a coherent and comprehensive manner.

VIEW OF THE REGION: CLEAR-EYED/NO ILLUSIONS

Consistency in our approach and harmony in our relationships are vital because we face immense challenges in a region vital to our national interests and those of our partners. I will listen, learn, and understand the region's people and its leaders, finding opportunities in league with their interests to achieve broader objectives for stability, economic progress, and a better future. In the midst of the harsh realities in this vital region, there are also opportunities to work with responsible, moderate elements, and I will be eager to do so.

The CENTCOM region also includes elements that are irreconcilable, part of a movement that is intent on carrying out attacks on innocent civilians worldwide, including the September 11 attack on American soil that killed 3,000 from over 90 countries; the 10/12/02 bombing in Bali, Indonesia that killed 202 and injured 209; the 3/11/04 train bombing in Madrid, Spain that killed 191 and injured 1,800; the 7/7/05 subway bombing in London, England that killed 52 and injured 700; the 11/26/08 coordinated hotel attacks in Mumbai, India that killed 166 and injured 308, among many other failed and successful attacks worldwide. In the CENTCOM region, the enemy has carried out attacks that have killed thousands, the vast majority of them Muslims.

Our enemies' practices of targeting civilians offer us opportunities to counter their extremist ideology. Those who adopt terror as a way of war repeatedly make the mistake of revealing their disregard for human life and alienating the population whose support they need to operate. We and our coalition and regional partners, by contrast, are involved in the noble cause of helping to realize a brighter future in the region. We are the good guys. We're not perfect; regrettably, we make mistakes about which we are candid and constantly strive to correct, but we are the ones working to reopen schools, to build roads, to provide electricity, and to offer new hope. As the President stated during his inaugural address, "We will not apologize for our way of life, nor will we waver in its defense. For those who seek to advance their aims by inducing terror and slaughtering innocents, we say to you, now that our spirit is stronger and cannot be broken—you cannot outlast us, and we will defeat you."

MOST PRESSING MISSION: SUPPORT TO AFGHANISTAN AND PAKISTAN

If confirmed, my immediate priority will be the campaign in Afghanistan. The border zone between Afghanistan and Pakistan is home to a syndicate of extremists that includes al Qaeda, whose leaders conducted the initial planning for the September 11 attacks from Kandahar before going on to U.S. flight schools. Afghanistan and Pakistan are two countries of critical interest to our national security, to that of the region, and to all nations. These active theaters comprise a regional whole, for while they require differing operational approaches (with the character of our assistance adapted to the situation in each country), the extremists who traverse that border are threats to the people on both sides.

AFGHANISTAN

The issues we currently face in Afghanistan are familiar to me. I fought there in November 2001, less than 3 months after the September 11 attacks. From 2006 to 2007, I was Commander of Marine Corps Forces CENTCOM under General Abizaid and Admiral Fallon. From 2007 to 2009, I wore U.S. and North Atlantic Treaty Organization (NATO) hats, leading U.S. Joint Forces Command and NATO's Allied Command Transformation, requiring me to directly support operations in Afghanistan and to work closely with NATO allies and coalition partners.

In Afghanistan today, the insurgency has proven to be resilient, while Afghan state institutions, decimated by decades of war, are struggling to develop, provide security, and deliver services to the Afghan people. These institutions are developing in the face of a murderous enemy who knows its empty message cannot win at the ballot box and thus must resort to violently intimidating the populace. Since 2008, the enemy's indiscriminate use of improvised explosive devices (IEDs) alone has killed 1992 Afghan civilians and injured 4,110 others. Moreover, over a large period since 2004 IEDs have killed 2,267 U.S., coalition, and Afghan National Security Forces (ANSF) and wounded 7,825. These numbers reflect the enormous sacrifices our Nation, our partners in Afghanistan, and the Afghans themselves are making for this effort and I am deeply aware of these costs.

DEFINING THE MISSION

We have a clear mission in Afghanistan, as articulated by our President, who said, "We will not tolerate a safe haven for terrorists who want to destroy Afghan security from within and launch attacks against innocent men, women, and children in our country and around the world." Specifically, the President said, "to meet that goal, we will pursue the following objectives within Afghanistan. We must deny al Qaeda a safe haven. We must reverse the Taliban's momentum and deny it the ability to overthrow the government. We must strengthen the capacity of Afghanistan's security forces and government so that they can take lead responsibility for Afghanistan's future." The mission is consistent with the hopes of the overwhelming majority of the Afghan people who have faced cruel times for too long. Implementing the military component of our strategy there—by assiduously protecting the Afghan peo-

ple; of helping to pragmatically build Afghanistan; and of relentlessly pursuing those who seek to kill and destroy—is sound and it requires firm execution. I support it fully.

DEFINING WINNING

I believe that by steadfastly executing our strategy we will succeed in enabling Afghanistan. Success in Afghanistan means that we are making progress in enabling the Afghan Government to take the lead in preventing its people from being abused by extremists and Afghan territory from again being used for destabilizing the region and exporting terror to the world. The key line of effort for us is building ANSF that are capable of standing against internal and external threats with only modest international support—so that al Qaeda and other transnational extremists cannot once again establish sanctuaries from which they can launch attacks on our homeland or on our allies. This vision must be achieved in parallel with efforts to help Afghans make progress toward their longer-term aspirations to build their economy, infrastructure, and capacity to govern.

We all know achieving our goals in Afghanistan requires the enduring commitment of the international community. As outlined in the 2010 National Security Strategy of the United States, the challenges such as those found in Afghanistan cannot be solved by any one nation alone—it requires the sustained cooperation and contributions of many nations. Secretary Gates, Secretary Clinton, and NATO Secretary General Rasmussen have also articulated the same message. We are united in our enduring commitment to the mission in Afghanistan.

THE MEANING OF JULY 2011

It is equally important to recognize that Afghans want to have the lead in protecting themselves, and that we have no interest in being occupiers. President Karzai told the Kabul Conference last week that his objective is for Afghanistan to be responsible for all security responsibilities in 2014. In this context, I understand the July 2011 date that the President announced at West Point last December as the beginning of a transition of security tasks to the Afghans, based on conditions on the ground at that time, which will allow U.S. troops to begin returning home. Secretary Gates reaffirmed this last month when he said "the pace . . . with which we draw down and how many we draw down is going to be conditions-based." The transition process will be more of a "thinning out" of coalition forces as ANSF move into the lead. Forces may shift missions and be "reinvested" in other elements of the effort before they return home, and this transition will occur on the district level and in functional areas as well.

THE WAY AHEAD

Moving forward, we are working alongside the Afghans to reverse the momentum of the Taliban insurgency and to build the capabilities of the Afghan security forces, while investing in a civil-military campaign plan to improve the Afghan Government's capacity to respond to the needs of its people. We are doing this with an uplift of 30,000 additional U.S. Forces—nearly 85 percent of which have arrived—and 9,700 additional forces from NATO and coalition partners—about 71 percent of which have arrived. Once fully deployed, there will be more than 44,000 non-U.S. troops in Afghanistan, reinforcing the 243,000 soldiers and police in growing Afghan security forces, carrying out a variety of combat, training, logistics, and intelligence missions needed for success.

PROGRESS IN AFGHANISTAN

We have already seen that progress is being made in assisting the Afghan people. Under the Taliban, fewer than 900,000 boys—and no girls—were enrolled in Afghanistan's schools. As of January 2010, nearly 7 million children are enrolled in over 11,000 schools nation-wide; around 37 percent or 2.5 million are girls. There has also been an over eight-fold increase in the number of teachers to 170,000—30 percent of them are women. As Chairman Levin recounted after a recent trip to Afghanistan, there is maturation in the Afghan National Army meeting its goals, with the Afghans increasingly shouldering a heavier burden in the fight, and partnered operations becoming the norm. The most visible evidence of this is in RC-Capitol, where ANSF forces are in the lead patrolling in the streets of Kabul and establishing security rings within the city for the recent Consultative Peace Jirga and the successful Kabul Conference, the biggest high-level gathering ever in the capital. In RC-South, the first fully Afghan-led operation occurred during Operation Malajat. This effort involved more than 550 Afghan and coalition personnel tasked to search

and secure approximately 10 square kilometers around Malajat, a community in Kandahar City.

Violence will remain amidst this progress, as the enemy chooses to fight intentionally among innocent people in a war "among the people." The enemy is alarmed that they are losing momentum and is fighting back, as expected. Working in partnership with Afghan forces, ISAF will apply unrelenting pressure to further roll back the enemy and protect the people. A lot has been accomplished, and much remains to be done.

Nothing about this will be easy. I have witnessed the difficulties, the burdens, and the hopes carried by our troops, our coalition partners, and notably the Afghan people themselves. We will have some bad days ahead, but so long as we hold fast and adapt faster than the enemy, the enemy's situation will continue to worsen; it will become more desperate, continue to make mistakes, and turn the population against it. While reconcilable elements fold back into society, irreconcilable elements will be removed from it.

PAKISTAN

Inextricably linked to our campaign in Afghanistan is our strategic partnership with Pakistan. I am heartened by the Pakistanis' efforts in countering extremism in their country, and I am reminded that the initial amphibious operation that I led into Afghanistan in November 2001 would not have been possible without their support. Today, the Pakistani people and their political parties have thrown tremendous weight behind military efforts to root out and destroy the Pakistani Taliban and other violent extremists, having increased the size of their forces committed to the fight in the Federally Administered Tribal Areas and Kyber-Pawktoon-Kwah to approximately 147,000, and retaking control over large sections of their territory that had been safe havens for our common enemies. Pakistan's Army and Frontier Corps have carried out increasingly effective and extensive operations in those parts of their country that have suffered under the Taliban and other violent extremist influence for many years, at the significant cost of more than 4,000 casualties since 2009. Clearly the Pakistan Government, military, and people deserve our support, and I thank Congress for its continuing support as we restore trust with our Pakistani counterparts, help them sustain their campaign against extremism, and deepen our partnership with this vital ally.

IRAQ

I have served in Iraq and seen first-hand the valor, adaptability, and ethical performance of our troops as they have fought to earn the trust of an initially skeptical Iraqi people. Among my highest priorities if confirmed as CENTCOM Commander will be to enable the critical continuation of our responsible drawdown in Iraq. The drawdown of our forces to 50,000 by September 1st is on track, as are the withdrawal of our equipment and base closures. The shift from our combat mission to stability operations will go forward thanks to the combined efforts of our military, the Iraqi security forces (ISF), and the Iraqi people themselves, while our Department of State takes on a more long-term role in our relationship with Iraq. Our forces will soon be led in this effort by General Lloyd Austin, who was recently confirmed as our next commander in Iraq and is a trusted comrade, as we have served together several times since 2002 and fought alongside each other in Iraq. As with General Odierno, I have unbridled confidence in General Austin's leadership and I will work to set the broader conditions for his success.

Difficulties and challenges remain for Iraq. Although great progress has been made in Iraq, it is not yet enduring, primarily because many underlying sources of political instability have yet to be resolved. Nevertheless, the fact that security trends have remained positive over the past year in the context of a significant drawdown of U.S. forces is testament to the growing capabilities and professionalism of the ISF, who now lead in protecting the Iraqi population throughout the country. Their performance is particularly evident in this extended period of Iraqi Government formation, with enemy effectiveness continuing to decline, and the ISF serving as a protective windbreak between the Iraqi people and a merciless and increasingly desperate enemy. This combination of circumstances permits us to continue to responsibly draw down, thinning our lines over the coming year, and transitioning to a civilian-led, long-term, and mutually beneficial relationship between our two nations. I support robust resourcing of the ISF Fund, even as the Iraqis themselves commit 17 percent of their national budget to their own security and, as a result, cover the lion's share of total security costs. The Iraqis still need our help as they continue to build their capabilities in order to protect against malign external influences seeking to foment ethno-sectarian violence and distrust.

OTHER SIGNIFICANT CHALLENGES

Beyond Afghanistan, Pakistan, and Iraq, there are several other significant challenges to our interests and the interests of our partners in the CENTCOM area.

IRAN

Iran presents the greatest long-term challenge in the region as it continues to threaten regional and global stability. Despite the promise of its rich cultural heritage and educated populace, the Iranian regime continues to ignore the true aspirations of its people and appears less interested in hiding its ambitions to pursue a nuclear-weapons capability, heightening global concerns over a nuclear arms race that would destabilize the region.

The Iranian regime also continues to challenge the authority of Iran's neighboring governments by funding, arming, and training militant proxies in the region, most notably in Iraq and Afghanistan. As General Odierno recently stated, these Iranian proxies continue to take advantage of our drawdown in Iraq by conducting attacks against our forces there, with the additional intent to intimidate and manipulate political outcomes inside Iraq. The Iranian regime has carried out these activities while violently suppressing the rights of its own citizens. The task of CENTCOM will be to counter the Iranian regime's destabilizing activities, to deter the regime from aggression, to forthrightly and prudently posture our forces, and to work in concert with our partners in the region to advance our shared interests. Our efforts need to back-stop the diplomatic and economic initiatives exercised by the United Nations and the international community, keeping a close eye on Iran's efforts to threaten and destabilize countries in the region.

AL QAEDA IN THE ARABIAN PENINSULA

Al Qaeda and the other extremist groups associated with it pose a threat that spans the CENTCOM region and requires a theater-wide response that applies constant pressure to all elements of the extremist network. Al Qaeda and its affiliates' growing challenge to stability in Yemen has made that country an area of emphasis for CENTCOM. Indeed, from locations in Yemen, al Qaeda in the Arabian Peninsula (AQAP) has shown it has the intent to conduct attacks that threaten not just Yemen, but surrounding countries and the U.S. homeland. Yemen is also an example of what rapidly-applied assistance through joint civil-military efforts can do for a nation in need. When al Qaeda began exerting its influence in Yemen, our Ambassador and the CENTCOM team worked closely with President Saleh to come up with a plan to provide a range of assistance to the Yemenis. We must continue to forge closely supportive relations with the Yemenis and regional partners to ensure a sustained whole-of-governments approach against AQAP.

REGIONAL APPROACH

As we endeavor to address these crosscutting and subregional challenges, I will carry forward an overall approach of assisting our partners in the region based on our shared interests. CENTCOM has made a great deal of progress in this respect and I will reinforce those efforts.

In the Gulf region, for example, our partners are involved in a variety of activities that are contributing to the region's security. The Kingdom of Saudi Arabia is a powerful influence in the region. Moreover, the Kingdom's commitment to defeating al Qaeda and its effective program for reintegration of dissidents serve as valuable models for other states in the region. The Kingdom, with our assistance, is also undertaking an effort to protect its critical infrastructure. We also have a strong security relationship with the United Arab Emirates, and we have expanded our partnerships with Kuwait, Bahrain, Qatar and Oman. Kuwait is a pivotal partner that has been instrumental in supporting our efforts in Iraq. Bahrain, as well, has been a gracious host of the U.S. fleet for decades, while at the same time Qatar has been host to one of our largest bases in the region and our forward headquarters. Oman has continued to be a valuable partner in preserving stability in the region. CENTCOM's Regional Security Architecture bolsters and connects these relationships, strengthening partner capabilities to address existing and emerging threats. Understanding the region's unique geo-political realities and recognizing that our Gulf partners have much to offer, if confirmed I will work with them individually and collectively to sustain regional stability.

Similarly, in Central Asia, we have opened new and encouraging opportunities for engagement with Uzbekistan, Kyrgyzstan, Tajikistan, and Kazakhstan by cooperating to establish the Northern Distribution Network as a supply route to Afghanistan, which will also serve to further future economic integration and stability.

Strengthening our relationships greatly aids our cooperation on other issues, such as counterterrorism and counternarcotics. In similar fashion, we are reaching out to Turkmenistan, advancing our partnerships in Central Asia, and doing so transparently to avoid any misunderstanding of our motives.

Elsewhere in the region, we must continue to strengthen our partnerships, building trust and national capabilities against terrorism through training, equipping, personnel exchanges, and exercises. In Lebanon, we are working to build the critical capabilities of the Lebanese Armed Forces, especially in counterterrorism. We have collaborated with the Kingdom of Jordan, having established a world-class irregular warfare training center where many nations train. Egypt continues to play a leadership role in the region by hosting the important multilateral Bright Star Exercise and conducting counterterrorism and counter-smuggling activities, besides remaining an intellectual center of gravity in the region.

EXTERNAL INFLUENCES

To complement these regional partnerships, CENTCOM also must recognize that none of its sub-regional challenges exists in a vacuum. Confronting each of them requires us to recognize that significant forces at work in the CENTCOM region originate from outside it. It is imperative to strengthen our understanding of these external elements and what they represent in terms of potential stabilizing influences. Turkey, Russia, and, increasingly, China and India exert major influences within the CENTCOM region. Similarly, the Middle East Peace Process, though it involves parties that are outside the CENTCOM region, has a significant impact upon the countries of the region and upon CENTCOM's ability to further our interests throughout the area. In addition, though on a smaller scale, we have seen an increasing impact in the region from the migration of extremists from Africa—whether from the al Qaeda-affiliated Somali group Al Shabaab or out of Muslim Nigeria—into Yemen and AQAP training camps. Al Shabaab has shown recently the intent to carry out terrorist attacks beyond the Horn of Africa. Finally, the pirates who prey on shipping in the waters off of the coast of Africa are based in ports that lie beyond CENTCOM's boundaries. Addressing these dynamics will require CENTCOM to maintain a close working relationship with U.S. Pacific Command (PACOM), U.S. European Command (EUCOM), and U.S. Africa Command, as well as other commands and agencies, and I pledge to do so.

PERSONAL EXPERIENCE IN THE REGION

If confirmed by the Senate, I will leverage my experiences in the region over the last 30 years to advance the missions of CENTCOM. I have had the privilege of serving in the Central Command area of responsibility many times, starting as a young officer in 1979 on a naval deployment to the North Arabian Sea. I have respect for the peoples in the region and for their cultures. I have been fortunate to develop personal relationships with several leaders in the region—military and civilian, plus U.S. and partner nations—for more than a decade, and I will expand those relationships to enhance the unity of effort and integrated harmony essential to success.

CLOSING

Having been nominated for this position, I am mindful of the extraordinary privilege it has been to serve for over 38 years alongside some of America's finest young men and women. These soldiers, sailors, airmen, marines, coast guardsmen, and civilians represent all that is great about our experiment in democracy that we call America. They sacrifice daily in difficult environments to defend our freedoms when they are threatened, and I would like to express my appreciation and respect for their incredible dedication and skill. I will hold them foremost in my thoughts if you confirm me and I will also provide my best professional military assessment to this committee and to my leadership with their interests in mind.

I would also like to thank Congress, and the members of this committee, in particular, for your support. I remain mindful of the inherited freedoms we share here today, thanks to the blood, sweat and tears of our predecessors. Today, if confirmed, I pledge to give all that I have to build the strongest coalitions, the most agile forces and the most ethical defenders of our Nation. We, too, have the same obligation as past generations of Americans to pass along these freedoms to our children.

In closing, I will reemphasize that I place a high priority on trust, unity of effort and harmony in protection of innocents from those who would attack them.

Thank you very much.

Chairman LEVIN. Thank you very much, General.

We will have an 8-minute first round of questions. I think there might be time for a second round, if needed.

General, in his speech at West Point in December of last year, President Obama announced a surge of 30,000 additional U.S. troops by the end of this summer. He set the date of July 2011 for the beginning of reduction in our combat presence in Afghanistan, but with the pace of those reductions to be determined by the circumstances at the time.

Is that your understanding of the President's policy, and do you agree with it?

General MATTIS. Yes, sir. That is my understanding, and I do agree with it.

Chairman LEVIN. Do you agree that one of the advantages of that is that it signals urgency to Afghan leaders and to the Afghan army that they must, more and more, take responsibility for their country's security, which, in turn, is important to the success of our mission?

General MATTIS. Sir, it brings a sense of urgency, I think, because it starts a process that is conditions-based. We can also moderate the enemy's message that says we're there to occupy Afghanistan. But, the idea is for a bottom-up, not a top-down, thinning out of our forces as we reach the conditions that permits a responsible turnover. Again, it's a date when a process begins; it's not a handoff of a hot potato.

Chairman LEVIN. General, for some time I have pressed that more units of the Afghan army that are considered the most effective move to Kandahar, where the challenge is perhaps the greatest, and to also get them into the lead in operations down there. When Senator Jack Reed and I were there earlier this month, we made the very same point with President Karzai, with Minister of Defense Wardak, with the chief of their general staff, during our visit to Afghanistan. Defense Minister Wardak wrote to me, saying that he agreed with that, and he has ordered additional two infantry battalions and two commando battalions to support operations in Kandahar, because that is in the heart of Taliban country, the area of their greatest strength. So, the Afghan army will have more than 8,000 soldiers in Kandahar by September 2010.

We've been told frequently that the Afghan army has broad popular support and that the Afghan people want their army to be taking the lead in providing their security.

First of all, do you agree that the Afghan people generally have confidence in the Afghan army and want them to provide their security, where possible?

General MATTIS. Yes, sir. I've seen the same thing on my trips over there, and I believe it is probably the most admired and respected part of the Afghan Government right now.

Chairman LEVIN. Will it help achieve the success of the mission that Afghan army units can take the lead in joint operations, wherever possible?

General MATTIS. Sir, I think I can quote you. This is the worst nightmare for the Taliban, that the Afghan army is increasingly effective, partnered with our forces and moving against an enemy that they know better than anyone. I think this is very heartening.

Chairman LEVIN. There's going to be a major effort in the Arghandab Valley in the next—actually, it's already begun, perhaps—but, at the end of this month and the beginning of next month. It's going to be a joint Afghan Army-ISAF operation. There's going to be approximately 10,000 combined troops, or more—the majority, again, from the Afghan Army's 205th Corps. The effort is to clear the area of insurgent domination. The Commander of the Afghan 205th Corps announced, publicly, a few weeks ago—his name is General Zazai—that he and his staff had participated jointly in planning the campaign, that he'd signed the orders, and that his forces would be in the lead in the Arghandab campaign.

I'm wondering whether or not you will be focusing some major attention, as soon as you're confirmed, on that specific campaign. Do you agree with what you know of its design?

General MATTIS. Sir, until I'm confirmed, I'm not as familiar as I, perhaps, would be as the CENTCOM Commander. However, the partnering effort that's underway—the joint planning and the joint execution—and, as you're aware, there's already over 7,000 Afghan soldiers in Kandahar, so they are rapidly approaching the strength they need—I think it all sets the conditions for a very successful campaign, whenever they determine the conditions are right to kick it off.

Chairman LEVIN. At the recently concluded Kabul conference, the participants endorsed the Afghan Government's plan, developed with NATO participation, for the phased transition to full Afghan responsibility for security. Now, that will be a transition which will take many years. But, the Government of Afghanistan and ISAF will assess, jointly, which provinces can be transitioned. They'll begin to do that, they expect, by the end of 2010. Are you aware of that Kabul conference announcement? Can you give us your reaction to the Kabul conference, generally, as to whether or not the fact that that conference was able to be held with relative calm demonstrates some progress?

General MATTIS. Mr. Chairman, I recognize that the Haqqani network had decided that conference would not be held. They threatened to attack. As we all know, Kabul has already transitioned to the Afghan security forces. So, they had the lead. They had the planning and the execution of providing protection for what was, I think, a very impressive showing of 57 nations and 11 international organizations coming to Kabul. To pull off a conference like that in the midst of the kind of war this enemy is fighting, where they attack innocent people, and they actually attack the very people who are trying to come in and help, is very emblematic of the kind of enemy we're up against, but also the international support. I think it was very healthy for President Karzai to hear from all of them about the challenge of corruption. I think it was very healthy for them to see President Karzai as a man who could deal maturely with the international organization.

I thought it was a very heartening conference, and I thought it was a real blow to the enemy's boasts that they were going to stop this. The Haqqani network was unable to defeat the Afghan security forces.

Chairman LEVIN. Relative to the Haqqani network, which is based in North Waziristan, neither they nor the Afghan Taliban, Quetta Shura, which is based in Quetta, Pakistan, is on the State Department's list of foreign terrorist organizations. These groups and their senior leaders are involved deeply in supporting the ongoing insurgency in Afghanistan. There's little question that they engage in terrorist activities, to the detriment of the United States' national security interest and to the coalition. Designating those groups as foreign terrorist organizations, or, at a minimum, designating their senior leaders as terrorist-affiliated individuals, would make certain tools available for limiting the financial and logistical support that they receive, and also, perhaps even more importantly, would send a very important signal regarding the United States serious concern with their ongoing activities, including a signal to Pakistan.

General, in your view, has the Haqqani network and the Afghan Taliban, Quetta Shura, engaged in terrorist activities that threaten our security interest? Do you believe that those groups, or at least their leaders, should be designated as foreign terrorist organizations?

General MATTIS. Mr. Chairman, both those groups have engaged in terrorism, and I believe the leaders of both groups should be placed on the State Department list.

Chairman LEVIN. Thank you. My time is up.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

General, thank you, again, for your service.

On the issue du jour of the WikiLeaks, what effect does the fact that these messages and information that were passed up the chain of command from the field, as to the assessment of the situation—what effect does this publication of these secret communications—what effect does that have on the degree of candor that military officers and senior noncommissioned officers in the field who are doing their best to report, the best of their ability—what effect does this have on them?

General MATTIS. Sir, I would speculate, but, due to the urgency of the operations in a combat zone, it probably won't have much, because, at the moment they're actually reporting, they're probably more eager to get the truth up the chain of command. That said, I just thought it was an appallingly irresponsible act to release this information. It didn't tell us anything, that I've seen so far, that we weren't already aware of. I've seen no big revelations. One of the newspaper headlines was that the war is a "tense and dangerous thing." If that is news, I don't know who it's news to that's on this planet. It would probably not help candor, but I think I'd be more concerned about allies being more circumspect than our own troops, sir.

Senator MCCAIN. These leaks are certainly not helpful in you doing your job, particularly in coordination with our allies.

General MATTIS. That's correct. Yes, sir.

Senator MCCAIN. How many Pakistani military have been killed in operations against Taliban and al Qaeda in Pakistan, roughly?

General MATTIS. Senator, I'll have to take that question for the record.

[The information referred to follows:]

Since April 2009, the Pakistanis have sustained approximately 900 service men killed and over 3,000 wounded. If counting their military casualties since 2002, the number killed is approximately 2,500 with over 7,000 wounded. This data is current as of June 2010.

General MATTIS. However, I will tell you that my Pakistani friends assure me they've lost more of their troops in the fight than NATO has lost on their side of the border.

Senator MCCAIN. I think it's in hundreds. Is that roughly correct?

General MATTIS. At least, sir.

Senator MCCAIN. We have been, at least to a significant degree, getting cooperation and assistance from the Pakistani military.

General MATTIS. Sir, I think we have a stronger strategic relationship and more support today from the Pakistani military than we've enjoyed in 10 years. It's trending in the right direction. They have sustained a 15-month counteroffensive, despite the casualties, in militarily, some of the worst terrain I've ever operated in, up along the border area. I think our counterterrorism cooperation is also at an all-time high.

Senator MCCAIN. But, there is also reports that certain elements of Inter-Services Intelligence are at least cooperating, to some extent, with the Taliban. Is that correct?

General MATTIS. That's correct. Yes, sir.

Senator MCCAIN. Could that be because they're hedging their bets as to whether the United States is going to remain, or not?

General MATTIS. Sir, I need to get more current. However, history didn't start at 2001, and some of those same groups, we had a relationship with, back when we were fighting the Soviets. It's no surprise to me that there may be some continued relationship there. But, whether or not it's because they're working with them, they're trying to infiltrate them—there's any number of motives, and I'm just not current enough to say why. I think, though, that it's hard to wipe the slate clean and just start over at any one point. Clearly, the offensive against many of the people they allegedly used to work with is showing they're no longer friends with most of them.

Senator MCCAIN. Let me just be clear, again. You said that you were appalled at the publication of these documents—the WikiLeaks that just happened.

General MATTIS. Yes, sir. I thought it was grossly irresponsible.

Senator MCCAIN. I won't ask you to comment on the publications—or, the newspapers that chose to publish them.

Are you concerned, as I have seen with my own eyes, the concern that exists in Afghanistan and in the region about a date for withdrawal for the middle of next year?

General MATTIS. Sir, I think that it is a misinterpretation that we would, and we have to be very clear that we're not leaving, that it starts a process of transition to the Afghan forces. It is not that we are pulling out of the region.

Senator MCCAIN. Wouldn't that be more impactful, your statement, if the President of the United States just said, "We're not turning out the lights and closing the door in the middle of next year?" Wouldn't it be helpful if the President of the United States

made clear what you have just said, and what the Secretary of State and the Secretary of Defense have said? I don't expect you to answer that.

Are you satisfied with the withdrawal from Iraq, as it is on schedule?

General MATTIS. I am, sir. We're less than half the troops there today than where we were at a year ago. We're on track.

Senator MCCAIN. But, you're satisfied that the environment is such we can continue——

General MATTIS. Yes, sir. I'm actually very impressed by the Iraqi security forces, and how they're keeping the enemy off balance, even during this transition of the government that's taken longer than we expected.

Senator MCCAIN. What is your view—or maybe you could inform us—on Iranian involvement in Iraq, over time. What about reports of increasing Iranian involvement in Afghanistan?

General MATTIS. Yes, sir. As best I understand it right now, sir, I think they're playing both sides against the middle. I think that they are supporting President Karzai, in some ways. I think they're also hedging their bets and up to their usual kind of spreading of terrorism.

Senator MCCAIN. What about equipment and training?

General MATTIS. I need to get specific with you to answer that question, sir. But, we are very sure that they have done some things counter to our interests, supporting people we are fighting.

Senator MCCAIN. The last time we left a place, at the urging of many on the left, not the last time, but one of the times—was Cambodia; and horrible things happened. What do you think the consequences will be for the general population, specifically women, if we leave and allow the Taliban to return to power? Do you believe that al Qaeda will work with them and reestablish a base for attacks on the United States?

General MATTIS. Sir, I have no reason for optimism that, if the Taliban were left in control, that al Qaeda would not move back in. They did it before. I don't see any reason I would expect them not to do it again.

As far as human rights abuses, Senator McCain, this Taliban approach to running a country is well known. They've demonstrated it for 5 years before we went in, in 2001. We have seen the human rights abuses. We're keenly aware that no girls went to school—to speak specifically to your question about the female population—no girls went to school for the 5 years they were in control, until we came in. It was against their law. I have no doubt that, again, the human rights abuses will be a challenge if we were to pull out. By that, I mean that they'll return to their same ways.

Senator MCCAIN. There's no doubt that al Qaeda would work again with the Taliban?

General MATTIS. Yes, sir. They are not monolithic. I realize that. There are ways that we can split off some of the reconcilables from the irreconcilables. But, the leadership of Taliban, I am very confident, would work again with al Qaeda.

Senator MCCAIN. I thank you, General, and thanks again for your service and your straight talk.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCain.

Senator Webb.

Senator WEBB. Thank you, Mr. Chairman. Mr. Chairman, for the record here, I'd like to point out that each Military Service has its own personalities, but there's no clearer measure of a marine than to be trusted with the responsibility of command. If you look at General Mattis's biographical statement, I count, I think, at least 12 different levels of command in his career, which is really an extraordinary career. He's commanded a platoon, company, battalion—these are operational commands—regiment, division, and marine expeditionary force. I know we have someone, here, who knows how to lead, who knows how to make decisions, and who knows how to accept responsibility for the consequences of his decisions. I think this is a good fit for our country, and I wish the General well.

What I would like to do today, General, in the brief time that I have, rather than focusing on Afghanistan—I know you have a strong operational partner there, and someone who is already on the ground running—I'd like to ask your thoughts, first of all, about the diplomatic side of your job, for lack of a better term. You have a military hat, and you also have a responsibility to deal with a lot of civilian foreign leaders. What are your thoughts on how to conduct that?

General MATTIS. Thank you, Senator Webb. There is probably no problem in that region that can be addressed by a single country, or working just with a single country. It has to be a regional approach. It also has to be a political-military component in a holistic campaign. There is probably nothing over there that a purely military answer will provide the long-term outcome that we need. The diplomatic aspects have to be ones that find common cause with those nations of like-minded principles, or with security issues that can find common cause with us, and find a way, bilaterally and, ultimately, in a regional manner, to ensure that we really solve problems; we're simply solving one to create another.

The diplomatic aspects will be, I think, foremost, as we ensure that, by CENTCOM being military-ready, sends a message that we are staying in the theater, we are engaged, and we have the will to do so.

Senator WEBB. How do you see your role in that area?

General MATTIS. Specifically, meeting with the military leadership throughout the region of the 20-odd countries, and ensuring that we can build trust and confidence between us.

Senator WEBB. I'd like to go to your written testimony. On page 9, you have a paragraph that's titled "External Influences," and you make, I think, a very interesting statement, and I'd like to hear your thoughts on this. I'll read it to you. "Turkey, Russia, and, increasingly, China and India, exert major influences within the CENTCOM region. Somewhere, the Middle East peace process, though it involves parties that are outside the CENTCOM region, has a significant impact on the countries of the region and upon CENTCOM's ability to further our interests throughout the area."

Would you comment on your views on Turkey, Russia, China, India, and then the Middle East peace process?

General MATTIS. Yes, sir. Turkey has been an ally of ours since the Korean war, when they fought alongside us during that difficult period. They stood by us through the Cold War. They stood by us through sanctions against Saddam, at a time when it cost them, economically, severe consequences to their country. They are the only NATO country that is fighting an active insurgency in the southeast corner. I believe there is a lot of room for us to continue to work together on common interests. It is part of U.S. European Command, and I will work with Admiral Stavridis.

In regards to Russia, I believe, in the short term, we will continue to have our engagement policy with Russia. I think Russia is also threatened by some of the same things that disturb us—for example, terrorism in the southern belt, in the Afghanistan area, and the drug trade. There is room for common interest to work with the Russians.

China, I noticed, just recently actually bought more oil from Saudi Arabia than we did. It shows that they have a deep economic interest in the area. They also are trying to assure themselves of certain raw materials that they need. There are going to be continuing economic interests. But, also, between piracy and the challenge for them to remain fully capable of getting oil out of the Middle East, I think there are going to be opportunities for us to work together regionally, so if they stand by us in the United Nations, with United Nations Security Council resolutions sanctioning Iran, they are not, in effect, cutting off their own oil.

Finally, India: Anything we do in the Pakistan and Afghanistan arena has to be considered in terms of its effect on India.

Lastly, on the Middle East peace process, there is a political cost to the stagnation. I think it allows radicals to seize the issue between the Israelis and the Palestinians, and basically trap the moderates in the region. I very strongly endorse what our State Department is doing, pursuing the two-state solution with both sides.

Senator WEBB. Final question, as a follow-on to that.

We have serious logistical challenges in Afghanistan, because of the logistical routes through Pakistan, and also through the other "stans." Do you see Russia as now assisting us, in cooperation, in ameliorating that situation? Or do you see an obstacle there?

General MATTIS. I see Russia helping us, right now, sir, with the northern distribution network.

Senator WEBB. Thank you.

Thank you, Mr. Chairman

Chairman LEVIN. Thank you very much, Senator Webb.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

First of all, I want to say, General Mattis, that you did such a great job in Joint Forces Command. You'll be missed there. But, this is probably even more challenging than your duties there. Particularly, 9 months, or so, ago, we had a chance to look over the programs, some of our joint successes. We'll continue to do that.

I know that you said in your opening statement that your main focus is going to be on the war in Afghanistan. When I look at all the countries in CENTCOM and the AOR, I think that it's a pretty overwhelming thing that you are facing. A couple of interests that

we have: I just got back, a month ago, from Iraq, and I met with Prime Minister Maliki, Ambassador Hill, General Cone, General Hunzeker, and the person I've always thought had the greatest leadership there is Barham Salih. We went up in the northern part of Iraq, had a chance to visit with him. They, at that time, were optimistic they were going to be able to get together some kind of a coalition government, but you have the Shia and Sunnis, and then you have the Kurds, up north. Have you had a chance, in anticipating getting into this job and looking to see what I think is going to be one of the great challenges in that whole AOR is some kind of a successful coalition government. What do you think the prospects are there?

General MATTIS. Senator Inhofe, in preparation for this hearing, I met with Ambassador Jeffrey, our Ambassador Designate, if he's confirmed by the Senate, to Baghdad. I've talked with General Austin, and at length with General Odierno. I think that it's taking longer than we or the Iraqi people wanted to see this take, but it's more important they get an inclusive government, I think, than they get a fast government right now. The three issues I think they must address: One is the political future of those northern provinces; one is the oil distribution, and the distribution of the oil funds that come out. Both of those touch right to the heart of your question.

I think, right now, that we're on the right track, and I think, in some ways, the slow pace may give us more confidence, when we finally see it report out and we have a government, that it's going to be able to take on the political futures in a responsible way.

Senator INHOFE. Yes. You talk about coordinating with the north. You've thought about it, and you've looked at the leadership qualities of different people—do you see a role for Salih to play in a new coalition government that might help, in that respect, in terms of up north?

General MATTIS. Right, sir. I think he is very impressive in his qualifications, but I, of course, would defer to the——

Senator INHOFE. Sure. I understand that.

General MATTIS. Yes, sir.

Senator INHOFE. This committee cut $1 billion from the President's request, $2 billion for the Iraqi Security Forces Fund. Even you mentioned, briefly, the fact that there is going to be a potential of oil revenues coming in.

However, I've been told that Iraq will have about a $4-billion budget deficit in 2010, and it will take Iraq 4 to 5 years until it can fund itself; oil production at one-quarter the capacity, due to pipeline problems. What impact would the $1-billion cut have? Or have you had a chance to look at that and develop any ideas?

General MATTIS. Senator, I need to look at it more closely, if confirmed. The most important thing is that we have an Iraqi security force that can pick up and carry forward as we continue to draw down. They will run a budget deficit this year. They are spending, right now, I believe it's around 15 percent of their national budget on security. It's not that they're just dropping this to us and expecting us to pick it up. However we keep the Iraqi security forces at the top of their game so, as we move out, a stable, successful Iraq is left in our wake, I think is critical.

Senator INHOFE. I appreciate your saying that, because we hear a lot about, "They have all these revenues. They're able to do this." It's as if they are not trying to do it on their own. It's been my experience, going over and talking to the leadership, that they are. I see progress there, in terms of these forces, whether it's the tribal forces against each other coming back together.

I thought, when Senator McCain mentioned Iran, he was going to ask the question that I had in mind, but he went in a different direction. I've been concerned, for quite some time, of course, Iran is in CENTCOM and our unclassified intel has said that Iran, most likely, will have an intercontinental ballistic missile (ICBM) capability, the weapon and the delivery system, by as early, they said, as 2015. Then, just the other day, Central Intelligence Agency (CIA) Director Panetta said on ABC News—he was talking about when they would have the material. Then, moving it forward, it came to—some thing—closer to about 2013.

We know they have the capability. We know that you have an AOR that would be affected by that. My concern, that I voiced from this table several times, has been addressing it, relative to pulling out the ground-based interceptor capability in Poland. But, with it is right now as this date moves forward—and we're looking at maybe 2015, or maybe a little bit earlier—what's your assessment of Iran and its impact on the AOR of CENTCOM?

General MATTIS. If they continue in their current direction, sir, they can only have a negative impact. We are looking at a country that's undiminished in its efforts to enrich uranium, to oppress their own people, and to support murderous proxy units all over the region.

Senator INHOFE. Yes.

General MATTIS. This is becoming emblematic of them, and it is unhelpful, in the extreme, to stability there in the region.

Senator INHOFE. All right. Now, in your previous job, you didn't address my concerns but, you will have to address them—and I'm talking about programs that I've talked about before, such as the train-and-equip program, the 1206, 1208—the Commander's Emergency Response Program (CERP) that has been cut a little bit. Every time I talk to commanders in the field, they talk about how valuable that program is. Have you looked at these programs, what your feelings are now, in terms of how significant they are? I'm talking about the Combatant Commander Initiative Fund, the CERP, the International Military Education and Training Program, the train-and-equip program, and those.

General MATTIS. These programs are absolutely critical, sir, because we cannot afford to be the world's policemen and carry it all ourselves.

Senator INHOFE. Exactly.

General MATTIS. These programs are what actually provides the seed corn, in many cases, to allow others to do their share; and they want to do it. In some cases, just access to our technology; in others, it's training and equipping them so they can do their own thing. The CERP, for urgent humanitarian reasons, allows us to go in and make an immediate impact. These are great, adaptive programs that allow us to checkmate our enemies.

Senator INHOFE. The amount of money the CERP you pay, at that time, it could be worth four times the normal process of going all the way through the steps and getting it done later.

I know you'll be looking at these programs, and you're certainly the right man for the job, and we look forward to working with you over there.

Thank you, Mr. Chairman.

Senator REED [presiding]. Thank you, Senator Inhofe.

General Mattis, let me first state the obvious. You're one of the most remarkable combat leaders we have in our Military Services, and also one of the most thoughtful students of strategy in the profession of arms. I have every confidence that you're going to be a remarkable commander in CENTCOM. Let me proceed from that standpoint.

Our initial engagement in this region was prompted by the need to protect the United States from terrorist groups that were operating there, but with a worldwide reach, regrettably, even into the United States. In your view, does that still remain our number-one strategic priority?

General MATTIS. Yes, sir, it does. The enemy is not monolithic, and we have to adapt to how the enemy has adapted, but, yes, sir.

Senator REED. In the carrying out of that responsibility to meet that strategic objective, the question that I posed to General Petraeus, and I'll pose to you, is it your view that our presence in Afghanistan is necessary to effectuate that strategic objective?

General MATTIS. There's no doubt in my mind it is, sir.

Senator REED. Even though what we know is that some of these groups have migrated into Pakistan, and elsewhere in the region, and indeed, our initial opponents, al Qaeda, have now sort of morphed into copycat groups and to a much more disparate sort of terrorist network. Is that a fair assessment?

General MATTIS. I think that's exactly on target, sir.

Senator REED. Now, there's a lot of discussion about what we want to achieve in Afghanistan. Could you give me a general idea of what your view of a successful end-state would be in Afghanistan, General?

General MATTIS. I think the President put it very well when he said, with Afghanistan, Pakistan, and our 46 international partners, we are basically going to break the Taliban's momentum, we're going to relentlessly attack al Qaeda, and we're going to build the Afghan and Pakistani capability to carry on once we pull out of there. I think if you look at those three points that the President outlined, sir, that outlines the overarching strategy.

Obviously, we have both a military and a political component to our strategy. The military piece is well-integrated, and increasingly well-integrated, with the civilian component, something that I probably could not have said quite so strongly a year ago, but we've made a lot of progress, sir.

Senator REED. With respect to this end-state, again, one of the things that strikes me as the most critical is building Afghan capacity; and the most immediate capacity they have to build is security forces, both Afghan National Army and Afghan Police. Is that your view, also?

General MATTIS. Yes, sir, absolutely.

Senator REED. Do you have an assessment, initially, about how well we're doing? I must confess, over the last 8 years, the record of building Afghan security forces has been not even mixed; it's been hit and miss, start and stop. Do you believe that we're on the right trajectory, and more importantly, will be able, in a reasonable amount of time, to field adequate forces so that they can relieve our presence, or at least substitute for our presence?

General MATTIS. Senator Reed, we are on the right track now. I think we have the organizational construct right, and that has the four-star strategic commander there in theater, General Petraeus. We have a three-star core commander who's fighting the battle. We have a three-star, Lieutenant General Caldwell, who's responsible for this training, advising, equipping effort. As the chairman pointed out, we are 3 months ahead on the recruiting target here. We're already at the October goal, right now, of 134,000. This is for the Army.

We're making progress today, I think, in a way that we have been unable to make in the past because it just wasn't resourced enough. We did a lot of things right in the past. It just wasn't resourced enough.

The Afghan police, we started later, frankly, with our responsibility there. I think it's on the right track now, but no longer do we recruit, assign, and then try to train them on the job. Today, we recruit them, we train them, and then assign them. The sense of urgency in the past competed with the longer-term effort, and I think we learned a lesson there. But, we're on the right track now, sir, and they will be able to take over from us. In Kabul, they already have transitioned to Afghan control, Afghan leadership. They were able to pull off that very complicated conference, last week, where our Secretary of State represented us, along with 57 other nations. The Haqqani network said that would not happen, and they lost to the Afghan security forces. I thought that was very telling.

Senator REED. As you pointed out, previously, there will be a transition point next summer. That transition point is not a withdrawal, but it is a transition to a different mission. One way at least I think about it is, moving from a emphasis on counterinsurgency to an increasingly important emphasis, and indefinite emphasis, on counterterrorism. Is that your approach, too? Or could you amplify on that?

General MATTIS. I think that is the approach, Senator. Because we're going to have to work this from the bottom up, some districts and provinces will transition much faster than others. That's the norm in this kind of war. But, that is the right approach. Of course, as the President's pointed out, the conditions on the ground will determine the pace of transition.

Senator REED. Right. As you've pointed out, too, that this is not a strictly, indeed, perhaps even most importantly, a military operation; it's a combined military-civilian operation. It struck me, in my visits, along with Senator Levin and others, that we have invested, appropriately, a lot of effort in the ministries in Kabul. But, do you think we should be devoting more time to a more decentralized approach that will engage tribal leaders, that will recognize

that, even if we can develop effective ministerial capacity, there's a huge gap between Kabul and everyplace else that we're fighting?

General MATTIS. Senator Reed, violence and progress coexist in Afghanistan, and sometimes the violence blinds us to the progress, because it's so heartbreaking to see innocent people murdered for no reason by an enemy that intentionally fights from among innocent people. But, that said, I think the recent decision, even since General Petraeus arrived in Kabul, continuing General McChrystal's efforts, the continuity of the strategy, with Ambassador Sedwill of the United Kingdom being the NATO senior civilian representative, and it was President Karzai's decision to decentralize and having local security forces stood up, now—very heartening, very consistent with the line of thinking that you're proposing, sir.

Senator REED. One of the realities that certainly caught me by surprise, 7 or 8 years ago, when I first went into the theater, was the presence, both real and imagined, of the Indians in Afghanistan, particularly from the Pakistani perspective, which leads me to this sort of functional question. Your responsibilities embrace Afghanistan and Pakistan. But, India is a key factor in what happens in Pakistan, certainly, and to a surprising degree, to me, at least initially, in Afghanistan. Is this CENTCOM/Pacific Command (PACOM) structure—how do you bridge that, I would argue, in some cases, artificial gap between your responsibilities and the Pacific Commander's responsibilities?

General MATTIS. I think one of the key functions of a combatant commander is to ensure there are no gaps. I spoke with Admiral Willard yesterday, Senator, in preparation for this hearing, and, if you confirm me, we agreed to work very closely together. We cannot do something on one side of a combatant commander's boundary that complicates the other. We're committed to working together. It will be the closest collaboration between PACOM and CENTCOM, if you confirm me.

What we don't want to do is ignore the reality that it's a regional problem that Pakistan has had a very difficult history with India. India has shown great forbearance, under some enormous pressure—a terrorist attack in Mumbai. At the same time, Afghanistan and Pakistan have to be able to work together. It is complicated, but it's the normal state of things in the world, and we can overcome any little boundary issues between PACOM and CENTCOM.

Senator REED. Let me conclude with a final very quick hypothetical. Should the Government of Pakistan, together with the United States—NATO, actually—effectively control their border, suppress the Haqqani network and the Quetta Shura, the operational tactical situation in Afghanistan would be remarkably improved, or marginally improved, or not affected?

General MATTIS. Senator Reed, the Pakistanis have moved against many of our common enemies, and I think that there is a growing awareness and a remarkable political consensus in Islamabad that what can be conveyed as "poisonous snakes in the garden" don't only bite other people's kids; they go after everyone. I think, in the longer run, as they are able to amass what they need, in terms of political will and military capability, that we will work against the common enemies.

Senator REED. Thank you very much, General.

General MATTIS. You're welcome.

Senator REED. Senator Brown.

Senator BROWN. Thank you, Senator Reed.

General, first of all, congratulations. I'm certainly looking forward to casting my vote for you. I'm hopeful that the chairman will take this up as quickly as we took up General Petraeus's confirmation. I think it's very important for the security of the region, the security of our troops, and the security of our country.

I did note with interest the recent article, "Warrior Monk," that you were looking forward to growing onions in your spare time when you retired. I don't think that's going to be happening anytime soon. Thank you for stepping up and stepping to the plate again.

Just a couple of questions, because I want to give my colleagues time also. When I was in Afghanistan and Pakistan, obviously I was very aware of the conflict in Afghanistan, but I also sensed—especially over water rights between India and Pakistan—that water is the lifeblood of Pakistan and India. There's a dam being built that, potentially, will divert water. What do you see the military's role in trying to kind of calm down that brewing conflict, or potential conflict, between those two countries over water rights? Do you see any involvement or anything that you could be doing?

General MATTIS. Senator, they've fought several wars over a number of issues. There's the Kashmir issue, there's any number of terrorist attacks. But, I think the most important thing we can do, in support of the diplomatic efforts, which will fundamentally be how we change something like this, is to help bring the officer corps of both militaries together and create trust between them; allow them to perhaps attend our school together, as they do, they get to know each other there; and even do some of the things we've done elsewhere in the world where we bring different sides, during frozen conflicts, together, for example, at the Army School at Leavenworth, or up at Carlisle Barracks, and let them study our civil war together. After a few days, they start warming up. I think there are ways for us to build trust between officer corps that will help stabilize these issues. But, it's fundamentally a political problem, not a military one, of course.

Senator BROWN. Thank you.

With regards to a lot of the folks that have released, we had about 28,000, if my numbers are accurate, people who were detained and have been reintegrated. I know you haven't necessarily been dealing with it, but have you noticed what the recidivism rate is with a lot of these folks? Are they getting back into the battle at all? Anything you can comment on that? You're not there yet.

General MATTIS. I'm not current on the issue, right now, Senator, and I can take the question for the record and get back to you.

[The information referred to follows:]

The rate of persons captured and released, who later rejoin the insurgency, is unknown. The recidivism metrics only reflect individuals who re-enter the long-term Detention Facility in Parwan for a second or third time. Current facility records do not reflect those persons who return to the insurgency and avoid capture or are killed.

The Detention Facility in Parwan recidivism numbers reflect only a small percentage of individuals who re-engage in active hostilities or support roles. Until late

2009, International Security Assistance Forces did not conduct long-term detention or maintain records or metrics. The U.S. Forces-Afghanistan Detention Operations metrics for measuring recidivism are narrow in scope and not linked to biometrics other than at the Detention Facility in Parwan. This means the database for measuring recidivism pertains only to those held at Detention Facility in Parwan and certain special facilities; does not include most insurgents captured and released due to Rules of Engagement; and does not include detainees taken and held by the Government of the Islamic Republic of Afghanistan. There is no consistent means for monitoring released persons in Afghanistan. Most insurgents released after being captured adjust their pattern of life to avoid recapture, and thus do not again appear in operational or intelligence reporting. Many who re-engage in the insurgency do not use their true names after incarceration which also complicates and confuses reporting.

General MATTIS. There has been some recidivism over the years that I've served there, but it's also gotten better as conditions in the society got better. You've seen the plummeting nature of the attack profile, where the attacks have dropped off significantly. Obviously the reintegration is going somewhat well. I would never say there's no recidivism at all. I think that would be unrealistic.

Senator BROWN. I know, when I was there, the sense I got from the coalition forces, the troops, the tribal leaders, the police, the army, is that the plan instituted by General McChrystal, where everyone was training, patrolling, being housed, eating, doing everything together was creating a sense that we weren't there as occupiers, we genuinely want them to do well so we can let them take over. I love the fact that they want to do everything and be everything and be the head of everything. But, with all due respect, until they can show us and the coalition forces and their citizens that they can do that we have to be there. Are you continuing to push that plan? Is it being tweaked by General Petraeus? What's your thought on that plan, and whether it's the way to move forward, and ultimately get us out of the region?

General MATTIS. Sir, partnering is absolutely the right way to go. It has worked well everywhere we've done it. Sometimes, it's better that they do something imperfectly than we try to come in and do it perfectly, because they know the people and, in the long run, they're actually probably doing it better. I was looking at the reports of casualties and incidents the other day, and I was impressed by the fact that 80 percent of the contacts with the enemy—80 percent—were out of partnered units. That's just a snapshot. I don't want to say that's a take-that-to-the-bank indicator of how we're doing things over there every day. But, when you look at how the enemy is fighting right now, they're running into more and more units that are partnered together and gaining that very maturity you're talking about, which will eventually ensure that we can back out into an advise-and-assist role while they carry the load.

Senator BROWN. Is it an accurate statement that the Taliban, al Qaeda, or the enemy, however its constituted in that region, are using civilians as shields, and so, some of the casualties that we're being part of are a result of that use of civilians in the battlefield?

General MATTIS. Sir, this enemy has no regard for the innocent on the battlefield. During the period from 1 June to 10 July, 89 percent of the people killed and wounded over there in the midst of this fighting were killed or wounded by the enemy. They have no regard for innocent people. They do not fight by any conven-

tions. They have opened, apocalyptically, who they think they can attack, whether it be on September 11, when thousands of innocent die, or on 7/7, in London, or in Mumbai. It's the same theme that you see, time after time, of them declaring that, basically, they don't care about the innocent. They fight intentionally from among innocent people, at times, I think, to draw fire on them if we fire back.

Senator BROWN. How do you get that message out, then, and win that kind of media battle, where you have to let people know and understand that a lot of the casualties that are happening—when you hear about civilian deaths in Afghanistan, you say, "Oh, man, the military again, they're messing up"—but, in reality, I'm aware of it, being in the military, that they're using them as shields. How do you, with your team, get that message out to the rest of the world, that we're actually being very judicious. The rules of engagement are very clear to the troops; they're very concerned about when to fire, when not to fire. At times, I feel that they're putting themselves in a little bit of jeopardy. How do we get that message out and win that battle of confidence, to let them know that we're doing the right thing, and we're there to do the right thing?

General MATTIS. Yes, sir. I think we have to display the data more. We have to talk about it more. Frankly, I think we need more political leadership to display it, as well, since there are times when you are speaking in venues that, generally, you don't find military people in. I think it has to be a full-court press, as we get this information distributed. But, also, in our military role, we have to make certain we're discussing this in international forums.

The bottom line is, we have the most ethically-grounded military, I think, in the history of warfare. Yet, somehow we are not getting the message out that we are the good guys. We're not the perfect guys, but we are the good guys. We're fighting people who have much less concern for the innocent.

Senator BROWN. There is a perfect guy, and, in talking to him, he's the perfect guy for the job, so I wish you well, General. Thank you.

General MATTIS. Thank you, Senator.

Senator REED. Thank you, Senator Brown.

Senator Ben Nelson.

Senator BEN NELSON. Thank you, Mr. Chairman.

Thank you, General.

I've been a long-time advocate for the use of benchmarks to measure progress, first in Iraq, and now in Afghanistan and Pakistan. In the role of the CENTCOM Commander, I'd like your assurances that you will ensure the benchmark reports continue to be delivered to Congress in a timely and honest assessment of our progress there.

With regard to our operations in Afghanistan, what are the key metrics that you'll focus on to ensure that we're on the right track, that our strategy is sound, and that our progress, though it may be slow, can lead us to a successful end game in Afghanistan? Because, after all, that is what our purpose for being there consists of.

Perhaps, as well, what are the biggest challenges in promoting regional stability? I know you've answered that to some degree already.

General MATTIS. Sir, on the benchmarks report, I will ensure that they get to you. I'll personally check on it to make sure that we're timely on that.

The real challenge, Senator Nelson, is that what often counts most in war is the most difficult to quantify. We sensed, for example, in western Iraq—al Anbar Province—that we were going to turn the province against the enemy. But, it took months before it showed up in statistics. You don't want to be behind the statistics out there. You want to be dealing with people in the current fight and their current perceptions.

What we're going to have to do is quantify, to the point we can, What is the size of the army? How many engagements? How many patrols are they running? How much of this is really transitioning in reality, not just a check-the-block that the unit exists? This sort of thing, and make certain that, at some point, we apply our military judgment so we're giving you a mature assessment, not a pure numerical assessment or something that really turns into nonsense.

As far as the broader issues, obviously we have al Qaeda pinned down. They have not been able to do as many big operations. It's not because they've fallen in love with us, it's because they're trying to survive. That's their focus right now.

At the same time, we're going to have to press against the Taliban in their heartland, both politically and militarily. We're going to have to break them for irreconcilable from reconcilable. If they're irreconcilable, we will neutralize them. If they're reconcilable, if they'll put down their weapons, if they'll work with the government and work within the constitution, then there's going to be a home for them. All wars come to an end, and we have to make sure we give them a way to end early.

The larger issues, I think, that I'm concerned with in the region have to do with Iran. It is representative of that leadership that they treat their own people with the same level of oppression that they do externally, where they fund terror groups. I think it shows they're one and the same, internal and external.

Of course, their enrichment activities with uranium has now drawn sufficient censure from the U.N. Security Council, where you see nations as different as China, Russia, France, the United States voting together. Just yesterday, the European Union voted to sanction them even further—restrict, further, their trade and their visas. Iran is, I think, the bigger long-term state threat, and it is becoming increasingly isolated by its approach.

Senator BEN NELSON. I'm encouraged by your discussion about the use of benchmarks to identify progress of a certain type. In that regard, I think it's helpful, because you have people who say we're winning and you have people who say we're losing, looking at the same set of circumstances. It's hard for them both to be right at the same time. But, we can begin to debate whether we're 60 percent toward the reduction in the number of missions taken by the enemy, where we realize that they're held down and they're not able to continue at the level they were before. That kind of infor-

mation is helpful to anybody looking and trying to measure where we are, as well as where we're going.

In addition, in your response to the committee's advance policy questions, you said that Pakistan is the highest priority in countering al Qaeda, citing that the tribal areas provide them a safe haven, and the Pakistanis have begun to take significant steps in addressing extremists within their borders.

Is it possible to describe the effectiveness of our military cooperation with Pakistan over the last 6 months? Obviously, the information that was released, unfortunately, would lead us to believe that things, previously, were not as effective with cooperation between our forces and their forces because of what might have been double-dealing. But, do we think that our military cooperation with Pakistan and our relationship with them has improved over the last 6 months?

General MATTIS. Significantly, Senator, both in counterterror and in the counterinsurgency effort. I think we have growing trust and relationships, also, between the Afghans and the Pakistani military, so that we're getting more of a joint approach to that border area.

Senator BEN NELSON. As we continue to work with them, I would imagine that the goal is to absolutely be certain that they can take over more of the responsibility directly.

General MATTIS. Yes, sir. Exactly.

Senator BEN NELSON. It appears that they have been doing that over the last several months, as well.

General MATTIS. Sir, they have sustained a military offensive in some of the worst terrain I've ever seen, and against record snowfalls. They've sustained very high casualties amongst their junior officers, and that's usually a very strong indication that they're the aggressive ones who are going after the enemy. It's really, I think, quite impressive, what they've pulled off right now.

Senator BEN NELSON. With respect to NATO, a third of the ISAF is composed of the international partner forces, and our NATO allies have made critical commitments to providing forces. On a whole, what is your view of the strength of the commitment of this international coalition?

What will be your priorities in helping develop the regional support that's necessary for success in Afghanistan?

General MATTIS. Sir, with 40-odd nations there with forces committed, and that includes some 40,000 non-U.S. troops, from NATO, primarily, and organized from the NATO flag—that also includes non-NATO troop-contributing nations; for example, Australia—we're seeing, I think, very effective operations. Now, it's often said, the only thing more difficult than fighting a war with allies, is fighting one without them, so it's not that there's not any friction. But, when you look at, for example, the very mature German operations up in the northern sector, as we make certain that the enemy can't find a new home there, under increasing pressure in the eastern and southern areas—when you look at those kind of performances—and those are the Romanians, the Estonians—these are countries that are fighting alongside us, thousands of kilometers from Europe, where we initially set NATO up to fight. I think it's going well.

We also have 71 percent of their 9,700 reinforcements already on the ground. Frankly, that's ahead of where I thought it would be right now. Besides our 85 percent of our 30,000 there, we're seeing this coalition reinforcement coming in, and also the civilians, so we're getting the civilian piece of it right. At the same time, on the Pakistani side of the border, we see the Pakistani Army in active operations in a number of regions against the enemy. This is coming together, sir, in a regional way with numbers of countries, international effort, working together. Just as we can all recall, when the Soviet Union went into Afghanistan, there was one country there. Today, there's 40-odd, and we just saw the U.N. and the European Union give an even more diplomatic strike to us. I think we're on the right track.

Senator BEN NELSON. Thank you, Mr. Chairman.

Thank you, General. Good luck.

General MATTIS. Yes, sir.

Senator REED. Thank you, Senator Nelson.

Senator Graham.

Senator GRAHAM. Thank you, Mr. Chairman.

General, thank you for avoiding retirement. I know you were probably looking forward to going into retirement, but we really appreciate your taking on this responsibility. All those years of deployment, training, and engagement on your behalf will serve the country well. I think it will all come to bear.

Do you have any idea how 90,000 documents could get missing, or taken from the Pentagon and given to the press?

General MATTIS. Sir, I could only speculate, and I hate to do that in front of this committee.

Senator GRAHAM. Yes. I just hope we find out what happened, because that's not a very comforting feeling, knowing that 90,000 classified documents could somehow leave the Pentagon, or wherever they were supposed to be.

As we move forward, I think it's important for the American people to understand what lies ahead, don't you, General, in Afghanistan?

General MATTIS. Absolutely, sir.

Senator GRAHAM. It's going to be a tough road.

General MATTIS. Yes, sir.

Senator GRAHAM. The outcome is uncertain. We want to win. We should win. But, you have to do the things to win. Winning won't come by just talking about it, will it?

General MATTIS. No, sir, it will not.

Senator GRAHAM. Can the American people expect more of their sons and daughters, in terms of increased casualties? The death rate's going to go up, the casualty rate, in Afghanistan?

General MATTIS. Yes, sir. I believe it will be a difficult summer, right into the fall.

Senator GRAHAM. As a matter of fact, the American people need to brace themselves for increased casualties in Afghanistan.

In terms of the cost of the war, we're about to pass the supplemental of $30, $40, $50 billion; after a while, it gets all blurry. We're going to have to spend a lot of money in Afghanistan in the near and long term, is that correct?

General MATTIS. We will, sir, and hopefully reinforced by the international community.

Senator GRAHAM. Secretary Gates said NATO's been pretty awful, when it comes to the Afghan security forces. There's a fund that was created, where NATO nations and other countries would contribute to paying for the cost of training the Afghan army and police force. Secretary Gates said that fund has accumulated 200 million Euros, which I think is pretty pitiful. Can you take this on, in your new assignment, to try to urge our colleagues to contribute more? If you can't send troops, if you're going to leave, at least help us financially, because the American people need to understand that, right now, we're paying for the Afghan army and police force in great measure, is that correct?

General MATTIS. We are, sir. Yes, sir.

Senator GRAHAM. The entire budget for Afghanistan is about $1 billion a year, maybe a little bit over, is that correct—the actual budget for the country?

General MATTIS. I'd have to take that for the record, sir. I believe it's correct.

[The information referred to follows:]

According to the Department of Defense April 2010 Congressional Report on Progress Toward Security and Stability in Afghanistan, the Government of Afghanistan estimates approximately $1.3 billion in revenue and approximately $3.2 billion in expenditures during solar year 1389 which covers March 2010 to March 2011.

Senator GRAHAM. All right. Do you know what it costs, a year, to train the Afghan police and army, and to equip them?

General MATTIS. No, sir, I do not.

Senator GRAHAM. I think it's somewhere in the $6- to $10-billion range. I hope the American people understand, not only are we going to have more casualties, we're going to be paying for their army, their police force, and ours. My question to you: Is it worth it, from a national security perspective?

General MATTIS. Sir, I believe it was worth it when I first went in to Afghanistan, in November 2001, right after September 11. Although the years have gone by since we lost those people in New York and Washington, I believe it's still just as worth it today.

Senator GRAHAM. All right. Let's dig into this a little bit, about where we're at, as a Nation, vis-a-vis Afghanistan. How many tanks do the Taliban have?

General MATTIS. Sir, after about December 2001, zero.

Senator GRAHAM. How many airplanes do they have?

General MATTIS. None, sir.

Senator GRAHAM. How in the world are they able to come back? Here we are in 2010, and some people say they're stronger than they've ever been. How in the world did that happen, if they don't have an air force, navy, or armored divisions? How could they do this?

General MATTIS. Sir, they've chosen to fight a different kind of war. It's not a conventional war. It's not a traditional war, with icon weapons systems. They've chosen to hide among innocent people. They have an ideology that they stand on. There were times when we were not sufficiently resourced, in terms of counter-insurgency, to throw them off their game.

Senator GRAHAM. When I was in Afghanistan, not very long ago, we met with some leaders in the Kandahar region. These were different community leaders—they were all men, but they did speak pretty bluntly, and they told us that enemy consists of two groups—the Taliban and the Government of Afghanistan, from their point of view. They thought that the problem was 30 percent the Taliban, and 70 percent the Afghan Government. What's your view of that?

General MATTIS. Sir, Kandahar, of course, was the spiritual home of the Taliban, and it still has the residue, very strong residue, as the primary location for them. I was first there, again, in December 2001, found many of the same ideas. However, it is interesting that, even there, once we go into an area and we stay there, they prefer us. This is from going in and out of areas, and having the wrong people in charge, has cost us credibility. But, also, if you go, for example, to Marjah, only 150 kilometers further, I think it is, to the west, an area held by the Taliban for years, they changed their view once we came in and stayed.

Senator GRAHAM. You made a good comment, I think, about "had the wrong people in charge." We all make mistakes. But, do you believe it's possible to win in southern Afghanistan without some major shake-ups, in terms of the Afghan governance, without people being fired—local officials, governors, police chiefs? Is it remotely possible for us to win unless somebody new comes into the southern part of Afghanistan on the Afghan side?

General MATTIS. Sir, I'm not current enough, because I've been out of the country now for quite a few months. That said, you have to have competent and credible people representing the government.

That's why the enemy is using assassination right now.

Senator GRAHAM. Right.

General MATTIS. Because where they find them, they have to take them out, as they try to maintain a less effective Afghan Government, sir.

Senator GRAHAM. What I learned in my visit to Kandahar is, there are four families pretty much running the place down there. You promised to be candid, and I know you will, so the next time you come before the committee, be prepared to answer the question, Is Wali Karzai the problem or the solution? Is there a commitment on the Afghan Government's part to clean house where they need to clean house? If you could remember that question, and come back, after a reasonable period of time, and give me the answer, I think it would help the committee and the American people, because, I'll tell you one thing, General, we can "clear" anywhere. We're not going to "hold" unless the Afghan Government has the same desire to change their country as we do. I look forward to hearing your thoughts on how they're progressing.

General MATTIS. Yes, sir. I will get back to you, sir.

[The information referred to follows:]

Per your guidance, we will prepare to answer this question at the next hearing.

General MATTIS. I don't think the Taliban is as loved down there as some people portray them to be, because they've also lived under

Taliban rule, and I was not rejected, when I walked the streets there, right after we threw them out.

Chairman LEVIN [presiding]. Thank you, Senator Graham.

Senator Goodwin.

Senator GOODWIN. Thank you, Mr. Chairman.

General, thank you for being here today.

As the newest member of this committee, and of the Senate, I also want to thank my colleagues for giving me a brief moment to say a few words and pose a question to you, General.

During my admittedly brief tenure in the Senate, one thing I hope to contribute is giving voice to our brave men and women in uniform, particularly those from my home State of West Virginia. As you may be aware, General, West Virginia is among the top States in military volunteers per capita, and there have been over 10,000 deployments from West Virginia Guard members since September 11. West Virginians are no strangers to hard work and sacrifice, and if there's a job to do to protect this country, West Virginians are often a part of it.

Yet, West Virginians are also acutely aware that we're engaged in two ground wars, and a global war on terror. As the challenges grow, General, so do the stakes. I think the people of West Virginia want to make sure that our strategies are working, we're moving in the right directions, and we're delivering the best possible results for our national security.

In my short week in this esteemed body, I've obviously undertaken a wide range of pretty important responsibilities, perhaps none of which, however, is more important than our function here today, and ongoing conversation regarding our role in the CENTCOM region, especially Afghanistan. I think, as the recent news events have suggested, and as Senator Graham alluded to in his questions to you, there has been somewhat of a reignition of the conversation regarding our role in Afghanistan, and what our objectives should be.

My question to you, General, would be, how would you suggest that I properly weigh our objectives that we're seeking to achieve in Afghanistan against the loss of American life and the substantial resources we are devoting there?

General MATTIS. Yes. Every loss that we've taken is a tragedy, and I deeply sympathize with the families that have paid this cost. I think that when you say, "Why"—"Is it worth it?" we have to look at what the enemy intends to do. They've been very candid. They've demonstrated, in their actions, what they intend. They've demonstrated it from New York City to London, from Washington, DC, to Mumbai. This is an enemy that we are going to have to confront. I think that's a harsh reality. The strategy that we have is a regional strategy. It is a civilian-military strategy, it has both political and it has security aspects to it—they are integrated.

In Afghanistan, I believe I can say, with much more assurance today than I could have a year ago, they are integrated, with Ambassador Mark Sedwill of the U.K. being the leader, the General Petraeus counterpart, the senior NATO civilian representative there, integrating the civilian piece. Even as we're buying time and getting the Afghan Army stood up, and we're moving against the enemy, we are still doing those things that will allow us to see true

progress, and eventually bringing our troops home and leaving more of an advise-and-assist capability there in our wake.

Senator GOODWIN. Thank you, General.

General MATTIS. You're welcome.

Senator GOODWIN. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Goodwin.

Senator LeMieux.

Senator LEMIEUX. Thank you, Mr. Chairman.

General, thank you for your service to this country. Thank you for again coming to the plate to serve your country in a very important role. On behalf of Florida—I know, upon your confirmation—welcome to CENTCOM, in Florida. We're excited to have you.

I was just talking to the Tampa Chamber of Commerce, and they're ready to welcome you to Hillsborough County. It's important to us, in Florida, to have the relationship we have with the military, as I think you know, from the world's largest Air Force base, to, I guess, 22 or 23 military installations, including 3 commands, 1 of which, you will preside over. The military means a lot to Florida, and Floridians love the military. I just wanted to say, on behalf of my home State, we look forward to having you, upon your confirmation.

I want to talk about a wide variety of different topics. I want to start, first, with Afghanistan and follow up with you on a point that General Petraeus and I have talked about before, and that is information operations. This goes back to the point that Senator Brown was making about trying to get the word out to Afghanis that when the Taliban comes in and says we killed all these children, or we've done something horrible that we haven't done, that we're getting the word out, as quickly and effectively as possible, that, "That's not true, and here's the real truth of the case."

When I went to Afghanistan last fall, I met with a Colonel Craft, who I believe now is back from Afghanistan, but he was working with the Afghan commandos, and he was working with local territorial governors, and they were putting up radio stations, they were passing out leaflets, they were meeting with local commanders and village leaders to make sure that they had a network of people to get the word out, so that when the Taliban tried to lie about what we were doing, we could respond quickly and effectively. I would just want to encourage you that that information operations effort is extremely important, to stay focused on that, that there was a lot of room for improvement in that. I know General Petraeus was focused on it and had done a great job with it in Iraq. I wanted to just highlight that issue for you.

This is outside of your AOR, but I wanted to—because this is the first time I've had a chance to talk to you in this setting—put this on your radar screen. I've talked to General Fraser about this, on several times, and it's in the U.S. Southern Command AOR, but there is a link with yours, and that is the growing threat that I think Venezuela poses to this country. The reason why I mention it to you is that there is a connection between Venezuela and Iran. There are direct flights between Tehran and Caracas, where we don't know who gets on the flight, we don't know who gets off it. They land at a separate part of the airport in Caracas. We know, by public information, that there are Iranian shock troops in Ven-

ezuela. We know that Hezbollah and Hamas have set up shop in Latin America. I'm very concerned that Hugo Chavez is going to play by the same playbook as Ahmadinejad.

Again, not in your AOR, but I take the opportunity with everyone that I can to raise this topic, especially because it links up with Iran, which is in your area of responsibility.

Let me ask you some questions now. I want to switch gears a little and talk about the Horn of Africa, and also about Yemen, because, as we've been successful against al Qaeda in Afghanistan, we know that they have taken up root in Pakistan, and we also know that al Qaeda is in Yemen, as well as in the Horn of Africa. I wanted to ask you about what your focus will be on those areas, what more we can do, what's the current state of affairs in our efforts in both Yemen and in Somalia, and also other parts of the Horn of Africa?

General MATTIS. Thank you, Senator LeMieux. I agree 100 percent on information operations. It does us no good to win the tactical battle and lose it at the strategic communications level. We are committed to that, lock, stock, and barrel.

On Iran/Venezuela, I register your concern, and I have no argument with you. It has my attention.

Regarding Yemen, sir, first, we are working a civilian-military, a pol-mil plan, with Yemen. It's a very poor country. It has severe water problems. It has an internal rebellion. Of course, it has al Qaeda, the terrorists. They're a threat not just to Yemen, but they're, also, to next door, Saudi Arabia. We are working it, I think, in as cohesive a way, a civilian, diplomatic, military role, as we can, considering the capacity of the country to take on support. I think it's going the right direction right now. It is going to be a problem. We are going to have to address it. We can do so, I think, in league with some of our friends in the region that can also assist.

As far as the Horn of Africa, it's under U.S. Africa Command (AFRICOM), but due to the nature of it, and when you look at al Qaeda's links, or possible links with al Shabaab, we are going to have to get to a point of collaboration with AFRICOM that the enemy doesn't find a seam between CENTCOM and AFRICOM. I'm committed to doing that.

Senator LEMIEUX. Thank you. That's the point that I wanted to raise with you, is that they're so close, they're trafficking between the two places. I think there was newspaper reports this weekend about al Shabaab committing a terrorist attack in Uganda, which is the first time that, I think, that's been reported. I look forward to traveling to the region, later this year, and learning more about what our efforts are.

But, the use of our predator aircraft and other unmanned vehicles—and everything that we can do, I think, needs to be done, because as we saw with the Christmas Day bomber, the new terrorists are going to come from regions that are outside of Afghanistan, and we have to be ready for the next war. You know the expression better than I do, that you don't just fight the last war, but we have to be ready for the next war. I'm glad that you're focused on that, as well.

If I can switch gears again, I'm sorry to go all over the place, but I only have so much time to ask you questions. I was looking at your testimony earlier this year, and it was a program you were watching closely, called Imminent Fury. The Navy submitted a reprogramming request for the second phase of this program, which was denied, for a bunch of different reasons. You were supportive of the program at the time. I don't know if that's still your opinion. I wanted to check in with you and see if you still think that's a program that is worthwhile pursuing.

General MATTIS. Yes, sir, I thought it was, at the time, and I still do. It's a test program to see if we can use turboprop planes to replace much more expensive planes, but, more importantly, more effectively in the counterinsurgency environment. But, there's an awful lot of data we would have to collect. That's why I wanted to do the test, which is what Imminent Fury would have done. But, yes, sir, I'm still supportive of it, but I think I need to build some support for it.

Senator LEMIEUX. Okay. Thank you, General. Again, welcome to Florida. If we can be of any service to you, please let us know. I had a great relationship with General Petraeus, and want to have one equally as good with you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator LeMieux.

I have a few questions, and then others may, or not. We will then end our confirmation hearing. I have just a few, and here they are.

First, on private security contractors in Afghanistan. They're creating huge problems for us. They threaten our security in very real ways. In response to our advance policy questions, you wrote that you believe the transition from private security contractors to the Afghan security forces will occur gradually and at the direction and encouragement of the Afghan Government.

Just to share with you a couple conversations which Senator Reed and I had when we were there a couple weeks ago, first with General Carter, who's the commander of the ISAF forces in the region, in Regional Command South, and with General Rodriguez, who's our commander of the ISAF Joint Command. Both those generals expressed real determination to go after the contractors because of the harm that they're causing to us. They are threatening the security of our own troops in a whole host of ways. They solicit bribes, they extract fees for convoys that are traveling through territory, instead of actually protecting our own convoys, as they're supposed to be doing. They're part of, in many cases—I don't want to overly generalize—but, they are often part of schemes that are worked with the warlord bosses to actually make us less secure and, therefore, have to hire them to provide security. It's a vicious circle. Both General Carter and General Rodriguez are determined to break it.

General Carter, as a matter of fact, showed us a road—I think it was north of Kandahar—that he said is going to be free of these kind of warlord dominations. General Rodreguez flat-out said, "We're going to end it."

I just want to let you know that there's real determination there, on the ground, with our commanders, to go after these security contractors who threaten our own well-being.

I think I mentioned to you, the Senate Armed Services Committee has an ongoing investigation, which is close to conclusion, about the operations of so many of these security contractors and the way in which our own taxpayers' money, in effect, end up making our own troops less secure, endangering them, costing taxpayers' money in the process.

That's just for your information. I don't have a question on that, other than I hope you'll really give some support to that effort.

Second, while we are becoming less involved in Iraq, we are going to continue to have involvement there for the next year or so, and probably beyond that. I want to just highlight to you the situation of the religious minorities in Iraq, as I mentioned to you in the office. The U.S. Commission on International Religious Freedom concluded, last May, that, "systemic, ongoing, and egregious religious freedom violations continue in Iraq," and that "the religious freedom situation in Iraq remains grave, particularly for the country's smallest, most vulnerable religious minorities." Now, what we're referring to, and they're referring to here, is the Christian community in Iraq. They are in a very fragile situation. They need whatever kind of support in various ways we can provide to them. I just want to make sure that's on your radar, as well, when you are confirmed. You are, I think, familiar, somewhat, with that situation, as we talked, and if you have any comment on that, we'd welcome it.

General MATTIS. Sir, two comments. One, I think the pace of putting the government together may actually be indicating that they're trying to put an inclusive government together. I think that's fundamental to protecting minorities' rights.

The second point is the advise-and-assist mission that the U.S. military will continue to carry forward in September on out, will permit us to really, I think, make clear that the ethical use of force and the protection of all Iraqis is the job of the Iraqi security forces. I think there's nothing better than demonstrating that, as we go forward, to try and make an impression that that's their job, that the rule of law and protection of everyone is a testimonial to their own professionalism. I think that's the best we can do on this—support the government that's inclusive and make certain you have a military and police force that tries to protect people in these communities.

Chairman LEVIN. Okay. Your active involvement in reinforcing that position is very important. Even though our presence will be reduced, it's not going to be ending.

Finally, Senator Graham made reference to the importance of governance down in Kandahar and throughout Afghanistan, and I couldn't agree with him more. In that regard, what Senator Jack Reed and I found when we got there was something which—at least it surprised me, and I'll let him speak for himself—that is that in Kandahar, when we met with the Governor of Kandahar and the mayor of Kandahar, both impressed us with their independence, their outspokenness against corruption. They've made no bones about it publicly. It's not just in a private meeting with us.

Their lives are on the line whenever they do that. A neighboring governor in a province next door was assassinated. But, from what we could tell, it was kind of reassuring, because right in the province where you have evidence of significant corruption, you have, at least the impression we received—and I think our military folks said our impression is a correct one—that you have a courageous governor down there who's very much opposed to corruption, and you have a mayor in the city that is outspoken, as well, against it.

There are some glimmers of hope, in terms of independence and a willingness to go after the corruption, which the Afghan people are so sick of, and which really jeopardizes the success—their success—it's not just our mission, it's their mission, which we're helping them to succeed with. We sometimes, in our rhetoric, talk as though this is our country, and it clearly is a country we care about which has had a big impact on our lives. But, it is a country whose sovereignty belongs to others. Our role there is to make sure that sovereignty is not destroyed by a extreme group, the Taliban, which, again, would give safe haven—and I agree with you—to al Qaeda, if the Taliban ever came back into power.

But, there is, in other words, not only the right focus, in terms of the importance of governance, but it's also some evidence that, in a very difficult area, which is down in Kandahar, there is, apparently, if our impression is correct, some people who are willing to put their lives on the line to take on the corruption which has been so endemic.

General, let me ask Senator Goodwin if he might have more questions.

Senator GOODWIN. No, Mr. Chairman.

Chairman LEVIN. Okay. In that case, we again thank you for your service.

We will try to see if we can't get you on the job here just as quickly as possible, hopefully in a matter of days. But, I know there's very broad support and very strong support for your nomination. We'll try to take this to the Senate floor as quickly as we can get a quorum together here, either in—somehow, in a committee meeting or off the floor, so we can get the full Senate to approve you.

We again thank you for your service.

General MATTIS. Thank you, Mr. Chairman.

Chairman LEVIN. We will stand adjourned.

[Whereupon, at 5:24 p.m., the committee adjourned.]

[Prepared questions submitted to Gen. James N. Mattis, 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 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. The Department has made great progress in the joint arena since the enactment of Goldwater-Nichols. There is no room for complacency but I believe we're on the right track. I don't believe there is a need for any major modifications to the act.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. Beyond Goldwater-Nichols, Congress may consider means to increase integration of non-military agencies in appropriate training and force readiness environments in order to build the foundation for more effective "whole-of-government" approaches to crisis prevention or crisis resolution.

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, U.S. Central Command (CENTCOM), to the following officials:

The Secretary of Defense.

Answer. Subject to direction from the President, the Commander, CENTCOM, performs duties under the authority, direction, and control of the Secretary of Defense. In addition, the Commander, CENTCOM, is responsible to the Secretary of Defense for the preparedness of the command to carry out its missions.

Question. The Under Secretaries of Defense.

Answer. Commander, CENTCOM, coordinates and exchanges information with the Under Secretaries of Defense as needed to set and meet CENTCOM priorities and requirements for support.

Question. The Assistant Secretaries of Defense.

Answer. Commander, CENTCOM, coordinates and exchanges information with the assistant Secretaries of Defense as needed to set and meet CENTCOM priorities and requirements for support.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Chairman is the principal military advisor to the President, National Security Council, and Secretary of Defense. Section 163 of title 10, U.S.C., allows communication between the President or the Secretary of Defense and the combatant commanders to flow through the Chairman. As is custom and traditional practice, and as instructed by the Unified Command Plan, I would communicate with the Secretary through the Chairman of the Joint Chiefs of Staff. I anticipate a close dialogue with the Chairman on all significant matters.

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

Answer. I would communicate and coordinate with the Vice Chairman of the Joint Chiefs of Staff as required and in the absence of the Chairman of the Joint Chiefs of Staff.

Question. The Director of the Joint Staff.

Answer. I would also communicate and coordinate with the Director as necessary and expect the Deputy Commander, CENTCOM, or Chief of Staff, CENTCOM, would communicate regularly with the Director of the Joint Staff.

Question. The Secretaries of the Military Departments.

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

Question. The Service Chiefs.

Answer. Commander, CENTCOM communicates and exchanges information with the Service Chiefs to support their responsibility for organizing, training, and equipping forces. Successful execution of the CENTCOM mission responsibilities requires close coordination with the Service Chiefs. If confirmed, I intend to work closely with the Service Chiefs to understand the capabilities of their Services to clearly communicate to them the CENTCOM theater's requirements and to ensure effective employment of the Services' capabilities in the joint and coalition execution of the CENTCOM mission.

Question. The other combatant commanders.

Answer. Commander, CENTCOM, 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. This is especially true of Eu-

ropean Command, Pacific Command (PACOM), and U.S. Special Operations Command (SOCOM).

Question. The U.S. Ambassador to Iraq.

Answer. I would necessarily have a relationship with the U.S. Ambassador to Iraq, in close coordination with the Commander, U.S. Forces-Iraq, in order to ensure unity of effort between U.S. military and all other U.S. Government activities in Iraq and in the CENTCOM region.

Question. The U.S. Ambassador to Afghanistan.

Answer. I would necessarily have a close working relationship with the U.S. Ambassador to Afghanistan, in close coordination with the U.S. commander there, in order to ensure unity of effort between U.S. military and all other U.S. Government activities in Afghanistan and in the CENTCOM region.

Question. The U.S. Ambassadors to other countries within the CENTCOM area of operations.

Answer. I would necessarily have a close working relationship with U.S. Ambassadors to other countries in the CENTCOM region, in close coordination with defense representatives or defense attaches in each country, in order to ensure unity of effort between U.S. military and other U.S. Government activities in the CENTCOM region.

Question. Commander, Multi-National Forces-Iraq (MNF–I)

Answer. Commander, CENTCOM requires close cooperation with the Commander, U.S. Forces-Iraq (USF–I) [as MNF–I has been formally redesignated] to support and resource the effort in Iraq to meet national policy goals. It is critical that the relationship between the Commander, CENTCOM and the Commander, U.S. Forces-Iraq be close, candid, and productive to meet this end.

Question. Commander, North Atlantic Treaty Organization (NATO) International Security Assistance Force (ISAF), Afghanistan.

Answer. Commander, CENTCOM requires close cooperation with Commander, NATO–ISAF to support and resource the effort to achieve the goals of the NATO mandate in Afghanistan. Commander, NATO–ISAF is dual-hatted as the Commander, U.S. Forces-Afghanistan, who formally reports to Commander, CENTCOM, and a strong spirit of collaboration will characterize our interactions.

QUALIFICATIONS

Question. If confirmed, you will be entering this important position at a critical time for CENTCOM.

What background and experience do you have that you believe qualifies you for this position?

Answer. My experience in the CENTCOM region spans 30 years, extending back to my first deployment to the Middle East in 1979 as a Marine infantry company commander. Since then, I have commanded in the CENTCOM area of responsibility (AOR) at the battalion, brigade, and division levels, first in Operations Desert Shield/Storm, and in the post-September 11 period during the initial invasions in Afghanistan and in Iraq. Additionally, I commanded I Marine Division in al Anbar Province during the Sunni Awakening, and following that, I commanded I Marine Expeditionary Force and Marine Forces CENTCOM. Finally, I have served as the Supreme Allied Commander, Transformation, working with our NATO Allies in support of our efforts in Iraq and in Afghanistan.

I have been fortunate to develop personal relationships with several leaders in the CENTCOM region—military and civilian, plus U.S. and partner nations—for more than a decade, and if confirmed I will seek to expand those relationships to enhance the unity of effort and integrated harmony essential to success.

MAJOR CHALLENGES AND PRIORITIES

Question. In your view, what are the major challenges confronting the next Commander, CENTCOM? If confirmed, what plans do you have for addressing these challenges?

Answer. Key among the challenges will be helping to check any aggressive actions by Iran and setting the regional conditions for success in Afghanistan and Iraq. Furthermore, there are significant challenges in several of CENTCOM's sub-regions that require sustained and significant attention. The region has been torn by interstate and ethno-sectarian conflicts that have only intensified in the past three decades with the emergence of al Qaeda, the specter of nuclear weapons, and the enormous wealth derived from petroleum and criminal enterprise. Today the area's stability is most seriously threatened by the proliferation of weapons of mass destruction, violent extremism, and the conflation of the two. These are the harsh realities of the CENTCOM region.

Beyond these sub-regional challenges, a number of transnational challenges exist. Amid pockets of affluence, many of the half-billion people in the CENTCOM region suffer from the absence of sustainable economic development, which in large part is brought on by weak government and civil institutions, insufficient human capital, and endemic corruption. These contrasts, when combined with the proliferation of global communications and interaction, have left many of the states in the AOR struggling to manage change at a pace that reinforces stability rather than erodes it. These states often lack the capacity to deal with the continuing challenges posed by a range of criminal activities, to include piracy, smuggling, trafficking, and narcotics. The area's many ethnic, tribal, and religious differences have exacerbated this problem, as has the pressure of a rapidly expanding, youthful population that faces a future of underemployment and limited opportunity—all of which are factors that have led some groups to undermine traditional authority and seek radical change through militant means.

Though it is premature to have specific plans to address these challenges, if I am confirmed I will carry forward an overall approach of assisting our partners in the region based on our shared interests. CENTCOM has made a great deal of progress in this respect and I will reinforce those efforts.

Question. What management actions and time lines would you establish to address these challenges?

Answer. Since I am not confirmed yet, I need to gain better understanding of each of CENTCOM's lines of operation and get advice from our regional partners to give a complete answer. I can say that if I am confirmed, I will periodically review and assess our strategy, activities, and programs to address the challenges in the CENTCOM region.

Question. If confirmed, what broad priorities would you establish and what actions would you initially take as Commander, CENTCOM?

Answer. Should I be confirmed, the mission in Afghanistan will be my immediate priority. Other significant priorities include helping Pakistan in its struggle against extremism, continuing the responsible drawdown in Iraq, deterring Iranian destabilizing activities, addressing the presence of al Qaeda and affiliated extremist groups in Yemen and throughout the region, and countering the scourge of piracy on the high seas.

While it would be premature for me to have detailed plans to address these priority areas, my approach will be guided by several concepts if I am confirmed: I will require highly integrated civil-military efforts from the highest to the lowest levels. To that end, I will seek to ensure harmony in the relationships of military and civilian leaders at all levels, emphasizing a strong spirit of collaboration with all concerned. I will strengthen and sustain our multilateral and bilateral partnerships in the region based on shared interests. Each of these elements will contribute to an overall approach that is comprehensive and capitalizes on comparative advantages of components within the whole of our own government and that of our partners.

Question. What were the major lessons that you learned from your previous experience in Iraq and most recently as Commander, U.S. Joint Forces Command, that are most applicable to the duties you would assume if confirmed?

Answer. One of the most important lessons I have learned throughout my 38-year career in commanding troops from the platoon level to the combatant command level is to appreciate and recognize the skill and sacrifice of those serving our country in the military or as civilians. Beyond that, and specifically related to the CENTCOM region, I have learned to appreciate the region's rich social and cultural history from my experiences leading marines in Iraq and in Afghanistan and from my many contacts in the region. I have obtained further insight as the Commander of the I Marine Expeditionary Force and Marine Forces CENTCOM, and in my present assignment. I have sharpened my understanding of counterinsurgency strategy in leading the Marine Corps' Combat Development Command, where I was able to help shape much of the current doctrine and training that the Marine Corps has since incorporated. It was also there that I was able to co-author, with General Petraeus, the new Army and Marine Corps counterinsurgency manual. In my current position, I have learned a great deal about the current operating environment in the CENTCOM region, and the needs of the forces that are operating there.

READINESS OF FORCES

Question. What is your assessment of the readiness of U.S. forces that have been deployed to Operation Enduring Freedom (OEF)?

Answer. I am riveted to this issue on a daily basis in my current position as U.S. Joint Forces Commander, and our forces are extremely well trained, and increasingly combat hardened—they are ready for the fight, technically and tactically.

Those deployed to Afghanistan as part of OEF receive the best training and equipment possible, and they possess an unparalleled level of combat experience, which has been thoroughly integrated into the training process from the recruit to unit level. Pre-deployment training at the various Joint Training Centers provides tailored counterinsurgency scenarios and incorporates up-to-the-minute lessons learned from troops on the ground in Afghanistan. Fielding of critical protective equipment, such as the Mine Resistant Ambush Protective (MRAP) family of vehicles is on schedule. I have worked hard in my current position to ensure that all levels of command are appropriately focused on ensuring the readiness of U.S. OEF forces.

That said, there is always room for improvement. Gaps in our counter-insurgency doctrine and training have been addressed as we adapted to the enemy situation.

Question. What is your assessment of the readiness of U.S. forces that have been deployed to Operation Iraqi Freedom?

Answer. My answer to this question mirrors the above response. Our forces in Iraq are highly-trained, well-led, and fully-prepared for the mission. Many of the senior leaders who will execute Operation New Dawn have been closely involved in Operation Iraqi Freedom over several years—LTG Austin, for one. We have a good understanding of the requirements for completing the military mission in Iraq and I am confident we are well postured to facilitate the transition to Department of State (DOS) led operations.

Question. Have you observed any significant trends in or apparent gaps with respect to personnel, equipment, or training readiness in units upon arrival in either theater?

Answer. No. Overall, the readiness of units arriving in the AOR has been high and the Services have done well preparing units to deploy. Where issues have arisen, the Services have been adaptive and incorporated feedback from the theater by making necessary adjustments in force preparations. There has been constant dialogue with U.S. Joint Forces Command and the Service training centers to provide immediate feedback in order to adjust training and the training environment. Where adjustment has been necessary, supplemental funding has been essential to meeting the requirements especially for counterinsurgency training during the predeployment phase and roll out of coalition command and control networks. Continued, expanded language training will remain a training focus for these sorts of wars.

Question. What are your views on the growing debate over whether U.S. forces are putting too much emphasis on preparing for counterinsurgency and irregular warfare operations or too little emphasis on preparing for high intensity force-on-force conflict and full spectrum operations?

Answer. War is war and I think the debate is overblown. Irregular warfare is important and conventional capability is important as well, and many skill sets are applicable to both types of fighting. As Secretary Gates has emphasized, irregular warfare must become a core competency of the U.S. military. That does not mean that every Service is "50–50" in a split of conventional versus irregular warfare capabilities. It means that they have to train and fight across the full range of military operations. We need to gain a competency at the national level right down to the tactical level without surrendering our nuclear deterrence or conventional superiority, behind which the international community gains great benefit. We do not have the freedom at this point in history to say that we are going to surrender one part of the spectrum—if we embrace a single, preclusive form of warfighting, we do so at our peril. The enemy will always move against perceived weakness, which means that we have to be strong across the full spectrum. This requires agile forces, educated leaders, and lengthened dwell times between deployments especially for the Army and Marine Corps.

AFGHANISTAN-PAKISTAN STRATEGY AND MAJOR CHALLENGES

Question. In his speech at West Point in December 2009, the President formulated his strategy for Afghanistan and Pakistan.

What role, if any, did you play in the formulation of the President's strategy for Afghanistan and Pakistan?

Answer. None.

Question. Do you agree with that strategy?

Answer. I fully support the policy of the President and I believe the strategy is sound.

Question. Do you agree with the President's decision to begin reductions of U.S. forces in July 2011?

Answer. Yes.

Question. Please explain why or why not.

Answer. I support the policy of the President. I understand the July 2011 date to begin reduction of U.S. Forces that the President announced at West Point last December as the beginning of a transition of security tasks to the Afghans, based on our assessment of conditions on the ground at that time. The drawdown of U.S. Forces will be based on conditions on the ground at that time, as Secretary Gates reaffirmed this last month when he said "the pace . . . with which we draw down and how many we draw down is going to be conditions-based." Consistent with our counter-insurgency lessons learned and our doctrine, the transition will involve a "thinning out" of forces rather than simply dropping them to Afghan National Security Forces (ANSF). Some forces may shift missions and be "reinvested" in other elements of the effort before they return home, and this transition will occur on the district level and in functional areas as well, as we checkmate the enemy's designs.

Question. Do you agree with the President's decision that the pace of reductions beginning in July 2011 will be conditions based?

Answer. Yes.

Question. Please explain why or why not.

Answer. The responsible drawdown of forces beginning in July 2011 must be conditions based so that we ensure that ANSF can stand up against internal and external threats with only modest international support, thus leaving Afghanistan in a position to deny enemy use of its territory.

Question. What are the major challenges and problems you foresee, if confirmed as the next Commander, CENTCOM, in the implementation of the President's strategy?

Answer. The most urgent challenges will be to establish security and to protect the Afghan population, while increasing the numbers and capabilities of the ANSF. This will require the strong partnering between our forces and the Afghan Army, which synergistically improves coalition and ANA combat performance in checkmating the enemy. Other important challenges include strengthening trust among key regional actors, the process of reintegration and reconciliation, improving governance, and combating corruption.

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

Answer. Having confidence in the ability of General Petraeus to execute the President's strategy in Afghanistan and for he and I to work in the closest possible partnership, I will seek to ensure that the effort there is fully resourced in a coherent and comprehensive manner. I will also work to set broader regional conditions for the success of the mission.

SECURITY SITUATION IN AFGHANISTAN

Question. What is your assessment of the security situation in Afghanistan and the nature, size, and scope of the anti-government insurgency?

Answer. The insurgency in Afghanistan has proven to be resilient, and the security situation remains violent. The Taliban-dominated insurgency has shown an ability to adapt, and remains a threat in many populated areas. The insurgents fight among the people to deny the Afghan Government from developing and representing the will of the Afghan people. But I believe the enemy is losing its strategic initiative. In the roller-coaster effect we always see in counter-insurgency, progress and violence coexist. While progress is spotty, overall the directions are trending toward the positive for us.

Question. What is your understanding of the relationship between the Taliban and al Qaeda in Afghanistan and the nature and extent of their cooperation?

Answer. Their relationship isn't as close as it once was. They still share similar ideologies and they both want the expulsion of all foreign forces from Afghanistan, but for different reasons. The Taliban want to re-establish their medieval government; al Qaeda wants to re-establish its sanctuary and to spread its Salifist ideology, primarily through violent attacks on innocents.

COALITION CAPABILITIES

Question. Do you believe that the current level of ISAF troops and other U.S. troops and equipment in Afghanistan are sufficient to carry out the mission?

Answer. I have reviewed the troop-to-task assessments and I believe that there are sufficient troops for combat operations, but there remains the need to adequately resource forces to partner, mentor, and help train the ANSF. Working to build the ANSF so that it can protect the population with minimal international support is the preeminent task for ISAF as it builds Afghan ability to protect its own people and territory.

Question. If not, what are the current shortfalls in troops and/or equipment required for that mission?

Answer. The shortage of trainers and partner-mentor personnel is approximately 1,000 personnel.

Question. If confirmed, what recommendations would you have for meeting any current shortfalls in troops or equipment required for the mission?

Answer. If confirmed, I will work with ADM Stavridis, our partner nations and other stakeholders to gain the needed personnel, equipment and forces.

Question. Do you believe our NATO allies should be doing more to eliminate any shortfall in resourcing the NATO ISAF mission requirements?

Answer. While I appreciate the increased commitments from Allies and partners that are adding about 10,000 troops in Afghanistan, I do feel there can be more contributions from other countries both from NATO and other Allies and partners, especially providing personnel for institutional trainers and Operational Mentor and Liaison Teams and Police Operational Mentor and Liaison Teams (POMLTs).

COMMAND STRUCTURES IN AFGHANISTAN

Question. There have been a number of changes to the command structures in Afghanistan over the past year, including the standing up of the ISAF Joint Command under a three-star commander, U.S. Lieutenant General David Rodriguez, and the establishment of the NATO Training Mission-Afghanistan under a three-star commander, U.S. Lieutenant General William Caldwell.

What is your assessment of the current command structures for ISAF and for U.S. Forces-Afghanistan (USFOR–A)?

Answer. Monitoring these developments from my current position, I believe tremendous progress has been made over the past year. In addition to the ISAF Joint Command and NATO Training Mission Afghanistan, a Joint Task Force (JTF) has been established under VADM Robert Harward to address detainee and rule of law issues, and other arrangements have been put in place to address issues such as contracting and corruption. On the U.S. side, we have consolidated the majority of U.S. forces under the operational control of Commander USFOR–A, enhancing unity of effort considerably. These changes now provide the organizational structure necessary for successful execution of the mission.

Question. What changes, if any, would you recommend to those command structures?

Answer. I am satisfied with the current command relationships.

CIVILIAN-MILITARY COOPERATION IN AFGHANISTAN

Question. What is your assessment of the current level of cooperation and coordination between the military and civilian efforts in Afghanistan to implement the counterinsurgency strategy, both within the U.S. Government and between NATO ISAF and international civilian entities?

Answer. From my current position, I assess the level of cooperation as improving on a steady upward trajectory. I will closely monitor the level of cooperation to provide the best possible harmony to maintain our unity of effort.

The integrated Civilian-Military Campaign Plan for Support to Afghanistan was developed by the U.S. Embassy and USFOR–A in close coordination with the International Security Assistance Force (ISAF), United Nations Assistance Mission to Afghanistan and the Government of the Islamic Republic of Afghanistan (GIRoA). I understand that this document integrates and synchronizes actions and activities across the civilian, military and international community to achieve common objectives in Afghanistan. This plan reflects significant ongoing collaboration and is the model for future planning.

Civil-military cooperation has also been strengthened with the ongoing "civilian surge" of approximately 1,000 additional civilian officials to help build governance and development capacity in Afghanistan. The civilian surge has enabled ISAF and the ISAF Joint Command (IJC) Headquarters, along with each of the regional headquarters staffs, to evolve into fully integrated civil-military teams. The civilian surge has also increased the numbers of experts at the provincial level, under Provincial Reconstruction Teams and District Delivery Teams.

Question. If confirmed, what changes, if any, would you recommend for improving the cooperation and coordination between the military and civilian efforts in Afghanistan?

Answer. Unity of effort and civ-mil harmony in relationships are critical to the accomplishment of the mission in Afghanistan. If I am confirmed, I will work closely with the Special Representative to Afghanistan and Pakistan—the natural counterpart to the Commander, CENTCOM—as well as the civil-military team on the

ground in Kabul, along with the NATO and other leaders to ensure that all of our work—civilian and military—is mutually supportive in pursuit of our goals in Afghanistan.

BUILDING THE AFGHAN NATIONAL SECURITY FORCES

Question. The current strategy for training and equipping the ANSF calls for growing the Afghan National Army (ANA) to a level of 171,000 and the Afghan National Police (ANP) to a level of 134,000 by October 2011.

What is your assessment of the ANA?

Answer. It would be premature for me to formally assess the ANA in my current position. In broad terms, I recognize that the ANA are often cited as one of the most respected institutions in the Afghan Government. ANA and police forces are now jointly leading security efforts in Kabul and elsewhere in a more limited fashion. I am also aware that ANA commanders are now partnering with coalition forces during joint operational planning, and on any given day, much of the combat against our enemy is conducted by ISAF–ANA partnered units. All of these factors lead me to believe that ANA is developing, while significant challenges remain, including the fielding of sufficient combat power to adequately secure terrain and the growth of logistics capabilities.

Question. What is your assessment of the ANP?

Answer. It would be premature for me to formally assess the ANP in my current position. In broad terms, I am familiar with the many challenges that confront the ANP, which can be attributed to the shortfall of POMLTs. Many ANP units have experienced poor retention and high attrition. The ANP also suffers from poor leadership and a scarcity of trained officers and NCOs, despite other, more positive signs of development. The decision to no longer deploy untrained police in an effort to more rapidly fill the ranks is the right one; they must be trained and this decision, shifting from recruit-deploy-train to recruit-train-deploy will improve ANP capability and standing. Recent increases in recruitment and the beginning of ISAF partnering with the ANP are positive gains.

Question. In your view, will the currently-planned end strength levels for the ANA and ANP be sufficient to provide security and stability in Afghanistan, or should these target end strength levels be increased?

Answer. This is a critical question that I will work with the Commander, ISAF (COMISAF), to explore further upon taking command, if confirmed. I am aware of ongoing analysis by NATO Training Mission-Aghanistan (NTM–A) on the possible need for growth beyond currently approved goals. While this process is ongoing, I am not in a position to say that the currently approved strength of 305,600 will prove sufficient. COMISAF has expressed his commitment to closely evaluating end strength requirements—and I will interface with him on this issue at length, if confirmed.

Question. What in your assessment are the greatest challenges to building the capacity of the ANSF to assume responsibility for Afghanistan's security?

Answer. If confirmed, I will review the efforts that are currently underway in building the capacity of ANSF and provide my own assessment, as required. At that time, I'll be cognizant of those challenges that have already been identified, such as leader development, attrition, recruitment, retention, balancing current operational needs with long-term demands, and unfilled training requirements, among others.

Question. If confirmed, how would you recommend addressing these challenges?

Answer. I would work closely with COMISAF to ensure that NTM–A/CSTC–A have the appropriate level of resources that are necessary to meet the identified mission objectives.

Question. There remains a shortfall in the number of training personnel required for the NTM–A, both in terms of institutional trainers at training centers and training teams embedded with Afghan Army units and Afghan police units.

What in your view should be done to encourage NATO allies to provide more institutional trainers?

Answer. We can encourage our Allies and partners to provide more trainers by addressing their concerns on the issues of money and force caps. There are productive ways to coordinate and facilitate countries willing to donate funding for other countries that are willing to deploy but lack the necessary funds. The United Arab Emirates (UAE), for example, recently made a generous offer to help fund deployments to assist in overcoming the shortage of required trainers.

To overcome some of these force cap issues, we should ask our Allies and partners to send instructors to teach in ANSF schools on a rotational, temporary duty basis. The recent decision by Malaysia to send police trainers to Afghanistan is a positive

step. This would provide the specialized trainers required, while building capacity for the Afghan forces and enhancing the expertise of coalition partners. On all these matters, I will work closely with NATO's Civilian Senior Representative in Afghanistan Mark Sedwill and Admiral Stavridis.

Question. What should be done to encourage NATO allies to provide additional trainers to embed with the Afghan Army and police?

Answer. In addition to the proposals I have already mentioned, the United States can encourage our Allies to provide more embedded trainers by offering to provide NATO interoperable equipment that would give them greater capability to move and communicate. Many nations are unable to equip their forces to meet NATO standards. The United States supports many such nations now, although we are constrained by our own resource requirements and the overall shortage of critical assets such as MRAPs (though the MRAP shortage will be eliminated late this fall).

Oversight responsibility for the contract to train the ANP is in the process of transitioning from the DOS to the Department of Defense (DOD). However, it will be several months before the DOD contract for ANP training is awarded while a full and open competition is conducted. In the interim, DOS is extending the existing DOS-managed ANP training contract and seeking appropriate modifications to address oversight deficiencies and align contract requirements with the NTM–A mission.

Question. What is your view of the advisability of using contractors to perform this function?

Answer. Contractors fill critical shortfalls in government manpower capacity. The demand for critical skills in low density areas is often filled with contractors to enable mission success. Without a larger force of military or government law enforcement, contractors must be used to fill this critical gap.

Question. What level of performance do you believe we can reasonably expect from private security contractors engaged to provide training to the ANP?

Answer. In the large majority of cases, the performance should be fully sufficient to accomplish the mission. With clear performance requirements stipulated in the contract, we should be able to achieve the desired levels of performance from ANP trainers. We will also ensure that proper levels of quality assurance processes are used to ensure required levels of performance are met. When the DOS contract was extended, desired performance requirements were clarified with the contractor. This issue will demand keen oversight to ensure the contractor training is sufficient.

Question. If confirmed, what is your assessment of DOD's resources and capacity to conduct appropriate oversight of the ANP training contract for building the capabilities of the Afghan police forces?

Answer. I feel DOD has the resources and capacity in place to conduct the necessary oversight. In response to the DOD Inspector General and DOS Inspector General concerns in their joint report entitled, "DOD Obligations and Expenditures of Funds Provided to the DOS for the Training and Mentoring of the ANP," issued February 9, 2010, DOD has made oversight of the new contract a priority. DOD is currently competing the new ANP contract and is in the process of planning an extensive oversight program that will include full-time contract oversight and management as well as increased contract officer representatives in the field, quality assurance personnel, and property managers.

In December 2009, the Combined Security Transition Command-Afghanistan (CSTC–A) identified 26 additional high-priority positions to strengthen oversight of the ASFF program, including acquisition officers, internal auditors, foreign military sales specialists, and finance specialists. These experts are providing CSTC–A with the depth of knowledge needed to oversee the budget and acquisition processes, as well as enhance contract oversight.

CSTC–A also has: put new policies and procedures in place to implement adequate contract oversight; implemented a system to ensure quality assurance for all contracts; established a six-person Contract Management Team to monitor contracts, validate contract oversight, and share best practices across the command; and established a process to conduct a weekly contract performance review.

Question. If confirmed, what steps would you take to ensure proper DOD oversight of the ANP training contract?

Answer. I would work with CSTC–A and NTM–A to continue the progress that has been made in recent months and will look closely for additional ways to improve oversight.

PARTNERING WITH AFGHAN SECURITY FORCES

Question. The committee received a briefing on plans for the campaign in Kandahar, which called for the deployment of Afghan and ISAF security forces

partnered together to provide a "rising tide" of security in and around Kandahar over a period of months.

What is your assessment of current efforts to partner Afghan security forces with ISAF forces in operations, particularly in Regional Command South (RC–South)?

Answer. As U.S., NATO, and coalition partners concentrate efforts in Helmand and Kandahar, embedded partnerships will enable ISAF to accelerate the development of the fielded Afghan force and foster stronger leadership. The Afghans' local knowledge, cultural understanding, and intuitive feel for the operating environment, coupled with our troops, technology, air assets, and logistics support are proving time and time again to be a powerful combination, one that is increasingly effective against the enemy.

Question. Do you support moving as quickly as possible to partnering ISAF forces and Afghan security forces together on at least a 1-to-1 basis—one ISAF partnered with one or more Afghan—in order to accelerate the transition of responsibility for Afghanistan's security to Afghan security forces?

Answer. I do support moving as quickly as possible to partnering ISAF and Afghanistan Security Forces. Partnering for ANA and ANP units is now fully implemented in RC East, South, and Southwest. Partnering is more difficult to implement fully in RCs North and West because of limited allied numbers and differences in the way allied forces are organized.

Question. If confirmed, what steps, if any, would you recommend to increase the number of operations in which Afghan security forces are in the lead, including in RC–South?

Answer. I agree that Afghanistan forces need to take the lead in operations, but this should be done on a deliberate basis, following appropriate training, partnering and mentorship. Over time partnership will result in Afghan units that increasingly operate in the lead as the supported force. Although coalition forces are already serving in a supporting role in many areas, U.S. and coalition forces still provide many of the required enabling capabilities, such as access to fires, air assets, and logistics support. Even in a supporting capacity, the role of the U.S. and the international community will remain significant for some time to come, though embedded partnering will allow us to reduce the scope of our supporting role over time as Afghan forces continue to develop these capabilities for themselves. Afghan soldiers, police, and National Directorate of Security representatives recognize the value of embedded partnering, appreciate sharing the risk, and want to lead.

COUNTERNARCOTICS EFFORTS IN AFGHANISTAN

Question. According to the United Nations (U.N.) Office on Drugs and Crime, Afghanistan alone provides 85 percent of the estimated global heroin and morphine supply, a near monopoly. Of the estimated 380 metric tons of heroin produced in Afghanistan, approximately 5 metric tons stay in the country for local consumption or is seized by local law enforcement.

What is your assessment of the current U.S. and NATO strategies for combating the production and trafficking of illegal narcotics in Afghanistan?

Answer. I am generally supportive of the current counternarcotics (CN) strategies in Afghanistan which address not only narcotics production and trafficking but also focus on licit alternatives to poppy, agricultural development, demand reduction and treatment programs. This strategy is about dismantling the links between drugs, corruption, criminality and insurgency that plague the Afghan people. The CN team in Afghanistan is also heavily vested in the development of self reliant and effective CN law enforcement agencies such as the Counter Narcotics Police of Afghanistan, which help break the narcotics-insurgency-corruption nexus and help connect the people of Afghanistan to their government. If confirmed, I will closely examine the regional strategy to ensure it supports ISAF"s efforts in Afghanistan and addresses the public health menace this crop produces.

Question. What changes, if any, would you make to those strategies if you are confirmed?

Answer. I support efforts to work closely with our coalition partners and NATO allies to reduce, when appropriate, the number of national caveats inhibit associated with CN. I believe it is also important to begin to address the narcotics problem as a regional threat. When we are successful in our Afghan CN efforts, those involved in the trade will move their operations elsewhere, and we need to deny these traffickers safe haven across both Central and South Asia.

Question. A number of officials in DOD and the Intelligence Community (IC) have called for investing significantly more resources in identifying and tracking the flow of money associated with the illegal narcotics trade. The objective would be to identify key individuals within Afghanistan, as well as individuals enabling the flow of

money outside of Afghanistan. Comparable efforts have been undertaken by the Joint Improvised Explosive Device Defeat Organization against the flow of money and components for improvised explosive devices.

What are your views on efforts to invest additional resources into identifying and tracking the flow of money associated with the illegal narcotics trade, both inside and outside Afghanistan?

Answer. Cutting off access to this vital component of insurgent funding is an important part of a comprehensive counterinsurgency campaign. From my current position, it would be premature for me to evaluate the appropriate distribution of resources to this part of the mission, which is implemented in large part by USFOR–A with CENTCOM in an oversight role.

I am aware that recent international community studies indicate narcotics account for more than half of insurgent financing. While the specific percentages/amounts are debatable, there is consensus that narcotics are a pillar of insurgent financial resources. This is especially true in the Eastern and Southern Provinces of Afghanistan. Finding the various financial sources and tracking money flows into the insurgency is absolutely critical to defeating it.

Part of my role, if confirmed, will be to ensure appropriate oversight of the funding flows. This will require a highly integrated interagency effort at all levels. Tracking financial data and flow is not a traditional military skill set, but our operations-intelligence personnel can provide value-added to interagency organizations devoted to maintaining the picture on financial resources of the insurgency. Examples include the Drug Enforcement Administration-led Afghan Threat Finance Cell (ATFC) and the proposed law-enforcement support centric Trans-National Crime Support Center, which will contain the DOD Counternarcotics Support Center. Investing in these types of organizations will be the key to maintaining unity of effort and maximizing resources.

REINTEGRATION AND RECONCILIATION

Question. Do you support offering incentives—such as employment and protection from reprisal—to low- to mid-level Taliban fighters who are willing to reintegrate with Afghan society and switch to supporting the Afghan Government?

Answer. Yes. I believe that reintegration is an important element of a successful counterinsurgency campaign. As such, I support incentives that promote the confidence necessary for former fighters and their host communities to feel secure. The Afghan Peace and Reintegration Program utilizes a community-based approach that should result in job creation for all members of a community, to include former fighters. These incentives provide alternatives to fighting, as well as promote the reintegration of former fighters into local communities.

Question. What is your assessment of the reintegration plan that has been developed by the Government of Afghanistan with ISAF assistance?

Answer. I believe that the Afghanistan Peace and Reintegration Program provides the necessary framework to support success by empowering Provincial and District governments with national-level support. Further guidance is expected from the Afghan Government that will provide the detailed guidance necessary for implementation, which, if confirmed, I will look forward to reviewing.

Question. In your view, what should be the redlines for any negotiations with the leadership of the Taliban on reconciliation?

Answer. I would support a reconciliation process as long as it is Afghan-led. Those that reconcile must respect the Afghan constitution, renounce violence, and have no material ties or support for al Qaeda or its associates.

LOCAL DEFENSE INITIATIVE

Question. President Karzai has approved a program called the Village Stabilization program that is designed to empower local communities to provide for their own security. President Karzai has previously expressed concern, however, that the program risks strengthening local warlords.

What is your assessment of the Village Stabilization program?

Answer. Having monitored the situation closely, this has been one of COMISAF's highest priorities as he has engaged President Karzai and others on a number of occasions in recent weeks on this issue. This program, now called Afghan Local Police (ALP) will enable the local population to take a more active role in, and significantly improve, local security. It is specifically designed to link the local population with district governance, enabling this through community outreach and shuras, as well as vetting and training a local defense force. It is critical that we link these efforts to central government, and importantly, to the local and regional-based ANSF capabilities to maximize effect and develop enduring support. By doing so,

the local population is empowered while the Afghan central government's legitimacy is simultaneously strengthened. I am heartened by the recent progress, the result of Afghan Government leadership, discussion, and decision.

Question. What concerns, if any, do you have about the program? If confirmed, how would you seek to address those concerns?

Answer. I am aware of concerns others have expressed that these programs may create a dependency on the enabling coalition special forces (SF) rather than the government, as well as concerns that without proper training and oversight, these programs may create local militias that abuse military training and threaten local populations or even result in a greater militia that competes with uniformed ANSF.

I expect that such problems can be avoided by executing this plan well: understanding the programs' potential strengths and weaknesses, focusing intelligence, and taking prudent mitigation measures, such as: (1) ensuring program sites and participants are properly chosen, vetted, and trained; (2) ensuring the program is well balanced—the district governance and local/traditional leadership must be empowered in the decisionmaking process; and (3) the enabling element must be stabilized on-site to provide continuity for the force in training, and focus on developing partnered relationships with ANSF units and key leaders. However, ISAF elements should only act as enablers and ensure the community does not become dependent upon them.

RECONSTRUCTION EFFORTS IN AFGHANISTAN

Question. In your view, what should be the respective roles of the military and the U.S. civilian agencies in reconstruction efforts in Afghanistan?

Answer. The civil-military partnership is the key to establishing unity of effort in all our activities—respective roles should not be stove-piped, but integrated within this framework. Civil-military cooperation has been strengthened with the ongoing "civilian surge" of approximately 1,000 additional civilian officials to help build governance and development. The role of the civil-military team should be as trainers, advisors, and mentors, positioning the Afghans to take the lead in making Afghanistan more self-reliant. The civil-military team must continue to conduct mutually supporting stability and reconstruction operations. As an example, the Afghanistan strategy for roads and electrification is the result of a concerted effort between GIRoA, DOD, USAID, and other donors.

Question. What improvements, if any, do you believe need to be made in the coordination of military and civilian efforts to provide reconstruction relief and development and to enhance the governance capacity of the Afghan Government?

Answer. In my current position, I understand that CENTCOM continues to leverage the strengthening of civil-military cooperation and capacity, which has been increased through the civilian surge in Afghanistan. To improve coordination, equal emphasis must be placed on improving our interagency partners' capacity and resources to ensure their expert knowledge is leveraged. Also, departments and agencies must reassess mechanisms for funding large-scale infrastructure projects in Afghanistan by identifying the proper authorities for execution between key interagency partners such as DOD and USAID, as well as by working with Congress to define appropriate authorities.

CONTRACT OVERSIGHT AND PRIVATE SECURITY CONTRACTORS

Question. The committee's review of DOD private security contracts found that private security companies recruit from and frequently pay more than Afghan security forces. DOD reported in October 2009 that "private security contractors (PSCs) are, on average, paid more" than the Afghan security forces. The challenges associated with recruiting and retaining ANSF personnel has been attributed, in part, to this pay differential.

Do you agree that U.S.-funded contractors for private security should not be paid more than Afghan security forces?

Answer. The discrepancy in payments to PSC vis-à-vis ANSF can be a disruptive influence to organizing and maintaining effective and professional security forces. We need to find ways to stop the unintended competition between the PSC and ANSF and I will support General Petraeus and the Afghan Government leadership in this effort.

Question. If so, what steps would you envision taking to correct that problem, if confirmed?

Answer. A possible solution is building comparative salary caps into our contracts to ensure the PSC and ANSF have salaries more closely aligned with each other. However, the effort must be cautious so as not to degrade the quality of those recruited.

Task Force Spotlight and Task Force 2010 have missions to facilitate the capability for greater oversight, regulation, operational transparency, and visibility of the flow of contracting funds and goods below the prime contractor level. I believe these efforts will eventually minimize malign actor influence, improve PSC accountability, and ensure an improved distribution of funds to the Afghan people. Their conclusions may illuminate additional ways to mitigate the consequences of pay disparity.

Question. In his November 2009 inaugural statement, President Karzai stated that within the next 2 years, he wanted "operations by all private, national, and international security firms to be ended and their duties delegated to Afghan security entities."

Do you believe that we should be working toward the integration of Afghan private security contractor personnel, who are currently performing security for facilities and supply convoys, into the ANSF?

Answer. Yes, but until the Afghan Government has this capacity, we will need to use legal, licensed, and controlled PSCs to accomplish appropriate missions. Like the ANSF, the PSCs also require high-quality employees who are not supportive of malign activities we will look for ways to support the Afghan Government's intentions to transition PSCs. We do not want to force integration at the expense of PSCs involved in security activities, but phase it in, over time, as security improves. I believe the transition from private security contractors to ANSF will occur gradually and at the direction and encouragement of the Afghan Government.

Question. If so, what steps would you envision taking to bring about that result, if confirmed?

Answer. ISAF and the Afghan Government are working together to develop courses of action to reduce reliance on PSCs. I would insist that security personnel being considered for integration into the ANSF flow through the same vetting process as current ANSF personnel. We must better leverage and integrate our intelligence community and investigative agency assets to provide our partners with actionable information. If confirmed, I will assess the cooperation between ISAF and the Afghan Government as they develop a phased program to work toward this transition, and I will continue efforts which support the build-up of the ANSF.

Question. There is evidence that DOD security contractors are relying on local warlords and strongmen to provide men to staff their guard forces.

If confirmed, what steps would you take to ensure that:

a. providers of manpower for security contractors are properly vetted; and
b. individuals we rely on as providers of manpower for security do not detract from the counterinsurgency mission?

Answer. If confirmed, it will be one of my highest priorities to further investigate all aspects of this issue, but I have a broad appreciation for the basic principles at stake. To ensure proper vetting of PSCs, we must demand contractors immediately adhere to existing, specified contractual requirements. We have not, to date, adequately enforced current provisions requiring prime contractors and PSCs to report detailed census data, register their employees properly, or report serious incidents in an efficient manner. In fact, biometric data has been collected on only about 4,500 PSC employees, inhibiting proper vetting; this must be corrected quickly.

Reducing the influence of malign actors and power brokers demands that we leverage our entire national intelligence and investigative apparatus to identify, include, and action discovered derogatory information that might influence or undermine the contracting process. We may need to request legislative flexibility in allowing us to terminate contracts for bad actors, or to expedite awarding contracts to those who demonstrate adherence to requirements and are committed to full partnering in our counterinsurgency campaign.

To ensure that PSCs are not detracting from, or acting contradictory to the USFOR–A counterinsurgency mission directives, we will need to work closely with Afghan Government authorities to require all contractors to adhere to mutually accepted rules regarding the use of force, to enforce guidelines for escalation of force, and to abide by the principles of the Law of Armed Conflict. As our values and ethics require from our own security forces, contractors must understand and be held accountable for measured response, using force for only appropriate defensive purposes. To this end, we will need to work with the Afghan Government and support USFOR–A efforts to ensure PSC personnel are properly trained, regulated, inspected, and investigated when required.

CIVILIAN CASUALTIES AND RULES OF ENGAGEMENT

Question. A critical objective of the counterinsurgency strategy is to provide protection to the Afghan people, including minimizing the risk of civilian casualties.

ISAF has issued revised procedures aimed at reducing the risk to civilians from military operations.

In your view, do the current rules of engagement (ROEs) in Afghanistan, for both NATO and U.S. forces, provide the necessary flexibility to allow forces to engage the enemy, protect themselves, and minimize the risk of civilian casualties?

Answer. We must balance two moral imperatives—that of doing everything humanly possible to protect the innocent, the Afghan people caught up in a war where our enemy intentionally endangers the noncombatants. The second imperative is that we never impede on our troops' right to self-defense; once in a fight they must be able to use all necessary force, constantly balancing this requirement with our commitment to protecting the innocent. From my own review, the ROE are sound. At the same time, I endorse General Petraeus' ongoing review of the tactical directive, both its tone and its execution, to ensure we are giving the right intent to our troops in the field.

Question. If confirmed, what general changes, if any, would you make to the current ROEs?

If confirmed, I will add my assessment to any changes that are made or proposed in this important area by General Petraeus in his capacity as COMISAF and Commander, USFOR–A.

SPECIAL OPERATION FORCES AIRLIFT IN AFGHANISTAN

Question. A number of published reports indicate that Special Operations Forces (SOF) in Afghanistan face severe shortfalls in the availability of rotary wing airlift support for both direct and indirect missions.

What is your understanding of the current rotary wing airlift support available to SOF?

Answer. I understand that rotary wing lift is in high demand across the CENTCOM AOR, but particularly in Afghanistan where the roads are poor, the terrain is mountainous, and the use of Improvised Explosive Devices has increased the risk to our forces, markedly. SOF have their own organic rotary wing lift, and are supplemented by lift from general purpose forces in accordance with Commander USFOR–A's priorities.

Question. If confirmed, how would you prioritize requests from SOF for rotary wing airlift support from general purpose forces?

Answer. If I am confirmed, I will continue to delegate authority to Commander of USFOR–A to prioritize available rotary wing assets in support of the mission in Afghanistan. This responsibility includes meeting the requirements of SOF, should their organic assets be insufficient for a specific mission. My expectation will be that the Commander USFOR–A will continue to allocate these finite assets to the most prioritized SOF and conventional missions in accordance with his mission priorities.

PAKISTAN

Question. What is your assessment of the threat to U.S. and coalition forces in Afghanistan posed by the Afghan Taliban, the Haqqani network, al Qaeda and other militant extremists finding sanctuary in the border region between Afghanistan and Pakistan?

Answer. The strategic intent of these extremist groups remains imposing their will over the people through the removal of foreign forces from Afghanistan, preventing GIRoA from developing into an effective and legitimate government, and reinstating the Islamic Government headed by Mullah Omar. Weak or ungoverned areas along the Afghanistan and Pakistan border region provide an unequalled haven for these violent extremist organizations. These physical havens, under increasing pressure on both sides of the border, provide sanctuary for leadership, nodes for command and control, training, media operations, external operational planning and other functions essential to the syndicate of extremist groups that include al Qaeda, the Afghan Taliban, the Haqqani Network, and others. Each of these groups continues to pose a threat to U.S. and coalition forces, but also to Afghan and Pakistani stability.

Question. What is your assessment of the current status of U.S.-Pakistan military cooperation on confronting this threat?

Answer. I understand that CENTCOM has made great strides over the past 18 months in building an enduring strategic partnership with the Pakistan military. Cooperation is particularly strong between U.S. military counterparts and the Frontier Scouts. As well, important relationships have been forged across other services as we support their efforts for a sustained counterinsurgency campaign. The Office of Defense Representative Pakistan has been an integral part of this effort and continues to work closely with the U.S. Ambassador, her country team, and Pakistan

General Headquarters to confront our shared threats in the region. This maturation has been challenged by past mistrust and requires continued efforts to enhance teamwork.

INDIA

Question. How does the fact that India is in the PACOM AOR while Pakistan is in the CENTCOM AOR affect the U.S.'s ability to treat the region's challenges holistically?

Answer. Close coordination between CENTCOM and PACOM is a recognized condition for the regions' challenges to be addressed. Though some advantages could be realized with India and Pakistan in one AOR, PACOM and CENTCOM, with adequate coordination mechanisms to address U.S. interests in the region, can work symbiotically on long-term security measures.

Question. In your view, how do our military cooperation and engagement with India affect our efforts in Pakistan and Afghanistan?

Answer. Pakistan, naturally, has concerns about any military cooperation between the United States and India, which affects both our relationship with Pakistan and, indirectly, or efforts in Afghanistan. However, we make clear to Pakistan that our military cooperation and engagement is not a threat to Pakistan and that this is not a zero-sum game. We have important relationships and strategic partnerships with both countries that are not at the expense of either.

IRAQ

Question. What is your assessment of the current situation facing the United States in Iraq?

Answer. The security situation in Iraq has greatly improved since the height of sectarian violence there in 2007, but a number of significant challenges remain. Although great progress has been made in Iraq, it is not yet enduring , primarily because many underlying sources of political instability have yet to be resolved. Nevertheless, the fact that security trends have remained positive over the past year in the context of a significant drawdown of U.S. forces is testament to the growing capabilities and professionalism of the Iraqi security forces, who now lead in protecting the Iraqi population throughout the country. Their performance is particularly evident in this extended period of Iraqi Government formation, with enemy effectiveness continuing to decline, and the ISF serving as a protective windbreak between the Iraqi people and a merciless and increasingly desperate enemy.

Question. What do you believe are the most important steps that the United States needs to take in Iraq?

Answer. The combination of circumstances described above permits us to responsibly draw down, thinning our lines over the coming year, and transitioning to a civilian-led, long term, and mutually beneficial relationship between our two nations. The Iraqis still need our help as they continue to build their capabilities in order to protect against malign external influences seeking to foment ethno-sectarian violence and distrust.

The responsible drawdown of our forces to 50,000 by September 1st is on track, as is the withdrawal of our equipment. The shift from our combat mission to stability operations will go forward thanks to the combined efforts of our military, the Iraqi security forces, and the Iraqi people themselves, while our DOS takes on a more long-term role in our relationship.

Question. In your view, what are the major challenges that confront the Commander, U.S. Forces-Iraq?

Answer. Both Generals Odierno and Austin, in whom I have great confidence, will be faced with supporting the establishment of a new government and establishing or strengthening relationships with Iraq's national leaders. The government formation process will span a period of months, which carries with it a measure of uncertainty and requires further vigilance in the security arena. The issues along the disputed internal boundary with the Kurdistan Regional Government remain unresolved and the associated Arab-Kurd tensions remain a significant challenge. The underlying economic, social, and security issues must be addressed to achieve an enduring solution. The establishment of constructive relationships between Iraq and its regional neighbors is required for long term regional stability. Diplomatic efforts to foster these relationships and counter destabilizing external influences will also be critical to U.S. interests in the region. The major challenge is managing and communicating risk during the responsible drawdown and transition to a civilian led mission thereby ensuring that internal and external violent forces do not threaten the security environment. The ongoing performance of the care-taker government in

terms of providing security, oil infrastructure improvements and basic services (e.g. electricity, etc.) is heartening.

U.S. FORCE REDUCTIONS IN IRAQ

Question. Earlier this year, current U.S. Forces-Iraq (USF–I) Commander, General Raymond Odierno, stated that, based on the reasonably high voter turnout and low-level of violence during the Iraqi elections, U.S. forces are still on track to end its combat mission and continue the withdrawal of troops. According to General Odierno, "Only a catastrophic event would keep us from doing that now."

Do you agree with General Odierno's assessment that the U.S. troop drawdown plan remains on track for August and beyond?

Answer. Yes. I agree with General Odierno's assessment.

Question. What, in your view, are the greatest remaining risks to the successful transition of the mission in Iraq and withdrawal of U.S. forces as planned and required by the Security Agreement, and what would you do, if anything, to mitigate these risks?

Answer. The greatest remaining risks to the successful transition include continued communal rivalries across sectarian lines, the insufficient capacity of the Iraqi Government to provide for its people, violent extremist organizations, and destabilizing influence from external countries. These risks cannot be mitigated by USF–I alone. They will require a whole of U.S. Government and Iraqi Government approach. This would include adequate funding for the continued development of the Iraqi security forces and the tasks associated with the transition to a State Department lead in Iraq.

Question. What actions, if any, do you think should be taken by U.S. forces to protect, or limit reprisals against, Iraqi nationals who supported U.S. forces during Operation Iraqi Freedom?

Answer. To my knowledge, there is no pervasive hostility today in the general populace of Iraq toward the large number of Iraqis who supported the liberation of Iraq from Saddam's regime. Of course, al Qaeda in Iraq and other violent extremists have ordered reprisals against those they felt threatened them or their cause. To the extent that we can, we should help the Iraqi Government protect its people in the line with the governing documents of our relationship moving forward.

CONSIDERATION OF UNITED NATIONS PEACEKEEPERS REPLACING U.S. FORCES IN NORTHERN IRAQ

Question. Unresolved political disputes in northern Iraq over security, boundaries, and distribution of oil revenues continue to pose a risk to continued progress toward a stable and self-sufficient nation. In this regard, current U.S. Forces-Iraq Commander General Raymond Odierno stated that United Nations peacekeeping forces may need to replace U.S. forces in northern Iraq to manage this risk.

What is your assessment of the risk in northern Iraq and the concept of replacing U.S. forces there with U.N. peacekeepers?

Answer. Currently, the Combined Security Mechanisms are in place in northern Iraq as a temporary measure to help provide stability. Joint forces composed of U.S., Iraqi, and Kurdish troops protect the population from insurgent attacks, and U.S. forces are often called on to mediate tensions between Kurds and Arabs. Moving forward, I would need to review the concept of replacing U.S. forces with U.N. peacekeepers, in consultation with the Commander, USF–I (COMUSF–I), as well as appropriate interagency counterparts, if confirmed.

U.S.-IRAQ LONG-TERM SECURITY RELATIONSHIP

Question. If confirmed, what actions, if any, would you take to ensure an effective and efficient transition from the current military mission through December 2011 to a long-term security relationship with Iraq?

Answer. In the short- and mid-term, I will work with the interagency to continue to support the President's guidance and the objectives, support COMUSF–I's efforts for U.S. Embassy Baghdad's Joint Campaign Plan, and fulfill the commitments of our Security Agreement with the Government of Iraq. As U.S. military forces draw down in Iraq, I will work to support the U.S. Embassy in Baghdad's Mission Strategic Resource Plan as discussed in last week's Iraq Transition Conference. In the longer term, I will work to support U.S. commitments for Iraq's security and stability as expressed in the Strategic Framework Agreement. Using traditional security cooperation tools, we will fulfill our Foreign Military Sales commitments to the Government of Iraq and conduct other security cooperation engagements, while supporting Iraq's integration with its moderate Arab regional neighbors, in support of U.S. regional security objectives.

Question. If confirmed, what actions, if any, would you take immediately or in the near-term to build a standard security cooperation relationship with Iraq?

Answer. If confirmed, in the short and mid-term, I will work with the rest of the U.S. interagency to continue to support the President's guidance and the objectives of the USF–I/U.S. Embassy Baghdad's Joint Campaign Plan, and fulfill the commitments of our Security Agreement with the Government of Iraq. As U.S. military forces draw down in Iraq, I will work to support the U.S. Embassy in Baghdad's Mission Strategic Resource Plan as discussed in last month's Iraq Transition Conference. In the longer term, I will work to support U.S. commitments to Iraq's security and stability as expressed in the Strategic Framework Agreement. Using traditional security cooperation tools, we will fulfill our Foreign Military Sales commitments to the Government of Iraq and conduct other security cooperation engagements that support Iraq's security and stability, while supporting Iraq's integration with its moderate regional neighbors, in support of U.S. regional security objectives.

TRANSITION TO LEAD U.S. AGENCY IN IRAQ

Question. As the mission of U.S. military forces in Iraq changes and large numbers of troops begin to redeploy, responsibility for leading the planning and management of U.S. assistance to the Government of Iraq has begun to transition from the DOD to the DOS. The Commission on Wartime Contracting in Iraq and Afghanistan recently reported that ongoing planning for this transition "has not been sufficiently detailed."

What is your understanding and assessment of the plans for this transition?

Answer. From my current position, I understand that DOD and DOS have completed substantial work over the past year in support of transition efforts from military to civilian lead in Iraq. As recently as Friday, 23 July, CENTCOM hosted a conference held here in Washington, DC, to further develop transition planning. My assessment is that the interagency transition planning process is on track. I have also met with the prospective U.S. ambassador to Baghdad. If we are both confirmed by the Senate, we are committed to working together with General Austin and the Iraqi Government for the smoothest possible transition.

Question. What is your understanding and assessment of the progress being made toward the completion of this transition?

Answer. From my current position, I understand that significant progress is being made as DOD, DOS, and other agencies work in unison to implement a seamless transition. The Iraq Transition Senior Leader Conference held last week was a significant milestone in ensuring that all agencies work together.

Question. In your view, what are the most significant challenges to the efficient and effective transition of these agency roles?

Answer. Efficient and effective transition is predicated on the following two efforts: the development of Iraqi security forces that are capable of defending their population against internal threats and a strong civilian effort capable of sustaining the positive momentum gained over the last couple of years.

These two efforts require adequate resourcing, as well as a coordinated transfer of the tasks necessary to support these efforts. It is particularly important that the DOS is resourced to assume lead responsibility.

Question. If confirmed, what action would you recommend or take, if any, to deal with these challenges and ensure an efficient, effective, and timely transition?

Answer. If confirmed, I will continue to work with the Commander of USF–I, the U.S. Ambassador, the interagency, and where necessary, the Government of Iraq to ensure that all of our transition objectives and tasks are executed in an effective and timely manner.

IRAQI SECURITY FORCES

Question. What is your understanding of the state of training and equipping of Iraqi security forces?

Answer. Having monitored this issue closely from my current position, I believe the Iraqi security forces are functioning well as an internal security force and are progressing towards their minimum essential capability objectives. Within the Ministry of Defense, the Iraqi Army is functioning well as a counterinsurgency force and the Iraqi Navy is providing defense for both of the country's off-shore oil terminals. The Iraqi Air Force has shown significant improvements in accessions, training, and ground support. Within the Ministry of Interior, both the Federal Police and Oil Police have been deemed operationally capable, while the Provincial Police and Border Police have shown progress in performing their security functions. As we observe the Iraqi security forces performance, we can also see declining enemy coherence, an indicator of ISF effectiveness which is a direct outgrowth of their training.

Question. What is your assessment of Iraqi security forces progress toward assumption of full responsibility for internal security?

Answer. Monitoring the situation from my current position, I understand that the Iraqi security forces are steadily improving and increasingly capable of providing internal security, which has been especially evident during the extended period of Iraqi Government formation. Difficulties and challenges remain for Iraq. The Iraqis still need our help, however, as they continue to build their capabilities in order to protect against destabilizing external influences seeking to foment ethno-sectarian violence and distrust.

Question. In your view, what is the importance, relative priority, and urgency, if any, of the Iraqi security forces developing the capability to defend its borders and airspace from external threats?

Answer. Among my highest priorities if confirmed as CENTCOM Commander will be to enable the critical continuation of our responsible drawdown in Iraq, while recognizing the importance of an Iraq Security Force capable of defending its borders against external threats who would harm Iraq. CENTCOM will balance security assistance programs to ensure Iraq can continue to sustain its gains in counter-insurgency, while simultaneously building capabilities to defend its sovereign territory.

Question. What is the appropriate role of U.S. forces, if any, in supporting the development of this capability with training, equipment, or other resources?

Answer. U.S. and Iraqi forces have fought together for several years and have shared best practices throughout that time. Iraqis have proven the ability to lead operations effectively. The appropriate role for the United States at this time is to shift our assistance to one of advising and assisting the Iraqi forces and transition tasks to the U.S. Embassy, to CENTCOM, and to the Iraqi Government.

Question. How would you characterize the performance of Iraqi forces in the conduct of security operations during and since the elections earlier this year?

Answer. The Iraqi security forces give clear evidence of strength and competence, leading the protection effort nation-wide. Their performance is particularly evident in this extended period of Iraqi Government formation, with enemy effectiveness continuing to decline, and the ISF serving as a protective windbreak between the Iraqi people and a merciless and increasingly desperate enemy.

Question. If confirmed, what action would you take, if any, to expand the development of logistics capabilities and a commitment to efficient management within the Iraqi security forces to ensure that the equipment they have been provided is maintained and ready to meet their security needs and protect the investment of billions of U.S. and Iraqi dollars over the years?

Answer. I fully support the priority the Iraqis have placed on raising their logistics capability to a higher level. Our exceptional U.S. military logisticians provide the example and mentorship which is key to Iraqi security force leaders improving logistics capabilities.

ADVISE AND ASSIST BRIGADES AND MILITARY/POLICE TRANSITION TEAMS

Question. In your view, does the size, structure, number, and operating procedures for U.S. Advise and Assist Brigades and Military and Police Transition Teams embedded with Iraqi security forces need to be changed in any way? If so, what would you recommend?

Answer. While I cannot address this question in detail from my current position, I find the overall concept of the Advise and Assist Brigades and Military/Police Transition Teams that are in place provide us appropriate flexibility, partner capacity, and force protection for the evolving operational environment in Iraq. I have no concerns at this time, but will consult with General Odierno on this issue if I am confirmed.

Question. What is your view of the potential transition of this mission to contractors?

Answer. Beyond this potential transition, there is a broad imperative to periodically assess the performance of contractors supporting security operations of all types. Contractors continue to perform admirably in a variety of supporting roles in theater. They are often highly-skilled government retirees with experience in theater, and many of them possess considerable military and police skills. My task, if confirmed, would be to oversee the evaluation and implementation of oversight and management processes led by military leaders in the region.

Question. What in your view is the appropriate distribution of responsibility and resources for the security assistance, train, advise, and equip mission between SOF and general purpose forces in Iraq?

Answer. I would need to evaluate this issue, if confirmed, in consultation with the Commander, USF–I, as well as appropriate interagency counterparts, to make a judgment about the appropriate distribution of resources.

Question. What is your assessment of how the Army is ensuring that general purpose forces are properly trained for the advise and assist or transition team mission, to include dissemination of "lessons learned" to incoming brigades and teams?

Answer. Our Army is doing a tremendous job in providing trained and ready forces for Iraq.

The Army adapted quickly to this change of mission and is meeting USF–I's requirements, and continues to improve based on unit feedback and USF–I recommendations. If confirmed, I would maintain the active ongoing dialog with our Military Services to ensure we properly train our servicemembers and their units for our remaining military tasks in Iraq.

IRAQ BURDEN SHARING

Question. In your view, what is the appropriate role for the United States, and particularly of U.S. Forces-Iraq, in reconstruction activities in Iraq going forward?

Answer. The U.S. and Iraq Strategic Framework Agreement (SFA) lays out a solid foundation for a long-term bilateral relationship, which guides U.S. and Iraqi actions based on mutual interests. With the SFA serving as a roadmap, the U.S. strategy for reconstruction activities integrates the efforts of the U.S. Embassy Baghdad, USF–I, and other U.S. and international partners. Provincial Reconstruction Teams (PRTs) promote the development of reconstruction activities and enhance provincial and local governments in becoming self-sufficient, responsive, transparent, accountable, and capable of meeting the needs of the Iraqi citizens. Drawdown planning for all PRTs is underway as USF–I prepares to facilitate a seamless DOS assumption of reconstruction and development activities.

The Commander's Emergency Response Program (CERP) remains a key counterinsurgency tool for commanders to hold security gains and undermine insurgent influence in Iraq. As we drawdown, CERP will remain essential to support limited civil-military operations, such as humanitarian assistance, battle damage repair, and repair of minor municipal infrastructure, where it supports the counterinsurgency mission.

Question. In your view, what capabilities or support should be the highest priorities for U.S. assistance to the Iraqi security forces?

Answer. From my current position, I understand that the Iraqi Ministry of Defense (MoD), with the exception of logistics and sustainment, is on track to develop key capabilities prior to the redeployment of U.S. Forces in December 2011. In addition to logistics and sustainment, there may be MoD challenges in the areas of planning and budgeting, procurement, and information technology. The capabilities of police, border security, and naval forces are improving; however, still require assistance to conduct effective internal, border, and maritime security. Iraqi command and control capabilities and logistical support nodes require further development to sustain these operational efforts, as well. The Iraqi Air Force, because of its more extensive training requirements and equipment shortfalls, requires a longer-term commitment. If confirmed, CENTCOM will continue to work to provide the best support and sustainment of property purchased for the Iraqi security forces, consistent with U.S. Embassy Baghdad guidance.

Question. In your view, what capabilities and support for the Iraqi security forces should be the sole financial responsibility of the Government of Iraq?

Answer. Future Foreign Military Sales (FMS) that introduce new capabilities to the Iraqi security forces (such as F–16s) need to be funded by the Government of Iraq. The Iraqis have demonstrated a serious commitment to funding their security needs through major M1A1 and C–130 programs, as well as the purchase of naval ships and air force training aircraft. Recognizing the fiscal realities in the United States and Iraq, and the common enemies we face, I will continue to advise our Iraqi partners to acquire equipment designed to meet their specific requirements. Overall, FMS to the Iraqi security forces should focus on building security for the Iraqi people, improving and protecting its critical infrastructure, and securing Iraqi borders against malign influence.

INTERNALLY DISPLACED PERSONS

Question. The U.N. estimates that some 500,000 have left their homes to find safer areas within Iraq.

What is your assessment of the internally displaced persons (IDP) situation in Iraq and what impact, if any, does it have on the U.S. military objective in Iraq?

Answer. The IDP situation in Iraq is a significant challenge for the Iraqi Government. The Government of Iraq has taken steps to support the return of Iraqis, and the IDP situation is improving. Due in large part to security gains, an increasing number of refugee families are returning. Recent efforts in line with the government's increased emphasis on national unity have been positive. The United States supports the Government of Iraq as it reaches out to its displaced citizens and provides a transparent presentation of services and benefits. If confirmed, I look forward to supporting our commander in Iraq in the full implementation of measures to help the Government of Iraq further increase its assistance to its refugees and IDPs.

Question. Beyond working with the Iraqi security forces to improve the security environment in Iraq, do you believe that the U.S. military should play a role in addressing the internally displaced person situation?

Answer. The DOS is responsible as the U.S. Government lead on this issue, and this includes our efforts to support internally displaced persons and refugees. As the U.S. military moves to establish a traditional security cooperation relationship with Iraq, our force posture and our resources will change. Until the end of 2011, U.S. Forces-Iraq will support the U.S. Embassy-Baghdad when requested in accordance with the U.S.-Iraq Security Agreement and within the limitations of the military means and capabilities available when any request is made.

RELIGIOUS MINORITY COMMUNITIES IN IRAQ

Question. Public reports of targeted kidnappings and murders of non-Muslim religious leaders continue in certain parts of Iraq, most notably in the Ninewah region.

In your view, are non-Muslim religious minorities in Iraq at significant risk of being the victims of violence as a result of their religious status? Are there any of these groups that are particularly vulnerable?

Answer. The Iraq Constitution affords protection to minorities, and the Iraqi Government has made measured progress in ensuring their protection. Nonetheless, non-Muslim religious minorities throughout Iraq remain at risk of violence. Extremists and insurgent militant groups continue efforts to ignite ethno-sectarian violence through attacks on vulnerable populations, to include non-Muslim religious minorities, but have failed to reignite the cycle of sectarian violence that plagued the country in 2006 and 2007 due to increasingly capable Iraq Security Forces.

Question. If so, what is the appropriate role for the U.S. military in addressing their vulnerability?

Answer. The U.S. military's mission to advise and assist the Iraqi Government and ISF must continue as planned and we must remain committed to the terms of the Security Agreement and the Strategic Framework Agreement, specifically focusing on the rule of law. Of note, ISF has demonstrated most recently that they are increasingly becoming a more professional and competent force that is capable of handling Iraq's internal threats.

U.S.-IRAQI SECURITY FORCES COMMAND AND CONTROL RELATIONS

Question. What is your understanding of the lessons learned about U.S.-Iraqi command and control of combined operations over the last year and especially since the withdrawal of coalition forces from Iraqi urban areas?

Answer. As I am not confirmed as the Commander, CENTCOM, I do not have the full picture to adequately address this question. I do fully support highly integrated efforts with our Iraqi partners, while noting that command and control in a combined environment brings with it considerable challenges. To address these challenges, it will be necessary to integrate efforts at national and provincial operations centers as well as combined joint tactical operations centers. I think the proof of how well this is working today is found in the strong performance of the Iraqi security forces in this transition period when a new government is not yet formed. Frankly, I have been impressed with their stoic, capable performance, a key indicator of effective command and control.

Question. What concerns, if any, do you have about command and control relationships with Iraqi forces in combined operations, and if confirmed, what actions would you take, if any, to mitigate challenges or improve capabilities in this regard?

Answer. I am not in a position to address this question at this time. Should I be confirmed, I will continue to assess the effectiveness of relationships and procedures in place and adjust if necessary.

U.S. FORCES IN AFGHANISTAN AND IRAQ COMMAND AND CONTROL RELATIONSHIPS

Question. Policies directing and guiding command and control relationships for U.S. unified commands and their assigned and attached forces are found in statute,

regulation, and in joint doctrine. In March 2010, changes were made to command relationships in Afghanistan to address operational challenges attributed to insufficient command and control authority for U.S. Forces-Afghanistan over forces attached to or operating in its AOR.

What is your assessment of the current command relationship structure for U.S. forces attached to or operating in the U.S. Forces-Afghanistan and U.S. Forces-Iraq AORs?

Answer. I believe the current command relationships, as modified over this last year, align our structure for successful prosecution of the campaign.

Question. In your view, do the Commanders of U.S. Forces-Afghanistan and U.S. Forces-Iraq have appropriate and sufficient command and control authority over all U.S. forces operating in Afghanistan and Iraq to ensure unity of command and unity of effort?

Answer. Yes, I believe the proper command and control authorities have been established for both USFOR–A and USF–I commanders.

Question. If confirmed, what changes, if any, would you request with respect to command and control relationships for U.S. forces operating in Afghanistan or Iraq?

Answer. I am currently satisfied with the command and control relationships in Afghanistan and Iraq. If confirmed, I would not make any immediate changes.

Question. In your view, what are the critical criteria that should be used to determine whether forces allocated to U.S. Forces-Afghanistan or U.S. Forces-Iraq are provided under "operational control" versus "tactical control"?

Answer. The critical criteria to determine the appropriate command and control relationship for U.S. forces in both Afghanistan and Iraq is mission accomplishment; ensuring the relationship give the commander the authority he needs to accomplish the mission. A wide range of others criteria also have bearing in any individual case. I am satisfied that in both Afghanistan and Iraq the current arrangements are adequate to ensure Generals Petraeus and Odierno have the authority they require.

IMPACT OF IRAQ DRAWDOWN ON SPECIAL OPERATIONS FORCES

Question. As conventional forces continue to draw down in Iraq, the requirement for SOF is projected to remain the same for the foreseeable future. However, SOF rely heavily on their conventional counterparts for many support and enabling functions including airlift, medical evacuation, resupply, and intelligence, surveillance, and reconnaissance.

What is being done to make sure SOF are adequately supported in Iraq as the drawdown progresses?

Answer. CENTCOM has begun the responsible drawdown of forces from Iraq, working to sustain the hard-won security gains achieved since the summer of 2007 and placing on track to have 50,000 troops in Iraq after this August. If confirmed, a key priority will be to work closely with COMUSF–I to protect and facilitate SOF in Iraq. The disposition and composition of our conventional forces are specifically designed to sustain security and logistical requirements. Our Advisory and Assistance Brigades also possess the combat power to enable SOF operations across the battle-space, and logistical hubs are distributed to ensure responsive medical evacuation and other logistical needs for these forces.

Question. Are we assuming additional risk in Iraq by moving some of these enablers to Afghanistan? If so, in what areas?

Answer. No. I understand that we are assuming no additional risk to SOF in Iraq with respect to repositioning some enablers to Afghanistan.

CONFRONTING THE MILITIAS

Question. Do you believe that the Iraqi Government is taking the steps it must to confront and control the militias?

Answer. Yes. The Iraqi Government has worked to manage the challenges presented by Sunni and Shia militia groups through a combination of security operations and engagement policies such as integrating the Sons of Iraq, and reconciliation initiatives with Muqtada al-Sadr's Jaysh al-Mahdi militia. However, some terrorist groups are more difficult for the Iraqi Government to target because of their covert nature and backing by Iran.

Question. If confirmed, what role would you expect U.S. forces to play on this issue?

Answer. The Commander, CENTCOM, plays an important role in setting broad conditions to prevent militia groups from being supported by regional actors. Additionally, if I am confirmed, I will work with the DOS and USF–I to foster inclusive political processes, to support the Iraqi Government's anti-militia policies—using

U.S. intelligence capabilities, for example—and to continue to train, advise, and assist Iraqi security forces.

COUNTERINSURGENCY DOCTRINE

Question. According to Field Manual 3–24, the new counterinsurgency manual, "20 [soldiers or police forces] per 1,000 residents is often considered the minimum troop density required for effective counterinsurgency operations." Baghdad alone, according to doctrine, requires a force of 120,000–130,000 personnel to meet the minimum requirement. However, the increase in U.S. and Iraqi forces for Baghdad only provided for about 80,000 security forces.

Do you believe that 80,000 U.S. and Iraqi troops has been and remains sufficient and if so, why?

Answer. This is an issue that I will address in detail with the Commander, USF–I, if I am confirmed. The counterinsurgency threat in Iraq has considerably reduced since its peak levels in mid-2007. Additionally the Iraqi security forces are functioning well as an internal security force. Based on their current performance and our assessment of the security situation, the Iraqi security forces are well placed to assume the security role across all of Iraq, including Baghdad, within their current force structure in conjunction with continued USF–I advice and assistance.

Question. What is your understanding of the status and adequacy of the risk assessment and mitigation plan associated with this deviation from doctrine?

Answer. The USF–I force remaining to provide an advise and assist function provides appropriate risk mitigation. I am confident that the improved security situation, combined with the capabilities of the Iraqi security forces and the presence of remaining USF–I forces mitigates risk to an acceptable level, but I will remain alert to any indications to the contrary.

IRAN

Question. What, in your assessment, are Iran's goals with respect to Iraq's stability and security?

Answer. Iran's motives are not entirely clear due to the nature of its government, though it appears that Iran seeks through its actions to influence the formation of the Iraq Government, to distance Iraq from its Arab neighbors, and to weaken the relationship between Iraq and the United States.

Question. What, in your assessment, are Iran's goals with respect to Afghanistan's stability and security?

Answer. Iran seeks the removal of coalition forces, particularly U.S. forces, along its eastern border, expanded influence among Afghan Government officials and its populace, and maintenance of a benign, friendly Afghanistan, increasingly reliant on Iran for trade, economics, reconstruction and cultural issues.

Question. What options are available to the United States and its allies for influencing Iran's activities towards Iraq and how could CENTCOM play a role in that effort?

Answer. The United States, its allies, and regional partners can counter Iranian influence in Iraq by establishing strong diplomatic, political, economic, and security relationships with Iraq and integrating Iraq into the international community. These efforts will allow Iraq to achieve national goals without support from Iran. The relationships also provide partner nations visibility on Iran's influence activities and provide an engagement platform with the Iraqis to diminish Iran's influence. Bilaterally, the U.S.-Iraq Strategic Framework Agreement serves as the foundation for a long-term cooperative relationship between our two nations and gives us access to deter Iran's influence. Additionally, Turkey's diplomatic and economic links are heartening and portend well for Iraq determining its own future, unhindered by Iran's designs.

Question. What, in your view, are Iran's military goals in the region?

Answer. Iran's foremost military goal is to ensure the survival of the regime. Another military goal is to maintain a power projection capability to influence other nations in the region, which may include the development of nuclear-weapons capability, but certainly includes proxy terror organizations.

Question. What options do you believe are available to the United States to counter Iran's growing military and economic influence in the region and how could CENTCOM play a role in countering this influence?

Answer. Options to counter Iran's growing influence in the region include: enhancing international diplomatic cooperation; influencing Iran to adopt policies favorable to stability; undermining internal, regional, and global support for malign Iranian policies and activities; and controlling regional escalation.

I am aware that CENTCOM has established a Regional Security Architecture (RSA) with Gulf partners to advance shared interests and to build our partners defensive capabilities so they can resist Iranian intimidation.

Question. Could a protracted deployment of U.S. troops in Iraq strengthen Iran's influence in the region?

Answer. No. Iran's influence will not be strengthened with an extended U.S. presence in Iraq if regional governments and their respective populaces recognize the presence of U.S. troops is to improve the security and stability of Iraq.

Question. Iran is clearly going to remain a significant factor in the CENTCOM AOR. One of the critical objectives for the United States in this region is to determine how to achieve a more stable situation with respect to Iran for the future.

How do you believe CENTCOM could best participate in achieving a stable relationship with Iran in the future?

Answer. CENTCOM can participate as part of whole-of-governments efforts in partnership with U.S. Allies and partners in the region. The presence of CENTCOM forces in the region is a visible reminder of U.S. power, which is one element of the dual track approach to bring Iran back into the responsible community of nations.

UNITED ARAB EMIRATES

Question. The United States has been working in recent years to strengthen security cooperation with the United Arab Emirates (UAE) and other nations participating in the Gulf Security Dialogue.

What do you believe are the potential benefits of our security cooperation with the UAE?

Answer. The U.S.-UAE cooperative partnership is the model for the region and is getting stronger every day. Our enduring relationship is key to regional security and stability because, by working together, we disrupt violent extremist organizations, deter potential adversaries, and defeat those who use proxies or malign influences against the U.S. or other partners in the region.

With the U.S.-UAE enduring partnership evolving, UAE continues to take a leadership role, with the United States, in supporting other partners. UAE support has enabled other regional partners to become the theater focal point to train the trainers which is critical to building the Afghan security and police forces. The UAE also assists its neighbors in developing the capability to conduct counterterrorism operations that will eliminate safe havens from which terrorists train and operate.

By engaging with UAE and like-minded nations, we send a reassuring message to our friends in the region and a cautionary message to those who practice aggressive, destabilizing activities.

Question. What do you believe is the appropriate role for CENTCOM in advancing U.S. security interests and cooperation with the UAE?

Answer. CENTCOM must continue to partner with the UAE. The continued willingness of the UAE to support the presence of U.S. forces at key UAE locations, such as Al Dhafra Air Base, Fujariah and Jebel Ali Navy Bases, and Minhad Air Base, provides critical access and support for CENTCOM's operations across the region. We train and exercise together, which builds trust and confidence, so we can operate together as one team at the tactical and operational levels.

CENTCOM should also continue to support the UAE's efforts to enhance regional security. The UAE's Air Warfare Center is already the acknowledged model of a regional center of excellence. The UAE's willingness to host the Integrated Air and Missile Defense Center of Excellence is another initiative in which CENTCOM and the UAE will cooperate. The Center of Excellence will be the regional hub for air and missile defense doctrine discussions, simulated exercises, and improved partnership capacity, while promoting regional security and stability against air and ballistic missile threats. The UAE Air Force has also performed well at the USAF Red Flag exercise, demonstrating a commendable level of capability and strengthening deterrence in the Gulf.

YEMEN

Question. Prior to the attempted Christmas Day bombing of a U.S. bound airliner by al Qaeda in the Arabian Peninsula (AQAP), the U.S. Government had a robust security assistance program with Yemen. 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 situation in Yemen?

Answer. Yemen is struggling to address a number of challenges to its governance in four areas—Houthi rebels, southern oppositionists, al Qaeda in the Arabian Pe-

ninsula (AQAP), and economic deterioration. Six years of intermittent conflict in northwest Yemen between the Yemeni Government and Houthi rebels threatens stability. Although currently under a fragile ceasefire, there has been a recent increase in violence between the Houthi and pro-Government tribes. In the south, an opposition movement threatens Yemen's unity, although this movement currently lacks cohesive leadership and a central message. "Al Qaeda in the Arabian Peninsula" has a haven in Yemen, taking advantage of weak central government control in Yemen's remote, tribal regions, and the Yemeni Government's preoccupation with other existential regime threats (Houthi, southern opposition). Yemen's economy is failing, marked by high unemployment and exacerbated by poor security, dwindling oil reserves, and depleted aquifers. This challenges Yemen's ability to provide necessary services to its people without significant regional and international donor support.

While President Salih is able to manage these threats sequentially, a combination of spikes in the challenges listed above could stretch Sanaa's resources and military/security services to the breaking point. To date, Salih has managed these crises through negotiation and by co-opting his opponents, but there are signs his ability to exert control is waning. A newly-inked National Dialogue agreement between the ruling General People's Congress party and the opposition Joint Meeting Parties holds a glimmer of hope for political reconciliation. While this is a positive step in reanimating the Yemeni political system, it remains too early to assess its ultimate outcome, given years of mistrust between the Yemeni Government and a segment of its constituents.

Question. Do you believe U.S. objectives in Yemen should be strictly focused on counterterrorism military and intelligence support to the Government of Yemen or is it necessary to broaden the focus to include humanitarian and other development activities?

Answer. No. While U.S. objectives in Yemen primarily address the growing regional and homeland terrorism threats presented by AQAP, this cannot be our sole focus. Yemen is looking for a long-term partner and if I am confirmed, I will work to solidify such a relationship. We must work with Yemen to not only build military and intelligence capacity, but we must also encourage, and where possible, provide development, humanitarian and technical assistance. This should be done through existing organizations such as the U.N., the Friends of Yemen process, World Bank, IMF and the international and regional donor community. The assignment of political, economic and social reform metrics is essential to proper distribution and application of assistance. A long-term whole-of-government commitment to Yemen and its people, especially activities that assist Yemen in providing good governance and services to its people, will be most effective in bolstering government capacity, increasing stability and denying havens to extremists.

AL QAEDA AND ASSOCIATED GROUPS

Question. Within the CENTCOM AOR, where do you consider the greatest terrorist threats from al Qaeda and al Qaeda-affiliated groups to be located?

Answer. The greatest al Qaeda and al Qaeda-affiliated terrorist threats emanate from Pakistan, Afghanistan, and Yemen.

Question. Which of these threats do you believe constitute the highest priority for efforts to counter al Qaeda's influence and eliminate safe havens for al Qaeda and affiliated groups?

Answer. Pakistan's tribal areas remain the greatest danger as these areas are strategic footholds for al Qaeda and its Senior Leaders, including Usama bin Laden and Ayman al-Zawahiri. From Islamabad to New York, from east Africa to Europe, this area has hatched al Qaeda's murderous designs. Although al Qaeda Senior Leaders are under considerably more pressure in Pakistan than in previous years, the tribal areas of Pakistan remain key to extremist efforts to rally Muslim resistance worldwide. The tribal areas are home to al Qaeda training and media hubs, which al Qaeda uses to maintain relevance in Afghanistan, Pakistan, Yemen, and globally as well. Additionally, the tribal areas provide a haven to formulate attack plans and disseminate propaganda. However, al Qaeda tactical support to insurgents and extremists in Afghanistan, Pakistan, and Yemen from the tribal areas is minimal, with most of the actual fighting done by groups such as the Afghanistan Taliban, Tehrik-e Taliban, Haqqani, "al Qaeda in the Arabian Peninsula," and more recently, al Shabaab.

FORMER SOVIET UNION STATES

Question. Several former Soviet states have played roles in supporting the U.S. and coalition forces.

What is your assessment of current U.S. military relationships with these nations, including Uzbekistan, Tajikistan, and Kyrgyzstan?

Answer. My assessment is that in Central Asia, CENTCOM has opened new and encouraging opportunities for engagement with Uzbekistan, Kyrgyzstan, Tajikistan, and Kazakhstan by cooperating to establish the Northern Distribution Network as a supply route to Afghanistan, which will also serve to further future economic integration and stability. Strengthening our relationships greatly aids our cooperation on other issues, such as counterterrorism and counternarcotics. In similar fashion, CENTCOM is reaching out to Turkmenistan, advancing our partnerships in Central Asia, doing so transparently to avoid any misunderstanding of our motives.

Question. What security challenges do you see in this portion of the CENTCOM AOR?

Answer. Narcotics, arms trafficking, and smuggling are transnational threats in the region. These threaten legitimate commerce and the flow of strategic resources, damage societies, and often benefit terrorist networks. The proliferation of material for weapons of mass destruction, associated delivery systems and the spread of technical expertise is another concern in the region.

Following through on U.S. commitments to sustaining and securing prosperous and capable governments in this region will contribute immensely to the security of the Central Asian countries, especially those immediately bordering Afghanistan. Al Qaeda and its associated violent extremist organizations are, of course, the highest-priority terrorist threats to the states in the region, as well as to the United States and many of our allies around the world. There is considerable concern about the lack of sustainable economic development, which translates into a serious security concern, for without economic opportunity, poor and disenfranchised communities can serve as hotbeds for the spread of violent extremism. The countries of Central Asia offer abundant opportunities for building security and economic partnerships and for pursuing common interests.

SOMALIA

Question. While CENTCOM has the lead for counter piracy operations off the coast of Somalia, U.S. Africa Command has the lead for any military operations in Somalia.

If confirmed, how do you envision managing this critical seam between the two geographic combatant commands (COCOMs)?

Answer. A range of mechanisms are already in place to mitigate this critical seam, not just for counter piracy operations, but for littoral security, illicit trafficking, combating militancy, and developing partner capacity. Several standing Memoranda of Understanding between the two COCOMs regulate shared operational concerns; the respective staffs maintain close working relationships; and embedded personnel are exchanged regularly. If confirmed, I would assess whether these mechanisms are in fact sufficient or need to be enhanced. Further, I will ensure all diplomatic, U.S. Africa Command and CENTCOM efforts are characterized by a strong spirit of collaboration on my part.

Question. What impact, if any, does Somalia have on the CENTCOM AOR?

Answer. Somalia is a haven which has allowed a number of al Qaeda individuals, and the al Qaeda associated insurgent group al-Shabaab, to operate a continuously active training camp program which constitutes a threat to the Transitional Federal Government and to the region in general. Lack of governance allows piracy to thrive, with attendant demand on CENTCOM maritime assets. Additionally, Somali refugees in Yemen complicate Yemeni Government efforts to achieve stability and good governance.

COUNTER PIRACY OPERATIONS OFF THE COAST OF SOMALIA

Question. In the past 2 years, there have been a disturbing number of pirate attacks off the coast of Somalia—some ending in death and others ending in the payment of ransom. The shipping lanes off the coast of Somalia are some of the most economically and strategically important in the world. CENTCOM is now well into its second year of the counter piracy mission off the coast of Somalia.

What is your assessment of the mission thus far?

Answer. The effort of the international community is yielding positive results in the Gulf of Aden (GOA), where attacks have decreased since their spike in 2008. Concerned governments, agencies, militaries and the international maritime community meet regularly to address the evolving challenges of piracy. The increase in international presence and continued encouragement of the merchant community to adopt best practices has helped to stem the tide of piracy. Pirates, however, continue to adapt to the pressures of the international community by modifying their oper-

ating areas and tactics. If I am confirmed, I will continue to work with international partners to ensure our practices adapt faster than those of pirates and recommend, where needed, modifications to current international laws that may hinder our efforts.

Question. In your opinion, how long should we continue the current mission as constituted and at what point should we consider a change to the strategy?

Answer. The mission should continue as long as it supports U.S. and international objectives for countering piracy. If I am confirmed, CENTCOM will continually assess our whole-of-governments strategy and make recommendations to our partners where needed to checkmate this dangerous, disruptive activity.

Question. In your opinion, what is the most appropriate maritime strategy in this region of the world, given the threats of weapons trafficking, human trafficking, and piracy?

Answer. Our most appropriate maritime strategy is to build international collaboration. U.S. Maritime presence in international waters is an enduring influence and can, in league with other concerned nations, deter the ambitions of regional aggressors, prevent illicit activity, foster and sustain cooperative relationships, and prevent or mitigate disruptions and threats. We need to encourage regional states to have their own capacity to govern their territorial waters and exert that governance into the international waters beyond their territories.

ISRAEL

Question. While Israel is not part of the CENTCOM AOR, it does play a role in the Command's AOR.

In your assessment, what are the most significant threats facing Israel in the Middle East?

Answer. Although Israel is not in the CENTCOM region, progress in the Middle East Peace Process has an effect on advancing U.S. interests in the region. With respect to the threats Israel faces, the gravest is the prospect of a nuclear-armed Iran. Iran's nuclear weapons program, it should be noted, confronts many nations in CENTCOM's AOR with the same threat. Despite significant pressure from the international community, the Iranian regime continues to take steps that are seen by many to be associated with the development of a nuclear-weapons program. Because the Iranian nuclear-weapons program would not only present a threat to Israel but would also present a threat to our partners in the region and to the interests of the United States, we must work closely with many nations to check the Iranian efforts to threaten and destabilize the region. Other significant threats include a combination of Iranian and Syrian proxy elements, Lebanese Hezbollah, and Palestinian rejectionists such as Hamas and Palestinian Islamic Jihad (PIJ).

Question. The Iraq Study Group report suggested that one of the most significant hurdles to broader stability in the Middle East was a final status agreement between the Israeli and Palestinian Governments.

Do you agree with this conclusion of the Iraq Study Group? Please explain your answer.

Answer. Clearly this conflict has an enormous effect on the region and sets the strategic context within which CENTCOM operates. Specifically, the conflict enables state sponsored terrorism and instability in our region by providing a common enemy for extremist ideological propaganda. Additionally, regional stability would be significantly enhanced if we could garner greater cooperation within the region between Arab and Israeli Governments on mutual security concerns like the Iranian nuclear program. However, moderate governments in our region are not likely to step out and begin cooperative engagement with Israel until this issue is resolved.

EGYPT

Question. Despite being on the African continent, Egypt remains within the CENTCOM AOR. Egypt has been criticized for its perceived failure to act along the Egypt-Gaza border to counter the smuggling threat posed by cross-border tunnels. Egypt has also played an important role, however, in ensuring peace on the southern border of Israel.

What is your assessment of the role Egypt plays with respect to regional stability?

Answer. Egypt continues efforts to maintain and enhance stability in the Middle East though Cairo's leadership role has changed since the days of Camp David. In the past two decades, the Gulf States have gained prominence politically and militarily largely through oil revenue. Egypt has looked inward in some respects in recent years, while remaining focued on Israel, the Nile Basin, and Africa writ large. Egypt has been less engaged, by comparison, with the rest of the Middle East. Today, Egypt rarely deploys its forces to any of its Middle Eastern neighbors for bi-

lateral and multilateral exercises, though its moral weight and leadership role can still be felt throughout the region.

Egypt's role on the African continent continues to ascend. Including the Nile Basin, Egypt regularly deploys hard and soft power across Africa. Recent examples include peacekeepers in Sudan and the Democratic Republic of Congo. Egyptian diplomats are actively engaged in the conflict between North and South Sudan, the ongoing disputes over Western Sahara, and in the Horn of Africa between Ethiopia, Somalia and the separatist movements within Somaliland.

Question. What is your assessment of the U.S.-Egyptian military-to-military relationship?

Answer. Egypt receives the second largest allocation of Foreign Military Financing (FMF) at $1.3 billion. Egypt remains sensitive over U.S. conditions on FMF spending, and concerned over a perceived imbalance between Egypt and Israel.

Egypt has capitalized on international military education training for three decades, including the professional development of many of Egypt's next generation of senior leaders. Egypt's biennial multilateral BRIGHT STAR exercise now involves modern threat scenarios linking together all participants. I view these positive trends as an opportunity for Egypt to continue to strengthen its traditional role as a key player in regional affairs and stability.

UNITED NATIONS PEACEKEEPING MISSIONS

Question. Within the CENTCOM AOR there are three U.N. peacekeeping operations. The United States contributes financially to all of these missions and on a limited case-by-case basis provides U.S. military personnel in the form of military observers or staff officers. Chairman of the Joint Chiefs of Staff, Admiral Michael Mullen, in response to advanced policy questions to the Committee indicated that "[United Nations] peacekeepers help promote stability and help reduce the risks that major U.S. military interventions may be required to restore stability in a country or region. Therefore, the success of these operations is very much in our national interest." Further, as stated in the most recent Quadrennial Defense Review, "America's power and influence are enhanced by . . . maintaining interactions with important international institutions such as the United Nations." In testimony before the Committee on Foreign Affairs of the House of Representatives on July 29, 2009, the 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."

In your view, would an increase in the number of U.S. military personnel assigned to U.N. peacekeeping missions in the CENTCOM AOR help you advance the theater campaign plan?

Answer. While this is not an issue that I am ready to fully assess as I am not the Commander, CENTCOM, there are many important factors to balance in making such an assessment, including the ongoing U.S. military commitments and engagements in the area and perceptions in the AOR that would result from an increase in U.S. Peacekeepers. I would need to study the issue further to ensure we did not address one issue but inadvertently create additional issues.

Question. If confirmed, what would be your intentions regarding support to peacekeeping missions in the CENTCOM AOR?

Answer. I would continue the current levels of support to the international forces operating in the CENTCOM region, closely coordinating all efforts through the Joint Staff and policy experts to maintain stability and impartiality in this part of the world. U.S. activities in the area support U.N. objectives, especially in promoting peace and stability in the region. An example of that is the CENTCOM support provided to the Lebanese Armed Forces, increasing their capabilities and capacities. I would also welcome reviews that examine where efficiencies may be realized in those peacekeeping missions.

LEBANON

Question. Over the past 5 years, the United States has provided over $500 million in security assistance to the Government of Lebanon.

In your view, what is the appropriate role for CENTCOM in Lebanon?

Answer. The component of CENTCOM partner with the Lebanese Armed Forces at the operational level and below to develop capabilities that build forces to maintain internal stability and protect borders. I support and, if confimed, will continue to drive CENTCOM partnership with the Lebanese Armed Forces in developing the following seven capabilities: border defense and security, close air support and precision delivery, special operations, establishment of a national defense secure-commu-

nications architecture, enhanced protected mobility, improved military training system and facilities, and development of a military logistics support architecture. This will not be a quick process, but CENTCOM and Lebanon have a mutually-agreed upon framework by which we can program our investment, exercises, activities, and engagements.

Question. What are the U.S. national security interests in Lebanon?

Answer. In my view, our interests in Lebanon are twofold. First, we must help Lebanon maintain a democratic government with fair representation from each of Lebanon's eighteen confessionals. Our second interest is Lebanon's sovereignty, which is challenged by the destabilizing activities of Hezbollah.

Question. The current coalition government in Lebanon includes Hezbollah, a designated foreign terrorist organization under U.S. law.

Given the involvement of Hezbollah in the Lebanese Government, what do you believe to be the appropriate level of engagement with the Lebanese Armed Forces?

Answer. CENTCOM's engagements should be primarily focused at the operational level and below with the Lebanese Armed Forces, consistent with established U.S. policy. Our current focus on mutually developing the Lebanon's capabilities (described above) is the means to accomplish this end.

Question. Do you believe the focus of U.S. security assistance should be on building the counterterrorism capabilities of the Lebanese Armed Forces or more broadly focused on building the institution of the Lebanese Armed Forces writ large?

Answer. The Lebanese Armed Forces remains a functionally apolitical institution. I believe it would be productive to focus broadly on building capabilities in the Lebanese Armed Forces to provide an even-handed counterweight to the influences of Syria and Hezbollah. Appropriately, counterterrorism is one of the Lebanese Armed Forces' four stated missions, along with defending and securing its borders, providing internal security and stability, and supporting social development. If confirmed, I intend to continue the CENTCOM focus on developing capabilities within and across each mission to include the use of Foreign Military Financing, International Military Education and Training, section 1206 funding, and other security assistance investments.

A strong and effective Lebanese Armed Forces provides a pillar of stability for the Government of Lebanon and its citizens to lean upon, as demonstrated in the 2007 Nahr al-Bared conflict. Due in part to CENTCOM's security assistance being distributed broadly across the Lebanese Armed Forces, these forces had the resources and expertise to conduct this operation which effectively integrated elements across each of its four missions.

SAUDI ARABIA

Question. What is your assessment of the U.S.-Saudi military-to-military relationship? What are the pluses and minuses of this relationship?

Answer. It is my assessment that the U.S.-Saudi Arabia military relationship is strong. Since 2008, the United States has expanded cooperation with the Saudi Arabian security establishment, adding to an already robust security cooperation program. CENTCOM established an Office of Program Management to train, equip, and advise the Saudi security forces that protect Saudi Arabia's critical energy infrastructure. It is important to our national interests that we continue to engage broadly with the Saudi military and to strengthen our cooperation in such vital areas as air and missile defense, ballistic missile early warning, critical infrastructure protection, and our efforts to degrade and disrupt extremist elements in the region.

The scale of Saudi Arabian capacity provides significant opportunity for large-scale combined exercises like Red Flag and the Friendship series as well as large numbers of other bilateral engagements. The Saudis have expended great effort in expanding participation in regional military exercises and programs such as the annual Eagle Resolve and Bright Star exercises.

Moreover, the Kingdom of Saudi Arabia is a powerful influence in the region that is committed to defeating al Qaeda and its effective program for reintegration of dissidents serve as valuable models for other states in the region. An increasingly shared appreciation of the enemy threats to regional stability gives me confidence that we have a solid basis for even stronger military-to-military cooperation in the future.

Question. In your assessment what threat does a more regionally assertive Iran, including the possibility of a nuclear-armed Iran, pose to Saudi Arabia?

Answer. Having not served as Commander of CENTCOM, I am not intimately familiar with Saudi security concerns, though I recognize the Kingdom's concerns about Iranian malign activities in the region. While King Abdullah has played a

positive role through the inter-faith dialogue, Arab Peace Initiative, and warming of relations with Syria, there continues to be negative Iranian interference in Iraq, Lebanon, and the Palestinian territories. Saudi leadership has made it clear that a nuclear-armed Iran is incompatible with regional stability and a grave threat to Saudi strategic interests. Saudi Arabia is committed to open and transparent use of civilian nuclear technology; however a nuclear-armed Iran will cause a Saudi reassessment of this policy.

COMMUNICATIONS CAPABILITIES

Question. The CENTCOM AOR is heavily dependent on timely and reliable communications capabilities including satellite based communications to support troops directly as well as a variety of ISR and related capabilities.

In your view are there any gaps or deficiencies in communications capabilities that should or could be improved?

Answer. I have a great appreciation for the role that communication capabilities play in today's operating environment. If confirmed, I will carry forward broad priorities to address any assessed gaps or deficiencies in this area, and I will work to increasing network capacity by tier (terrestrial, air, space); become more effective and efficient with existing capacity; increase information sharing—enabling the "need to share" approach; and in Afghanistan moving the fight to the coalition network (Afghanistan Mission Network).

Question. The Afghanistan Ministry of Telecommunications is attempting to complete a fiber-optic cable backbone both around Kabul and the Ring Road, with international extensions to Pakistan, Tajikistan, Uzbekistan, and Iran. If this network were fully operational, DOD could shift a lot of traffic from expensive satellite communications to fiber, which would save money, provide more bandwidth, and inject funds into Afghanistan. However, the fiber-optic backbone installation is mired down in precisely the areas where it is most needed—from Kabul to Pakistan, and from Kabul through the Pashtun belt in the South to Kandahar and beyond towards Herat. Moreover, the contracts for this backbone have been let to Chinese and Iranian firms. Elements of the U.S. Government now believe that, with a concerted U.S. effort and assistance, this network could soon be completed and executed in partnership with the United States, Afghan, and other companies.

What is your understanding of this situation?

Answer. Having not been confirmed as Commander, CENTCOM, I am not in a position to comment extensively on this highly important, yet technical topic. If confirmed, I will consult with COMISAF and the communications directorate to determine the best way forward.

Question. Are there other opportunities to improve communications networks in Afghanistan that would serve our counterinsurgency strategy, provide better communications services to our forces operating there, and contribute to Afghanistan's governance?

Answer. I have thought about these issues at length as part of the development of the Army and Marine Corps Counterinsurgency Manual, and I believe there are opportunities to enhance to the Company and platoon level, with extension to the mobile trooper. We can also enable greater flexibility and versatility in coalition task organization. This requires a change to the existing coalition network norm and forces the fight to move to the recently fielded coalition network.

INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITIES

Question. General McChrystal often stated that in his opinion there could never be enough ISR capability.

What are your views regarding the level of ISR support deployed thus far to Afghanistan?

Answer. Due to the nature of counterinsurgency and counterterrorism operations, ISR demand will always exceed ISR capacity. As I understand from my current position, there is a substantial amount of ISR support in Afghanistan today, heavily reinforced by Secretary Gates in response to theater requirements. I will be acutely aware of and responsive to any shortfalls that are identified in Afghanistan, if I am confirmed, and I will work to resource my commanders in the field appropriately.

Question. What are the specific capabilities that you think we are short of and that may need attention?

Answer. Assessments consistently demonstrate that Full Motion Video (FMV), Signals Intelligence (SIGINT), Ground Moving Target Indicator (GMTI) collection capacity, communications, and Processing, Exploitation, and Dissemination (PED) capacity remain the greatest shortfalls.

I understand that the ISR Task Force has been extremely effective at focusing efforts and funding toward the CENTCOM's highest urgent operational needs. Continued funding is essential to maximizing ISR effectiveness through better collection management tools, increased PED capability and capacity, and expanded architecture capacity. Real time, Wide Area Surveillance is also being pursued on an urgent timeline.

Question. Major General Flynn, the NATO ISAF J2, late last year published a sharp critique on the Intelligence Community's (IC) response to the shift to a counterinsurgency strategy in Afghanistan. He stated that the IC was too focused on identifying enemy forces and supporting kinetic operations against them and was not providing critical information on the people that the counterinsurgency strategy needed to protect and win over.

Do you think that General Flynn's complaint remains valid, or have the national and military Intelligence Community adequately adjusted its priorities and improved its support for the counterinsurgency strategy? Where are we still deficient?

Answer. Counterinsurgency is predicated on intelligence and information collection, which requires an accelerated and adaptive approach. The intelligence community has taken key steps to better understand the conflict and react to emerging opportunities to influence its trajectory. If confirmed, I will work closely with COMISAF to ensure we close any existing gaps in our joint interagency intelligence capabilities, and work collaboratively with the Service chiefs to ensure they understand the theater demands on the forces that they are organizing, training and equipping.

REGIONAL BALLISTIC MISSILE THREATS AND RESPONSE

Question. Iran has hundreds of short- and medium-range ballistic missiles today that are capable of reaching forward-deployed U.S. forces, allies, and other friendly nations in the CENTCOM AOR. Syria also has an inventory of ballistic missiles that pose a threat to the region. The Ballistic Missile Defense Review Report of February 2010 stated that the United States intends to pursue a Phased Adaptive Approach to ballistic missile defense against such missile threats in various regions, including the Middle East.

Do you agree that such a phased adaptive approach will provide CENTCOM with the missile defense capabilities needed to defend our forward deployed forces and our allies and partners in the region?

Answer. Yes. The Phased Adaptive Approach framework can be applied in CENTCOM and supports building strong cooperative relationships, appropriate country burden sharing, and missile defenses tailored to the threats in the CENTCOM Region.

Question. What role do you see for the Aegis Ballistic Missile Defense system with Standard Missile-3 interceptors in U.S. missile defense capabilities in the CENTCOM AOR?

Answer. The Aegis BMD system is one of the critical components in the U.S. integrated layered missile defense architecture, which is designed to check regional threats, including Iran's Shahab 3 and Ashura missiles. When outfitted with the SM–3 interceptor missile the Aegis weapons system offers an upper-tier layer to our missile defense capability.

Question. In addition to U.S. missile defense capabilities in the CENTCOM AOR, what role do you see for other nations in the AOR to contribute to regional missile defense capabilities, such as UAE interest in purchasing the Terminal High Altitude Area Defense (THAAD) system?

Answer. I am aware that CENTCOM partner nations have shared their perception that Iran is posing a threat to them with its ballistic missile capabilities. CENTCOM is seeking to strengthen deterrence against this challenge by working agreements with partner nations to bring their BMD assets into a regional architecture. The primary purpose is for individual sovereign defense with a secondary purpose of integrating into a common defense. The purchase of U.S. BMD systems, to include THAAD, enables not only integration but interoperability into a regional BMD architecture.

CENTCOM AND DOD GLOBAL POSTURE REVIEW

Question. According to the 2010 Quadrennial Defense Review Report, DOD will conduct a global posture review that assesses U.S. strategic relationships and interests to identify where and at what levels the forward stationing of military forces supports those relationships and interests.

What is your assessment of the current and future strategic requirement for U.S. military basing and prepositioning in the Persian Gulf region?

Answer. In my current position as Commander, Joint Forces Command, I recognize the essential requirements to develop the forces, bases, and agreements necessary to ensure capabilities and access are available to meet current and future operational requirements. We need to ensure that our investments in infrastructure and capabilities are consistent with our long-term objectives for the region. To meet these challenges, we must continue to work with regional partners to maintain access, freedom of action, and capabilities at existing and new locations across the region. Doing so will improve our strategic depth, allow for rapid increases in operational surge requirements, and support our partners in the region, many of which have stood by us for decades.

In addition, prepositioned equipment and material will enable the rapid deployment of selected forces to respond to a variety of requirements, from humanitarian assistance to combat operations. Prepositioning also signals U.S. commitment to regional partners. This requires restoring pre-positioned equipment stocks to full capacity. If confirmed, CENTCOM will partner with the Services to address any capability gaps to meet theater and global contingency requirements within a resource constrained environment.

Question. In your view, what capabilities and facilities will be most critical to the CENTCOM mission after the withdrawal from Iraq is completed?

Answer. The posture of U.S. forces, currently tailored towards ongoing operations, must transition over time to balance requirements for contingency operations and crisis response. If confirmed, I will ensure that CENTCOM continues to develop a defense posture and regional security architecture focused on strengthening our partners' national and regional defense capabilities and advancing regional stability and security. I understand that CENTCOM has identified several theater enduring support locations to meet these requirements, including 1 main operating base, 6 forward operating sites, and 17 cooperative security locations.

In addition to theater locations, CENTCOM must continue to work with regional partners to secure adequate en route infrastructure, intermodal capacity, and global mobility for enhanced redundancy. This will require extensive cooperation between combatant commanders to further develop en route mobility from Europe, Africa, and the Caucasus into the Gulf region and Central and South Asia.

Question. What is your view of arguments that an over-the-horizon presence would reduce tensions in the region?

Answer. U.S. military posture in the CENTCOM region must support ongoing operations, prevent and deter conflict, and provide options to respond to a wide range of contingencies. Our deterrent ability is founded on the presence of land, air, and naval forces in the region capable of fighting limited and large-scale conflicts where anti-access weaponry and tactics are used by state and non-state actors. If I am confirmed, CENTCOM will continue efforts to respond to a wide variety of contingency scenarios, including defeating aggression by adversary states, supporting and stabilizing fragile states facing serious internal threats, and providing humanitarian assistance and disaster relief.

I understand that CENTCOM employs two enduring principles: (1) minimize steady state force presence by relying on rotational forces, reach back capabilities, and prepositioning to meet requirements; and (2) maximize the use of maritime assets to provide operational flexibility, increase freedom of action, and minimize land based footprint. While enduring force presence at regional locations may not always be available or preferred, the need for access, freedom of action, and in place capacity and facilities will be required to enable the rapid flow of forces to those locations.

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.

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. Do you believe it is consistent with effective counterinsurgency operations for U.S. forces to comply fully with the requirements of Common Article 3 of the Geneva Conventions?

Answer. Yes. We have a legal and moral obligation to treat persons under our control humanely, to comply fully with Common Article 3 as construed and applied by U.S. Law and policy. It is not only the right thing to do; it is also an important component of successful counter-insurgency operations.

Question. How would you ensure a climate that not only discourages the abuse of detainees, but that encourages the reporting of abuse?

Answer. If I am confirmed, I will continue to set forth clear standards and expectations and demonstrate to the troops that we are committed to those standards. We will provide clear guidance at every level of command, proper training, and prompt and effective action when we don't meet our standards. Additionally, we will continue conducting thorough inspections of all detention facilities and programs throughout the theater of operations, and we will continue to cooperate with the International Committee of the Red Cross. This is consistent with U.S. military policy on treatment of detainees since General George Washington commanded our troops and I am committed to no abuse of detainees.

Question. JTF 435 in Afghanistan is working with the U.S. Embassy to address detention operations and rule of law issues. Concerns have been raised over the capacity and willingness of the Government of Afghanistan to detain and prosecute individuals detained in operations, particularly in the south.

What is your assessment of detention operations in Afghanistan and how do these operations contribute to the overall counterinsurgency strategy?

Answer. Though I am not confirmed as Commander, CENTCOM, I have been able to track this issue closely, and I am pleased with the progress that USFOR–A has made in regard to detention operations in Afghanistan. The opening of the new detention facility in Parwan, coupled with the formation of JTF 435, has ensured oversight over detainee operations and detainees in U.S. custody. With the new facility comes ample room and opportunity to provide several programs to help detainees reintegrate into Afghan society upon their release. These new programs include basic education classes that teach reading, writing and math skills as well as vocational programs such as bakery and carpentry to teach detainees a skill. The programs offered by JTF 435 also provide for the de-radicalization of certain detainees by providing moderate religious classes and discussions with local Imams.

Question. If confirmed, what steps, if any, would you recommend for addressing detention operations and rule of law issues in Afghanistan?

Answer. I am generally supportive of steps toward establishing the Combined Joint Interagency Task Force 435 (CJIATF–435) that will centralize all USFOR–A detention, interrogation, and Rule of Law functions in Afghanistan. CJIATF 435 will help build capacity in the Afghan Government, including establishing a command element capable of coordinating coalition efforts with the Afghanistan Government.

This will ultimately help the Afghan Government build the capacity to conduct safe, secure, lawful and humane detention operations including appropriate facilities and a fully trained Afghan guard force. There is also a need to ensure effective programs are in place for reintegrating detainees who are suitable candidates for release and ensure effective processes for investigating and prosecuting detainees for violations of Afghan criminal law. This effort is well underway and, if confirmed, I would follow implementation closely, and work with Commander, USFOR–A, and Commander, CJIATF 435, to make adjustments where appropriate.

TRAUMATIC BRAIN INJURY

Question. On June 21, 2010, the Deputy Secretary of Defense issued a new DOD-wide policy on the management of mild traumatic brain injury in deployed settings.

If confirmed, how will you ensure that the policy is implemented consistently throughout the CENTCOM AOR?

Answer. IEDs and the associated injuries are signature aspects of this war. If confirmed, I will continue to ensure appropriate command emphasis is placed on this crucial effort to identify, evaluate and manage all servicemembers exposed to potential concussive events. Defense Department policy provides specific direction to line leaders and medical personnel in their response to defined events—such as blasts—in the deployed environment which could result in mild traumatic brain injury/concussion, and CENTCOM has supplemented this policy with its own implementation order, which I will review and maintain if confirmed. In addition, CENTCOM has developed a single, joint solution to the tracking requirement for such exposures. This will provide a mechanism to ensure execution of proper evaluation, post-event rest period, and future evaluation, especially for those exposed to multiple events.

MENTAL HEALTH ASSESSMENTS AND TREATMENT IN THEATER

Question. The Army's Mental Health Advisory Team (MHAT) has made six separate assessments over the past several years detailing the immediate effects of combat on mental health conditions of U.S. soldiers and marines deployed to Iraq and Afghanistan. The most recent study, MHAT VI, found that "soldiers on their third and fourth deployment report lower morale and more mental health problems," and that stigma continues to prevent some soldiers from seeking mental health care. These types of reports lend support to the fact that increasing numbers of troops are returning from duty in Iraq and Afghanistan with posttraumatic stress, depression, and other mental health problems.

What is your understanding of the key findings of this and previous MHAT assessments, actions taken by the services to address key findings, and the effect of such actions?

Answer. In my current position, I am charged with training and preparing joint forces to serve downrange, and I consider it among my highest responsibilities to monitor and take care of the mental health of these men and women. I find the MHAT results encouraging in some respects, but there is still room for significant improvement.

During the third quarter of fiscal year 2009, MHAT IV reported that 21 percent of maneuver soldiers and marines met screening criteria for depression, anxiety, or acute stress. Historically these numbers are similar to 2007, yet higher than 2005. Unit morale was reported as lower than in previous MHATs. Marital problems among junior enlisted and support/sustainment Soldiers and Marines were higher, as well as mental health and marital problems among NCOs on three or more deployment. The MHAT team recommended adding behavioral health (BH) personnel to meet the recommended ratio for 1 BH per 700 servicemembers, maintaining the ratio through the surge in forces, and appointing a senior theater-wide BH consultant.

These recommendations have been implemented in theater since the last MHAT. The impact of these actions has been positive thus far, and will continue to be evaluated by the joint team under MHAT–7. I also want to take advantage of the U.S. Army's advances, under the guidance of Brigadier General Rhonda Cornum, in strengthening the resilience of all troops deploying to the CENTCOM combat zones.

Question. Do you have any views on how to best address the mental health needs of our troops in theater, in terms of both prevention and treatment?

Answer. Addressing mental health, as in addressing physical health, cannot begin in theater—it must begin at home. This is accomplished by the Services through their various mental health support functions, resiliency training and provision of mental health services. In the pre-deployment period, individuals are screened for potential mental health problems, conditions or concerns. Individuals, who have specific behavioral health conditions that require specific treatments, and have not demonstrated adequate resolution of their behavioral health condition or symptoms, are not permitted to deploy.

If confirmed, I will continue to emphasize the importance of mental health prevention and treatment for our servicemembers. This will require adequate provisions and access to behavioral health, the proper command emphasis, de-stigmatization, and positive officer leadership throughout the life-cycle of a deployment (pre, during, and post) in order to maintain combat resilient units. Brigadier General Cornum and the Army's efforts in this regard provide pragmatic steps to improve resilience for our young troops going into harm's way.

Question. Do you believe that mental health resources in theater are adequate to handle the needs of our deployed servicemembers?

Answer. Yes. Based on my experience at U.S. Joint Forces Command, I believe that current mental health resources are adequate to handle the needs of our deployed servicemembers. The MHAT–7 Team, which has just deployed to Afghanistan, will independently evaluate this. If confirmed, I will continue to work with the Services and our deployed behavioral health resources to identify and eliminate any barriers to care, especially among maneuver units where stigma has been found to be higher. While there is no room for complacency on our efforts to fully resource mental health support, we have made unmistakable progress.

Question. If confirmed, would you request additional behavioral health resources from the services, if needed, to meet the needs of current and future units deployed to Iraq and Afghanistan?

Answer. If additional behavioral health resources were deemed necessary, either by our own assessment or that of the MHAT–7, I would not hesitate to request such resources from the Services to fill any identified gaps. CENTCOM, its components,

and the Services are all dedicated to ensuring the adequate provision of behavioral health resources to support our deployed warfighters.

SUICIDE PREVENTION

Question. The numbers of suicides in each of the services continue to increase. A number of these military suicides are committed in theater.

If confirmed, what resources would you use to help prevent suicides in theater and to prepare redeploying servicemembers for transition to life back at home?

Answer. Prevention of suicide in theater and at home is a vital priority—the safety of all deploying, deployed, and returning servicemembers is always foremost among my priorities.

Confronting the difficult reality of suicide in the force requires regularly exercising a broad complement of health resources within fully supportive command culture. This process begins with recognizing the importance of taking care of people, which will always remain the most important asset in our military. There are many elements and separate suicide prevention initiatives that comprise a comprehensive approach to suicide prevention, including embedded and organic behavioral health care assets "in country," programs run by the Services, pre- and post-deployment "eye-to-eye" screening, alliance partnerships, and a host of other prevention, treatment, and care facilities. It is imperative that we implement these programs throughout the life cycle of the training and deployment so that servicemembers can receive appropriate counseling, assistance, respite, and support.

SEXUAL ASSAULT

Question. If confirmed, you will be responsible for ensuring compliance with DOD policies on prevention of and response to sexual assaults against military personnel and civilians throughout the CENTCOM AOR.

What lessons have military leaders in Iraq and Afghanistan learned regarding sexual assault prevention, response, and reporting protocols that can be applied across the CENTCOM AOR?

Answer. Commanders have learned that they have the responsibility to establish a command climate where safety is promoted, servicemembers are educated on sexual assault risk reduction techniques, and servicemembers feel free to report incidents without stigma or recrimination. They have also learned that sexual assault is a safety risk and a crime, it is incompatible with our military values, and that it negatively impacts unit cohesion and mission accomplishment.

Question. What are the unique issues that you believe need to be addressed to ensure that policies on prevention, reporting, medical treatment (including mental health care), and victim support are available for military personnel and civilians in the operational environments of Iraq and Afghanistan?

Answer. The unique issues that need to be addressed are a positive and supportive command climate, unit leadership that demonstrates intent to follow established policies, provision of caring assistance to victims of sexual assault, and firm disciplinary actions taken against offenders. In addressing each of these unique issues, commanders demonstrate that they are committed to preventing and reducing instances of sexual assault.

Question. If confirmed, how would you assess the adequacy of such resources in the CENTCOM AOR?

Answer. Continued command emphasis and involvement will insure the adequacy of resources. One best practice from Iraq involves the regular meeting of a multidisciplinary team with representation from across the command, chaired by a General Officer. This provides the appropriate forum for sharing concerns, identifying issues, and taking immediate corrective action.

DEPLOYED CIVILIANS IN THE CENTCOM AOR

Question. The President has called on all agencies of the executive branch to encourage the assignment of highly qualified Federal civilian employees in support of CENTCOM operations, and DOD provides the majority of those employees.

If confirmed, what would be your objectives for improving and sustaining the support of Federal civilians in the CENTCOM AOR?

Answer. If I am confirmed, CENTCOM will continue to maintain the relationship we have developed with the Office of the Deputy Secretary of Defense for Civilian Personnel Policy (CPP) as it continues its implementation of the Civilian Expeditionary Workforce (CEW) program. During the past year, CPP has permanently transferred a Senior Human Resource CEW Program Manager to provide advisory services on compensation, benefits, medical care and entitlements, and more importantly, to be involved in the planning for mobilization of highly qualified civilian tal-

ent. I understand that the assignment of this billet to CENTCOM has already brought dividends, producing a 166 percent increase in the number of DOD civilians augmenting our military forces across Iraq and Afghanistan since March 2009.

CENTCOM has found that leveraging the expertise and the skill sets of highly-qualified DOD civilians improves operational effectiveness and helps reduce demand on the uniformed force. As such, I would endorse the Department's efforts to provide deployed civilians with uniform, fair and transparent incentives, and benefits that will enable us to further increase the use of a ready and able source of quality manpower.

INTELLIGENCE SUPPORT FOR INDIRECT ACTIVITIES

Question. Some observers contend that the national intelligence agencies focus their assistance to the Defense Department in Afghanistan and Iraq on special operators engaged in direct action operations. As a consequence, it is alleged, general purpose forces and SOF engaged in indirect activities, including foreign internal defense and population protection, receive less intelligence support.

If confirmed, how would you ensure SOF engaged in indirect activities receive adequate intelligence support?

Answer. Our SOF require precise targeting data to be effective. Intelligence, especially ISR support, is allocated based upon theater requirements (to include requirements to support general purpose forces and SOF engaged in indirect activities) that are balanced against existing capabilities and capacity. If confirmed, I will work to expand intelligence and information sharing across the entire enterprise—especially technology that will help to ensure the effectiveness of our special operators. At the same time, integrated special operations with general purpose force operations are key to success in this sort of war. A mission-oriented balance is my vision.

SPECIAL OPERATIONS FORCES IN SUPPORT OF COUNTRY TEAMS

Question. SOCOM 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.

Please describe the potential value of these special operations personnel to CENTCOM and the country teams they are supporting.

Answer. The limited visibility profiles, professional maturity and self-sufficiency of SOF provide unique capabilities to work within U.S. Embassy country teams. They provide the Ambassador and Commander, CENTCOM, the flexibility required to execute security assistance programs in fluid and culturally diverse environments. Also, their expertise in understanding the complex issues of interagency and international cooperation provides additional leverage that may not otherwise be realized.

Question. If confirmed, what do you intend to do to make sure the goals of special operations personnel deployed to these countries are closely aligned with those of the Ambassadors they are working with?

Answer. It is paramount that CENTCOM's military effort acts in unity and coordination with the Chief of Mission as the U.S. Government lead. If confirmed, I would work to establish close working relationships with every U.S. Ambassador in the region, and ensure that all CENTCOM efforts—not just those of special operations personnel—align with their objectives.

MILITARY INFORMATION SUPPORT OPERATIONS

Question. Al Qaeda and affiliated violent extremist groups work hard to appeal to local populations. In several cases throughout the CENTCOM AOR, most recently in Yemen, these efforts have allowed violent extremists to establish a safe haven, conduct operations, and expand their recruiting base. The composition and size of these groups in comparison to the U.S. Government permits it to make policy decisions very quickly.

Do you believe CENTCOM and other agencies within the U.S. Government are appropriately organized to respond effectively to the messaging and influence efforts of al Qaeda and other affiliated terrorist groups?

Answer. Not yet, but we are getting there. There are several key elements critical to our achieving success in this aspect of operations: Alignment and synchronization of our activities; authorities to engage in countering violent extremist messaging; capacity, and funding. Communication integration is equally important in regards to the interagency—there must be a robust, aligned interagency communication effort, since the battle of the narrative is a whole-of-government problem.

CENTCOM continues to refine our processes to ensure alignment and synchronization of all of communication activities, not only within the CENTCOM Headquarters, but among all the components, the two Joint Operational Areas, and across the interagency. This includes public affairs, military information operations and key leader engagement. We are focused on improvements and, if confirmed, I anticipate I will be bringing more attention to this arena.

Question. If confirmed, what steps, if any, would you explore or take to counter and delegitimize violent extremist ideologies?

Answer. If I am confirmed, I would continue to use Military Information Operations in coordination with our partners in the interagency to degrade the violent rhetoric of our enemy, particularly on the Internet. In addition, our public affairs operations should be fully engaged in the emerging media environments within the AOR, including the use of all available tools to engage in blogs and social media to be first with the truth and correct the record when our adversaries attack us with disinformation and propaganda. Finally, DOD and the Combatant Commands have a critical role in the interagency effort to counter violent extremists, and I will work to ensure our commanders retain the authorities they need to execute their missions.

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, CENTCOM?

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR ROLAND W. BURRIS

AFGHANISTAN

1. Senator BURRIS. General Mattis, we now have a new commander in charge of the mission in Afghanistan that is now in its 9th year. Casualties are increasing along with public disapproval. What do you envision as the primary thing you can do to support General Petraeus and the overall political military situation in the region?

General MATTIS. The primary thing I can do to support General Petraeus is to work in the closest possible partnership with him to help him execute the President's strategy in Afghanistan. That will mean working to ensure that the effort is fully resourced in a coherent and comprehensive manner and to set broader regional conditions for the success of the mission.

2. Senator BURRIS. General Mattis, what interagency efforts need to be abandoned or reinforced?

General MATTIS. We are undergoing a comprehensive review of all our key interagency efforts to ensure robust support of General Petraeus's work in Afghanistan. These efforts include our actions to expose corruption and disrupt enemy threat finance streams; neutralize the enemies improvised explosive device capability; de-

grade violent extremist ability to recruit and propagate violent ideology; expand training for Afghan security forces and border security; enhance Afghan governance, rule of law, and tribal engagement initiatives; and expedite economic and agriculture transition and advancement.

While strengthening these efforts, and while acknowledging the good work currently being done, we will carefully seek means and methods to streamline established programs to reduce duplication and redundancy and better optimize our effectiveness and efficiency. You have my assurance that we will assess interagency efforts and work together with our interagency partners in order to achieve maximum synchronization, unity of purpose, and effort.

One area of interagency effort that we must continue to reinforce is the whole-of-government approach in cyberspace and other information operations. Our adversaries continue to demonstrate an ability to rapidly adapt to and exploit an information domain without geographic boundaries. We must continue our interagency collaboration and coordination, thereby leveraging each agency's capabilities and authorities. To date, we have partnered with the Federal Bureau of Investigation, Department of State, and other agencies to successfully counter violent extremism in several key areas of the information domain. It is my intention to continue to expand our partnerships to more effectively engage violent extremists across the entire information domain.

To that end, we respectfully request your full support to our partner agencies as they seek enhancements of their capabilities and support for this important collaboration. In the long-term, we will continue to work to refine our interagency team with a clear eye toward transitioning to less Department of Defense (DOD)-led efforts and, ultimately, to Afghan self-reliance and self-governance.

3. Senator BURRIS. General Mattis, what efforts will you take to strengthen partnerships and commitments from the international community?

General MATTIS. U.S. Central Command (CENTCOM) will continue to pursue cooperative, multi-lateral solutions to the challenges in the region. Our efforts to strengthen international partnerships focus on the interests we share with other nations, and we will continue to pursue those interests by helping our partners bolster their capabilities and capacities. Cooperative efforts that build partner capacity both encourage participation in joint endeavors and increase the coalition's overall effectiveness in ongoing multi-lateral operations. Our initiatives have already led to partner nation contributions, funding, and forces for operations in Afghanistan and we will continue to develop these mutually beneficial partnerships to enhance stability and economic opportunity throughout the region.

LEAKED INFORMATION

4. Senator BURRIS. General Mattis, the unauthorized public release of confidential and classified information by WikiLeaks.org reveals some disturbing information about the Afghan/Pakistan cooperation. What is your assessment of the diplomatic and military effort between Afghanistan, Pakistan, and the International Security Assistance Force?

General MATTIS. While the disclosure by WikiLeaks is irresponsible and unwelcome, the diplomatic and military effort between Afghanistan, Pakistan, and the International Security Assistance Force continues to move in a positive direction.

5. Senator BURRIS. General Mattis, what impact do you think this irresponsibility will have on our partnerships with Afghanistan and Pakistan?

General MATTIS. The people who released this information into the public domain have been grossly irresponsible and have caused harm to the efforts of the United States and our partners. Our relationships with Afghanistan and Pakistan will endure however, despite this unfortunate incident. We are doing all we can with our partners in order to minimize the damage caused.

QUESTIONS SUBMITTED BY SENATOR JOHN THUNE

STRATEGIC COMMUNICATION/TALIBAN TARGETING OF CIVILIANS

6. Senator THUNE. General Mattis, when General Petraeus was here before the committee a few weeks ago, he discussed the importance of strategic communication, and in particular the importance of merely truthfully reporting the extremist activities, the indiscriminate violence and the oppressive practices that have always been associated with the Taliban. For example, I understand that we recently inter-

cepted a message from Mullah Omar ordering his fighters to target civilian Afghans. In June, they bombed a wedding in an Afghan village that killed 39 people who were simply celebrating a joyous occasion. Overall, insurgent actions have caused 1,074 civilian deaths in Afghanistan since January of this year. Do you view our strategic communication efforts in Afghanistan as effective?

General MATTIS. We have built a strategic communication effort that is beginning to yield positive results, yet we are challenged by an enemy that uses lies and propaganda without discretion and as a means of first resort. Our goal is to be "first with the truth" and to ensure our strategic communication effort is fully integrated into the interagency effort. I will continue to seek the authorities and resources to assist CENTCOM in general and General Petraeus in particular conduct full-spectrum communication programs to counter our enemies in Afghanistan and throughout the region.

7. Senator THUNE. General Mattis, as CENTCOM Commander, how would you approach this issue of amplifying the truth about the atrocities of the enemy?

General MATTIS. Our CENTCOM team uses military information operations, public affairs, key leader engagements, and a "traditional" or tribal communication effort in coordination with our partners in the region to demonstrate the enemy's violent, extremist behavior against the Afghan people. These important activities are conducted in the theater and amplified at CENTCOM HQ through blogs, press releases, and other means. Additionally, CENTCOM will continue to coordinate with DOD and the Interagency to counter disinformation and propaganda using all available tools, including blogs and social media. Moreover, I will continue to work with our commanders ensuring they have the authorities necessary to execute the mission and I will work closely with friendly moderate countries in the CENTCOM region to amplify the brutal character of the enemy. I fully support not only the full resourcing of requirements for military information operations and public affairs, but also the programs of other Departments, such as State's public diplomacy, whose efforts are mutually supporting in this regard.

RULES OF ENGAGEMENT

8. Senator THUNE. General Mattis, General Petraeus told us he would be closely scrutinizing our rules of engagement in Afghanistan, particularly with regard to close air support (CAS), to see if there are any problems with implementation of these rules of engagement. What are your views of the rules of engagement in Afghanistan?

General MATTIS. I am satisfied that the Rules of Engagement in Afghanistan provide an appropriate balance between assuring our troops the right to self-defense and the requirement to apply force only when necessary and in a proportional way. I will, however, review them from time to time in consultation with the Commander in Afghanistan to ensure that they remain appropriate to the situation on the ground.

9. Senator THUNE. General Mattis, do you believe the CAS restrictions should be modified?

General MATTIS. I am satisfied that the rules for the employment of CAS provide a balance between the right to self-defense and the requirement to ensure appropriate application of force. I will review them from time to time in consultation with the Commander in Afghanistan to ensure that they remain appropriate to the situation on the ground.

ARMY UNMANNED AERIAL VEHICLES DUPLICATING AIR FORCE UNMANNED AERIAL VEHICLES

10. Senator THUNE. General Mattis, the Army's 2011 budget proposal requested over $578 million toward the acquisition of MQ–1 unmanned aerial vehicles (UAVs), as well as their payload and weaponization. With that money, the Army would buy 26 more aircraft next year in addition to the 24 purchased this year with 158 total aircraft in the Army inventory by the end of 2015. By comparison, the Air Force has 144 MQ–1s today. The rationale for these duplicative purchases is that there is an urgent need for more intelligence, surveillance, and reconnaissance (ISR) platforms in the field. Specifically, the Air Force has been tasked to provide 65 combat air patrols (CAPs) on a daily basis using these types of aircraft. What is your view of the use of the Army's MQ–1 aircraft in Afghanistan?

General MATTIS. CENTCOM identifies its requirements for ISR through the Global Force Management process, Joint Urgent Operational Needs Statements, and Integrated Priority Lists. DOD and the Services determine how best to meet those requirements. The Air Force and the Army MQ–1 type aircraft offer complementary and additive capabilities that help to fulfill stated needs and both are crucial to the effort in Afghanistan.

11. Senator THUNE. General Mattis, shouldn't we be using these aircraft to augment the Air Force's capabilities in order to achieve the requested goal of 65 CAPs?

General MATTIS. As the Commander of CENTCOM, I am not in the best position to determine funding priorities or acquisition strategies for each Service. CENTCOM has substantial unmet ISR requirements and gladly accepts sourcing by both the Air Force and the Army. While 65 CAPs may be a goal of a single Service, if that were the end state for DOD ISR capacity, significant ISR capacity shortfalls within CENTCOM would remain.

12. Senator THUNE. General Mattis, with the drawdown of all combat troops in Iraq this August, and I assume this includes UAVs, what kind of immediate increase in capacity do you expect will be available to you in Afghanistan in terms of UAVs?

General MATTIS. There have never been enough UAVs to fully support requirements in Iraq and Afghanistan simultaneously, which has resulted in CENTCOM shifting UAVs from Iraq to Afghanistan over the last 18 months as the priority of effort for operations has shifted. There will be no immediate UAV dividend when force levels reach 50,000 and Iraq will continue to have UAV requirements for as long as we have troops there. Even after we withdraw the last of the troops from Iraq and we reapportion UAVs, we will still not meet the complete requirement for the theater.

13. Senator THUNE. General Mattis, do you believe 65 CAPs will still be required?

General MATTIS. Yes, the 65 CAP acquisition strategy is one aspect of a total Air Force global ISR capability. The ISR capacity provided by 65 Air Force CAPs only partially fulfills CENTCOM's ISR requirements. As such, the 65 Air Force CAPs plus the remainder of DOD ISR capacity are required for the foreseeable future.

14. Senator THUNE. General Mattis, how will this immediate increase in capacity aid with the counterinsurgency strategy of securing the Afghan population?

General MATTIS. There are not enough UAVs to support operations in Iraq and Afghanistan, which has resulted in CENTCOM shifting UAVs from Iraq to Afghanistan for more than 12 months as the priority of effort for operations shifted. There will be no immediate increase in ISR capacity in Afghanistan as a result of the drawdown in Iraq.

15. Senator THUNE. General Mattis, Secretary Gates has directed each Service to find savings of $2 billion in next year's budget. What synergies do you envision could be made between the Army and the Air Force with regard to unmanned capabilities and where do you think they can save money and reduce duplication?

General MATTIS. As a combatant commander, my interest is in the capability provided by the UAV and not the Service that provides that capability. All the Services use UAVs and even similar systems may have different sensors that support unique mission tasks. I view the Air Force and Army UAV programs as complementary rather than as competitive. We have and will continue to work with the Services to avoid duplication of capability and work together for cost savings when cooperative development is justified.

REINTEGRATION AND RECONCILIATION

16. Senator THUNE. General Mattis, several weeks ago, President Karzai convened the National Council for Peace, Reconciliation and Reintegration. Do you agree with his approach and how does this proposal contemplate dealing with Taliban leadership figures like Mullah Omar?

General MATTIS. Reintegration and reconciliation are Government of the Islamic Republic of Afghanistan programs. While I agree with and welcome President Karzai's approach, I recognize that more implementation details need to be developed by the Afghan Government, particularly at the sub-national level, to include the issuance of a Government of Afghanistan Joint Order. While the specific methods and outcomes for dealing with Taliban leadership figures have not yet been ar-

ticulated by the Government of Afghanistan, I would support proposals that ensure that individuals renounce violence against the Government of Afghanistan, live in accordance with the Afghan Constitution and law, and have no material ties to al Qaeda.

BRIEF TIMEFRAME OF THE SURGE

17. Senator THUNE. General Mattis, a report in the London Times last month quotes Brigadier General Frederick Hodges, U.S. Director of Operations in Southern Afghanistan, as saying "Our mission is to show irreversible momentum by the end of 2010—that's the clock I'm using . . . We'll never have more capacity than we have by late summer 2010. We'll never have it any better." Do you concur with General Hodges' assessment that we will either succeed or fail within the next 5 months in this area?

General MATTIS. I do not sense that declaring success or failure in the next 5 months was the point this officer was trying to make, but rather his mission is focused on using the additional resources being brought into Afghanistan to make observable progress. I do agree that by the end of 2010 our additional 30,000 troops will be in place and many of the additional troops offered by our partners will be in place by then, too. The next 5 months will be important and we will work to continue to achieve progress, but it will not be possible to declare success or failure in that timeframe.

18. Senator THUNE. General Mattis, if we will never have as many troops as we have right now, then is he right by saying that we have to win now?

General MATTIS. Coalition troops are only one part of the equation. I believe our strength will continue to grow as Afghan National Security Forces grow and develop. Over time, a range of other initiatives will mature—including advances in the Rule of Law, reintegration and reconciliation, the fight against corruption, and economic development—cumulatively adding weight to our effort. There are also important whole-of-government initiatives underway that will reinforce improvement in Afghan governance at all levels. We need to allow the time for these developments to occur.

19. Senator THUNE. General Mattis, with the recent death of al-Yazid, the third highest ranking leader in al Qaeda, after Osama bin Laden and Ayman al-Zawahiri, do you believe we have that momentum now? What will it take to keep that momentum?

General MATTIS. While the May 2010 death of al Qaeda #3 al-Yazid (Shaykh Said al-Masri) is a notable loss for the al Qaeda organization, his death is not a momentum changing event by itself. Al Qaeda has suffered serious leadership losses since late 2007 due to counterterrorism (CT) operations. The death of al-Yazid will most impact al Qaeda in the areas of training, financing, and the perception that Pakistan's Federally Administered Tribal Areas may no longer provide a viable safe haven. Al Qaeda, however, still has the ability to plan and conduct operations globally, as witnessed during the Christmas Day bombing attempt by al Qaeda in the Arabian Peninsula. To maintain momentum, we must continue to execute regional CT operations and to train, equip, build capacity/capability of, and where feasible, conduct joint operations with our regional partners.

20. Senator THUNE. General Mattis, if the next 5 months are so critical, what do you need from us on this committee in order to succeed?

General MATTIS. Your continued support of our efforts in the CENTCOM Area of Responsibility (AOR) remains vital for the next 5 months and the long-term. The 4 most critical areas are building the ANSF, providing the Afghan's with basic infrastructure, ensuring we can counter enemy messaging, and supporting the Afghanistan Reintegration program.

First, we need full funding to train and equip the Afghanistan National Security Forces (ANSF) through the Afghanistan Security Forces Fund. A competent and capable ANSF is an essential requirement for transition.

Second, we need flexibility and funding in the National Defense Authorization Act to enable us to address the basic needs for the average Afghan citizen. This flexibility should team us up with U.S. Agency for International Development to work on strategic infrastructure projects that will positively influence our counter-insurgency mission. We would welcome a transfer authority from the Commander's Emergency Response Program that would identify a specific amount for funding such infrastructure.

Third, we need to be able to execute Information Operations programs against insurgents in Afghanistan and Iraq, as well as violent extremists across the CENTCOM AOR. The information battle space in which this war is fought has become increasingly complex, with violent extremist groups displaying the necessary acumen to use emerging Internet conduits to recruit forces, solicit funding, share tradecraft, and spread their ideology. They use the information environment as a key line of effort for their campaigns, and they use kinetic attacks to enable their Information Operations and to kill and injure our forces, those of our partners, and innocent civilians. In Iraq, we have seen the value of U.S. and coalition Information Operations, specifically in terms of contributions to host-nation stability, the increase in support for democratic processes and the rule of law, and the reduction of the levels of violence. However, these successes are not irreversible. Indeed, our adversaries are continuing to exploit the information domain to try to reverse our gains.

Fourth, we need flexibility to support Afghanistan's Reintegration Program similar to how we are able to in fiscal year 2010, without the authority limitations in the House Armed Services Committee bill. The Current house bill restricts DOD from executing the program until the Department of State certifies they cannot execute the mission due to security reasons.

UNITY OF EFFORT/UNITY OF COMMAND

21. Senator THUNE. General Mattis, one of the issues I'm concerned about in light of events of the past week is unity of command and unity of effort. Going forward, one of the obvious issues in terms of unity of command that arises from your nomination to this post is that while you are the head of CENTCOM, your technical subordinate in Afghanistan, General Petraeus, is the previous head of CENTCOM. Do you foresee a problem in terms of unity of command in light of the fact that General Petraeus would be technically a subordinate to you in your position as head of CENTCOM? What assurances can you give us that this will not be an issue?

General MATTIS. General Petraeus and I share a similar view of the region. We have served together repeatedly: in the Pentagon; fighting together in Iraq; jointly developing the counterinsurgency manual when he was at Fort Leavenworth and I was at Quantico; and as fellow combatant commanders. He is a great soldier and joint warfighter who is fully attuned to both my and his responsibilities, especially having served in my position previously. I am confident through our close collaboration we will be able to successfully support and resource the effort to achieve our goals in Afghanistan and there will be no problem with unity of command in CENTCOM.

[The nomination reference of Gen. James N. Mattis, USMC, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
July 21, 2010.

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 United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be General

Gen. James N. Mattis, 7981.

[The biographical sketch of Gen. James N. Mattis, USMC, which was transmitted to the committee at the time the nomination was referred, follows:]

RÉSUMÉ OF GEN. JAMES N. MATTIS, USMC

Assigned: 9 Nov 07.

Projected Rotation: 9 Nov 10.

Education/Qualifications:
Central Washington State University, BS, 1971
National War College, MS, 1994
The Basic School, 1972
Amphibious Warfare School, 1978
Marine Corps Command and Staff College, 1985
National War College, 1994
Capstone, 2001
JFLCC, 2004
Pinnacle, 2006
Infantry Officer
Joint Qualified Officer

Date of rank: 9 Nov 07.

Date of birth: 8 Sep 50.

Date commissioned: 9 Feb 72.

MRD: 1 July 12.

Languages: None.

Commands:
Commanding General, I Marine Expeditionary Force; and Commander, U.S. Marine Corps Forces Central Command (Lt. Gen.: Aug. 06–Oct. 07).
Commanding General, Marine Corps Combat Development Command (Lt. Gen.: Oct. 04–Aug. 06).
Commanding General, 1st Marine Division (Maj. Gen.: Aug. 02–Aug. 04).
Deputy Commanding General, I Marine Expeditionary Force (BGen.: July 01–July 02)
Commanding Officer, 7th Marines, 1st Marine Division (Col.: June 94–June 96).
Commanding Officer, 1st Battalion, 7th Marines (Lt. Col.: Feb. 90–May 92).
Commanding Officer, Recruiting Station Portland, OR (Maj: Jun. 85–Aug. 88)

Joint assignments:
Senior Military Assistant to the Deputy Secretary of Defense (BGen: Mar. 00–June 01).
Executive Secretary, Office of the Secretary of Defense (Col: June 96–June 98).

Service staff assignments:
Director, Manpower Plans and Policies Division (BGen: Aug. 98–Feb. 00).
Head, Enlisted Assignments, Personnel Management Division (Lt. Col.: Apr. 92–Aug. 93).
Executive Officer, 7th Marines, 1st Marine Division (Lt. Col.: Aug. 89–Feb. 90).
Operations Officer, 7th Marines, 1st Marine Division (Lt. Col.: June 89–July 89).

[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. James N. Mattis, 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.)
James N. Mattis.

2. **Position to which nominated:**
Commander, U.S. Central Command.

3. **Date of nomination:**
July 21, 2010.

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 8, 1950; Pullman, WA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Single.

7. **Names and ages of children:**
None.

8. **Government experience:** List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.
None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, 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.
Member of U.S. Naval Institute.
Member of 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.
After approval from my Agency Ethics officials, I accepted the Center for National Policy's 2009 Edmund S. Muskie Distinguished Public Service Award and the Atlantic Council's 2010 Distinguished Military Leadership Award.

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.

[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

GEN. JAMES N. MATTIS, USMC.

This 17th day of July, 2010.

[The nomination of Gen. James N. Mattis, USMC, was reported to the Senate by Chairman Levin on August 4, 2010, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on August 5, 2010.]

NOMINATIONS OF JONATHAN WOODSON, M.D., TO BE ASSISTANT SECRETARY OF DEFENSE FOR HEALTH AFFAIRS; NEILE L. MILLER TO BE PRINCIPAL DEPUTY ADMINISTRATOR, NATIONAL NUCLEAR SECURITY ADMINISTRATION; AND ANNE M. HARRINGTON TO BE DEPUTY ADMINISTRATOR FOR DEFENSE NUCLEAR NONPROLIFERATION, NATIONAL NUCLEAR SECURITY ADMINISTRATION

TUESDAY, AUGUST 3, 2010

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

The committee met, pursuant to notice, at 2:34 p.m. in room SD–G50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, McCain, Thune, Wicker, and Brown.

Committee staff member present: Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Jonathan D. Clark, counsel; Madelyn R. Creedon, counsel; Gabriella Eisen, counsel; Gerald J. Leeling, counsel; and Peter K. Levine, general counsel.

Minority staff members present: Joseph W. Bowab, Republican staff director; Daniel A. Lerner, professional staff member; Diana G. Tabler, professional staff member; Richard F. Walsh, minority counsel; and Dana W. White, professional staff member.

Staff assistants present: Hannah I. Lloyd and Breon N. Wells.

Committee members' assistants present: Daniel Trope, assistant to Senator Bayh; Roger Pena, assistant to Senator Hagan; Lenwood Landrum, assistant to Senator Sessions; Jason Van Beek, assistant to Senator Thune; and Erskine Wells III, assistant to Senator Wicker.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good afternoon, everybody. The committee meets today to consider the nominations of Jonathan Woodson to be Assistant Secretary of Defense for Health Affairs, Neile Miller to be the Principal Deputy Administrator of the National Nuclear Security Administration (NNSA), and Anne Harrington to be Dep-

uty Administrator for Defense Nuclear Nonproliferation of the NNSA.

We welcome our nominees and their families to today's hearing. We appreciate the long hours and the other sacrifices that our nominees are willing to make to serve our country, and their families also deserve our thanks for the support that they provide that is so essential to the success of these officials. When we call on you for your opening statements, we will give you an opportunity to introduce your family members if they are with you today.

Jonathan Woodson has been nominated to be Assistant Secretary of Defense for Health Affairs, and if confirmed, he will be principal adviser to the Secretary of Defense on healthcare policies, programs, and activities and will be responsible for administering the $50 billion military health system. Dr. Woodson is well qualified for this position as a result of his extensive experience as an Associate Professor of Surgery and Associate Dean at the Boston University School of Medicine, Adjunct Professor of Surgery at the Uniformed Services University of the Health Sciences, and Fellow and Governor of the American College of Surgeons.

Perhaps most important, Dr. Woodson is a brigadier general in the Army Reserve, has seen military medical care firsthand during deployments to Kosovo, to Central America, to Saudi Arabia for Operation Desert Storm, and to Iraq and Afghanistan for Operation Iraqi Freedom and Operation Enduring Freedom.

Our other two nominees have been nominated for positions at the NNSA. Neile Miller has been nominated to be the Principal Deputy Administrator of the NNSA, and if confirmed, Ms. Miller will be the chief operating officer of the NNSA at a time when the NNSA faces the challenging task of constructing two major technically complex multi-billion dollar facilities.

The two new facilities, one at the NNSA Oakridge Y–12 plant and the other at the Los Alamos National Laboratory, will be a significant challenge, but they are essential to the long-term ability of the NNSA to maintain the nuclear stockpile. Ensuring that the requirements are well defined and that the design is sufficiently mature to support a fully independent cost estimate will be just the beginning of the challenges that Ms. Miller would face if she is confirmed.

Her background at the Office of Management and Budget (OMB) and the experience she has gained in her current position as the Director of the Office of the Budget at the Department of Energy (DOE) should help her in this effort.

Anne Harrington has been nominated to be the Deputy Administrator for Defense Nuclear Nonproliferation, and if she is confirmed, Ms. Harrington will have the challenge of managing the substantial growth plan for the nonproliferation programs at the NNSA. She will also have a large, technically complex project to complete—the mixed oxide fuel facility complex at the Savannah River site.

Ms. Harrington is well qualified for these tasks by virtue of her extensive background managing nonproliferation programs. In the very early days of the Nunn-Lugar Cooperative Threat Reduction program, she was instrumental in getting the program off to a successful start. Since that time, she has worked to coordinate the ac-

tivities of the Departments of State, Energy, and Defense in ongoing nonproliferation efforts.

Senator McCain.

STATEMENT OF SENATOR JOHN MCCAIN

Senator MCCAIN. Thank you, Mr. Chairman.

I join you in welcoming our nominees and their families, and I thank them for their willingness to serve in these key leadership positions.

As you mentioned, Dr. Woodson has been nominated to be Assistant Secretary of Defense for Health Affairs. He is an accomplished physician, administrator, educator, and soldier.

Having served in the Army Reserve as a medical officer for over 20 years, he has a distinguished record of Active Duty service, having deployed to the Middle East during Operation Desert Storm, to Kosovo with Task Force Falcon, and again to the Central Command area of responsibility in support of Operations Enduring Freedom and Iraqi Freedom. He has staffed and commanded combat support hospitals, forward surgical teams, and medical brigades. Dr. Woodson is currently assigned as Assistant Surgeon General for Reserve Affairs, et cetera.

The challenges facing the Department of Defense (DOD) and the Defense Health Program in providing care to over 9.5 million eligible beneficiaries and sustaining the All-Volunteer Force are well documented. Ensuring continued world-class healthcare, including mental health support, in theater and at home to our wounded warriors and their families is essential.

Improving the seamless transition of healthcare between DOD and the Department of Veterans Affairs (VA) has to be one of your top priorities, as well as working to make military service and careers in military healthcare professions attractive to students and practitioners alike. I look forward to your testimony about these issues, and I am grateful for your career of service.

Ms. Neile Miller has been nominated to be the Principal Deputy Administrator for the NNSA. Ms. Miller currently is the Director of the Office of Budget at DOE and, if confirmed, will bring over 20 years of experience in the fields of nuclear energy, defense policy, and budget analysis at OMB and in the DOE, to NNSA.

NNSA is responsible for the management and security of the Nation's nuclear weapons, nuclear nonproliferation, and naval reactor programs. If confirmed as Principal Deputy Administrator, Ms. Miller will perform an essential role in continuing management reform, recapitalizing infrastructure, and ensuring that each dollar spent assists our friends and partners in reducing the global nuclear threat and guarantees the quality and reliability of our own nuclear deterrent.

Ms. Anne Harrington is the nominee to be Deputy Administrator for Defense Nuclear Nonproliferation. Currently she is the Director of the U.S. National Academy of Sciences Committee on International Security and Arms Control. She served in the Department of State from 1990 through 2005, where she worked on nonproliferation cooperative threat reduction programs aimed at preventing the proliferation of weapons of mass destruction (WMD) and missile expertise from Russia and Eurasia.

Ms. Harrington was instrumental in shaping our arms control policies in the aftermath of the Cold War and clearly understands the need for a transparent common roadmap to reduce the threat of proliferation.

One of the greatest threats we face is the possibility that terrorists or rogue states will acquire nuclear weapons or other WMD. NNSA, through its Office of Defense Nuclear Nonproliferation, works closely with a wide range of international partners, key U.S. Federal agencies, U.S. national laboratories, and the private sector to detect, secure, and dispose of nuclear and radiological material and related WMD technology and expertise. I believe that Ms. Harrington is well qualified for this key national security role.

I look forward to the testimony of the nominees today, and I thank them and their families for their service to our Nation.

[The prepared statement of Senator McCain follows:]

PREPARED STATEMENT BY SENATOR JOHN MCCAIN

Thank you, Senator Levin.

I join you in welcoming our nominees and their families, and I thank them for their willingness to serve in these key leadership positions.

Dr. Woodson has been nominated to be Assistant Secretary of Defense for Health Affairs. He is an accomplished physician, administrator, educator, and soldier, having served in the Army Reserve as a medical officer for over 20 years. Dr. Woodson has a distinguished record of Active-Duty service having deployed to the Middle East during Operation Desert Storm, to Kosovo with Task Force Falcon, and again to the Central Command area of responsibility in support of Operations Enduring Freedom and Iraqi Freedom. He has staffed and commanded combat support hospitals, forward surgical teams, and medical brigades. Dr. Woodson is currently assigned as Assistant Surgeon General for Reserve Affairs, Force Structure, and Mobilization in the Office of the Army Surgeon General and is dual hatted as Deputy Commander, Army Reserve Medical Command.

The challenges facing the Department of Defense (DOD) and the Defense Health Program in providing care to over 9.5 million eligible beneficiaries and sustaining the All-Volunteer Force are well documented. Ensuring continued world class health care, including mental health support, in theater and at home to our wounded warriors and their families is essential. Improving the seamless transition of health care between DOD and the Veterans' Administration has to be one of your top priorities, as well as working to make military service and careers in military health care professions attractive to students and practitioners alike. I look forward to your testimony about these issues, and am grateful for your career of service.

Ms. Neile Miller has been nominated to be the Principal Deputy Administrator for the National Nuclear Security Administration (NNSA). Ms. Miller currently is the Director of the Office of Budget at the U.S. Department of Energy, and, if confirmed, will bring over 20 years of experience in the fields of nuclear energy, defense policy, and budget analysis at the Office of Management and Budget and in the Department of Energy to NNSA.

The NNSA is responsible for the management and security of the Nation's nuclear weapons, nuclear nonproliferation, and naval reactor programs. If confirmed as Principal Deputy Administrator, Ms. Miller will perform an essential role in continuing management reform, recapitalizing infrastructure, and ensuring that each dollar spent not only assists our friends and partners in reducing the global nuclear threat and guaranteeing the quality and reliability of our own nuclear deterrent.

Ms. Anne Harrington is the nominee to be Deputy Administrator for Defense Nuclear Nonproliferation. She is currently the Director of the U.S. National Academy of Sciences' Committee on International Security and Arms Control. She served in the Department of State from 1990 through 2005 where she worked on nonproliferation and cooperative threat reduction programs aimed at preventing the proliferation of weapons of mass destruction (WMD) and missile expertise from Russia and Eurasia. Ms. Harrington was instrumental in shaping our arms control policies in the aftermath of the Cold War, and clearly understands the need for a transparent, common roadmap to reduce the threat of proliferation.

One of the greatest threats we face is the possibility that terrorists or rogue States will acquire nuclear weapons or other WMD. The NNSA through its Office

of Defense Nuclear Nonproliferation, works closely with a wide range of international partners, key U.S. Federal agencies, the U.S. national laboratories and the private sector to detect, secure and dispose of nuclear and radiological material and related WMD technology and expertise. You are very well qualified for this key national security role.

I look forward to the testimony of the nominees today, and I again thank them and their families for their service.

Chairman LEVIN. Thank you, Senator McCain.

Now let me ask you all the standard questions that we ask of all nominees before this committee. You can answer together.

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

[All witnesses answered in the affirmative.]

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

[All witnesses answered in the negative.]

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

[All witnesses answered in the affirmative.]

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

[All witnesses answered in the affirmative.]

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

[All witnesses answered in the affirmative.]

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

[All witnesses answered in the affirmative.]

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?

[All witnesses answered in the affirmative.]

Chairman LEVIN. Thank you very much.

Dr. Woodson, I think we are going to start with you for your statement and your introductions, if you have any.

STATEMENT OF JONATHAN WOODSON, M.D., NOMINEE TO BE ASSISTANT SECRETARY OF DEFENSE FOR HEALTH AFFAIRS

Dr. WOODSON. Mr. Chairman, Senator McCain, members of the committee, thank you very much for this opportunity to appear before you today.

I am honored to have been nominated by the President to serve as the Assistant Secretary of Defense for Health Affairs, and I thank Secretary Gates for his support.

If confirmed, I pledge to apply my experience and my best efforts to work with the Under Secretary of Defense for Personnel and Readiness, the Service Surgeons General, and Congress to promote and safeguard the health of military personnel and their families and deliver the best medical care to the wounded warriors and all DOD beneficiaries. You will always receive my candid assessment.

With me today are my wife, Sherril, and my daughter, Sarah. My son, Jonathan, could not be here today. My family has always supported and served alongside of me throughout my career. Families are important, and those of us who have served in the military understand that when we raise our right hand and swear to protect and defend this great Nation, we not only commit ourselves to this mission, but our loved ones as well. Without our families, we could not have the greatest military in the world.

If confirmed, I will collaboratively work with leaders from other DOD components, intradepartmental Government agencies, and civilian organizations to tackle the challenges that confront the military health system to create new opportunities and solutions to advance military health, its mission, and its benefits to its beneficiaries.

I understand that the portfolio for the Assistant Secretary of Defense for Health Affairs is broad and includes policy and programmatic issues related to force health protection, readiness, wounded warrior care, deployment health, medical education and training, medical research, humanitarian disaster response, in addition to TRICARE benefits, and other global health issues.

I will draw upon my career experiences as a military medical officer and leader, healthcare administrator, teacher, researcher, and physician to engage others, set the vision, and motivate and inspire others to work toward common goals.

I have always been personally inspired by the commitment and dedication of our soldiers, sailors, airmen, marines, and coast guardsmen. The highlight of my career as a surgeon has been caring for the wounded warriors on the battlefield. These talented young men and women, who have been asked to shoulder the responsibilities for defending this Nation and have suffered the consequences of nearly a decade of war, deserve the best medical care both at home and abroad.

Specifically, I will work with Congress and sister agencies on finding the most effective strategies for preventing suicide, preventing and treating post-traumatic stress disorder (PTSD) and traumatic brain injury, and enhancing medical readiness of our military forces.

I look forward to working with Secretary Shinseki on improving the medical evaluation board and disability evaluation system and processes to produce a servicemember-centered, streamlined process that produces efficient handoffs from Active service to veteran status. I understand that we must do this while keeping in mind that we have to be good stewards of public resources as we enter a resource-constrained time in our Nation's history.

Over the past few years, Congress has been a great partner in supporting the military members, raising concerns, asking hard questions, and demanding answers when appropriate. If confirmed, I look forward to your continuing engagement and support.

I cannot complete these opening remarks without expressing my admiration for the men and women who are the heart and soul of the military health system. These true professionals have soldiered alongside their combat arms colleagues and acted as a force multiplier. They deserve not only accolades, but real assistance in helping them to perform their jobs better and more efficiently.

If confirmed, I pledge to pursue diligently and expeditiously the implementation of a new electronic health record, which will not only serve all servicemembers well, but give the healthcare providers decision support tools to enhance their ability to deliver quality care, which we can simply define as the right care at the right time, in the right amount, at the right cost, that is safe and patient centered.

I believe the military health system has the ability to establish new models in the delivery of medical care, evidence-based treatment algorithms, and medical education that the civilian sector will want to emulate.

I thank the committee and you, Mr. Chairman, for the privilege and opportunity to make these opening remarks, and I stand ready to answer questions that you have for me.

Chairman LEVIN. Thank you very much, Dr. Woodson.

Ms. Miller?

STATEMENT OF NEILE L. MILLER, NOMINEE TO BE PRINCIPAL DEPUTY ADMINISTRATOR, NATIONAL NUCLEAR SECURITY ADMINISTRATION

Ms. MILLER. Mr. Chairman, Senator McCain, members of the committee, thank you very much for the opportunity to appear before you today.

I am honored to be nominated by the President to serve as the Principal Deputy Administrator of the National Nuclear Security Administration.

I am also very grateful for the confidence placed in me by Secretary Chu and Administrator D'Agostino in recommending me for this position, and I am excited about the opportunity to serve as a member of the NNSA leadership team.

Only part of my family is here with me today. My husband, Dr. Werner Lutze, and our sons, Max Lutze and Daniel Lutze, are waiting for me to rejoin them in Italy as we continue our vacation. I thank them for their endless enthusiastic support and understanding, without which nothing I do would be possible.

However, I am delighted that my mother, Belle Miller, and my sisters, Lisa Miller and Abbey Kreinik, are here with me today. I consider myself truly blessed to have always been able to count on their love and support, as well as that of my late father, Arthur Miller.

I would like to thank the members of this committee for your strong support for the NNSA mission. If confirmed, I look forward to working closely with you and your respective staffs in carrying out to the best of my abilities the duties and responsibilities of the Principal Deputy Administrator.

The NNSA has been charged by the President and Congress with the principal responsibility for carrying out the Nation's nuclear security agenda. Even as the Senate prepares to deliberate further reductions in the Nation's arsenal of strategic nuclear weapons, the challenges facing the NNSA are increasing. This committee is very aware of the challenges facing the NNSA, and I am greatly appreciative of their support in the annual NNSA authorization process.

Based on my prior experience as a senior analyst at OMB and, most recently, as the senior career executive at the DOE's Office

of Budget, I have gained a unique set of qualifications and experiences to serve as the Principal Deputy Administrator.

Over the past 10 years, I have developed a detailed knowledge of the programs, the budgets, and the personnel of the NNSA, from both the OMB as well as the secretarial perspectives. I am well aware of the significant challenges facing the NNSA in implementing the national security policies established by the President and Congress.

If confirmed by the Senate for this position, I plan to work closely with the Administrator in making the difficult decisions needed to ensure that the Nation's nuclear security enterprise operates in the most effective and efficient manner possible. It is my intention to focus my efforts in three areas.

First, I will strive for excellence in the execution of the major new projects assigned to the NNSA for implementation. These investments are needed to ensure the safe and efficient operation of the nuclear weapons complex. These projects must meet our national security objectives with an increased attention to the Federal budget. Plus, it is important that the NNSA be agile as well as efficient in project execution.

Second, I plan to work to maintain and strengthen the scientific and technological basis for NNSA activities so that we will be adequately prepared to meet the demanding challenges of the future. History has repeatedly shown that a robust science and technology capability is the best way to prepare for future uncertainties.

Third, I will lead efforts to improve the professional capabilities of the NNSA staff. My Federal career experience at OMB and DOE has taught me the key role of the professional staff in ensuring effective program execution. If confirmed for this position, I intend to work constructively with the NNSA career managers and staff to develop the institutional capabilities to ensure continuous improvement in NNSA program execution and performance.

In closing, I commit to communicating with you and your staffs in a timely and highly effective manner to further the overall goals and objectives of the NNSA. With your approval, it would be my great privilege to serve as the Principal Deputy Administrator of the NNSA.

I sincerely appreciate the opportunity to appear before you today, and I look forward to your questions.

Thank you.

[The prepared statement of Ms. Miller follows:]

PREPARED STATEMENT BY NEILE MILLER

Mr. Chairman, Senator McCain, and members of the committee: I am honored to be nominated by the President to serve as the Principal Deputy Administrator of the National Nuclear Security Administration (NNSA). I am also very grateful for the confidence placed in me by Secretary Chu and Administrator D'Agostino in recommending me for this position. I am very excited about this opportunity to serve as a member of the NNSA senior leadership team.

Only part of my family is here with me today. My husband, Dr. Werner Lutze, and our sons, Max and Daniel Lutze, are waiting for me to rejoin them in Italy as we continue our vacation. I thank them for their endless, enthusiastic support and understanding, without which nothing I do would be possible. However, I am delighted that my mother, Belle Miller, and my sisters, Lisa Miller and Abbey Kreinik, are here with me today. I consider myself truly blessed to have always been able to count on their love and support, as well as that of my late father, Arthur Miller.

I would like to thank the members of this committee for your strong support of the NNSA mission. If confirmed, I look forward to working closely with you and your respective staffs in carrying out to the best of my abilities the duties and responsibilities of the Principal Deputy Administrator.

The NNSA has been charged by the President and Congress with the principal responsibility for carrying out the Nation's nuclear security agenda. Even as the Senate prepares to deliberate further reductions in the Nation's arsenal of strategic nuclear weapons, the challenges facing the NNSA continue. I am greatly appreciative of the support provided by the committee in the annual NNSA authorization process to help us meet these challenges and our nuclear security mission.

Based on my prior experience as a senior analyst at the Office of Management and Budget (OMB), and most recently, as the senior career executive at the Department of Energy's Office of Budget, I have gained a unique set of qualifications and experiences to serve as the Principal Deputy Administrator. Over the past 10 years, I have developed a detailed knowledge of the technical programs, budgets, and personnel of the NNSA, from both the OMB as well as the Secretarial perspectives. I am well aware of the significant responsibilities facing the NNSA in implementing national security policies established by the President and Congress.

If confirmed by the Senate for this position, I plan to work closely with the Administrator in making the difficult decisions needed to ensure that the Nation's Nuclear Security Enterprise operates in the most effective and efficient manner possible. It is my intention to focus my efforts in three areas:

First, I will strive for excellence in the execution of the major new projects assigned to the NNSA for implementation. These investments are needed to ensure the safe and efficient operation of the nuclear weapons complex. These projects must meet our national security objectives with an increased attention to the Federal budget. Thus, it is important that NNSA be agile as well as efficient in project execution.

Second, I plan to work to maintain and strengthen the scientific and technological basis for NNSA activities, so that we will be adequately prepared to meet the demanding challenges of the future. History has repeatedly shown that a robust science and technology capability is the best way to be prepared for future uncertainties.

Third, I will lead efforts to improve the professional capabilities of the NNSA staff personnel. My Federal career experience at OMB and DOE has taught me the key role of the professional staff in ensuring effective program execution. If confirmed for this position, I intend to work constructively with NNSA career managers and staff to develop the institutional capabilities to ensure continuous improvement in NNSA program execution and performance.

In closing, I commit to communicating with you, and your staffs, in a timely and highly effective manner to further the overall goals and objectives of the NNSA.

With your approval, it would be my great privilege to serve as the Principal Deputy Administrator of the NNSA. I sincerely appreciate the opportunity to appear before you today. I look forward to your questions, and I thank you for your consideration.

Chairman LEVIN. Thank you, Ms. Miller.

Ms. Harrington.

STATEMENT OF ANNE M. HARRINGTON, NOMINEE TO BE DEPUTY ADMINISTRATOR FOR DEFENSE NUCLEAR NONPROLIFERATION, NATIONAL NUCLEAR SECURITY ADMINISTRATION

Ms. HARRINGTON. Mr. Chairman, Senator McCain, and members of the committee, I am honored to appear before you as the nominee for Deputy Administrator for Defense Nuclear Nonproliferation at the Department of Energy's National Nuclear Security Administration.

I am grateful to President Obama for nominating me for this position and for the confidence expressed by Secretary Chu and Administrator D'Agostino in his selection.

I am very fortunate to have the support of a wonderful family, most of which could not be here today. My mother, Margaret LaRocque, lives in northern New York. My daughter, Meredith

Lynch, is finishing her dissertation at the University of St. Andrews in Scotland. My sister, Eileen Wetmiller, and my brother, George Harrington, also were not able to be here.

I am delighted that my son, Owen Lynch, a student at Virginia Tech majoring in physics and philosophy, is here. Finally, I would like to thank my friends and colleagues who are here to support me today.

I have devoted the last 20 years of my career to preventing the proliferation of WMD, first in the Department of State and for the last 5 years at the National Academy of Sciences. Those experiences have demonstrated the enormous challenges facing us every day and also demonstrate the incredible value that rests in developing partnerships, both without our Government and with others, to accomplish the tasks that we must confront.

Mr. Chairman, I am truly humbled by the opportunity President Obama has given me. If confirmed, I pledge to work closely with you and with this committee to strengthen the Nation's security against nuclear threats.

I thank you for your consideration and welcome any questions you may have.

[The prepared statement of Ms. Harrington follows:]

PREPARED STATEMENT OF ANNE M. HARRINGTON

Mr. Chairman, Senator McCain, and members of the committee, I am honored to appear before you as the nominee for Deputy Administrator for Defense Nuclear Nonproliferation at the Department of Energy's National Nuclear Security Administration. I am grateful to President Obama for nominating me for this important position and for the confidence expressed by Secretary Chu and Administrator D'Agostino in his selection.

I am very fortunate to have the support of a wonderful family, most of which could not be here today. My mother, Margaret LaRocque, lives in northern New York, and my daughter, Meredith Lynch, is finishing her dissertation at the University of St. Andrews in Scotland. I am delighted that my son, Owen Lynch, a student at Virginia Tech majoring in physics and philosophy, is here. Finally, I would like to thank my friends and colleagues who are here today to support me.

I have devoted the last 20 years of my career to preventing the proliferation of weapons of mass destruction, first in the Department of State and for the last 5 years at the National Academy of Sciences.

Mr. Chairman, I am truly humbled by the opportunity President Obama has given me, and if confirmed, I pledge to work closely with you and this committee to strengthen the Nation's security against nuclear threats at the NNSA. I thank you for your consideration and welcome any questions you may have.

Chairman LEVIN. Thank you very much, Ms. Harrington.

Let us try a 7-minute round for questioning. First, Dr. Woodson, the Defense Health Program budget request, including retiree healthcare costs, has tripled from $16.6 billion in 2001 to $51.7 billion in 2011. That is a huge increase, way above inflation in 10 years.

Secretary Gates made the statement last year that, "Healthcare is eating the Department alive." In February of this year, he said that he "would like to work with Congress in figuring out a way to try and bring some modest control to this program."

If you are confirmed, what would you do to try to address the rising costs of providing healthcare to our almost 10 million eligible beneficiaries?

Dr. WOODSON. Thank you, Mr. Chairman, for that question.

Obviously, the cost of healthcare is a concern not only in the military, but in the civilian population as well. I think, going forward, what we would need to do is work with a number of constituents and try and stem the rise of that cost.

One opportunity is to look at more cost efficient care and do appropriate research in terms of therapies that are really effective. There is a lot of potential waste in the way we deliver care because of the culture of medicine, and there is opportunity to decrease the variability in care that might result in cost savings.

We need to look at the issue of inter-Service coordination within the military health system and see where we can streamline measures there as well to increase the efficiency of the administrative process.

There are a lot of other ideas and issues that need to be looked at, researched and developed, but those are two off the top of my head.

Chairman LEVIN. One of the areas where there is a great deal of waste in the medical world has to do with the lack of use to date of electronic health records. We have taken some steps in a number of bills to try to promote this.

But it is also important in terms of providing good care to our beneficiaries that there be a seamless transition between DOD and the VA healthcare systems so that we can share medical records of servicemembers who are moving from one system into another, and so we can share those records.

In addition, there is still a lack of adequate interoperability between the DOD and the VA electronic record systems and the outside civilian contractors. I am wondering—and you made reference to this in your opening comments, Dr. Woodson—can you give us your assessment of the strengths and the weaknesses of the DOD's electronic health record system called AHLTA [Armed Forces Health Longitudinal Technology Application]. How would you compare that system, that information technology system to the system which is used in civilian medicine today?

Dr. WOODSON. Again, thank you for that question.

First, I would make a comment that I don't think you can find a common system within the civilian sector. Electronic health records are not that ubiquitous, number one, in healthcare systems. But number two, they utilize a number of off-the-shelf and homegrown technology to create the electronic health records. As a result, many don't talk to each other at all.

It has been my experience, working both within the military health system and outside, that, actually, the AHLTA system is a little bit ahead of the curve. The problem with the AHLTA system is that it was developed mainly to capture a lot of administrative data. So, from the health provider user end, it is not an efficient tool to take care of patients.

It is a little bit cumbersome. The various databases don't talk to each other, and it doesn't provide the decisionmaking tools to lead to efficient provider care that might actually reduce the cost of care.

For example, decisionmaking tools on the right antibiotic at the right time, the issue that might lead to a safer use of drugs. For

example, if you are going to use an antibiotic that might affect the kidneys, what the proper dosage should be.

The issue is that it has a lot of administrative features to it that don't help the provider, and so, that would need to be reformed.

Chairman LEVIN. Is this system, the AHLTA system, used between DOD and the VA, and between the two of them and the outside contractors?

Dr. WOODSON. Once again, I think the VA has a different system. The military health system has another electronic medical record. Then when you go out in the civilian world, there are a lot of varieties and flavors of electronic health records, and that is part of the problem.

Looking ahead to 2015, of course, in some of the legislation that has been passed, the whole idea is to create some common properties of electronic health records so that they can talk to each other and information can be shared.

Chairman LEVIN. So the VA and DOD are not now talking to each other through the AHLTA system?

Dr. WOODSON. Currently, there are a lot of efforts underway to be able to share the information. I don't think it is there yet.

Chairman LEVIN. Okay. Now we, as a Congress, are extremely concerned about the increase in suicides in each of the Services over the last several years. Can you give us some of your thoughts on what role you might play in addressing that tragic problem?

Dr. WOODSON. Thanks again for that question. Of course, it has been of significant concern to both Members of Congress and a number of officials within the military health system, as well as providers and the Joint Chiefs of Staff.

General Chiarelli came out with this report last week of a Department of the Army study, and I thank General Chiarelli for undertaking that effort. What he has done, I think, is painted a holistic picture of the many complex issues that come into the issue of suicide. He has made some 250 recommendations, some of which fall in the lane of health affairs and others within the institutional Army.

The issue really is, I think, we have a better profile of who is at risk. Clearly, perhaps on the front end, we need to do a better job of screening candidates that might come into the military and see if they are fit to remain in the military. It appears that first year and that first tour and that first enlistment is a vulnerable period.

We need to build resiliency training into the basic introduction of recruits into the military. Then, of course, we have to do better longitudinal assessments of their behavioral health needs. We are beginning to understand what the markers are for soldiers at risk—those with failed relationship, financial difficulty, drug and alcohol abuse.

There is a piece of this that can be, I think, fixed with better monitoring and adherence to discipline. I think General Chiarelli has come up with a number of very good recommendations that we will have to examine further and help implement.

Chairman LEVIN. Thank you, Doctor.

Senator McCain.

Senator MCCAIN. Doctor, do you agree with Secretary Gates's statement, "Healthcare costs are eating the department alive?"

Dr. WOODSON. I agree with that statement, and there has been——

Senator MCCAIN. Can you give me a couple of specific examples of steps that you think could be taken right away?

Dr. WOODSON. Sir, once again, I think Senator——

Senator MCCAIN. Specific examples.

Dr. WOODSON. Right. I think we have to look at the inter-Service coordination to decrease some of the administrative costs of administering the healthcare system—the training costs, the cost of running military health facilities. These are things that we can look at.

Senator MCCAIN. Again, I would like to hear a specific example. Is that by putting health records online? In other words, it is nice to say we could do a better job, but I would like a couple of specific examples.

Dr. WOODSON. I think we can decrease the administrative costs. So I think each——

Senator MCCAIN. How do you do that?

Dr. WOODSON.—each of the Services——

Senator MCCAIN. How do you decrease the administrative costs?

Dr. WOODSON. Each of the Services has a structure that supports their delivery of care. As a result, if you have better coordination, you can reduce that structure.

We also have to look at the delivery of healthcare within each military health facility. I think the electronic health record also, because it will be more efficient and have decisionmaking tools, will reduce the variability in care so that the individual practitioner will not be ordering extra tests, if you will, that add to the cost of delivering care.

Senator MCCAIN. You have a very tough job, Doctor, and the fact is that healthcare is really an incredibly increasing cost burden. I hope that as you get into your job more heavily, you will be able to give this committee some very specific ideas. I understand your answer, but we have to come up with some specific ideas and proposals, and I thank you for your willingness to serve.

Ms. Miller, we have had the directors of the laboratories, as well as the former directors here before the committee. I hope you will consult with both former as well as present directors of the laboratories. I think there is a lot of knowledge and wisdom from past experience, as well as present experience.

Ms. MILLER. I absolutely will be doing that, and I can add that from a long career of working in and around DOE's laboratories, both the Defense laboratories as well as the others, I have had the opportunity to develop relationships over the years with many who were directors when I first met them and are now former directors, as well as the current directors. Even in my capacity at OMB, these have been ongoing relationships that I have had and certainly will continue to do so.

Senator MCCAIN. Thank you.

Ms. Harrington, what is your assessment of the ability of Pakistan to secure their nuclear material and prevent proliferation?

Ms. HARRINGTON. Thank you for your question.

That is a complicated issue, and I think if you give me the opportunity to be fully briefed on that subject, I would like to come back

to talk to you and the rest of the committee, probably in a classified environment.

Senator MCCAIN. Would you rather we do that before or after your confirmation? [Laughter.]

Ms. HARRINGTON. Since I still have a day job at the National Academy of Sciences, it probably would be more appropriate afterwards.

Senator MCCAIN. But you do not have previous experience with the issue of the Pakistani nuclear stockpile?

Ms. HARRINGTON. I have had some contact with Pakistan in my current position. I visited there several years ago where we were hosted by General Kidwai and others involved in the Pakistani military. But specific questions on the security and safety of their stockpile were beyond the range of those discussions.

Senator MCCAIN. Do you believe that the A.Q. Khan network is still functioning? In other words, are they still providing expertise and equipment to other nations on nuclear weapons?

Ms. HARRINGTON. In my current position, I do not have full access to the intelligence that would allow me to give a comprehensive answer to that, but I think we must always be vigilant, and we must always assume that there are those who would sell expertise or sell technology for their own personal——

Senator MCCAIN. I was speaking specifically of the A.Q. Khan network.

Ms. HARRINGTON. Again, I would have to say I don't have the full benefit of intelligence to be able to answer your question, but I am happy to do that when I am fully briefed.

Senator MCCAIN. Thank you.

Again, Dr. Woodson, you have a very tough job. On the issue of suicides, it is a very serious question, and the thing that I don't quite understand is it does not seem to be related with deployment. It seems to be related to other issues which are hard for us to really grasp, but it is obvious that it is a serious issue.

We have made great progress in the transition from Active Duty military care to VA care, but there still emerges quite often glitches, problems, delays, paperwork, or computer work, and I hope you will continue to look at that aspect of your responsibilities.

I know every member of this committee spends a great deal of time with our constituents who come to us and are veterans who have not received either timely or, in their view, appropriate addressing of the issues that arose as part of their military service. I hope you will pay close attention to that.

I know you will. But your major challenge is to get this cost under control, and frankly, I don't know if you can do it, isolate military healthcare from the overall rising cost of healthcare in America. Maybe next January, when we repeal and replace Obamacare, we will have a better shot at it.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCain.

Senator Wicker.

Senator WICKER. Thank you very much.

I appreciate all three witnesses coming, and I appreciate their families joining them.

I do want to talk to Dr. Woodson a little more. You do have a tough job. There is no question about it. There is also no question that you bring some unique qualifications to this job, should you be confirmed.

Not only are you a very experienced vascular surgeon, but you served in the Army Reserve as Assistant Surgeon General for Reserve Affairs, Force Structure and Mobilization. I believe it is also correct that you are Deputy Commander of the Army Reserve Medical Command. Is that correct?

Also, you have been there. You have served us in Saudi Arabia with Operation Desert Storm, also in Kosovo, Operation Enduring Freedom, Operation Iraqi Freedom, and also you responded in New York City to the September 11 attack. Is that all correct?

Dr. WOODSON. Yes, Senator.

Senator WICKER. Thank you very much for your service there. I do think that will bring a great deal of experience to this very tough job you have.

We are saving a lot more of our troops that are injured. While we grieve the fatalities that we have and we regret the injuries we have, we do have to celebrate the fact that we are bringing a lot more people back to treat their injuries, rather than losing their lives on the field of battle.

This affects our doctors and our medical personnel, no question about it. The length of deployments is decreasing for doctors and medics, but the rate of deployment among these personnel is increasing.

Do you agree, Doctor, with the recent Government Accountability Office (GAO) report stating that military medical physicians are in high demand, and the Services have been consistently unable to meet their authorization levels?

Dr. WOODSON. I believe that is true. We have seen, particularly in the Army Reserve, that we are now at about 89 percent of fill rate for some of these professionals.

Senator WICKER. Okay. Would you characterize the shortages among medical professionals, including physicians, dentists, nurses, and the like as—would you characterize those shortages as severe at this time?

Dr. WOODSON. I would not characterize them as severe, but we need to implement some new strategies to ensure that we have the members in the ranks that we need for the future.

Senator WICKER. All right. You may find yourself at odds with a majority of the members of this committee and with the leadership of this committee. One of the questions submitted to you by the joint leadership of this committee states flatly under the term "Medical Health Professional Recruiting and Retention," and I quote, "The DOD is facing severe shortages of military medical professionals, including physicians, dentists, nurses, and needed for its peacetime and wartime missions."

As a matter of fact, you answered several questions based on that premise. I want to ask you as this confirmation process continues, for you to rethink that, and it may very well be that we need someone in your position who understands the severe shortage of medical military professionals, as the chairman and the ranking member apparently do in submitting that question.

You stated in your answers, "Having fewer than the optimum number of uniformed healthcare professionals could result in increased private sector care costs and lower medical force morale." That might have been, perhaps, an answer to the request for specifics that Senator McCain propounded to you.

You further say it is important to properly manage recruiting, pay, and retention programs to ensure appropriate balance. But then when asked, based on your service, which is extensive, "Do you have any recommendations about the effectiveness of incentives?" your answer is specifically "not at this time," that we need to do constant review and updating.

You were further asked, Doctor, "What other steps can be taken to eliminate shortages of medical personnel, including nurses and mental health providers?"

Your response there is, "I do not have any specific recommendations at this point. But if confirmed, I will work to understand what factors contribute to these shortages and take action to resolve these matters."

I just want to say I don't know how controversial this nomination is going to be, Doctor. But you have been asked by the first three questioners about this issue, and I would submit, with all due respect for your qualifications, for your educational level, your experience and your service to this country, that a lot more thought, sir, needs to be put into this issue as we go forward because I do think it is, indeed, severe.

Let me tell you, I talked to a servicemember the other day. Now he is stationed in the continental United States. His wife has to routinely wait more than 3 weeks for an appointment for their infant because there are not enough doctors at their military medical clinic. This is not in a remote location, Doctor.

There was a one-half hour slot available during an entire month. There clearly are not enough doctors because the clinic is forced to deploy doctors to meet the demand overseas. It seems to me that many State-side clinics are stretched too thin.

Do you encounter this? Would you say this is an exception to the rule or that this is a frequent problem that we might have?

Dr. WOODSON. Senator, thank you very much for your comments and your question.

I cannot speak specifically to the situation that you have just illustrated. I have spoken with Admiral Hunter, and she tells me that this situation is improving across the spectrum and cites that care is being delivered. But, again, I cannot speak to the specific example that you have given.

Senator WICKER. Okay. Thank you very much.

I think the chair has indicated we may have time for a second round. If so, Mr. Chairman, I will be here for that second round.

Chairman LEVIN. There will be a second round if members desire. Absolutely.

Senator Brown is next.

Senator BROWN. Thank you, Mr. Chairman. Good to see you.

Dr. Woodson, I am always approached, being in the military and, obviously, with the healthcare reform that was passed, a lot of military folks are concerned about TRICARE and their coverages with TRICARE and how they match up with the new Federal plan. I

have heard that there is going to be no change. Is that your understanding as well?

Dr. WOODSON. Yes, Senator, that is correct. That is my understanding.

Senator BROWN. We are going to have a national healthcare law that is supposedly going to reform the way that healthcare is delivered, yet we have a system in the military, and these folks—your understanding, they are going to be completely excluded from that? They will still get the TRICARE coverages that they have had for quite a while?

Dr. WOODSON. That is my understanding, Senator.

Senator BROWN. Okay. I echo what the folks have said here, what the Senators have said here. My biggest concern is it is about the money. What efforts can we do and make to save money so we can have more available for the soldiers individually?

I just thought right off the top, how do you save money? I would say, we can consolidate the way we communicate between the different Services. We can update and modernize the billing procedure, the scheduling, the records keeping.

We could also look if there is any duplication of services between the agencies. Can we share? Is there a base down the road that does that specialty better than shipping it outside our bases?

Because when we talk about pushing things out the door and the civilians will cover it, my impression—and I know you obviously have Massachusetts roots—is that they don't have any ability to care for the soldiers either. What are they forced to do? They are forced to go to the emergency room.

Then we are in a vicious cycle again of one of the reasons we in Massachusetts passed the healthcare reform that we did is because the folks were going into the emergency rooms and just using that care and not trying to go through the appropriate channels.

Those are a couple of things I am concerned with. Here it is. I just reeled off a few things. I would really focus and provide answers, if possible, as to what specifically you plan to do, because it seems like that is what you are going to be tasked to do, to save the Government money, which, in turn, can be used, I am hopeful, to provide better and quicker service, hire more doctors, nurses.

What do you need? What are the tools and resources you are going to need to do it better? That is kind of a statement. But a question would be, what is your philosophy with regard to what I just said? Am I going down the right path here with your philosophy, or is it different somehow?

Dr. WOODSON. Thank you very much, Senator, for those comments. In fact, you have hit upon a number of very key issues.

If you look at the issues of TRICARE, a lot of the costs are in the retiree population that actually uses services on the economy. Both you and Senator McCain have hit the nail on the head that we have to be able to communicate with the civilian sector and be able to control those costs as they become consumers on the economy.

This gets into the issue of information sharing and making sure that we put out good algorithms of care, that we reduce the variability, that we understand what sorts of treatment that they are receiving. Because, in fact, the way doctors practice contributes a lot

to the cost of care. We are going to have to look at all of those issues comprehensively.

Senator BROWN. I would encourage you to do so because the fact that when I had my children and they were younger, the thought of waiting 3 weeks to have an ear infection taken care of or something like that, or some type of sore throat—it would be torture, not only at home with the constant yelling and crying and the like.

If there is a way to certainly address the line issue, that would be greatly appreciated.

For Ms. Miller and Ms. Harrington, how critical do you both feel the uranium processing facility and the chemistry and metallurgy research replacement facilities are to our future stockpile? Could the delays in construction lead to a need to either conduct an underground nuclear test or to withdraw from the New START Treaty?

Ms. MILLER. Thank you, Senator. I am going to answer that question on behalf of both of us.

Both of those facilities are absolutely critical to the continued health of the nuclear weapons stockpile and certainly to the long-term commitment to nuclear security in this country. At this time, we do not anticipate any type of catastrophic delay in either of these facilities, although they are not meant to come online for a good number of years yet, that any sort of delay that would lead us to go down a different path than we are currently on with regard to the treaty or with regard to resuming testing right now. I have every reason to believe we are going to stay successful on the path we have established for both of those facilities.

Senator BROWN. Once again, it comes down to the money, Mr. Chairman. You know we are struggling to pay the bills. What do you see your role will be as to streamline, consolidate, update, and upgrade?

Do you think there is any cost savings in what you are doing or plan to do in the future, in addition to obviously getting funds to do upgrade, update? What do you think you could do to help save the bottom line?

Ms. MILLER. I think, in my experience, there are several directions that you have to look at. One is how things are done now and whether there are ways to do them in a more efficient or a more cost-effective way, and that is certainly true of all the operations in the NNSA and certainly something that I will be looking at strongly.

At the same time, I think what we would want to look at and, if confirmed, what I would be looking at personally is, as these projects develop, both in design and, as they go toward construction, to be sure that cost growth does not get ahead of good analysis. In other words, I think it is absolutely vital to be cognizant of the design and the construction plans as they proceed so that cost growth can be contained early and you do not wind up on a path of uncontrollable costs and unsustainable growth.

Senator BROWN. Thank you.

I would also just suggest that some of these contracts that are awarded, you have to keep an eye on them and make sure they are timely, and they are not going over budget, and they are not doing

some of these crazy reward packages for not hitting deadlines. I have never seen anything like it. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Brown.

Let us try our second round, maybe the same length. But there could be a third round, too, Senator Wicker, should you want one.

Ms. Miller, for you, the NNSA has two major new first-of-a-kind, technically complex, multi-billion dollar facilities that it needs to build over the course of the next decade or so—one at Oak Ridge, one at Los Alamos. You are going to be playing a major role in the oversight of these projects, if you are confirmed.

By the way, DOE is on the GAO list as a high-risk agency for project management. So the DOE is not doing well from the GAO perspective in terms of managing projects. These are huge projects. Now the question will be what do you think that the NNSA can do to get off the GAO list?

Ms. MILLER. With regard to the list, of course, the list includes NNSA projects, as well as projects from the rest of DOE, and there are problems in many different directions that have caused these projects to be on that list.

Specifically, with the NNSA and with regard to the two projects that you referred to, I think that certainly the Administrator has testified to the increased efforts to be made in project management, both within the current DOE guidelines for construction management, the Order 413, as well as beyond that, the restrictions or the directions of that order. That includes, for example, strong, independent cost analysis at the outset.

The Administrator is committed to, and I, if I am confirmed, would be certainly helping to lead the effort to have an independent cost analysis performed for those projects early on so that we have a better sense of what we are looking at in terms of costs.

Right now, we have organized with DOD's cost analysis group, as well as the DOE's Office of Cost Analysis, an independent review that we expect to be carried out and completed in September in time to be able to inform the OMB Fiscal Year 2012 process. These cost analyses need to be done at the beginning, and it needs to be done later, as the design develops and the project develops. I think really good project management starts with good cost analysis.

I think regular reviews with the contractor, as well as review of all of the program requirements, is also going to be essential in all of these cases. Has this gone on in the past? Of course it has, but probably not to the depth and length that it needed to and the frequency.

Chairman LEVIN. The NNSA utilizes contractors to operate its major facilities and laboratories. Now that is an organizational structure unique in the Federal Government. I believe you just made reference to those contractors. Within that structure, there are some who think there is too little oversight. That is folks like GAO. There are folks that think there is too much oversight, and that is probably the contractor.

The Strategic Posture Commission raised this as one of the issues that has led to inefficiencies in the execution of NNSA

projects. Is it your view that there is too little or too much oversight of the contractor?

Ms. MILLER. It is my experience that it is very much dependent on the given situation. I can recall projects when I was at OMB that I was informed about after the fact. The project had gone very far afield from the original cost estimates, and the analysis at the end was that there was insufficient Federal oversight. This is not a new problem with any of these projects at DOE.

I think it has been a problem that has very much gotten the attention of the current administration, and I think there are strong efforts, and again, this goes beyond the NNSA, but certainly within the NNSA, to be cognizant of how much Federal oversight is going to be necessary in particular with these large, expensive, complicated nuclear projects that we have to build.

At the same time, I know it has been the view of many of the people of the science laboratories that oversight can, at the same time, become so micro that it prevents them from doing the science the way they think that science needs to be done. I think this really depends on the given situation, but I do believe that hard questions need to be asked and answered.

Chairman LEVIN. The Deputy Secretary of Energy is engaged in a review now of the various DOE regulations and orders that govern the operations that you just talked about of the DOE contractors, including the NNSA contractors. Do you know what your role is going to be if you are confirmed in this review process?

Ms. MILLER. I do not, Senator, except to say that depending on at what point my confirmation might occur and at what stage of his review that would happen, I would be confident that I would be playing a role in it. But I can't speak to it specifically right now.

Chairman LEVIN. The management of the protective forces at NNSA facilities is an issue which has been of concern to the committee, and a report on the way ahead for the management of these protective forces was supposed to be here by the end of April. Do you know the status of that report?

Ms. MILLER. My understanding is that the report is soon to be submitted to the committee. But beyond that, I am not sure.

Chairman LEVIN. Okay. If you are confirmed, will you give us an update?

Ms. MILLER. I definitely will, Senator.

Chairman LEVIN. Ms. Harrington, let me ask you about the mixed oxide fuel program, the MOX program. That is the U.S. portion of the U.S.-Russia joint commitment to transform and reuse 34 metric tons of excess weapons-grade plutonium to power commercial nuclear reactors.

A facility to convert the plutonium into commercial power reactor fuel is underway, but apparently way beyond schedule—way late and over budget. The approach to the companion facility to take apart the plutonium parts of a nuclear weapon has changed over time. So a decision needs to be made and implemented quickly, as there is already a risk that enough plutonium will not be ready in time to keep the new MOX facility running for more than a year or so.

Have you had an opportunity to examine the options for the pit disassembly? What are your thoughts on how to approach the crit-

ical issue of timing to support the MOX facility, if you are familiar with it?

Ms. HARRINGTON. Thank you for your question, Senator.

I have not been briefed in depth yet on this issue, but my understanding is the following. That the option is being considered at the moment to integrate both the MOX facility and the pit disassembly and conversion facility at the Savannah River site. That there is an awareness that there needs to be feedstock flowing into the MOX facility when it is completed and that the pit disassembly and conversion plant may not be prepared to provide that feedstock at that point. There have been I believe it is 10 metric tons of plutonium identified that can be the initial feedstock into the plant while the other facility is being completed.

As I said, I haven't had a full briefing on this yet. I would be happy to come back and talk to the committee further on this after I have had an opportunity to learn more.

Chairman LEVIN. Thank you, Ms. Harrington.

Senator Wicker.

Senator WICKER. Thank you, Mr. Chairman.

Dr. Woodson, let me just get back to the shortages we have. Do you have any reason to quarrel with the assertion of the Navy leadership that the Navy falls short in these areas of personnel—aerospace medicine, preventive medicine, radiology, general surgery, cardiothoracic surgery, orthopedic surgery, and nursing? Would you say that is a fair and accurate statement that has been made by Navy personnel?

Dr. WOODSON. If Navy personnel have made those statements, I have no reason to quarrel with it.

Senator WICKER. Okay. Likewise, if the Air Force leadership say they lack comprehensive dentists, oral surgeons, specialty nurses, independent duty medical technicians, and orthopedic technicians, you would have no reason to disagree with that assertion either?

Dr. WOODSON. Correct, Senator.

Senator WICKER. It is correct that these types of personnel, both physicians and related medical personnel, are needed for our wounded when they return home. They are needed for our families, whether the service personnel themselves are stationed overseas or at home. Is that correct?

Dr. WOODSON. That would be correct, Senator.

Senator WICKER. Do you have enough information at this point, based on your experience, to tell us whether, likewise, we have a problem with facilities? Or is it simply personnel where there is a shortage?

Dr. WOODSON. Senator, thank you very much for the question and the comments. I have not received a detailed briefing from all of the Services on their personnel and health facilities issues. I can't speak to the details of that.

I would make one comment to bring context to this is that we do know that we have issues with certain what we call areas of concentration or specialties. General surgery, for example, is one of those specialties that has been difficult to recruit.

I would just make one other comment to bring context to this, that the way medicine is now practiced in the civilian community, where we draw a lot of the practitioners from, and the way they

train has produced particular issues and restrictions in terms of accessing these individuals into the military.

Very early in careers now, doctors narrow the scope of their practice and practice in very narrow specialties, and oftentimes, we need them to come into the Service and practice more broadly. The numbers of individuals that are out there in civilian practice that could be accessed into the military has changed because of the way training is conducted and the way physicians practice in the civilian sector. So, we are going to have to look at this as well.

Senator WICKER. A further problem that enhances the shortages. I would note at this point that this committee, if it persists in the Burris amendment, is about to make the situation worse. The Burris amendment would allow abortions to be performed in military health facilities, provided the patient pay for the abortion herself or through a different insurance program.

Now, when we went to this procedure back in 1979, in that fiscal year, there were approximately 1,300 abortions performed during that fiscal year. Should the Burris amendment prevail on the Senate floor, where I will be moving to strike it, or should it prevail in the House of Representatives, where there is no such provision, there is no telling how many abortions our already taxed personnel and already strained facilities would have to accommodate, even though, theoretically, the abortion would be paid for by private sources or private insurance.

Next year, if we perform 1,300 abortions in military facilities, Doctor, that is going to take personnel away from treating our wounded servicemen or treating their families. Isn't that correct?

Dr. WOODSON. Senator, I appreciate your concern, but I can't speak to that directly because I would have to do some analysis of personnel and where they are at. Also, we would have to consider the specialty that is involved in that procedure and see the numbers that are available. I am sorry I can't give you an answer at this time.

Senator WICKER. Okay. If a women's facility or if a women's ward in a military hospital has to take up space to accommodate abortion, use of that facility that is not available for other uses, it stands to reason, doesn't it?

Dr. WOODSON. Again, I appreciate your concern. Generally, those are ambulatory procedures and use a different specialty. But I am sorry, Senator, I can't answer your question directly because I would have to do the personnel analysis and the facility utilization analysis in order to see how much of an impact that would have.

Senator WICKER. Clearly, it would take a medical doctor to perform that abortion, would it not?

Dr. WOODSON. Correct, of a certain specialty.

Senator WICKER. Exactly. It would require a facility to be taken up for a certain amount of time. Is that correct?

Dr. WOODSON. Again, most of those are ambulatory procedures.

Senator WICKER. That ambulatory facility would be taken up, at that point, for that abortion. Isn't that correct?

Dr. WOODSON. Yes, sir.

Senator WICKER. It stands to reason.

I would just say this. Mr. Chairman, I will not take another round. But if we continue with the Burris amendment, it is going

to weigh down this legislation to the extent where I do not know if we can have a bipartisan consensus to go forward with an essential DOD authorization bill during calendar year 2010.

Abortions not only would create demand in the hospital, they would create demand for facilities and among practitioners. They also are going to create demand for mental health professionals. You don't have to take my word for it as a layman. A 2008 study in the Journal of Psychiatric Research showed that abortion is a risk factor for PTSD, major depression, and more than a dozen different psychiatric disorders. That is the Journal of Psychiatric Research.

The Medical Science Monitor found that of the women studied, 65 percent who had undergone abortions reported symptoms of PTSD. That is 65 percent, and 14 percent reported all of the symptoms necessary for a clinical diagnosis of PTSD.

So, in addition to the drain on practitioners, the drain on facilities, we are going to have additional conditions and disorders to take care of. I would cite also to the committee members the Journal of Child Psychology and Psychiatry from New Zealand that found conclusively that abortion in young women is associated with increased risks of some of the things we have had questions about today—major depression, anxiety disorders, suicidal behaviors, and substance abuse.

I appreciate the challenges that Dr. Woodson is going to have. I think this committee can lessen the burden that he is going to have if we will retreat from this Burris amendment. In the middle of two wars, constant deployments, and undermanned medical facilities, we should not add to the pressure on our military personnel. Instead, we should be looking for ways to lessen that pressure.

Thank you very much, Dr. Woodson, for your indulgence.

I thank the chairman for the time.

Chairman LEVIN. Thank you very much, Senator Wicker. That decision, of course, as to whether to strike that amendment would be left up to the Senate.

I would point out that the language leaves it up to a voluntary decision on the part of a doctor, and it is paid for, as you pointed out, Senator Wicker, by nongovernment funds, if a doctor volunteers to do it.

I think, as a practical matter, it is aimed at the overseas facilities, which then if they are not available, if it is prohibited, then require a woman who has a right to an abortion, assuming it is legal, would have to then come home for that procedure.

But I think that debate is best left for the Senate, assuming the bill will come to the floor, which I am hoping will happen soon after we return in September. Then, Senator, you know this debate is a debate which is an honest debate, and it would occur properly before the whole Senate on a motion to strike. I think that is the appropriate way to handle that debate.

Senator WICKER. Do I understand and I will not belabor this at length, Mr. Chairman. But do I understand, though, that under the Burris language, if physicians at a facility conscientiously object, it would be the obligation of the Service to spend the money or the time and bring a private physician onto the post to perform that which the military personnel would conscientiously object to doing?

Chairman LEVIN. I am looking at my staff. I don't have the language in front of me. I don't believe that is the case, but that is based on my memory.

Senator WICKER. Well——

Chairman LEVIN. I don't have that language in front of me. I just don't think that is correct.

Senator WICKER. It is my understanding that under the previous language, that was very much like the Burris amendment, when that was the law of the land, many doctors objected as a matter of conscience—and I commend them for that—to performing an abortion. And so, a civilian physician had to be brought on post to perform that abortion.

I would simply return to my major point, and that is, this if enacted, will be a burden on military personnel, on administrative personnel at the facility, and on the scarce space in the facility itself. I do agree it is a debate that we will have, and we will have a lot more opportunity to discuss that.

Chairman LEVIN. Thank you very much, Senator Wicker.

There are no other questions, and we will attempt to bring these nominations before the full committee for a vote, if possible, this week. If all things go well, which happens once in a while around here, we would be able to vote on these nominations before the end of the week.

We thank you again. We thank your families. We will stand adjourned.

[Whereupon, at 3:49 p.m., the committee adjourned.]

[Prepared questions submitted to Jonathan Woodson, M.D., 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. Not at this time.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. N/A.

DUTIES

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

Answer. It is my understanding that the Assistant Secretary of Defense (ASD) for Health Affairs (HA) assists the Under Secretary of Defense for Personnel and Readiness (USD/P&R) and the Secretary of Defense in promoting and safeguarding the health of military personnel and their families, retirees and others eligible for the Department of Defense (DOD) health benefits. The role is primarily one of setting health policies, in consultation with other Office of the Secretary of Defense (OSD) components, the Chairman of the Joint Chiefs of Staff, the Joint Staff, the Military Departments, and Services' Surgeons General. These health policies include deployment health, both physical and mental. The ASD also has an important, though less

direct, role in health education and research. Health Affairs is directly responsible for managing TRICARE and the Uniform Services University.

Question. If confirmed, what duties and functions do you expect that the Secretary of Defense would prescribe for you?

Answer. In May 2007, Secretary Gates said, " . . . Our Nation is truly blessed that so many talented and patriotic young people have stepped forward to serve. They deserve the very best facilities and care to recuperate from their injuries and ample assistance to navigate the next step in their lives, and that is what we intend to give them. Apart from the war itself, this Department and I have no higher priority." I know that the ASD(HA) has been actively engaged with and leading efforts in DOD, in collaboration with partners in the Department of Veterans Affairs (VA), to address this priority—caring for our Nation's wounded, ill, and injured servicemembers, and their families. If confirmed, it would be my highest privilege to serve these great Americans and support this monumental DOD priority.

I understand that the ASD(HA) portfolio includes the breadth of policy and programmatic issues related to force health protection and readiness, deployment health, clinical activities, health budget/fiscal management, medical education and training, medical research, and TRICARE/healthcare benefits. I believe the Secretary of Defense may call on the ASD(HA) for advice on disaster relief and humanitarian operations, civil/military operations, and global health issues. DOD has played an increasingly frequent and important role in disaster preparedness and response, both in the United States and abroad. Medical care is a critical part of this effort—both in the provision of health care, as well as in capacity-building (education and facilities) and pandemic prevention and surveillance.

Finally, I realize that healthcare costs have garnered increasing attention in recent months. The Secretary may call upon the ASD(HA) to continue the efforts to work within and outside DOD to examine this important issue.

Question. In carrying out your duties, how will you work with the following:

A. The Under Secretary of Defense for Personnel and Readiness.
B. The Under Secretary of Defense (Comptroller).
C. The Assistant Secretaries for Manpower and Reserve Affairs of the Services.
D. The Assistant Secretary of Defense for Reserve Affairs.
E. The Surgeons General of each of the Services.
F. The Joint Staff.
G. The TRICARE Regional Offices.
H. Commander, Joint Task Force National Capital Region Medical.
I. The TRICARE Support Contractors.
J. The U.S. Family Health Plan Designated Providers.
K. Beneficiary Groups.
L. Department of Veterans Affairs.
M. Centers for Medicare and Medicaid Services.

Answer. If confirmed as ASD(HA), I will work collaboratively with leaders from other DOD components, interdepartmental government agencies, and civilian organizations in order to tackle challenges and create new opportunities. Like most leaders, I have learned that most problems arise from poor communication, and success relies on building partnerships through regular, frank meetings in order to gain consensus on near-term and long-term goals. If confirmed, I would commit to performing my duties with a spirit of simple, fair and transparent processes, and personal and organizational accountability.

GOALS AND PRIORITIES

Question. If confirmed, what are the major goals that you would seek to accomplish as the Assistant Secretary of Defense for Health Affairs?

Answer. First, I would focus on efforts to improve care and support for our Nation's wounded, ill, and injured servicemembers, and their families.

I also understand the power of an electronic health record (EHR), and would, if confirmed, work within the Department and with other Federal agencies and the private sector to advance EHR initiatives and interoperability.

If confirmed, I also promise to work with Congress and the Department to find ways to address the rising cost of healthcare while ensuring benefit levels worthy of attracting and retaining the highest quality All-Volunteer Force, as well as recognizing the service of our retired beneficiaries.

Question. If confirmed, what priorities would you establish for achieving those goals?

Answer. I would re-assess and enhance the effectiveness of the Warrior Transition Units (WTUs) and Wounded Warrior Regiments (WWRs) to serve the needs of wounded warriors and their families and to bring greater focus on the efficiency of

the Medical Evaluation Board (MEB)/Disability Evaluation System (DES) process. In doing so, I would work diligently with VA officials to validate demonstration pilot projects.

With regard to the EHR, I would work closely with USD(AT&L) to complete the analysis of alternatives (operational effectiveness, suitability and life-cycle cost). In addition, I would work quickly to have the appointment of a program manager and the establishment of a formal program office completed.

If confirmed, I would move diligently and rapidly to reform processes and algorithms for care to reduce costs, waste and inefficiency in the MHS. In concert with the EHR efforts, I look forward to developing decision tools to allow health providers to work smarter and deliver a higher quality of care that is evidence-based.

Question. How would you work with Health Affairs staff and the TRICARE Management Activity workforce to achieve these goals?

Answer. I understand that the chartering documents for these organizations state that the Health Affairs staff develops policies that reflect legislative, executive and Department priorities, to include health budget and financial plans, while the TRICARE Management Activity implements programs and policies to manage the health plan. If confirmed, I would look forward to working not only internally, with Health Affairs and the TRICARE Management Activity, but also with the military departments and Services' Surgeons General to achieve our common goals for the Military Health System.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges and problems that confront the Assistant Secretary of Defense for Health Affairs?

Answer. Delivering care to 9.6 million beneficiaries is a great challenge, and one worthy of our most ardent efforts. Ensuring quality health care and, particularly, mental health support will be paramount. DOD must deliver world-class support to families and to wounded, ill, and injured servicemembers. For our Wounded Warriors, ensuring comprehensive care from point of injury to point of definitive care—whether in DOD or in the VA—and caring for their families and caregivers, are sacred obligations.

Question. If confirmed, what plans would you put in place to address these challenges?

Answer. I do not have specific recommendations at this time. However, if confirmed, I would review the plans that are currently in place to address these challenges, and determine whether they need to be modified or amplified. I would collaborate with my colleagues in the Office of the Secretary of Defense, the military departments, and the Joint Staff in charting the right course for the Department.

Question. If confirmed, what management actions and time lines are needed in order to address these problems?

Answer. I would have to evaluate this further to determine the most appropriate actions, milestones and timelines.

BACKGROUND

Question. You currently hold the rank of brigadier general in the U.S. Army Reserve and are assigned as the Assistant Surgeon General for Reserve Affairs, Force Structure and Mobilization, and as Deputy Commander, Army Reserve Medical Command.

Please describe your military experiences, particularly your service in Operations Iraq Freedom and Enduring Freedom. What do you consider to be your most significant accomplishments as an Army medical officer?

Answer. It has been an honor and privilege to serve in the Army Reserves for nearly a quarter of a century. For me, any day I can wear the uniform is a good day because it ties me to the great men and women who currently serve and those who served before me and protected the freedoms we enjoy today. I am especially humbled to have served in support of those men and women who are asked to put themselves in harms way and sacrifice everything for this great Nation. I have served as a health care provider (physician/surgeon), teacher and leader/commander.

As a surgeon, I have been there at those life-altering moments in a wounded warrior's life when they are told their limbs must be amputated, and I will never forget the courage of these resilient men and women who in these moments of pain and anguish will think not of themselves but will express concern for their fellow soldiers or a sense of having let their sister and brother soldiers down. Repeatedly I have heard from the wounded warriors their desire to return to the ranks to complete the mission. Throughout my entire career, I have been dedicated to helping

sick and injured military men and women achieve the best possible health outcomes and to developing strategies to improve the military health system.

I have participated in military medical missions in Central America, Europe, Balkans, Operations Desert Shield, Desert Storm, Iraqi Freedom, and Enduring Freedom. I have staffed and commanded combat support hospitals, forward surgical teams and medical brigades.

I consider my contribution significant every time I add to the team effort of saving a life or limb. However, I am most proud of the times when I have deployed as a leader, commander, and surgeon. Functioning in these roles, I have been challenged not only with optimizing outcomes one injured soldier at a time, but with improving the performance of the organization I led, inspiring the men and women who followed, and solving problems which contributed to mission success. Developing and articulating a clear vision, in the volatile, uncertain, complex and ambiguous (or VUCA) environments as they are known and motivating people to work to achieve that vision has matured and exhilarated me.

Question. What is the nature of your current duties?

Answer. I currently serve in the dual-hatted position of Assistant Surgeon General for Reserve Affairs, Force Structure and Mobilization and Deputy Commander Army Reserve Medical Command (AR–MEDCOM).

In the role of Assistant Surgeon General, I provide consultative services to the Active component, USAR, and Army National Guard on issues relating to the medical readiness (individual and unit) of the USAR and provide consultative services on strategic planning for all health care of USAR personnel, recruitment of medical personnel, and operational training issues relating to the USAR.

In the role of DCG, AR–MEDCOM, I assume the duties of the Commanding General in his absence and provide oversight and guidance to the staff, particularly on operations and training issues, monitor readiness of subordinate units and guide training strategy.

Question. If confirmed, what are your intentions regarding continued service in the Army Reserve?

Answer. If confirmed, I intend to continue as a Reserve officer and will take appropriate action to de-conflict any roles. I consider my participation in the Reserves to be important in maintaining credibility with those I seek to serve in my role as ASD(HA), should I be confirmed. Military men and women should always know that I will be subject to the policies and procedures I promote, and that if necessary, I stand ready to deploy to any theater of operation.

Question. What is your assessment of the readiness of the Army Reserve Medical Command?

Answer. The Army Reserve Medical Command currently has more soldiers mobilized than any other Reserve medical command and has met every requirement for mobilization. We contribute to continental United States (CONUS)-based Temporary Duty Assignment mobilizations as well as units deploying to theaters of operation. In addition, we have assumed some responsibilities for homeland defense medical support. AR–MEDCOM has experienced and is experiencing the expected turbulence associated with the past years of transformation, reshaping, and right sizing the force.

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

Answer. I believe I have had many experiences that qualify me to perform the duties of ASD(HA). I have been a military and civilian health care provider, health care administrator, teacher, researcher and leader. My interests and career have provided me with experience in leading, strategic goal setting, health insurance issues, health care costs issues, quality improvement, research methods, ethical issues and medical error reduction. I have cared for military men and women (and dependents) at all echelons of the military health care system from forward surgical teams and medical detachments to combat support hospitals and medical centers such as Landstuhl, Tripler Army Medical Center (AMC) and Walter Reed AMC. I have, as part of my military duties, trained with the Air Force (CCAT—first army officer to do so) and served in joint exercises, as well as cared for sick and injured military personnel in medical treatment facilities (both deployed and otherwise) staffed by the three Services. At the U.S. Army War College, we studied and gained experience in the interagency, Program Objective Memorandum (POM), and legislative processes. I have had an adjunct faculty appointment at the Uniformed Services University of the Health Sciences. I have taught medical students, nurses, medics, and health executives. I have extensive experience with trauma care. As an administrator, military commander and staff officer, I have experience in directing and managing staffs. Most of all, I am fiercely dedicated to providing the best care to

wounded and sick soldiers and DOD beneficiaries to ensure the best health outcomes.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the Assistant Secretary of Defense for Health Affairs?

Answer. Not at this time.

MANAGING THE COST OF HEALTH CARE

Question. According to DOD, and using 2010 constant dollars, the Defense Health Program base budget, including retiree health care costs, has increased from $16.6 billion in 2001 to $51.7 billion in 2011, an increase of over 151 percent. Secretary Gates made the statement last year that "health care is eating the Department alive." In February of this year he said he "would like to work with Congress in figuring out a way to try and bring some modest control to this program."

If confirmed, how would you address the rising cost of providing health care to 9.5 million eligible beneficiaries?

Answer. If confirmed, I promise to work with Congress and the Department to find ways to address the rising cost of healthcare, while ensuring benefit levels worthy of attracting and retaining the highest quality All-Volunteer Force, as well as recognizing the service of our retired beneficiaries.

Question. If confirmed, do you plan to engage with Congress on this issue?

Answer. Yes.

COMMITMENT TO MILITARY RETIREES

Question. By law, DOD and the Military Departments must provide health care through the Military Health Care System to those who have retired from the uniformed services and their eligible family members until they are eligible for Medicare. According to the report of the Task Force on the Future of Military Health Care, as of 2007, 56 percent of TRICARE beneficiaries were retirees or their dependents.

What is your view of the importance of delivering health care services to military retirees and their family members?

Answer. Ensuring competitive compensation and benefits for today's All-Volunteer Force is paramount in attracting and retaining the highest quality servicemembers. Also, ensuring we "keep faith" with those who served before is also of great importance. I understand the significant commitment to delivering the highest quality care to all 9.6 million DOD healthcare beneficiaries.

The retired servicemembers and their families, who comprise the vast majority of those for whom DOD cares, are an integral part of clinical experience base that providers and staff require in DOD Military Treatment Facilities (MTFs) and in Graduate Medical Education programs to develop, maintain and advance their clinical skills.

Military facility health care is a finite resource. Healthcare services under TRICARE, now available to retirees over 65 as well as under 65, provide assurance of comprehensive coverage for our retirees even when military providers are not available.

Question. What is the current percentage of the TRICARE beneficiary population that consists of retirees or their dependents?

Answer. It is my understanding that retirees and their family members constitute about 53 percent of the eligible beneficiaries.

Question. What percentage of the current DOD budget goes towards paying for retirees' health care?

Answer. It is my understanding that for fiscal year 2009, retiree health care was 57 percent of the health care budget or 3.0 percent of the total DOD budget.

TRICARE

Question. If confirmed, what would be your short-term and long-term goals for TRICARE?

Answer. From my review, I believe TRICARE offers robust coverage to the Department's beneficiaries. If confirmed, I would look for opportunities to make the link stronger between the direct care system and the vast purchased care network in order to make the benefit better, more seamless, of higher quality, and more affordable. I understand that one of TRICARE's strengths is that it is very inexpensive for the beneficiary, compared to commercial or other government health plans. I believe we need to look for ways to leverage the best public and private sector ideas to make the TRICARE system an example that beneficiaries and our Nations' taxpayers can be proud of.

Question. If confirmed, how would you strengthen the partnership between the MTFs of the Services and the TRICARE support contractors that is necessary for the successful delivery of health care within the TRICARE Program?

Answer. If confirmed, I would wholeheartedly commit to the strengthening of these relationships. I understand that in the past few years, key performance measures for TRICARE have improved dramatically—for example, claims processing and customer satisfaction. I am also told that enrollment, especially for the retiree population, has also increased. A key feature of my commitment would be to seek further improvements in the program, building on its many past successes. There may be even more opportunities to learn from commercial health plan experiences by building even stronger bonds with the Department's contract partners, to coordinate TRICARE with other Federal health care programs, and to better capitalize on the unique capabilities of military medicine.

Question. Do you have any views on how health care support contracts could be restructured to incentivize effective disease management programs and cost-efficient delivery of health care services?

Answer. I understand that this issue is a focus of the third generation of TRICARE contracts, and I believe it is a good example of how lessons learned from the private sector can be leveraged. I would look forward to working within the Department on this key health plan feature.

Question. There continues to be concern expressed by TRICARE beneficiaries about the adequacy and availability of health care providers in some areas of the country. In a Personnel Subcommittee hearing last year, military spouses who testified said that access to health care was among military families' top issues. While health care support contracts have access standards and timeliness requirements to ensure beneficiaries have access to appropriate providers within a reasonable period of time, this does not always happen. In addition, many beneficiaries who choose the TRICARE Standard option report a lack of availability of health care providers willing to accept new TRICARE patients.

Answer. I understand that the TRICARE contracts are working well and the contractors have developed robust networks. However, I understand that all health care is local. If confirmed and if a local problem exists, I will work to understand what contributes to the problem and then work with the appropriate Service Surgeon General and TRICARE contractor to take steps to ensure access is improved.

Question. What recommendations, if any, do you have for improving the number and adequacy of providers under the TRICARE program?

Answer. I do not have specific recommendations at this time. If confirmed, I would work with the TRICARE contractors to ensure appropriate access for the Department's healthcare beneficiaries.

QUALITY OF DOD MEDICAL CARE

Question. Please describe your knowledge of quality improvement programs in the civilian sector, and comment on how they compare to military health care quality programs.

Answer. For approximately 10 years I was the medical director and associate chief medical officer for quality improvement at Boston Medical Center. I have formal training in Health Services Research and completed the nationally recognized Institute for Healthcare Improvement Patient Safety Officer Executive Development Program. I am very familiar with the Joint Commission on the Accreditation of Healthcare Organization's processes and standards and helped BMC through several successful accreditation reviews. At this time, I do not have details of where each of the military MTFs stands with regard to quality improvement programs, but in general, my experience is that they are good. In both the civilian and military setting, there is an ongoing question as to whether the right things are being looked at to optimize quality outcomes. This will be an important focus of mine, if confirmed.

Question. If confirmed, what would your goals be in the area of improving quality and patient safety throughout the military health care system?

Answer. Improving quality and patient safety have been high priorities for the health systems with which I have worked, and finding solutions to the problems we confront requires a multifaceted, team approach. Quality care begins with well-trained and qualified professionals who work together as a team. These professionals must be provided appropriate ancillary support services and facilities to create a safe "environment of care" focused upon the needs of patients and their families. We must have automated systems for documentation of care, surveillance, supply support, and to meet the information needs of the health care team. Finally, Senior Leaders must be committed to supporting health care quality and safety by

establishing strategic objectives and providing the resources necessary to achieve them.

I am aware that the Military Health System has been engaged in addressing quality and safety along with its civilian counterparts. Military professionals, graduate medical education programs, and facilities, also meet the same standards as those established for civilian sector professionals and organizations. If confirmed, I can assure you that providing high quality, safe health care for the men and women who serve, their families, and all other beneficiaries of the Military Health System would be one of my highest priorities.

WOUNDED WARRIORS

Question. Despite the revelations in 2007 about outpatient care at Walter Reed and significant systemic improvements, some wounded warriors and their families still perceive that care, management, and transition to the VA are inadequate.

What is your assessment of the factors that led to the inadequate wounded warrior outpatient conditions at Walter Reed Army Medical Center in 2007?

Answer. It has been said that the first Commander in Chief of our country, George Washington, once said that the extent to which future generations of Americans will be willing to serve will be directly proportional to how they view current veterans are treated. He was and is right. Care and respect for veterans, particularly those wounded and ill, needs to be the highest priority. The factors, as I understand them as documented in the Washington Post's articles in February 2007, which led to the situation at Walter Reed, and particularly Building 18, were many. Most factors reflected problems with a bureaucratic system ill-prepared for the current influx of wounded warriors and included: poor housing facilities; lack of case management; complex documentation systems; communication issues; a slow complex, inefficient, unevenly applied DES; and failure of leaders at many levels to recognize emerging and existing soldier issues and to advocate for appropriate funds and changes on behalf of soldiers and their families.

Question. What is your assessment of the Army Warrior Transition Unit (WTU) and Marine Corps WWR concept?

Answer. It is my understanding that both the WTUs and the Marine Corp WWRs have several goals and features in common. Both have as a central mission to provide soldier (WTU) and marine/sailor (WWR) centered programs to provide seamless (predominately) non-medical care, assistance and coordination during the transition of the soldier/marine/sailor in the recovery phase of injury. The intent is to provide support to military personnel and families to ensure the best and most efficient possible outcome, which may include return to active service or transition to veteran status with disability determination and the highest functional/rehabilitation/employment status in civilian life. These administrative activities are carried out while soldiers, sailors, and marines receive coordinated, high quality follow-on medical care and rehabilitation services.

Question. In your view, is it beneficial to assign wounded, ill, and injured servicemembers to these units?

Answer. I believe this issue needs further study. I suspect one size does not fit all. Follow-on care and coordination for some minimally-injured service personnel might be more effectively done close to home with the supportive care of family members and the community. In other cases, where more complex resources are needed or families are not able to assist, more centralized service units are necessary.

Question. If confirmed, and if casualties increase in Afghanistan as anticipated as a result of the troop increase ordered by the President, what will you do to ensure that care for wounded and seriously ill servicemembers and their families is of the highest quality?

Answer. If confirmed, I will bring unrelenting leadership focus to this issue. Understanding that the potential exists for breakdown in care at many points in the system, leaders at all levels must be held accountable for the highest quality of care. We must constantly look forward to anticipate problems and improve the system, and not wait for problems to arise and find ourselves scrambling for answers. We need to understand that we need to constantly seek improvement, not only in specific medical treatments and technology, but in how we organize and deliver care (including administrative procedures) and how we communicate and show compassion to sick and injured servicemembers and their families—and we must do this while remaining good stewards of public resources.

WALTER REED NATIONAL MILITARY MEDICAL CENTER

Question. The Base Realignment and Closure Commission Act of 2005 realigned medical operations from the current Walter Reed Army Medical Center to the Walter Reed National Military Medical Center (WRNMMC), Bethesda, and the Fort Belvoir Community Hospital. The National Defense Authorization Act (NDAA) for 2008 required that the new medical facilities be constructed as "world class" medical facilities, incorporating the best practices of premier private health care facilities throughout the country. When the new facilities open in 2011, DOD will have achieved the most significant realignment of military medical resources in history, through both "world class" facilities and an integrated health care delivery system serving wounded and ill servicemembers and their families in the National Capitol Region.

If confirmed, how would you ensure that WRNMMC achieves these goals?

Answer. I understand that there has been much public discussion regarding the "world class" nature of construction of and integration at WRNMMC and other BRAC healthcare facilities in the National Capital Region. If confirmed, I will quickly familiarize myself with the history of these discussions and decisions in order to guide the efforts to effectively bring to fruition the goals for healthcare in the National Capital Region.

Question. Are you committed to ensuring that any additional construction requirements based on the facilities masterplan for the NCR are completed as quickly as possible?

Answer. Yes.

DENTAL BENEFITS

Question. The committee has increasingly heard complaints that DOD dental benefits are less attractive than those offered by other employers. Also, DOD beneficiaries, especially members of the Reserve Components, have shown a reluctance to use their dental benefits.

If confirmed, what action would you take to evaluate the effectiveness of dental programs for the active duty, reservists, retirees, and their dependents?

Answer. If confirmed, I would expect my staff to evaluate the benefit on an ongoing basis, including analysis of enrollment and utilization, and surveys of members to determine their satisfaction. Additionally, if confirmed, I would work with Congress to make any necessary changes to the program.

EFFECT OF PRIVATE SECTOR CARE ON MEDICAL READINESS

Question. Currently more than 60 percent of military medical care is provided by civilian provider networks outside of MTFs.

In your view, has this shift from MTF-based care to the TRICARE network affected military medical training programs in any way?

Answer. If confirmed, I will study this issue and develop appropriate courses of action to ensure the military medical training programs remain of the highest quality.

Question. If confirmed, how would you ensure that if we continue to see an increase in the use of private sector care, military medical training programs will remain viable?

Answer. If confirmed, I will study this issue and develop appropriate courses of action to insure the military medical training programs remain of the highest quality. There are several potential ways to ensure viability of military medical training programs, which include, but are not limited to; simulation training, changing rotation sites for trainees, and more effective use of work hours. A big issue we have in medical training now is the growth of information and turning it into useable knowledge. In some ways, the Military Health System is better positioned to deal with needed changes in medical training than our civilian counterparts. All the elements of the training system are within our influence, including a medical school and advanced nursing programs, an insurance plan, medical training facilities, outpatient practices, simulation training platforms and research opportunities. We can shape the continuum of the training spectrum to produce the best educational outcomes while providing the best care and experiences for our beneficiaries.

MILITARY HEALTH PROFESSIONAL RECRUITING AND RETENTION

Question. DOD is facing severe shortages of military medical professionals, including physicians, dentists, and nurses, needed for its peacetime and wartime missions. The Department relies on a combination of bonuses and incentives to recruit and

retain military health care professionals to provide care to military members and their families.

What are your views on the adequacy of existing bonus and pay incentive programs for both active and Reserve components?

Answer. DOD, like any other major employer, must be able to use effective, competitive, and fair financial tools to be able to attract and retain highly-qualified professionals in both the Active and Reserve components. Having fewer than the optimum number of uniformed health care professionals could result in increased private sector care costs and lower medical force morale. It is important to properly manage recruiting, pay, and retention programs to ensure appropriate balance for Department missions and beneficiary needs. If confirmed, I would fully commit to working within the Department and with Congress to address this issue.

Question. Based on your service as the Assistant Surgeon General for Reserve Affairs, Force Structure, and Mobilization and as Deputy Commander of the Army Reserve Medical Command, do you have any recommendations about the effectiveness of incentives for medical personnel to serve in the Reserve Forces?

Answer. Not at this time. As medical specialties change and requirements for manpower shift, this issue will need constant review and updating.

Question. What other steps can be taken to eliminate shortages of medical personnel, including nurses and mental health providers?

Answer. I do not have any specific recommendations at this point, but if confirmed, I will work to understand what factors contribute to these shortages and take action to resolve these issues.

DISABILITY EVALUATION SYSTEM PILOT PROGRAM AND SEAMLESS TRANSITION

Question. DOD and VA are conducting a Disability Evaluation System Pilot in which the VA conducts a single medical examination for both VA and DOD purposes. This pilot was recently expanded.

What is your assessment of the effectiveness of this pilot program?

Answer. I have not been briefed on the effectiveness of current programs, but I understand that there is still room to improve. If confirmed, I will work with colleagues at the VA and the USD(P&R) to optimize programs, policies and procedures to produce the most efficient DES that serves the needs of servicemembers and future veterans.

Question. What are the critical elements necessary for a seamless transition of health services from one agency's responsibility to another?

Answer. Based on my past experience, I believe the critical elements for a seamless transition of health services from one agency to another are: a full understanding of medical care capabilities within both agencies by all medical providers involved; clear communications of the transition plan between providers in each agency and with the patient and patient's family; timely transfer of all pertinent medical records before or at the time of transfer of the patient; and, ongoing communication after the transfer of the patient between the medical providers in each agency and with the patient and patient's family.

Question. How can the transition for disabled servicemembers between DOD and the VA be improved, especially in the area of health care?

Answer. Improvements in the transition of health care between DOD and VA can be achieved by early and concise communications to servicemembers and their families about the DOD and VA benefits and programs they are entitled to based on their military status and service. Based on my experiences, I believe that two principal efforts would facilitate the early and concise communication we desire. The first would be to establish a program that assigns a specific DOD–VA team comprised of medical staff to support each patient and his/her family during the transition process. The second initiative would be to establish a single, user friendly disability evaluation system that is evidence-based, medically-endorsed, and most importantly, consistent with the civilian disability system. If confirmed, I would give this issue my fullest attention.

Question. Even with accelerated processing in the Disability Evaluation System Pilot, required times for medical evaluation boards can be well over a year.

Do you have any views about improvements that can be made quickly to the medical evaluation board process in order to reduce case processing times?

Answer. I am aware that there are ongoing high-level efforts between DOD and VA to improve the Disability Evaluation System. Based on my experience, I understand that DOD's Physical Disability Evaluation System was designed to evaluate an individual's loss of capability to function once the medical condition has reached maximum benefit from continued medical care. The period of time necessary to make that assessment varies widely from person to person, and is dependent on in-

dividual rates of healing and response to restorative therapies. The medical evaluation board process requires that maximum benefits of medical care be completed. A change that would streamline the process would require care providers to make an early, initial medical prediction of capability after maximum benefits of medical care are complete, and, once the patient's medical condition is stable, then proceed with the disability benefits determination based on that assessment. This would require frequent re-evaluation of medical capability as the healing process is continuing, and possible redetermination of benefits. If confirmed, I would give this issue my fullest attention.

TRAUMATIC BRAIN INJURY

Question. In Iraq and Afghanistan, our troops are facing the threat of Improvised Explosive Devices (IED). Because of improved body armor, troops are surviving IED blasts, but frequently suffer traumatic brain injuries (TBI) from the concussive effects of the blasts.

What tools are needed by medical personnel to adequately diagnose and treat TBI on the battlefield, and do you think the Services have adequate capabilities in Iraq and Afghanistan?

Answer. Based on my experience, I understand that our medical personnel are doing a superb job identifying and treating the severe TBI incidents on the battlefield. Far forward surgical care is saving lives, and neurosurgical care is a significant contributor. I have learned that in August 2006, the Department started using the Military Acute Concussion Assessment, along with a clinical practice guideline, to help identify and document mild and moderate TBI. I greatly appreciate the significance of educating troops and their leadership about the importance of this evaluation as soon as possible, after even a mild injury, as well as educating medical providers on this new tool.

Question. What is your understanding of the ability of medical personnel to diagnose and treat TBI in CONUS medical facilities?

Answer. Medical personnel are cognizant of the potential for TBI in our personnel, both at home and on the battlefield. There is no easy, definitive test, such as a blood test, available today to quantify the nature and extent of injury associated with TBI. However, we are extending the use of neurocognitive assessment tools throughout the DOD system to help identify patients who had TBI and determine if they still have symptoms. The majority of mild TBI does not require specific treatment other than time to heal, but we now believe we must document the incident and an assessment of acute signs and symptoms as close to the time of injury as possible. I understand that treatment for persistent symptoms is available in MTF neurology clinics.

Question. What is your understanding of the adequacy of the DOD physical evaluation system and its ratings to fairly address the conditions that result from TBIs?

Answer. I am aware that there are ongoing high-level efforts between DOD and VA to improve the Disability Evaluation System. I am told that the DOD Physical Evaluation Board evaluates impaired function and rates individuals against established criteria for disability compensation, and that when that disability is severe, the system works very well. However, as DOD and VA shape a comprehensive DOD/VA system to assess, diagnose and treat mild and moderate TBI, the potential exists that the two Departments may have to modify the disability evaluation system. If confirmed, I would commit to ensuring the adequacy of the physical disability system to fairly address these conditions.

MENTAL HEALTH CARE

Question. The mental health of servicemembers and their families is of intense concern to the committee.

What is your understanding of the scope of the problem of diagnosing and treating post-traumatic stress disorder (PTSD) and other mental health conditions in the Armed Forces?

Answer. I am told that DOD is educating its personnel about PTSD. From my experience, I know that DOD assesses servicemember concerns and symptoms of PTSD and related mental health issues upon return from deployments and again 3 to 6 months later. Individuals who identify symptoms are medically evaluated and referred for further diagnosis and treatment if needed. PTSD and other mental health conditions are treatable.

Question. If confirmed, what actions would you take to ensure that health care providers are appropriately trained in diagnosing post traumatic stress and other conditions including potential suicide?

Answer. I understand that DOD and the VA have developed clinical practice guidelines for the diagnosis and treatment of PTSD. Continuing Medical Education is a requirement for all practicing physicians and DOD has many educational resources available to not only ensure its providers have the expertise to diagnose PTSD, but that its servicemembers and their families will be educated. I understand that the Defense Centers of Excellence for Psychological Health and TBI develop research and knowledge products that further expand the state of the art in diagnosis and treatment.

Question. If confirmed, what steps would you take to destigmatize seeking care for post traumatic stress and other mental health conditions?

Answer. Applying my professional experience as a physician, I understand that the first step to de-stigmatize PTSD and other mental health conditions is education of the military population. A major next step would be to validate that those who seek and receive mental health care are successful in continuing their military careers. Concerns about loss of status with peers, leaders, and family members, and loss of military career are the two major causes for individuals not seeking care for PTSD and other mental health conditions.

Question. What would you recommend to the Secretary of Defense to reduce suicide among members of the Armed Forces?

Answer. At this time I do not have specific recommendations for reducing suicides. This problem has received a lot of study and requires more. There are many initiatives that have been started to address this issue (as well as PTSD and TBI which may be related in some cases). We need to bring better evaluation of the programs that exist and enhance those that work and eliminate those that are of no value and perhaps harmful. Program evaluation should be grouped into tracts that can be validated, such as; prevention (including servicemember selection and resiliency training), identification of servicemembers at risk (tools), medical/behavioral therapies and interventions, follow-on care, long term outcomes, administrative and cultural issues that prevent optimizing identification and care of those at risk, and family issues.

PSYCHOTROPIC PRESCRIPTION DRUG USE

Question. According to a recent Military Times article, "one in six servicemembers is on some form of psychiatric drug," "17 percent of the Active-Duty Force and as much as 6 percent of deployed troops are on antidepressants," and the "use of psychiatric medications has increased . . . about 76 percent overall . . . since the start of the current wars."

What is your understanding of the accuracy of these reports?

Answer. It is my understanding that this data is based on information collected in the Army and the rates likely differ across the Services. Further data collection and analyses across the Services could provide the additional information needed to determine accurate rates both across and within each service. This will allow comparisons and monitoring for differences that may be of statistical significance.

However, the data cited by the Military Times does direct us to important questions to be further studied and addressed about medication use in the deployed setting.

Question. In your view, what is driving this increase in the use of psychotropic drugs?

Answer. From my experience, I understand that a new era of combat has emerged, where counterinsurgency and asymmetric warfare are the norm. This places a great amount of strain on our servicemembers. Despite the challenges, they remain incredibly resilient, motivated and well-trained. Resources and programs are necessary to maintain resilience and motivation. The earlier the intervention the better; and servicemembers should be encouraged to reach out as an act of courage and strength. Psychopharmacological treatments are an important component of mental health care. Scientific evidence over the past several decades shows that medications limit the severity and duration of illness as well as being a key factor in preventing relapses and recurrences. I am aware that experience and clinical evidence have also been translated into recommendations for clinicians in the VA–DOD Clinical Practice Guidelines for Major Depressive Disorder, Post-Traumatic Stress Disorder, Psychoses and Substance Use Disorder; and that these guidelines are updated periodically, as required, to reflect the most current knowledge concerning each of these conditions.

Question. In your view, is it appropriate to prescribe psychotropic medication to military personnel in combat zones?

Answer. Each clinical case must be evaluated individually. For some conditions, psychotropic medication may alleviate symptoms and permit the individual to con-

tinue to function well. However, other conditions could require medical evacuation for treatment or evaluation.

Question. If confirmed, what actions will you take to monitor the issuance of psychotropic medications in combat theaters?

Answer. If confirmed, I will work with the Services and combatant commanders to conduct a review of issuance of psychotropic medications in combat theaters.

MEDICATION MANAGEMENT

Question. The committee continuously receives reports that many wounded, ill, and injured military personnel are overly medicated.

If confirmed, what action will you take to ensure that medications prescribed for wounded, ill, and injured servicemembers are medically appropriate and compatible with other prescriptions?

Answer. I understand that the MHS does currently have a sophisticated and effective electronic prescribing process in place in MTF's that minimizes prescribing errors and provides real time feedback to providers on potential drug interactions. I am also aware that the DOD/VA Clinical Practice Guidelines especially focus on appropriate prescribing for common medical conditions in our population. If confirmed, I would strongly promote the continued development and refinement of these and other patient safety and provider education evidenced-based initiatives. I would also encourage the Services to ensure that processes are in place that both promote these and other evidenced-based safe prescribing initiatives through monitoring and incentive programs for healthcare providers that target the optimization of safe and effective health care outcomes for all DOD beneficiaries.

Question. If confirmed, what policies and programs will you implement to improve pain management?

Answer. I am aware that DOD currently reviews how individiual facilities are doing in the assessment and treatment of pain through the mandated accreditation process; and that DOD/VA Clinical Practice Guidelines are also in place for the promotion of optimal management of Low Back Pain, Post Operative Pain, and Chronic Opioid Therapy. The NDAA for Fiscal Year 2009 further mandated 'the development and implementation of a comprehensive policy on pain management by the military health care system.' I am also aware that all three Services and TMA have initiated programs to further assess pain management within the MHS. If confirmed, I would ensure that the NDAA requirements are met, that the results of these programs are thoroughly evaluated, and valid conclusions are considered for implementation where appropriate.

DRUG MAINTENANCE TREATMENTS

Question. The drug buprenorphine, which is similar to methadone, is used in private sector care to treat opioid-dependent patients in drug maintenance programs. The use of buprenorphine for this purpose is also covered by Medicare, Medicaid, and the VA health care program.

What are your views on the use of buprenorphine for drug maintenance treatment for opioid dependence?

In your view, should the use of buprenorphine for drug maintenance treatment be covered under the TRICARE benefit?

Answer. I understand that while TRICARE does cover the cost of buprenorphine or methadone when used in detoxification or medically-supervised withdrawal from opioids, regulation prohibits its use in the maintenance treatment of opioid dependence. There currently exists ample scientific support for the use of medications such as buprenorphine and methadone in the maintenance treatment of opioid dependence.

I am also aware that TRICARE is pursuing changes in the Code of Federal Regulations that would permit the use of buprenorphine for opioid dependence maintenance treatment in non-active-duty beneficiaries.

ELECTRONIC MEDICAL RECORDS

Question. An area of frustration for both patients and providers is the inadequacy of seamless electronic medical records, despite nearly two decades of development by DOD.

What experience do you possess in the area of health information technology?

Answer. My career has spanned the transition from paper health records to the EHR. Boston Medical Center was one of the first health institutions in the Boston area to commit to an EHR. Many lessons have been learned about implementation of such an initiative including problems that arise with off-the-shelf components that do not communicate easily with each other (often requiring multiple data sys-

tems), development of novel in-house systems that do not communicate with outside data bases (and become obsolete quickly) and require great costs to maintain, requirements for training, poor acceptance by users (especially when end user issues are not considered in development) and portability of information as patients change health care venues frequently. Data systems need to be modifiable to accommodate the unique needs of departments and sub-activities within the organization if they are to get useful data for quality improvement processes. Intuitive systems with comprehensive data that are reliable, fast, portable, and communicate well internally and externally are some of the key features needed in the EHR.

Question. What lessons from the civilian community are applicable to improving DOD electronic medical records?

Answer. Civilian EHR and data systems struggle with solving the problems noted above and meeting the requirements of a good system as outlined. If confirmed, I would work with USD(AT&L) and the VA to find suitable, financially sound and sustainable answers to these issues. Success would be determined by implementing a system meeting the aforementioned requirements.

Question. If confirmed, what priorities would you pursue to improve electronic medical records, and in your view what are the measures of success?

Answer. See above answer.

WOMEN'S HEALTH

Question. In view of the expanding roles of women serving in the Armed Forces, what are the health challenges that DOD and the Services must address both in deployed and nondeployed environments?

Answer. The contributions of women in the military increase every day as opportunities and roles expand for them. OEF and OIF have seen an unprecedented deployment of female military members from all Services and Components. We need to continue to expand our understanding of how best to support women's health needs both in the deployed and nondeployed status and as they transition to veterans status. Better understanding and delivery of services includes, but is not limited to, gynecologic and pregnancy care, urinary tract infection treatment and prevention, hygiene in the deployed environment, ergonomics and prevention of injury, fitness and strength development, weight and nutrition advice, psychological stress, eliminating and responding to sexual harassment and sexual assault and PTSD/TBI. Many of these issues overlap with general health promotion concerns for the force, but may require special focus to evaluate specific issues related to women.

Question. If confirmed, how would you assess the adequacy of current health services for female servicemembers, and what steps would you take to improve them?

Answer. If confirmed, I would seek input from a women's health advisory committee to evaluate current practices and future directions for addressing and improving women's health issues in the military. The committee would have broad input from health professionals, enlisted personnel and officers from constituent services. Priorities for care and research in women's health will be reviewed with the Surgeons General.

FORT HOOD

Question. Based on published reports assessing the tragic shooting at Fort Hood in November 2009 in which 13 people were murdered and 43 injured, what, in your view, are the most important lessons learned for the medical departments of DOD?

Answer. I have not been briefed on the findings of the official investigation into the tragic events that took place at Fort Hood on November 5, 2009 and therefore cannot comment on specific issues. However, it would appear that collectively we need to improve our abilities to identify home grown terrorists and those susceptible to radicalization. Furthermore, leaders at all levels need to accurately, honestly and with courage, assess the behaviors of those they are responsible for and call into question those who exhibit behaviors not compatible with military service and the oath to protect and defend the constitution of the United States. If confirmed, I will hold my leaders accountable for these responsibilities.

HIV/AIDS SURVEILLANCE AND TREATMENT

Question. According to the Centers for Disease Control and Prevention, the annual rate of AIDS diagnoses reported among males aged 15–19 has nearly doubled in the past 10 years within the United States. In addition, the committee has received information that DOD surveillance programs and access to care need improvement.

What is your assessment of the increase in AIDS diagnoses among this age group, and its potential impact on the military?

Answer. The increasing incidence of HIV infection in the demographic group identified (male age 15–19) suggests that the lessons learned about prevention 2½ decades ago have been forgotten. We must redouble our efforts at education. The consequences of not reversing this trend are enormous, not only for the individuals at risk for death and complications from this disease, but also it will limit the number of individuals who might otherwise honorably serve in the military. In addition, the cost of treating those infected with HIV is substantial.

Question. If confirmed, what steps would you take to ensure that DOD is effectively identifying and treating individuals diagnosed with HIV/AIDS?

Answer. If confirmed, I would enhance programs aimed at HIV and STD education, prevention, and surveillance.

USE OF LIVE ANIMALS IN MEDICAL EDUCATION AND TRAINING

Question. The committee understands that the Department allows some limited use of live animals for medical research, education, and training purposes.

Based on your background in medical education, please describe your views on the use of live animals for medical education and training given the many technologically advanced simulators in existence today.

Answer. In the future I believe advanced simulation platforms should and will supplant the need for live animal use in medical education. Simulators will need to be validated to provide similar or superior training for medical personnel before they can substitute fully for live tissue training. Some simulators can breathe, bleed, urinate, speak, and respond to stimuli and drugs. These simulators, combined with patient actors and scenario based training may offer superior training models over live animals in the future. Live tissue training should only be used when, after exhaustive analysis, no other satisfactory substitute exists. Since student medics need to be able to repeat a realistic training experience to gain skill and confidence to prepare to be ready to save lives in battle, live tissue training remains a valuable training tool today.

RESEARCH ON GULF WAR ILLNESS

Question. Both DOD and the VA have conducted research on Gulf War Illness stemming from health concerns of veterans.

What is your assessment of the evolution of research in this field to date?

Answer. I have witnessed the fact that more research has been done to understand the health concerns of veterans of the Gulf War than in any other war. A recent Institute of Medicine review of the medical literature from this research has stated that while there is no unique syndrome that has been identified, the Gulf War veterans experience a wide spectrum of symptoms at a rate nearly double that of military personnel who were on active duty at that time but did not deploy. The medical challenge is to better understand the causes of symptoms in our patients, particularly for the subjective symptoms.

Question. What, in your view, are the promising areas for further research, especially for the treatment of symptoms resulting from neurological damage due to chemical exposures?

Answer. Medical science is developing a better understanding of brain function and brain physiology due to better tools and better understanding from research that has been ongoing in the fields of mental health, TBI and the spectrum of neurological diseases like Alzheimer's, Parkinson's disease, amyolotrophic lateral sclerosis and others. Research focused on relating symptoms to specific brain functions, insults, or neurotransmitter changes would have major importance, not only to Gulf War veterans, but to the broader population.

Question. If confirmed, what approach would you take to assess the core biomedical research programs of the DOD to ensure that the objectives and resourcing of such research is consistent with future potential threats to U.S. forces?

Answer. I understand that the core biomedical research programs in DOD are requirement-driven, and those requirements are based on military unique issues. I also understand that the governance of the biomedical research is through the Armed Services Biomedical Research Evaluation and Management committee, which the ASD(HA) co-chairs. If confirmed, I would welcome the opportunity to fulfill this critical leadership role.

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 Assistant Secretary of Defense for Health Affairs?

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR DANIEL K. AKAKA

MEDICAL BUDGET

1. Senator AKAKA. Dr. Woodson, the Assistant Secretary of Defense for Health Affairs (ASD(HA)) is charged with many duties and responsibilities. Among them is to serve as the program manager for all Department of Defense (DOD) health and medical resources and to prepare and submit a DOD Unified Medical Program budget to provide resources for the DOD Military Health System (MHS). These duties emphasize significant experience in the various areas of healthcare management and administration. The Unified Medical Program budget occupies a significant part of the overall DOD base budget. For example, the fiscal year 2011 DOD budget request includes $50.7 billion for the DOD Unified Medical Budget to support MHS. DOD's overall base budget request for fiscal year 2011 is $549 billion. You stated in your advance policy questions, as well as your confirmation testimony, before the Senate Armed Services Committee that you have experience as a healthcare administrator. What specific and relevant financial, logistical, human resource, and other healthcare administration education, certification, or experience do you have that will enable you to be an effective program manager of a $50 billion enterprise?

Dr. WOODSON. I fully understand the large set of budget responsibilities that are assigned to the ASD(HA) in leading the Military Health System enterprise. My previous work and career experience has been broad. As a physician and former senior medical and health care leader, I have dealt with, advised others on, and helped developed solutions to complex budget issues in a multi-dimensional healthcare system. Likewise, as an Associate Dean and senior leader in a major university, I have managed departmental budgets, and given advice on and contributed to developing strategic solutions to budget issues. In my role as USAR General Officer and Commander, I have been responsible for and managed millions of DOD dollars for training and readiness. Furthermore, I have been formally educated in DOD and POM budgeting process. Finally, I understand that the process of managing the MHS enterprise is a team effort, and the most important skills are those of leadership and knowing how to establish the vision of excellence and efficiency and how to get people to work toward common goals. If confirmed, assisting me in the role of ASD(HA) are a large number of talented and experienced experts. The Deputy Assistant Secretary of Defense (DASD) for Health Budgets and Financial Policy (HB&FP) acts as the principal staff assistant for all DOD financial policies, programs and activities. This office is responsible for budget formulation and oversight, program analysis and evaluation with my guidance. The ASD(HA) and DASD(HB&FP) must work closely together and are supported by several departments, as well as the Service Surgeons General and the Service Chief Financial Officers. The most important skills in budget management are clear guidance and management of staff process to produce timeliness of budget reviews, submission, and reporting. I have significant experience in all of these matters across the breadth of my work and career experience.

UNIFIED MEDICAL COMMAND

2. Senator AKAKA. Dr. Woodson, the House of Representatives' version of the National Defense Authorization Act (NDAA) for Fiscal Year 2011 [H.R. 5136] includes a provision for the creation of a Unified Medical Command (UMC). H.R. 5136 states that a UMC would remove many of the challenges present under the current structure caused by a disconnect between requirements determination, which is performed by the Services, and resource allocation, which is currently controlled by the ASD(HA). A UMC could result in significant savings for DOD as well. A 2006 Center for Naval Analyses study concluded that a single medical command could reduce DOD's healthcare cost by $344 million annually. What is your opinion of the UMC proposed in H.R. 5136?

Dr. WOODSON. It is my understanding that the Department has undertaken a number of studies over many years regarding the most effective organizational approach for health care delivery. The top health care priority of the Department is medical readiness—to ensure that servicemembers are medically ready for deployment and combat, and to ensure the medical forces are ready to support the warfighter anywhere in the world. All organizational approaches for consideration must not compromise this fundamental requirement. If confirmed, I will work with Secretary Gates and Under Secretary Stanley to determine what organizational model best enhances our medical readiness, offers greater agility for decisionmaking, introduces efficiencies in administrative processes, and reduces costs of those processes. Certainly, the UMC proposal in H.R. 5136 is one option that could be evaluated against these criteria.

3. Senator AKAKA. Dr. Woodson, what role do you see the ASD(HA) performing in UMC?

Dr. WOODSON. If confirmed, I will work with Secretary Gates and Under Secretary Stanley to determine what organizational model best enhances our medical readiness, offers greater agility for decisionmaking, and introduces efficiencies in administrative processes. The top health care priority of the Department is medical readiness—to ensure that the servicemembers are medically ready for deployment and combat, and to ensure the medical forces are ready to support the warfighter in the field. Regardless of the organizational approach ultimately chosen, I believe the ASD(HA) will remain the principal medical advisor for the Secretary of Defense, and in this capacity will have broad authority and responsibilities for the medical mission of the Department.

TRAUMATIC BRIAN INJURY

4. Senator AKAKA. Dr. Woodson, recently some of my colleagues and I sent a letter to Secretaries Gates and Shinseki describing some of our concerns about traumatic brain injury (TBI) care in the Military Departments. One of the primary concerns was over the inadequacies in the Post Deployment Health Reassessment Program. If confirmed, what will you do to ensure these assessments are being completed?

Dr. WOODSON. The Post-Deployment Health Reassessment (PDHRA) is a critical part of our armamentarium in the area of health surveillance. The PDHRA is to be completed by every servicemember who returns from deployment in Operation Iraqi Freedom and Operation Enduring Freedom. Per Department of Defense Instruction 6490.03, the Secretaries of the Military Departments are to ensure that the post deployment assessments are completed within the established timeframes in the Instruction. The first step in assessing the efficiency and effectiveness of these post deployment activities is to ensure that the assessment forms are completed. For these efforts to succeed, it is critical that the Military Health System (MHS) work very closely with the Services to ensure the bridges between the commanders' responsibilities and the medical activities are well defined. We will reinforce the lines of communication with the Services, in conjunction with the Under Secretary of Defense for Personnel and Readiness, to ensure they have the mechanisms in place so that all returning servicemembers complete a PDHRA.

We have to ensure with all certainty that all PDHRAs are reviewed, referred (if needed), and acted upon by a trained health care provider to ensure the servicemember's concerns or positive indications of a physical, neurological or mental health condition is evaluated and treated, if indicated. If confirmed, I will make sure that both the MHS and the Services have the procedures in place to achieve a goal of 100 percent completed PDHRAs, and have the quality processes that go along to ensure the right and appropriate follow ups are done.

5. Senator AKAKA. Dr. Woodson, how will you ensure privacy to enable the collection of honest assessments?

Dr. WOODSON. The Military Health System (MHS) takes the issue of protecting personal information very seriously and strives to ensure that each beneficiary is afforded a health care environment that facilitates an honest, truthful, dialogue with his or her medical provider. This is best achieved in the nondeployed clinic setting, but is also afforded to those servicemembers in more austere environments. Our medical providers are regularly trained on the DOD Health Affairs (HA) and TRICARE Management Activity (TMA) policies and business practices which comply with Federal laws, DOD regulations, and guidelines governing the privacy of health visits and the security of medical information of our servicemembers. More specifically, DOD HA and TMA have an ongoing process for developing and managing the delivery of specialized, role-based Health Insurance Portability and Accountability Act (HIPAA) Compliance and Privacy Act training for all MHS personnel as a key element of the TMA Privacy Office training and awareness program. These efforts are augmented by the overall promotion of a culture of compliance through privacy and HIPAA security awareness, education, and outreach activities, including orientation sessions, seminars, and conferences.

6. Senator AKAKA. Dr. Woodson, how will you ensure that results are being properly screened and followed up on?

Dr. WOODSON. The first step in assessing the efficiency and efficacy of post deployment activities is to ensure that the assessment forms are completed. For these efforts to succeed, it is critical that the Military Health System works very closely with the Services to ensure the bridges between the commanders' responsibilities and the medical activities are well defined. We will establish a very solid line of communication with the Services, in conjunction with the Under Secretary of Defense for Personnel and Readiness, to ensure they have the mechanisms in place so that all returning servicemembers complete a PDHA and PDHRA. We must also ensure that we adhere to our own clinical practice guidelines on completing post deployment health assessments so that if a servicemember is screened or reviewed and subsequently requires a referral, it is acted upon by a trained health care provider and the servicemember's concerns or positive indications of a physical, neurological or mental health condition is evaluated and treated, if indicated.

VA–DOD COLLABORATION

7. Senator AKAKA. Dr. Woodson, I understand that troops go through a demobilization process upon return from deployment. I have also been told that Department of Veteran Affairs (VA) representatives are not always present during the demobilization process, particularly for Guard and Reserve units. What advice can you offer to enable better collaboration with VA and DOD to ensure a successful demobilization process?

Dr. WOODSON. It is DOD policy that the VA is invited to the demobilization of all returning Reserve component (RC) forces (Active-Duty Forces do not demobilize when they return to the United States). To improve the coordination between the Departments, we could actively coordinate our demobilization station activities with the regional VA centers and local Vet Centers. As an outreach activity, the regional VA representative from the home station of the returning unit could also be invited and actively engaged with the returning veteran population. The VA is also invited and is a key participant in the Yellow Ribbon Reintegration Program (YRRP), but since that is a voluntary program, there are still significant returning veteran populations that are not reached. As another option to increase participation in the YRRP, DOD could encourage the Services to require all of their demobilizing servicemembers to attend YRRP events prior to departing demobilization stations.

Note: Currently, Touch Point 1 is Veterans Affairs' (VA) Reserve Component Demobilization Initiative to ensure Operation Enduring Freedom/Operation Iraqi Freedom (OEF/OIF) Veterans returning from the combat zone are introduced to VA during out-processing at the 61 demobilization sites. Servicemembers receive an overview on VA services and benefits and are enrolled in VA healthcare.

Servicemembers are assigned an OEF/OIF program manager to contact, who will set up initial health and dental appointments at the VA facility of their choice. Since May 2008, VA has supported over 1,295 demobilization events, briefed over 73,000 Veterans, and enrolled over 70,000 of them, for a 95-percent enrollment rate." VA's website at http://www.oefoif.va.gov/SevenTouchesOutreach.asp is very helpful.

SUICIDE PREVENTION

8. Senator AKAKA. Dr. Woodson, nearly as many American troops at home and abroad have committed suicide this year as have been killed in combat in Afghanistan. Preventing suicides is a tough challenge. But we must begin to change a culture that discourages at-risk servicemembers from seeking help when needed. If confirmed, what specifically will you do to change this culture?

Dr. WOODSON. DOD recognizes that the stigma of seeking help is at times a barrier to accessing needed care. Servicemembers need assurance that they can seek psychological health care and treatment, and maintain a successful military career. If confirmed, I will continue stigma-reduction initiatives such as the Real Warriors Campaign, and engage leadership to shift DOD to a culture that promotes healthy and help-seeking behaviors and lead collaboration efforts among the Services to combat a culture that discourages our military members from accessing necessary care. I will enhance "safe-havens" within commands for soldiers to seek behavioral health counseling and advice without suffering repercussions and allow transfer of behavioral health information important to monitoring soldiers "at-risk" as they move between commands. This will maximally protect soldiers, commanders and unit missions. It is imperative that servicemembers receive the care and treatment they need.

9. Senator AKAKA. Dr. Woodson, suicide prevention is difficult and challenging. There have been a lot of people in the Services and the VA who have worked diligently on this issue. The Services have experienced a rise in the number of suicides since the wars in Afghanistan and Iraq started. In order to prevent suicides, I believe we need to better understand its causes. If confirmed, what specific actions will you recommend for the Services to address suicide prevention?

Dr. WOODSON. I acknowledge that suicide is a complex issue, but the rise in suicides among servicemembers is deeply concerning and unacceptable. If confirmed, I will recommend the Services work in collaboration with each other and the VA to coordinate surveillance efforts, evaluate, and share best practices. I share and support DOD's commitment to ensure the well-being and safety of all servicemembers and their families.

I will seek to enhance the effectiveness of the Defense Centers of Excellence and the National Intrepid Center of Excellence whose missions are to address and find answers to the concerns around behavioral health, suicide prevention and TBI. Also, I will support the findings and implement recommendations of the Task Force on Suicide Prevention led by General Chiarelli as they relate to actions that can be taken by ASD(HA). I will review the findings of the DOD Task Force report and will use its recommendations to guide the development of additional policies to reduce suicides as appropriate.

10. Senator AKAKA. Dr. Woodson, what specific actions will you recommend so that there is greater collaboration between the Services and VA regarding suicide prevention?

Dr. WOODSON. DOD and Department of Veterans Affairs (VA) have a strong partnership and I support continued collaboration between the agencies to optimize suicide prevention efforts for servicemembers, veterans, and families. If confirmed, I will recommend increased coordination and information sharing between the DOD and VA to facilitate collaboration on multiple areas of suicide prevention. I will work with Secretary Shinseki to enhance and leverage community-based VA programs and available behavioral health specialists to treat servicemembers. I believe we can leverage each other's strengths to better serve our servicemembers, veterans, and their families.

JOINT DUTY REQUIREMENT

11. Senator AKAKA. Dr. Woodson, the Goldwater-Nichols Act set a requirement that officers must complete a full tour of duty in a joint duty assignment or receive a waiver prior to being selected for appointment to the general or flag officer pay grade. Currently, a waiver for this requirement exists for medical officers, dental officers, veterinary officers, medical service officers, nurses, and biomedical science officers in the Services. If confirmed, will you recommend to the Secretary of Defense that the above named categories of officers be subject to the joint duty requirement of the Goldwater-Nichols Act? Please explain.

Dr. WOODSON. If confirmed, I would not make this recommendation. The current statute allows for the flexibility for those career fields to promote along with their peers, so not to be disadvantaged due to the special nature of their work.

By policy, a joint experience and a required joint duty assignment is defined as "an assignment to a designated position in a multi-Service or multi-national command or activity that is involved in the integrated employment or support of the land, sea, and air forces of at least two of the three Military Departments. The preponderance of the officer's duties involve producing or promulgating national military strategy, joint doctrine, joint policy, strategic plans, or contingency plans, or to commanding and controlling operations under a combatant command."

Due to the specialized nature of their work and career paths, these officers are unable to meet the intent of Goldwater-Nichols' joint experience and the Department's definition. However, the Department's increased focus in joint matters, allows each officer to apply for experience points due to the nature of their individual assignment regardless of career field in order to gain the joint qualification.

It should be noted that many medical specialty officers actually have deployed and work in multi-service "joint" environments. Most of the MTFs in the current theaters of operation are staffed by tri-service military medical officers. If confirmed, I will work with the Services and Service Surgeons General to define opportunities for medical officers to receive education and experience in joint and interagency operations.

QUESTIONS SUBMITTED BY SENATOR JIM WEBB

DISABILITY EVALUATION SYSTEM

12. Senator WEBB. Dr. Woodson, in your responses to the advance policy questions, you stated you would give your fullest attention to the lengthy processing times that have occurred in the Disability Evaluation System (DES) pilot program. Delays of a year or longer have been reported. While extended processing time is sometimes necessary, it is generally not in the best interest of the servicemember. The responsibility for addressing this important transition issue lies with the joint DOD–VA Senior Oversight Committee (SOC), but I understand that the SOC's members are not working together as well as they should. What specific steps will you take to address this issue and other efforts to improve a servicemember's transition from DOD to DVA care, treatment, and benefits?

Dr. WOODSON. The DES Pilot, established in November 2007 and now operating at 27 locations, is processing Active component servicemembers on average, in 311 days. This is about 43 percent faster than the Legacy DES. As a member of the Senior Oversight Committee, we will continue to strive to improve the DES process. Only through collaboration between DOD and VA can we provide the health care and benefits our servicemembers need as they transition.

13. Senator WEBB. Dr. Woodson, what steps can be taken to foster better coordination and collaboration with your counterpart, the Under Secretary of Veterans Affairs for Health?

Dr. WOODSON. There is always much that can be done to improve the communications and collaboration between DOD and VA, especially as it affects the care and distribution of benefits for our returning servicemembers, veterans, and their families. As the DOD/VA Health Executive Council (HEC) is the established body to oversee and implement our joint programs, if confirmed, I intend to establish and maintain a continuous dialogue with my co-chair, the VA Under Secretary for Health, on ways to strengthen the HEC and its work groups.

14. Senator WEBB. Dr. Woodson, how will you ensure that the DES pilot program has the support it needs to ensure medical and administrative personnel are postured to support our wounded warriors in transition as effectively as possible?

Dr. WOODSON. Before implementing the DES pilot, DOD and VA examined the staffing requirements for DOD and VA administrators at each location. Upon implementation, the Military Departments increased staffing at some locations and will continue to assess DES staff requirements. Additionally, VA has identified new, Pilot-specific staffing requirements and is hiring additional personnel. As the Pilot expands, the Departments are exploring contract options to address examination requirements where VA needs additional support to meet DES requirements.

I will also ensure that medical testing and consultations required for the disability evaluation process have the highest priority. I support temporary payment of premiums within the managed care network, to facilitate rapid evaluation and result reporting for wounded warriors within the disability evaluation process.

MEDICAL TASK FORCE

15. Senator WEBB. Dr. Woodson, the NDAA for Fiscal Year 2010 directed DOD to stand up a Task Force on the Care, Management, and Transition of Recovering, Wounded, Ill, and Injured Members of the Armed Forces within 180 days of its enactment; however, it is my understanding that neither this task force's charter nor its members have been approved by the Department. What is the status of this task force, and what steps will you take to ensure it can meet its reporting requirements as specified in the NDAA for Fiscal Year 2010?

Dr. WOODSON. The current status of the Task Force is that it has been funded by the DOD Comptroller ($2.25 million for the first year), a new Executive Director has been hired, and a draft charter is prepared. To ensure that the Task Force does not lose momentum and that it is accountable for its progress, there will be a public meeting (announced in the Federal Register) 60 days after the approval of the charter. The funding, charter approval, and public meeting will all serve to maintain the Task Force's positive momentum.

QUESTION SUBMITTED BY SENATOR ROLAND W. BURRIS

ELECTRONIC HEALTH RECORD

16. Senator BURRIS. Dr. Woodson, in your advance policy questions, you state that one of your major goals is the Electronic Health Record (EHR). As a member of both the Senate Armed Services Committee and the Senate Veterans Affairs Committee, this is of particular interest to me. What are the major obstacles facing the EHR and how do you plan to advance this initiative?

Dr. WOODSON. The major obstacles facing the DOD EHR include first and foremost, ensuring the system is embraced by the majority of our healthcare providers. It must suit their technical needs and meet their human need for ease of use while guarding patient privacy, controlling and managing access and security. Technical challenges include operational availability, speed, and usability issues; and system challenges related to the ease and feasibility of updating the system to incorporate new capabilities. Much has already been done to address these issues and I will continue to expedite ongoing efforts to meet these challenges. Data systems need to be modifiable to accommodate the unique needs of departments and sub-activities within the organization if they are to get useful data for quality improvement processes. Intuitive systems with comprehensive data that are reliable, fast, portable, and communicate well both internally and externally are some of the key features needed in the EHR.

I understand the power of EHRs and how they can help to enhance the quality of care we deliver to our patients. Our doctors, nurses, medics, corpsmen, and administrators have to be comfortable with the system they are using to ensure they fully embrace the power of the EHR. If confirmed, I will work within the Department and with other Federal agencies and the private sector to advance EHR initiatives and ensuring standards-based interoperability. To advance this initiative, I would work closely with the Under Secretary for Acquisition, Technology, and Logistics to complete the analysis of alternatives (operational effectiveness, suitability, and life-cycle cost); and to have the appointment of a program manager and the establishment of a formal program office completed. Additionally, I will work to address the constraining nature of the DOD acquisition process in order to respond to the rapidly changing demands of the IM/IT environment. In concert with the EHR efforts, I would look forward to developing decision tools to allow health providers to work smarter and deliver the highest quality of care that is evidence based.

My career has spanned the transition from paper to electronic health records, and many lessons have been learned about implementation of such an initiative. Boston Medical Center was one of the first institutions in that area to commit to an EHR; as such, I am prepared to transfer that experience to inform my efforts in advancing the EHR for the Department and its highly mobile patient and provider populations.

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

ADARA NETWORKS HEALTH CARE TECHNOLOGY CONTRACT

17. Senator MCCAIN. Dr. Woodson, just over a year ago, I called for an investigation into allegations of misconduct in connection with the award of a contract for military electronic medical records. In the years that preceded that contract award,

the winning company (Adara Networks, Inc.) obtained more than $20 million in defense appropriations earmarks. From an investigation that followed, we learned: (1) the decision to award the contract to Adara did not adhere to Federal acquisition regulations; (2) there were errors in judgment and a lack of program and acquisition planning, transparency, and oversight; and (3) the electronic computer code from the military health system was improperly leaked to Adara—a violation designed to give it an unfair advantage. At the end of the day, this flawed contract was cancelled—but not before $10 million of the taxpayers' money was wasted, since none of the products that Adara delivered were ever used. Based on the Department's review, this contract scandal set back the development of a military electronic medical records system by at least 2 years. This is not a pretty picture. If confirmed, what are you going to do to fix it?

Dr. WOODSON. Within DOD, there is an understandable emphasis on streamlining the acquisition process to get results as fast as possible. While this is a desired outcome, acquisitions must still be conducted with absolute integrity and in full compliance with prescribed statutes, regulations, and policies.

If confirmed, I will review the actions that have occurred to improve Military Health System acquisition processes and management since this contract was cancelled and will further continue to monitor and oversee positive changes to ensure future misconduct does not occur. I will continue to emphasize and commit to acquisition integrity, ensure that the TRICARE Management Activity acquisition workforce is properly credentialed to ensure acquisitions have the appropriate planning, transparency and oversight and implement any follow-up actions that guarantee adherence of acquisition policy and program management with all Federal and Department policy and procedure.

18. Senator MCCAIN. Dr. Woodson, exactly how will you assign a priority to ensuring that MHS develops its electronic medical records system with integrity and under a transparent procurement process that accords with all applicable Federal laws and regulations?

Dr. WOODSON. If confirmed, I will ensure that the proper "checks and balances" are in place among the Functional Sponsor (the system requirements owner), Component Acquisition Executive (CAE) (the system acquirer), Chief Financial Officer (the Defense Health Program financial manager), and Chief Information Officer (the system's assessor of Subtitle III of Title 40) and well-defined roles, responsibilities, and accountability of the aforementioned positions are clearly articulated. In addition, I will ensure policies are in place to support the governance structure and process and that those policies are enforced and enable program visibility. These organizations will work together to ensure an open and transparent acquisition process, with full accountability for integrity at every step along the way.

19. Senator MCCAIN. Dr. Woodson, how will you ensure that line management across the electronic medical health records procurement community will be held accountable to that standard of performance and, ultimately, to providing our service men and women with the best electronic health records capability at the most reasonable cost to the taxpayer?

Dr. WOODSON. Along with many other new acquisition reforms, TRICARE Management Activity (TMA) acquisition authority has being centralized under one organization, now led and managed by a Senior Executive Service employee dual certified in program management and contracting. This individual is the CAE. The CAE's acquisition authority and accountability will span all Military Health System procurements funded with the Defense Health Appropriation, which includes the electronic health records procurement community. This individual, along with new hired acquisition professional staff, will report directly to me and will directly manage the Program Executive Officer for the electronic health records program. It is my understanding that establishment of policy is underway for proactive enforcement and monitoring through use of metrics and conforms to DOD Directive 5000 guidance.

QUESTION SUBMITTED BY SENATOR DAVID VITTER

ABORTION IN DOD MEDICAL FACILITIES

20. Senator VITTER. Dr. Woodson, given your expertise and previous comment that the men and women serving this country "deserve the very best facilities and care," can you answer how much the allowing of abortions on military bases under

the Burris amendment will increase the drain on medical facilities and practitioners on military bases adding to the pressure our military is already facing?

Dr. WOODSON. With respect to your specific question regarding the potential impact on highly engaged military treatment facilities of allowing the additional workload of pre-paid abortions, I am not aware of any firm workload projections. If history is an indicator, it may be relevant that according to a 2008 Congressional Research Service Report, in 1994, when pre-paid abortions were allowed in overseas military treatment facilities, none was performed. Thus, it may be difficult to develop a solid estimate of the number of pre-paid abortions that might be performed. Finally, for purposes of context, military treatment facilities reportedly provide 38 million outpatient visits per year, and it appears that pre-paid abortion services would impact a relatively select group of health care provider (e.g. gynecologists).

[The nomination reference of Jonathan Woodson, M.D., follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
April 22, 2010.

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

Jonathan Woodson, of Massachusetts, to be an Assistant Secretary of Defense, vice S. Ward Casscells.

[The biographical sketch of Jonathan Woodson, M.D., which was transmitted to the committee at the time the nomination was referred, follows:]

RÈSUMÈ OF CAREER SERVICE FOR JONATHAN WOODSON, M.D.

Education:

City College of New York; September 1973–June 1977, B.S. Biomedical Sciences
New York University; June 1977–June 1979, M.D., Medicine
U.S. Army War College: May 2002–July 2004, M.S. S., Strategic Studies

Employment record:

Massachusetts General Hospital/Harvard Medical School; June 1979–June 1982, Residency Internal Medicine
Massachusetts General Hospital/Harvard Medical School; June 1982–December 1986, Resident General Surgery
Massachusetts General/Harvard Medical School/Waltham Weston Hospital; January 1987–June 1987, Fellow General Surgery
Massachusetts General Hospital/Harvard Medical School; July 1987–June 1988, Fellow/Resident Vascular Surgery
Boston University School of Medicine; July 1988–present

Honors and awards:

Civilian:

- Samuel Speigel Award - Academic Excellence (1979)
- Merck Manual Award - Academic Merit (1979)
- Jobst Vascular Fellows Award (1987)
- Tyler Research Fund Award (1990)
- Surgical Teaching Award, Boston University (1990)
- Surgical Teaching Award, Boston University (1991)
- Black Achiever Award, Boston, MA(1995)
- Select one Top Vascular Surgeons in Boston (2007)
- Selected for inclusion in listing of "Top Surgeons" in the United States (2008)
- Gold Humanism in Medicine Award, Association of American Medical Colleges (2009)
- Listed in Consumers Guide to "Top Doctors" in America (2009)
- "Citizen of the Year" Award, Omega Psi Phi Fraternity, Boston, MA (2009)

Military:

- Legion of Merit
- Bronze Star Medal

- Meritorious Service Medal (OLC)
- Army Commendation Medal (Two OLC)
- Armed Forces Reserve Achievement Medal (Silver ULU)
- National Defense, Service Ribbon (BSS)
- Southwest Asia Campaign Ribbon (two Bronze Stars)
- Armed Forces Reserve Medal (M-Device, Silver Hourglass, Num 4)
- Army Service Ribbon
- Army Reserve Component Overseas Training Ribbon (Num 2)
- Global War on Terrorism Medal (exped.)
- Global War on Terrorism Medal
- Kosovo Campaign Medal (BSS)
- NATO Medal
- Kuwaiti Liberation Medal (Kuwait)
- Kuwaiti Liberation Medal (Saudi Arabia)
- Meritorious Service Unit Award (86 EVAC–1991)
- Army Superior Unit Award (2290th Field Hosp.–1991)
- The Surgeon General's "9A" Proficiency Designator
- Order of Military Medical Merit
- Letter and Certificate of Commendation from U.S. Ambassador (Richards), Kuwait (for support of Embassy Medical Operations during Operation Iraqi Freedom), 2003
- Expert Field Medical Badge
- Flight Surgeons Badge
- Air Assault Badge

[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 Jonathan Woodson, M.D., 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.)
Jonathan Woodson.

2. **Position to which nominated:**
Assistant Secretary for Defense, Health Affairs.

3. **Date of nomination:**
April 22, 2010.

4. **Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
July 27, 1956; Great Barrington, MA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Sherril Ann Woodson (Maiden name: Haggarty).

7. **Names and ages of children:**
Jonathan Michael Woodson, 23.
Sarah Emily Woodson, 20.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
City College of New York - 1973–1977; B.S. (Biomedical Sciences)
New York University School of Medicine - 1977–1979; M.D.
(Combined 6 year B.S.–M.D. degree program)
U.S. Army War College 2002–2004; MSS

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.
Boston University School of Medicine, Boston, Massachusetts.
Associate Dean for Students and Diversity (2006–present).
Associate Professor of Surgery (1999–present).
Senior Surgeon (vascular, General) 1988–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.
Chronological Record of Duty Assignments:
Surgeon, 373rd General Hospital (First Army Augmentation Detachment) 1986
Surgeon, 351st General Hospital (First Army Augmentation Detachment) 1988
Surgeon, 2290th Field Hospital, Active Duty; 1991
Surgeon, 86th Evacuation Hospital. Hosp., Active Duty, Saudi Arabia, 1991, Operation Desert Shield/Desert Storm
Surgeon, National Augmentation Detachment, 1991
Chief of Surgery, 399th Combat Support Hospital, USAR, 1993
Chief Professional Services, 399th Combat Support Hospital, USAR, 1998
Commander, Acting, 399th Combat Support Hospital, 1999–2000
Chief, Surgical Services, Task Force Medical Falcon IV, 30th Medical Brigade FWD, Camp Bondsteel, Kosovo 2001 [Responsible for all policies and procedures for care of surgical patients treated at TFMF IV. Acted as principal advisor to Task Force commander and USAEUR Surgeon for surgical matter. Worked with United Nations/KFOR to upgrade surgical care at regional hospital after war. Tutored/mentored junior staff. Provided direct patient care to sick and injured soldiers. Additional duties as flight surgeon.]
Chief, Surgical Services, 399th Combat Support Hospital, Taunton, MA 2001–2003
Deputy Commander, Clinical Services, 865th Combat Support Hospital (FWD)2003, Kuwait (OIF)[Responsible for developing all programs and policies for care of sick and injured U.S. and coalition forces, medical support to the U.S. mission (Embassy) to Kuwait and coordination with host nation partners. Provided forward surgical teams to augment advancing medical forces. Provided for recovery/reintegration of prisoners of war. The 865th was the first Combat Support Hospital established to support Operation Iraqi Freedom]
Commander, 399th Combat Support Hospital, Taunton, MA 2003–2006 [Responsible for command and control of a medical battalion of 700 soldiers including a full combat support hospital, 2 Forward Surgical Teams, 2 minimal care wards, and a Headquarters company. Responsible training and deploying units/soldiers for ongoing military operations. Completed medical re-engineering of USAR medical units]
Senior Surgeon, Lansthul Regional Medical Center, Germany Nov 04–Mar 05 (OEF/OIF) [Provided direct care sick and injured war victims as well as mentored junior staff. Assisted with aero medical evacuations as flight surgeon/CCAT]
Chief Professional Services, 804th Medical Brigade, Devens, MA, Feb 06–Aug 06

Commander, 330th Medical Brigade, Fort Sheridan, IL, September 2006–September 30, 2009; [Responsible for command and control, administrative oversight, (including UCMJ actions), soldier care, training and deployment of USAR soldiers and medical units for current wartime operations. The 330th MED BDE has 64 units in 9 States and an authorized strength of 6,500 soldiers).

President Real Property Board, Fort Sheridan, IL - Responsible for administration, oversight and coordination of facilities at Fort Sheridan (approx. 1.5 billion) 2007–2009

Assistant Surgeon General for Reserve Affairs, Force Management and Mobilization, Office of the Surgeon General (OTSG), Falls Church, VA/Deputy Commander Army Reserve Medical Command (AR–MEDCOM), Pinellas Park, FL, 1 October 2009–Present.

Current Duties:

Brigadier General, USAR–1, Oct. 2006–Present

Commander 330th Medical Brigade - 1 October 2006–30 September 2009

Assistant Surgeon General for Reserve Affairs, Force Management and Mobilization - 1 October 2009–Present (Dual hatted)

Deputy Commander Army Reserve Medical Command (AR–MEDCOM) - 1 October 2009–Present (Dual hatted)

Consultant to the Surgeon General (Vascular Surgery) - 2006–Present

Adjunct Professor, Uniform Services University of the Health Sciences, 1993–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.

Governor, American College of Surgeons, 2006–present

Board Member, Boston Medical Center/Boston University School of Medicine Faculty Practice Foundation, 2000–present

Secretary, Boston Surgical Society, Jan. 2010–present

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

Association of Military Surgeons, U.S., 1990–present
Fellow, American College of Surgeons, 1991–present
Governor American College of Surgery, 2006–present
Councilor Massachusetts Chapter ACS, 2002–present
International Society for Cardiovascular Surgery, 1998–Present
Massachusetts Medical Society, 1983–present
New England Medical Society, 1983–1986
New England Society for Vascular Surgery (NESVS), 1993–present
Issues Committee NESVS, 2003–2005
Chair, Issues Committee NESVS, 2005
New England Surgical Society, 1996–2008
Society for Clinical Vascular Surgery, 1992–present
Boston Surgical Society, 1994–present
Executive Committee, Boston Surgical Society, 2006–present
Suffolk District Medical Society, l983–1986
The Association for Academic Surgery, 1992–1999
Uniform Services University, Surgical Associates, 1989–present
Society of U.S. Army Flight Surgeons, 2000–present

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

None.

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

Legion of Merit
Bronze Star Medal

Meritorious Service Medal (OLC)
Army Commendation Medal (Two OLC)
Armed Forces Reserve Achievement Medal (Silver OLC)
National Defense, Service Ribbon (BSS)
Southwest Asia Campaign Ribbon (two Bronze Stars)
Armed Forces Reserve Medal (M–Device, Silver Hourglass, Num 4)
Army Service Ribbon
Army Reserve Component Overseas Training Ribbon (Num 2)
Global War on Terrorism Medal (exped.)
Global War on Terrorism Medal
Kosovo Campaign Medal (BSS)
NATO Medal
Kuwaiti Liberation Medal (Kuwait)
Kuwaiti Liberation Medal (Saudi Arabia)
Meritorious Service Unit Award (86 EVAC–1991)
Army Superior Unit Award (2290th Field Hosp.-1991)
Awarded The Surgeon General's "9A" Proficiency Designator
[Defines subject matter expertise and is awarded only to those who are qualified to lead major clinical departments and act as an advisor to The Surgeon General]
Order of Military Medical Merit
[Order denotes distinguished service and significant contributions to the entire AMEDD which is recognized by the senior leadership of the Army Medical Department]
Letter and Certificate of Commendation U.S. Ambassador, Kuwait (for support of Embassy Medical Operations during Operation Iraqi Freedom), 2003

Badges:
Expert Field Medical Badge
Flight Surgeons Badge
Air Assault Badge
Sharpshooter Marksman's Badge (M–16)
Sharpshooter Marksman's Badge (M–9)

Awards:
1979, Samuel Speigel Award -Academic Excellence
1979, Merck Manual Award - Academic Merit
1987, Jobst Vascular Fellows Award
1990, Tyler Research Fund Award
1990, Surgical Teaching Award, Boston University
1991, Surgical Teaching Award, Boston University
1995, Black Achiever Award
2007, Select one Top Vascular Surgeons in Boston
2008, Selected for inclusion in listing of "Top Surgeons" in United States
2009, Gold Humanism in Medicine Award, Association of American Medical Colleges
Listed in Consumers Guide to "Top Doctors" in America "Citizen of the Year" Award, Omega Psi Phi Fraternity, Boston, MA (presented November 22, 2009, Suffolk University)

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

Publications:

1. Podlas, J., Barbieri, R. L., Salzman, R., Woodson, J., Fuller, A.: Toxic Shock Syndrome in the Luteal Phase of the Menstrual Cycle; American Journal of Obstetrics and Gynecology 141:2.
2. Fisher, J.B., Dennis, R.C., Valeri, R.C., Woodson, J., Doyle, J.E., Walsh, R.N., Menzoian, J.O.: Effects of Synthetic Graft Material on Blood Loss Following Aortic Surgery 1989 SG & 0 May 1991 173: 131–136.
3. Hanrahan, L.M., Araki, C.T., Fisher, J.B., Rodriguez, A.A., Walker, T.G., Woodson, J., LaMorte, W.W., Menzoian, J.O.: Evaluation of the perforating veins of the lower extremity using high resolution duplex imaging. Journal of Cardiovascular Surg. 1991 32: 87–97.
4. Woodson, J., Rodriguez, A.A., Menzoian, J.O.: The Use of Autologous Internal Jugular Vein as Interposition Graft for Femoral Vein Reconstruction. A Useful Approach in Selected Cases. Annals of Vascular Surgery 1990 4:494–497.
5. Millham, F.H., Hudson, H.M., Woodson, J., Menzoian, J.O.: Intra-aortic Balloon Pump Entrapment. Annals of Vascular Surgery July 1991 5:381–383.

6. Cordts, P.R, Hanrahan, L.M., Rodriguez, A.A., Woodson, J., LaMorte, W.W., Menzoian, J.O.: A Prospective, Randomized Trial of Unna's Boot versus Duoderm CGF Hydroactive Dressing Plus Compression in the Management of Venous Leg Ulcers. Journal of Vascular Surgery, March 1992, Vol. 15, No. 3 480–486.
7. Hudson, H.M., Woodson, J., Hirsch, E.: The Management of Traumatic Aortic Tear in the Multiple Injured Patient. Annals of Vascular Surgery 1991; 5:381–384.
8. Gillespie D.L., Woodson, J., Kaufman, J., Parker, J., Greenfield, A., Menzoian, J.O.: The Role of Arteriography for blunt or penetrating injuries in proximity to major vascular structures - An evolution in management. Annals of Vascular Surgery March 1993; 7:145–9.
9. Rosenblatt, M., Aldridge, S., Millham, F., Woodson, J., Hirsch, E.: Temporary Thoracotomy Wound Closure Following Penetrating Thoracic Aortic Injury. Military Medicine 1993; 158(l):58–59.
10. Gillespie, D.L., Cordts, P.R., Hartoni, C, Woodson, J., Obi-Tabot, E., LaMorte, W.W., Menzoian, J.O.: The Role of Air Plethysmography (APG) in Monitoring Results of Venous Surgery J. Vase. Surgery 1992; 16:674–678.
11. Kaufman, J.A, Parker, J.E., Gillespie, D.L., Greenfield, A.J., Woodson, J., Menzoian, J.D.: Arteriography for Proximity of Injury in Penetrating Extremity Trauma. Journal of Vascular and Interventional Radiology Nov. 1992; Vol. 3, No. 4.
12. Woodson, J.: Management of Vascular Trauma. Comprehensive Therapy March 1994, Volume 20(3).
13. Gardner, G.P., Cordts, P.R., Gillespie, D.L., Lamorte, W., Woodson, J., Menzoian, J.O.: Can Air Plethymography Accurately Identify Upper Extremity Deep Vein Thrombosis? J. Vase. Surgery 1993:18:808.
14. Gardner, G.P., Josephs, L.J., Rosca, M., Rich, J., Woodson, J., Menzoian, J.O.: Retroperitoneal Incision: An Evaluation of Postoperative Flank Bulge. Archives of Surgery 1994; 129:753–756.
15. Duggan, M., Woodson, J., Scott, T., Ortega, Menzoian, J.O.: Functional Outcomes in Limb Salvage Surgery. The American Journal of Surgery 1994; 168:188–191.
16. Hirsch, E., Woodson, J., Levy, K., Gillespie, D.: Assessment of Trauma System Needs at Emergency Hospitals. World Journal of Surgery (Submitted)
17. Donald, K., Woodson, J., Hudson, H., Menzoian, J.O.: Multiple Mycotic Psuedoaneurysms Due to Yersinia Enterocolitica: Report of a Case and Review of the Literature. Annals of Vascular Surgery 1996; 10(6):573.
18. Stanley, A.C., Barry, M., Scott, T.E., LaMorte, W.M., Woodson, J., Menzoian, J.O.: The Critical Pathway and Its Impact on Patient Care Following Infrainguinal Bypass J. Vase. Surgery 1998; 27:6.
19. Goldberg, R.M., Gianturco, L.E., Yucel, E.K., Feldman, L., Woodson, J., Menzoian, J.O., M R Angiography vs. X-Ray Angiography for Peripheral Vascular Planning: A Prospective Study at Two Institutions.
20. Reid, S.K., Pagan-Marin, H., Menzoian, J.O., Woodson, J., Yucel, K.E.: Contrast-Enhanced Moving Table MR Angiography:Prospective. JVIR Jan 2001.
21. Raffetto, J.D., Chen, M.N., LaMorte, W.W., Seidman, C.S., Eberhardt, R.T., Woodson, J., Gibbons, G.W., Menzoian, J.O.: Factors That Predict Site of Outflow Artery Anastamosis in Infrainguinal Revascularization. J. Vasc. Surgery 2002;35:6.
22. Woodson, J. "Getting to Yes: A Look Inside IRB Deliberations" IRB Times, Boston University Medical Center Internet Chronicle, Sept 2004.
23. Huang, A.L., Silver, A.E., Shvenke, E., Schopfer, D.W., Jahangir, E., Titas, M., Shiplman, A., Eberhardt, R.T., Menzoian, J.O., Watkins, M.T., Gibbons, G., Woodson, J., Shaw, P., Dhadly, M., Kearney, J.F., Gokce, N., Vita, J.; Predictive Value of Reactive Hyperemia for Cardiovascular Events in Patients with Peripheral Arterial Disease. Arterioscler Thromb. Vasc. Biol, November 2007.
24. Vladimir, F.G., Farber, A., Oropallo, A., Woodson, J., and Gibbons, G.; Unusual presentations of ruptured abdominal aortic aneurysm: Case report and review of the literature. Romanian J Angiol Vase Surg 8 (1–2): 41–44, 2007.
25. Magge, D., Farber, A., Vladimir, F., Woodson, J., Collins, K., Shaw, and Gibbons, G.: Diagnosis and Management of Traumatic Pseudoaneurysm of the Carotid Artery: Case report and review of the literature. Vascular 16:350–55,2008.
26. Semaan, E.; Hamburg, N., Nasr, W., Shaw, P., Doros, G., Eberhardt, R., Woodson, J., Farber, A.: Endovascular Management of the Popliteal Artery:

Comparison of atherectomy and angioplasty Vase Endovascular Surg. 2010, 44: 25–31

Book Chapters:

1. Non-operative Treatment of Venous Ulcers. Menzoian, J.O., Lamorte, W., Woodson, J.: Current Therapy in Vascular Surgery Third Ed. Mosby-Year Book, Inc. pps. 919,1994
2. Woodson, J., Menzoian, J.O.: Cerebral Protection During Carotid Surgery. In Vascular Surgery: Theory and Practice. Callow AD and Ernst JC, Editors. Appleton and Lange, Philadelphia, PA. pps 511, 1995
3. Woodson, J.: Measuring Outcomes in Vascular Surgery. In Vascular Surgery: Theory and Practice Callow AD and Ernst JC, Editors. Appleton and Lange, Philadelphia, PA. pps 1739, 1995.
4. Review "Decisionmaking in Vascular Surgery" J.Vasc. Surgery Nov. 2002.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None.

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

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

JONATHAN WOODSON.

This 2nd day of August, 2010.

[The nomination of Jonathan Woodson, M.D., was reported to the Senate by Chairman Levin on August 4, 2010, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on December 22, 2010.]

[Prepared questions submitted to Neile L. Miller by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DUTIES

Question. Section 3141 of the National Defense Authorization Act for Fiscal Year 2002 stated that the Principal Deputy Administrator shall be appointed "from among persons who have extensive background in organizational management and are well qualified to manage the nuclear weapons, nonproliferation, and materials disposition programs of the administration in a manner that advances and protects the national security of the United States."

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

Answer. I am honored and humbled to be nominated by the President to serve as the Principal Deputy Administrator of the National Nuclear Security Administration (NNSA). I also am grateful for the confidence placed in me by Secretary Chu and Administrator D'Agostino in recommending me for this position.

As the senior career executive at the Department of Energy's (DOE) Office of Budget, I believe that I have a unique set of qualifications and experience to serve as the Principal Deputy Administrator. In addition, due to my prior experience as a senior analyst at the Office of Management and Budget (OMB), I bring to this

position a detailed knowledge of the technical programs, budgets, and personnel of the NNSA.

As a result of my prior experience in working with the NNSA and with its predecessor DOE programs, I have nearly 10 years of experience in reviewing the programs and budgets of the NNSA, both from the OMB as well as the Secretarial perspective. I am well aware of the significant challenges facing the NNSA in implementing the national security policies established by the President and Congress.

As my prior experience was concentrated in the area of budget review, I am especially cognizant of the resource allocation issues facing the NNSA. I am prepared to work closely with the Administrator in making the difficult decisions needed to ensure that the Nation's Nuclear Security Enterprise operates in the most effective and efficient manner possible. My most recent experience in this regard was in negotiating the final budget allocations in the President's fiscal year 2011 budget needed to support modernization of the Nuclear Security Enterprise complex and prepare for implementation of pending nuclear arms reduction agreements.

Finally, I want to stress my background as a Federal career official. My Federal career experience at OMB and DOE provides unique insights into the day-to-day operations and management of the NNSA. I am well-prepared to address the mechanics of making the NNSA programs work as well as possible. If confirmed for this position, I intend to work closely and constructively with the NNSA career managers and staff to improve all aspects of NNSA program execution and performance.

The NNSA program structure is complex, due to the pervasive interaction between Federal officials, major contractors responsible for the operation of the NNSA physical plant and infrastructure, and the Nation's leading scientists and engineers working at the three major NNSA national laboratories to advance our scientific and technological capabilities. My prior experience in interfacing with this complex structure in several different capacities will enable me to support the Administrator in implementing the mission of the NNSA.

In summary, my prior experience in the review of NNSA programs, budgets and management issues will enable me to quickly and easily transition into the position of Principal Deputy Administrator.

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

Answer. If I am confirmed by the Senate, one of my first tasks will be to review with the Administrator whether and what further actions I may need to take in order to enhance my ability to perform the duties of my position.

As a result of my prior experience in the review of NNSA programs and budgets, I have a significant background level of knowledge of NNSA programmatic, budget, management, and technical issues. Consequently, I do not anticipate the need for any type of "crash course" in order to assume my responsibilities. Nonetheless, I am fully aware that the processes, procedures, policies, and requirements are evolving constantly, and I plan to avail myself of the opportunities to keep current with changing circumstances.

I have benefited greatly throughout the course of my career from continuing professional development activities, and I plan to make continuing professional development an ongoing activity.

Question. Section 3141 goes on to state that the Principal Deputy Administrator "shall perform such duties and exercise such powers as the Administrator may prescribe, including the coordination of activities among the elements of the administration."

Assuming you are confirmed, what duties, and functions do you expect that the Administrator of NNSA would prescribe for you?

Answer. Based upon discussions I have had with the Administrator, should I be confirmed as the Principal Deputy Administrator, I would serve as NNSA's Chief Operating Officer (COO). As such, I would provide management oversight for NNSA offices, while the Administrator would provide technical expertise, as the Chief Technical Authority. I would oversee the daily operations of the Office of the Administrator and the Headquarters organizations which report directly to this office. In addition, I would manage the interface between senior NNSA officials and DOE offices, primarily the Office of the Secretary, Deputy Secretary, and the other Under Secretaries, the Chief Financial Officer (CFO), General Counsel, Inspector General, Office of Management, Chief Information Officer, and the Chief, Human Capital Officer. I would also serve as the head of the NNSA Management Council. Also, as required by the NNSA Act, I would stay fully and currently informed on all major NNSA programs, operations, and activities so that in his absence, I could act for the Administrator.

Question. Are there any special projects or assignments on which you will focus?

Answer. Yes, based on my strong planning and budgeting background and experience in working with other Federal departments and congressional committees and staffs, I will do all that I can to make sure that the NNSA budget is requirements-based and sufficient to carryout the activities in the Stockpile Stewardship, Defense Nuclear Nonproliferation, Naval Reactors, Counterterrorism, Emergency Operations, Safeguards and Security, and all related support programs to meet the priorities and objectives set forth by the Administrator, Secretary Chu, and the White House. In addition, I would oversee the NNSA's current work being carried out on Governance, Management Reforms, Complex Transformation, and the development of the new NNSA Strategic Plan.

MAJOR CHALLENGES AND PROBLEMS

Question. What is your understanding of the role that you will play in the overall administration of the NNSA, in the event that you are confirmed?

Answer. As noted above, based on my discussions with the Administrator, if confirmed, I would serve as NNSA's COO. My primary emphasis would be managing the day-to-day activities required to ensure that the NNSA is functioning in the most effective and efficient manner possible. In addition, I would lead the complex-wide effort to develop a new Strategic Plan for the NNSA.

The NNSA has numerous major program milestones and I see myself as the person charged by the Administrator to ensure that those milestones are met on time and within budget. Through my daily oversight of NNSA programs, and, as the Chair of the Program Review Council, the lead element of the NNSA's Planning, Programming, Budgeting, and Evaluation (PPBE) process, I would stay focused on each major program milestone, resolve issues impacting schedules, and, ensure compliance with completion dates. This would allow the Administrator to devote his time and attention to overseeing the highly specialized technical issues associated with NNSA's programs.

Question. In your view, what are the major challenges that will confront the Principal Deputy?

Answer. This is a moment of especially high expectations for the NNSA, on several fronts. The nuclear security complex is expected to continue to assure the safety, security, and effectiveness of the enduring stockpile, even as the complex must be modernized and recapitalized. Several major construction projects will be undertaken, each with an inherent set of risks and each estimated to cost in the neighborhood of several billions of dollars plus to construct. At the same time, the programs and projects of the Office Defense Nuclear Nonproliferation will be leading the way to meet the ambitious goals set forth by President Obama in his Prague speech. Given the critical role that strong program and financial management will play in determining whether NNSA will be successful in meeting all of these challenges, I believe I am well-qualified to make an important contribution to the Administrator and the organization.

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

Answer. Initially, I would work on team building and establishing relationships based on mutual trust and confidence with all of my collegues in the NNSA. Regarding the NNSA Budget Request, I would address the NNSA's requirements with the DOE CFO, the Office of Management and Budget (OMB), other involved Departments', such as the Department of Defense (DOD), to secure the funds required to ensure that the NNSA can meet its commitments to DOD and other interagency partners. My approach to the Defense Programs' Complex Transformation initiative and Defense Nuclear Nonproliferation's ambitious efforts to meet the President's objectives set for in his Prague speech is basically identical in both cases. That is, I would: carefully assess the current status of both initiatives; identify any road blocks; take actions to ovcome them; take advantage of any lessons-learned to date; track milestones; and, ensure that all commitments are met on schedule and within their respective budgets.

Question. What do you consider to be the most serious problems in the performance of the functions of the Principal Deputy Administrator?

Answer. I may sound overly optimistist in this response, but I do not see any serious problems associated with the performance of the functions of the Principal Deputy Administrator. This is not to say that I don't anticipate serious challenges and potential difficulties as NNSA confronts the future. However, if confirmed, I would feel extremely fortunate to have the opportunity to work closely with the Administrator, and the Headquarters and Site Office leadership team, the directors of the national laboratories and the managers of the production plants. I have long-standing relationships with many of these team members and I consider them to

be public servants of the highest order, extremely competent, comitted to the mission, and to furthering the national security goals and objectives of the United States. I would consider it a high honor and privilege to serve as the Principal Deputy Administrator in such an outstanding organization.

Question. If confirmed, what management actions and time lines would you establish to address these problems?

Answer. If confirmed, I would immediately meet with all of the NNSA senior leadership team followed by site visits to each major facility and focus on establishing effective working relationships at all levels of the organization. Based on my findings, I would work to develop whatever management tools I found necessary to ensure that all commitments would be met on schedule and within budget.

PRIORITIES

Question. If confirmed, what broad priorities would you establish in terms of issues that must be addressed by the Principal Deputy Administrator?

Answer. First, I would ensure that the NNSA management team is totally focused on the crucial role NNSA plays in implementing the President's nuclear security agenda, including his charge to secure all vulnerable nuclear material around the world within 4 years.

Second, I would work within the Department, the administration, and with you in Congress to ensure we have the tools and capabilities, including the technical human capital base, required to effectively manage the nuclear weapons stockpile and the other NNSA missions to reduce the global nuclear danger.

Third, I would do all I could to help recapitalize the NNSA nuclear infrastructure and deterrent capability. This includes the physical infrastructure needed to ensure a modern, sustainable Nuclear Security Enterprise. This investment will support the full range of nuclear security missions—including Stockpile Stewardship, nonproliferation, arms control and treaty verification, counterterrorism, nuclear forensics, and Naval nuclear propulsion—to ensure the security of the United States, now and in the future. Fourth, I would ensure that the Governance Model and the aggressive management reforms approved by the Administrator are fully implemented and completed. The NNSA must continue to be effective stewards of the taxpayer's money and ensure that the NNSA is an efficient and cost effective enterprise. Some examples of these reforms are:

- the Zero-Based Security Review to implement greater security efficiencies;
- the Supply Chain Management Center which has already saved taxpayers more than $130 million, largely through "eSourcing" and "Strategic Sourcing;" and,
- the Contracting and Acquisition Strategy must be implemented wherein the NNSA would consolidate site operations of the Y–12 National Security Complex and the Pantex Plant into a single contract, with an option for the phase-in of Savannah River Tritium Operations. This strategy is fully consistent with the Administrator's vision to move toward a fully integrated and interdependent enterprise.

RELATIONSHIPS

Question. Please describe your understanding of the relationship of the Principal Deputy Administrator with the following Officials:

A. The Secretary and Deputy Secretary of Energy.

Answer. I would report through the Administrator to the Deputy Secretary and Secretary and represent the Administrator with these officials in his absence.

Question. B. The Administrator of the NNSA.

Answer. He would be my immediate supervisor.

Question. C. The Deputy Administrators of the NNSA.

Answer. I would serve as the immediate supervisor for the Deputy Administrators for Defense Programs, Defense Nuclear Nonproliferation, and Naval Reactors.

Question. D. The Assistant Secretary of Energy for Environmental Management.

Answer. Within the NNSA, the Associate Administrator for Infrastructure and Environment is the principal interface with the Assistant Secretary for Environmental Management (EM). I would interact with the Under Secretary of Energy on EM matters, given that the Assistant Secretary for EM reports to that Under Secretary.

Question. E. The Assistant to the Secretary of Defense for Nuclear, Chemical and Biological Defense Programs.

Answer. The principal interface with this individual at the Pentagon is the NNSA's Deputy Administrator for Defense Programs. As necessary, I would represent the interests of the Administrator and the NNSA with this official.

Question. F. The Chairman of the Nuclear Weapons Council (NWC).

Answer. The Administrator, as a member of the NWC, is the principal interface with the Chairman. In the absence of the Administrator, I would represent the interests of the Administrator and the NNSA with the Chairman.

Question. G. The Commander of United States Strategic Command.

Answer. The Deputy Administrator for Defense Programs is the principal interface with this individual. As necessary, in the absence of the Administrator, I would represent the interests of the Administrator and the NNSA with the Commander in Chief of the U.S. Strategic Command.

Question. H. The nuclear directorates of the Air Force and Navy.

Answer. The Deputy Administrator for Defense Programs is the principal interface with these individuals. As necessary, I would represent the interests of the Administrator and the NNSA with these officials.

Question. I. The Associate Administrator of NNSA for Facilities and Operations.

Answer. (Infrastructure and Environment); I would serve as the immediate supervisor.

Question. J. The Associate Administrator of NNSA for Management and Administration.

Answer. I would serve as the immediate supervisor.

Question. K. The DOE Director of Health, Safety and Security.

Answer. In the absence of the Administrator, I would represent the interests of the Administrator and the NNSA.

Question. L. The Under Secretary of Energy for Science and the Director of the Office of Science.

Answer. In the absence of the Administrator, I would represent the interests of the Administrator and the NNSA.

Question. M. The Defense Nuclear Facilities Safety Board.

Answer. In the absence of the Administrator, I would represent the interests of the Administrator and the NNSA.

MANAGEMENT OF THE NNSA

Question. What is the role of NNSA's Management Council and, if confirmed, what would be your relationship with the Council?

Answer. The NNSA Management Council is the formal mechanism to address cross-cutting issues and to identify opportunities for synergy across NNSA components (e.g. development and implementation of the NNSA's PPBE process: approval of major NNSA policies and directives; implementation of a new contractor performance evaluation system, etc.). The Council is the mechanism for high-level integration and dispute resolution. The Management Council is comprised of: the Principal Deputy Administrator; the Chief of Staff; the Deputy Administrator for Defense Programs; the Deputy Administrator for Defense Nuclear Nonproliferation; the Deputy Administrator for Naval Reactors; the Associate Administrators for Management and Administration; Emergency Operations; Infrastructure and Environment; and, Defense Nuclear Security.

As the Principal Deputy Administrator, I would be the lead official for all Management Council activities, and as such, would strive to ensure that all NNSA programs and activities are carried out in the most efficient and effective manner possible. In this capacity, I would keep the Administrator fully current on all Management Council activities and make sure that the work of the Management Council is carried out in full consonance with his overall management style and general direction.

Question. In your view are there any changes needed to the management structure of the NNSA?

Answer. Based on my discussions with the Administrator and my interactions with NNSA senior management during my time at the OMB, and in my current assignment as the Director, Office of Budget for DOE, my view is that the NNSA is regarded as a highly effective and efficient organization. Therefore, I do not believe that any major changes are required at this time.

Question. In your view are there clear lines of authorities and responsibilities in the NNSA?

Answer. Yes. The lines of authorities and responsibilities in the NNSA are clearly articulated in the roles and responsibilities document issued by the Administrator and in the NNSA Safety Functions, Responsibilities, and Authorities Manual. The lines of authority and responsibility flow from the Administrator and Principal Dep-

uty Administrator, who set the broad policy parameters and program goals, down through the Headquarters line managers who work with the Site Office Managers and the Management and Operating contractors to execute NNSA's major programs.

Question. Do you believe that any changes are needed to ensure clear lines of authority and responsibility?

Answer. No, however, there is always room for improvement. If confirmed, I will focus my attention on this matter and make sure that the lines of authority and responsibility throughout the entire complex are clear and understood.

WEAPONS PROGRAMS WORKFORCE

Question. If confirmed, what specific steps would you recommend for the NNSA to retain critical nuclear weapons expertise, particularly design capabilities, in the Federal NNSA workforce and at the labs and the plants?

Answer. I know that the NNSA has been addressing this issue for many years as a generation of the subject matter experts with weapons design and actual nuclear weapons testing experience have retired over the last decade. The congressionally-mandated Chiles Commission examined this issue and provided recommendations to Congress, the DOE, and the laboratories and production plants. Many of these recommendations have been implemented. The laboratories and production plants have identified the required skill sets and they have put into place programs to overcome this very real problem.

Initially, I would assess where the complex is in addressing this matter. Once I was informed, I would review the incentives available for retention and recruitment and implement adjustments, if necessary. The more obvious incentives include: retention and recruitment pay incentives; special pay categories; enhanced continuing education opportunities; unique and challenging assignments, to include rotations to other laboratories and institutions; and, incentives to delay retirements. Regarding the NNSA Federal workforce, the NNSA has put into place numerous programs, such as the Future Leaders Program, the Nonproliferation Graduation Fellowships, the Computational Science and Stewardship Graduates Fellowship, and management internships to infuse the Stockpile Stewardship Program with young, technically competent individuals. Through these programs, there are special recruitment and retention allowances, special pay categories, continuing educational opportunities, rotational opportunities, and challenging assignments, and if warranted, rapid advancement.

Before I suggest further steps to recruit and retain the needed technical talent required by the NNSA complex, I would like an opportunity to assess how these programs are working.

Question. If confirmed, what specific steps would you recommend for the NNSA to ensure that adequate and appropriate technical skills are maintained in NNSA workforce and at the labs and the plants?

Answer. I would stay current on the workforce plans developed by the laboratories and plants to address the critical skills required to maintain the safety, security, and effectiveness of an aging stockpile. A key element of maintaining technical skills is the assignment of our scientific, technical, and engineering personnel to tasks that exercise their weapons design, production, and technical capabilities. Having facilities like: the National Ignition Facility at the Lawrence Livermore National Laboratory (LLNL); the Device Assembly Facility (DAF) and JASPER at the Nevada Test Site; the Dual Axis Radiographic Hydrodynamic Test Facility at the Los Alamos National Laboratory (LANL); and, the Microsystems and Engineering Sciences Application (MESA) Facility at Sandia National Laboratories, together with the supercomputers at all three national laboratories, provide ample opportunities for our personnel to keep their skills finely tuned. These tools and the required activities necessary to annually certify the stockpile provide a high-level of assurance that these skills will not atrophy.

The President has clearly outlined the importance of nuclear issues for national security, and for keeping the U.S. nuclear deterrent safe, secure, and effective for the foreseeable future. The administration's commitment to a clear and long-term plan for managing the stockpile, and the comprehensive nuclear security agenda, ensures the scientists and engineers of tomorrow will have the opportunity to engage in continuing challenging research and development activities.

Question. In your view, what are the critical skills that are needed in the NNSA complex wide?

Answer. Examples of the educational and scientific, technical, and engineering skills required for the Stockpile Stewardship Program cover a wide range of specialized study and experience. Working closely with a number of universities and industry, the national laboratories and production plants have developed specific cur-

ricula to help fill the needs in each discipline. The more obvious needs are for those with advanced degrees and post-doctoral degrees in physics, the nuclear sciences and radio-chemistry, plasma physics, molecular chemistry, applied mechanics and advanced manufacturing, computational scientists and mathematicians, micro-systems engineering sciences, high performance computing, parallel processing, advanced simulations, information technology, and protection and distributed computing. The laboratories and plants have been focused on their needs in these areas and they have taken action through their partnerships with universities to establish potential pipelines of those talented students to positions with the laboratories and plants to carry out the Stockpile Stewardship Program.

SAFEGUARDS AND SECURITY

Question. What role, if any, will you have in ensuring safety and security in the nuclear weapons complex?

Answer. In my discussions with the Administrator concerning my responsibilities, if confirmed, the Administrator will continue working closely with the Chief, Defense Nuclear Safety, the Environment, Safety and Health Advisor, and the Associate Administrator for Defense Nuclear Security, to provide the scientific and technical management oversight of our nuclear and nonnuclear safety programs as well as the nuclear security program. I will focus on the non-technical and business practices associated with each of these programs. I am well aware of the congressional intent in the establishment of the NNSA to address a series of security incidents and to ensure through the implementation of the NNSA Act that we preclude such incidents from occurring in the future. I will play a very active role and be a vocal advocate for these programs, and do my best, to make sure the workers and the communities surrounding NNSA's facilities are kept safe and secure. That is, I will do my best to ensure that these programs have high-level management emphasis, and the highly skilled scientific and technical personnel, and financial resources required to safely carryout our potentially hazardous operations and to protect nuclear weapons, weapons components, including special nuclear material, and classified information in NNSA's custody.

Question. In your opinion, what are the biggest safety and security threats to the facilities and materials in the nuclear weapons complex?

Answer. Much of our work in NNSA is hazardous and requires the utmost rigor and proper controls. NNSA also places a high priority on nuclear safety operations at all of our nuclear facilities as it presents the most significant threat. In addition, keeping our workers, the public, and the environment safe is always our number one priority. We cannot and will not accept complacency. Recent events around the country have shown how devastating low probability, high consequence events can be and NNSA understands the importance of preventing such a serious event from ever happening at our sites. NNSA has learned over the years that sound management systems and a strong safety and security culture had to be established and continually maintained. Systems such as Integrated Safety Management (ISM) that was established in 1995 have resulted in significant improvements throughout DOE and NNSA operations. ISM has been implemented in DOE and NNSA for over a decade and has withstood the test of time and changes in administrations. The Administrator and I strongly support ISM and will continue to provide the necessary leadership commitment to support it into the future. It requires that work is adequately defined, hazards identified, proper controls rigorously implemented, and continuous improvement embraced. These core functions when properly implemented reduce our most significant safety threats across the NNSA complex.

With respect to security, the NNSA continues to focus on defeating the threats posed by a well-organized, well-equipped terrorist organization bent on gaining access to a nuclear weapon and/or special nuclear material. The NNSA is also very concerned about the threats posed by knowledgeable insiders bent on a hostile act after gaining access to a nuclear weapon and/or special nuclear material. Also, thousands of cyber security attacks are directed at NNSA's classified and unclassified networks each week, and staying ahead of the latest attack modes is a major challenge for our subject matter experts at NNSA Headquarters, the national laboratories, and production plants.

Question. What role, if any, will you have in ensuring operational nuclear safety in the nuclear weapons complex?

Answer. I will be a vocal advocate for this nuclear safety program and provide high-level management emphasis and attention to its vital importance so that the NNSA Federal and contractor personnel recognize that this is our highest priority. Given that the Administrator has the specialized technical expertise to address specific program elements, I will support him and the NNSA Chief, Defense Nuclear

Safety, by ensuring that our nuclear safety policies and procedures are clear and adhered to. I will also ensure that our nuclear safety commitments to the Defense Nuclear Facilities Safety Board (DNFSB) are met in a responsive and timely manner.

Question. What role, if any, will you have with the Defense Nuclear Facilities Safety Board?

Answer. Based upon my discussions with the Administrator, if confirmed, I will do my best to ensure that the NNSA meets all of its commitments to the DNFSB. Because of his superior technical qualifications, the Administrator has decided that he will continue to serve as NNSA's Central Technical Authority and the NNSA focal point for interacting with the Chairman of the DNFSB. I will fully support the Administrator to the best of my abilities and do all that I can to emphasize the importance of nuclear safety to the senior management of the NNSA's Headquarters, Site Offices, national laboratories and production plants. In addition, I will ensure that nuclear safety performance standards are in place for each nuclear facility and that each contractor's performance is properly evaluated as part of the annual performance evalution process.

STOCKPILE STEWARDSHIP PROGRAM

Question. What is your view of the Stockpile Stewardship Program's progress towards its goal of being able to continuously certify the U.S. enduring nuclear weapons stockpile as safe, secure, and reliable, without the need for underground nuclear testing?

Answer. Based on my discussions with the Administrator, and my own experiences in assessing this program, I believe that the Stockpile Stewardship Program is highly effective and provides the data necessary to continually evaluate each weapon system in the stockpile. The NNSA is fully utilizing the tools and capabilities funded by Congress to ensure the Annual Certification of the Stockpile. This year's, "Report on Stockpile Assessment" confirms that the stockpile is safe, secure, and reliable. Critical to ensuring the annual assessment of stockpile effectiveness, the NNSA's fiscal year 2011–2015 budget request contains substantial increases necessary to implement the Nuclear Posture Review and, the President's nuclear security agenda.

Question. In your opinion, what are the greatest challenges confronting the Stockpile Stewardship Program?

Answer. I believe the greatest challenges are: retaining and recruiting individuals with the critical scientific, technical, and engineering expertise and capabilities needed to maintain an aging stockpile; constructing the facilities that are key elements of Complex Transformation, the major initiative to consolidate, modernize, and ensure the responsiveness of the NNSA's Nuclear Security Enterprise to meet future SSP requirements. Of primary importance are the Chemistry and Metalurogy Research Replacement (CMRR) Facility at Los Alamos National Laboratory, and the Uranium Processing Facility (UPF) at Y–12; and, maximizing the contributions of the NIF to address issues associated with the science of nuclear weapons.

Question. Do you fully support the goals of the Stockpile Stewardship Program?

Answer. Yes. The Stockpile Stewardship Program (SSP) has, from my perspective, been very successful in terms of providing the scientific and technical expertise, capabilities, facilities, and tools necessary to ensure that the U.S. nuclear deterrent is safe, secure, and effective. Problems in the stockpile have been identified through the application of the above capabilties as have the fixes necessary to maintain the effectiveness of specific weapon systems. The SSP is critical to the success of the NNSA Nuclear Weapons Program and is absolutely essential to the Annual Certification Process, wherein the Secretaries of Defense and Energy, the Commander in Chief of the U.S. Strategic Command, and the three weapons laboratory directors advise the President on the condition of the stockpile and whether resumption of underground nuclear testing is necessary. The SSP has been in continuing development and refinement since 1993. At this time, it would be hard to imagine how the NNSA complex could carryout all of its nuclear weapons responsibilities without the SSP.

Question. In your view what additional capabilities will the Stockpile Stewardship Program need in the next 5 years?

Answer. The recently submitted Stockpile Stewardship and Management Plan (SSMP) lays out all of the requirements as we know them today (e.g. prior to CD–2 on CMRR and UPF, Life Extension Programs (LEPs), etc). The SSMP reflects the direction contained in the Nuclear Posture Review, the President's blueprint for a safe, secure, and effective stockpile.

NUCLEAR POSTURE REVIEW AND THE COMPLEX

Question. The Nuclear Posture Review (NPR), which was released in April, and the recently signed New START detail the administration's plan to reduce the number of operationally deployed strategic nuclear warheads to 1550.

With the large number of refurbishment and other life extension program activities planned over the next 10 years, is there enough facility capacity and are there sufficiently qualified personnel in the NNSA workforce to also take on an increase in dismantlements during the same time period?

Answer. I have discussed this with the Administrator and senior management of Defense Programs and, I have been to the Pantex Plant to see the capacities and capabilities of the plant and the workforce. Pantex's ability to conduct the LEPs and dismantle excess warheads is a mix of timeliness and workflow across the Nuclear Security Enterprise. I am confident that Pantex will execute the proper workload balance between LEPs and dismantlement as directed by the NNSA program managers. I do not believe additional facility capacity is needed to accomplish this workload.

Question. To meet its long term responsibilities with respect to extending the life of nuclear weapons and components, the NNSA is planning to build a new uranium processing facility and a chemical and metallurgical replacement facility. Each of these new facilities will be multi-billion dollar, technically complex, construction projects.

If confirmed, what actions would you take to ensure that requirements are clear and well defined, the cost is firmly established, the design is mature, and the schedule is fully developed before construction begins?

Answer. DOE Order 413, Construction Management, requires a disciplined review and approval process at a number of key points (including the independent review of cost, scope, and schedule required at CD–2) throughout the planning, design, and construction process. For example, 80 percent of design must be completed before the NNSA can request funds from Congress for construction. If confirmed, I will work closely with the Administrator and the Deputy Administrator for Defense Programs, to make sure that all decisions relative to these projects are consistent with DOE Order 413 and other sound management principles.

Question. If confirmed, what actions will you take to ensure that the project management team for each project is fully capable of executing the project and that the NNSA oversight is robust?

Answer. It is my understanding that the project management teams at the Y–12 and Los Alamos Site Offices, and the respective contractors, possess the skills needed to execute these projects. As the Principal Deputy Administrator, I will conduct project reviews with the Federal and contractor teams and participate in the Deputy Secretary's construction project reviews (Deep Dives), to ensure the completion of these projects on schedule and within their respective budgets.

Question. With respect to the two construction projects what, in your view are the most challenging issues for each project?

Answer. Based on my experience with all projects, one must begin with a sound, independent cost, scope, and schedule review and, ensure that nuclear and operational safety is a major part of the design process. Quality assurance must also be carried out throughout construction of the project. The challenge is to adhere to those timelines and cost schedules. We will have regular project reviews at the NNSA and Departmental level to provide early indications of issues and identify solutions before they impact defined costs and schedules.

Question. If confirmed, what role do you expect to play in the design, management, and construction of these two projects?

Answer. Regarding design, I will work closely with the Deputy Adminisrator for Defense Programs to ensure that all aspects of DOE Order 413 are met (e.g. independent review). Regarding management, I will perform regular project reviews with the Federal and contractor teams, and participate in the Deputy Secretary's Deep Dives. I will also ensure that lessons learned from the construction of other major projects are shared with all involved parties. My fundamental role will be to ensure the early identification of any issues related to any project, and bring the appropriate Federal and contractor personnel together to address these concerns. Regarding the actual construction, my key role will be to ensure we have the right on-site teams who have the right experience and skill sets to identify any key issues that would impact the cost and schedule. In summary, I see my role as conducting close and frequent engagement with the Federal and contractor project managers to stay on top of these key projects.

REGULATORY REFORM

Question. The Department of Energy (DOE) has announced that it is reviewing the regulations that govern the operations of the contractor operated facilities including those of the NNSA.

What is your view on this process?

Answer. Based on my discussions with the NNSA's safety and security professionals, as well as with the Administrator, I am in favor of the regulatory reforms initiated by Secretary Chu and Deputy Secretary Poneman. The approaches being taken to reform both the safety and security oversight programs are deliberate, measured, and well-thought out and should result in improved levels of performance. The perspectives of the DOE and NNSA safety and security professionals are given careful consideration and no precipitious actions have been taken that might compromise safety or security.

Question. In your view will the process result in less oversight by NNSA?

Answer. No. Based upon my understanding of the reform initiatives, the oversight of NNSA safety and security programs would be more dynamic and risk-based than in the past. The overall intent is to make these oversight activities more efficient, effective, and timely. Areas to be inspected would be selected and prioritzed based on current conditions and risks. This process would provide NNSA and the DOE Office of Health, Safety, and Security with mechanisms to be more responsive to changing conditions that may trigger the need for an independent review, to perform targeted appraisals of specific high-consequence activities, and to monitor corrective action implementation in a timely manner. This process would be much more responsive to NNSA line management needs for assistance in solving complex programs that have remained unresolved by layers of duplicative oversight in the past. It is my understanding that this process was recently utilized for a security inspection at the Pantex Plant and that it was well-received by the Pantex Site Office and NNSA senior management.

Question. In your view will the process result in equivalent, more, or less, assurance that the safety and security of the facilities is adequately maintained?

Answer. I believe that this process will provide greater assurances that the safety and security programs at NNSA facilities are being adequately maintained.

ADVISORY BOARD

Question. The NNSA had an external advisory board, which included technical and other subject matter experts to provide advice to the NNSA. The charter for the board was allowed to expire.

In your view is there any benefit to reconstituting an advisory board? Why or why not?

Answer. Based on my review of the referenced NNSA Advisory Board Charter, which was essentially to provide advice and recommendations to the Administrator on matters of technology, policy, and operations within the mission and responsibilities of the NNSA, I do not see a need to reconstitute this Board at this time. However, I would defer to the Administrator, if in the future, he determined that the NNSA would benefit from the advice and recommendations of such a Board. Currently, the Administrator has a wide-range of objective, technically competent sources for advice and assistance. For example, the JASON's, the National Academy of Sciences, the National Science Foundation, the Foster Panel, the Chiles Commission, and other organizations and groups have lent their scientific and technical expertise to the assessment of many NNSA programs. In addition, through the NNSA's membership in the Nuclear Weapons Council, the Strategic Advisory Group Stockpile Assessment Team [fiscal year: part of a STRATCOM Advisory Committee that provides technical expertise to the STRATCOM Commander in Chief on nuclear weapons issues] and other formalized interagency organizations, the NNSA has received objective technical assistance necessary to ensure that NNSA meets its commitments to the DOD, and other interagency partners.

In addition, the Administrator and Deputy Administrators also reach out to numerous nongovernmental organizations to discuss national security related matters to keep them informed on NNSA programs and to solicit their views and perspectives, which is always beneficial.

FACILITIES AND INFRASTRUCTURE

Question. Upon its creation, NNSA inherited an infrastructure in need of significant repair and modernization, particularly at the nuclear weapons plants. At the request of the Department of Energy, Congress, in section 3133 of the National Defense Authorization Act for 2002, established the Facilities and Infrastructure Re-

capitalization Program (FIRP). Although FIRP has made progress in addressing the maintenance backlog, the program will be coming to an end shortly.

What recommendations would you make to ensure that current and future maintenance activities, under the Readiness in the Technical Base and Facilities program, are in line with industry benchmarks when FIRP is terminated?

Answer. Based on my discussions with the Administrator and other officials in the NNSA, and my own experiences, I believe that the FIRP has been very successful in restoring the condition of mission critical facilities and infrastructure across the Nuclear Security Enterprise to an acceptable condition. It is my understanding that deferred maintenance has been reduced by almost $800 million; the overall Facility Condition Index has been improved from 8.7 percent to 5.5 percent; and, over 3.2 million sq. ft. of facility space has been permanently removed. In addition, the FIRP has been instrumental in improving the energy efficiency at NNSA facilities by replacing older, less efficient equipment and, in meeting NNSA's small business contracting commitments. The pressure on the Readiness in the Technical Base and Facilities (RTBF) Program will be very high over the next 5 years and beyond. The RTBF budget in the out-years must accommodate maintaining the current facilities and infrastructure, in addition to supporting several very large, long-term construction projects, the Chemistry and Metallurgy Research Replacement and the Uranium Processing Facility. In short, my recommendations are: acknowledge the importance of recapitalization; establish and communicate its high priority within the overall mix of NNSA critical activities; make the tough decisions/trade-offs to provide adequate funds; and, carry this message in all deliberations. I believe it is important to acknowledge what the loss of the FIRP combined with the increasing pressures on the RTBF budget mean to sustain the gains achieved over the past decade. The Administrator and I have discussed this and we agreed upon the critical importance of continuing efforts to restore the condition of mission critical facilities and infrastructure across the complex. To this end, I am committed to ensuring that funding for recapitalization of mission critical facilities remains a priority in budget deliberations at every level of discussion (e.g., with the Office of the Deputy Administrator for Defense Programs, the NNSA organization responsible for managing the RTBF Program; the NNSA Program Review Board, the NNSA executive council for framing budgeting decisions (which I would chair); the Deputy Secretary's Resource Board, the Department's executive council for budgeting decisions; and, the OMB and Congress).

Question. The Department of Energy and the NNSA have looked at, and have in some circumstances used, third party or other alternate financing options for construction projects.

If confirmed, would you commit to review carefully any NNSA proposal to undertake construction projects with funding approaches that deviate from the traditional line item funding approach?

Answer. Yes. Based upon my experiences in the Department and at the OMB, I am well aware of the concerns this committee has with some alternative funding approaches. If confirmed, before I would entertain such alternatives, I would ensure that all appropriate options are reviewed and considered that would provide cost, efficiency, and/or effectiveness information to meet mission requirements. I commit to work closely with this committee to ensure that any proposed alternatives were consistent with the committee's preferences.

Question. In addition, would you commit to keep the committee fully informed of any such proposals, to fully coordinate any proposal with the Office of Management and Budget, and to ensure that any such proposals include a business case documenting that any alternative financing approach is in the best interests of the taxpayer?

Answer. Yes. Alternative financing or third party financing, are often considered because they are viewed as providing a number of potential benefits such as reducing overall construction costs, reducing asset acquisition time, lowering operations and maintenance costs, and providing for a temporary need, while still meeting OMB Circular A–11 Criteria.

NNSA's experience, although limited, has indicated these types of arrangements can be beneficial to the Federal Government under certain circumstances, but they must be evaluated carefully to fully understand all the long-term implications. I believe that it is essential that proposals of this type follow a rigorous and consistent approval process that take into account the best interests of the taxpayer. A critical part of this process must be an economic analysis that demonstrates that costs to the government are reasonable and are supported by the business case alternatives. If confirmed, I will ensure that the comprehensive DOE review process is followed consistently, and that any third party financing projects that are proposed, will be able to withstand the most rigorous review and analysis by Congress. I will work

closely with OMB to protect the financial interests of the government, and of course, will keep the committee fully informed when these types of proposals are under consideration.

Question. One of the goals of the effort to modernize the nuclear weapons complex is to reduce the number of square feet of building space.

As the NNSA proceeds with construction projects in the future, would you commit to support the goal, and work to include in the total project cost of any new facility the cost to dispose of any buildings or facilities that are being replaced?

Answer. I know from my own experience, as well as from my discussions with the Administrator, that reducing the overall square footage of the complex is one of the key goals in the Complex Transformation process, which is well underway, and is one which I fully support. Eliminating excess facilities saves operating costs in the short-term and reduces the Department's long-term liability. In an effort to ensure that older facilities are being removed when their replacements are constructed, the NNSA has been following a "1 up, 1 down" policy whereby every square foot of newly constructed space must be offset by the elimination of a square foot of excess space. This requirement and the funding provided by the FIRP have resulted in the elimination of over 3.2 million sq. ft. of facility space.

In my opinion, this approach is more effective and flexible than pursuing this goal by including the cost to dispose of any buildings or facilities being replaced in the overall cost of a line item. The "1 up, 1 down" policy applies to all new construction, not just to projects which are replacing existing space. In this way, it potentially results in a greater reduction in square footage. Also, the costs to D&D existing older facilities can be very high, which could place an unnecessary burden on a new construction project. This could discourage or delay a project which might otherwise result in immediate benefits through cost reductions or mission accomplishment and, adds cost and schedule uncertainties which could make project and risk management more challenging.

Question. In some instances the disposition of old buildings might be more appropriately handled by the Office of Environmental Management (EM). In your view under what circumstances should EM be responsible for the disposition and under what circumstances should the NNSA be responsible?

Answer. It is my understanding that if a building is radiologically contaminated (e.g., contamination in the drains, sumps, and ductwork) then the mission and expertise reside with the EM organization. If a building is located over contaminated soil or groundwater, and the soil or groundwater are part of EM's cleanup scope, then I would support EM being responsible for the disposition of the building, so that the soil and groundwater could be appropriately remediated. NNSA has been responsible for disposition of noncontaminated or lightly contaminated buildings and structures (e.g., office buildings, trailers, laboratories, shops, etc.).

Question. Do you believe that clear criteria exist on which to make disposition determinations?

Answer. I believe that NNSA and EM have worked well together to understand the criteria to determine the appropriate disposition organization.

ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

Question. What responsibility do you believe the NNSA should have for funding, managing, and disposing of its current and future hazardous waste streams and for future environmental restoration?

Answer. The current construct, which seems to work well, is that all NNSA sites are responsible to manage their newly generated waste streams, whether hazardous, radioactive or "mixed" (i.e., contains both hazardous and radioactive constituents). All sites maintain the necessary permits and must request adequate funding through NNSA to manage their waste treatment and storage facilities and disposal activities. In the case of transuranic waste, all NNSA sites are required to meet the Waste Acceptance Criteria for the Waste Isolation Pilot Plant (WIPP) where the transuranic waste is disposed.

Regarding environmental restoration, EM-funded legacy cleanup (i.e., environmental restoration activities) are essentially completed at the: Livermore Main Site; Kansas City Plant; Sandia and Pantex, and these sites are considered to be in "long-term stewardship," where the agreed upon remedy (e.g., pumping and treating of groundwater; maintaining engineered caps, etc.) is funded and managed by NNSA. The Agreements that define EM-completion of the environmental restoration activities and NNSA-long term stewardship requirements are codified in the Critical Decision-4 packages. There are provisions to reopen EM-funded environmental restoration activities if: remedies prove ineffective; regulatory requirements become more stringent; and/or, a "new" contamination stream is determined to require remedi-

ation. Although NNSA has only begun its role of Long-Term Environmental Stewardship, it seems to be working satisfactorily.

Question. What specific steps do you believe the NNSA should take to negotiate programmatic responsibilities for environmental activities between the NNSA and the Office of the Assistant Secretary for Environmental Management?

Answer. I do not believe that any action on this matter is required. The relationship and responsibilities between EM and NNSA is clear and well established. NNSA is responsible for dealing with newly generated waste and EM is responsible for dealing with legacy waste.

Question. If confirmed, what role do you anticipate you will play in this process?

Answer. If there are disagreements between NNSA program officials and EM that cannot be resolved at the Assistant Secretary level, I will meet with the Under Secretary of Energy to ensure that the responsible parties carry out their respective duties.

DEFENSE NUCLEAR NONPROLIFERATION PROGRAMS

Question. In your view, are any policy or management improvements needed in the Defense Nuclear Nonproliferation Programs? If so, what improvements would you recommend?

Answer. I do not believe that any policy or management improvements are necessary in terms of program management, however, this program will benefit from the appointment of Anne Harrington, once she is confirmed and on-board as the Deputy Administrator. The President's Nuclear Security Agenda provides clear policy direction and this program's project plans, work scope, and actual threat reduction results show an effective management of these accelerating programs. For example, to date, NNSA has: completed security upgrades at 93 percent of Russian nuclear material and warhead sites of concern; monitored the downblending of more than 380 MT of former Soviet-weapons-origin HEU for use in U.S. power plants, providing 10 percent of U.S. electricity; developed new radiation detection methods and technologies in support of U.S. and international arms control verification requirements; and, completed the installation of radiation detection equipment at 30 MEGAPORTS, with work ongoing at another 19 MEGAPORTS worldwide. This is a very impressive record of accomplishments and I believe Congress will continue to see similiarly successful results for this program in the future.

Question. NNSA has significantly expanded its work in the Megaports program in cooperation with the Department of Homeland Security and in the new initiative to secure vulnerable weapons usable materials worldwide, the Global Lockdown program, which is being implemented in cooperation with DOD.

If confirmed, would you commit to keeping Congress fully informed as to the success of, as well as any problems with these cooperative relationships?

Answer. Yes, including the on-time submission of various reports now required by Congress. In addition, I will encourage the nonproliferation office to provide regular updates during the year on these relationships.

Question. The NNSA has responsibility for the bulk of the Federal Government's basic research on radiation detection technologies as well as other nuclear technologies, such as those used in nuclear forensics.

If confirmed, would you commit to undertake a review of the nonproliferation research and development program to ensure that it is adequately funded and fully coordinated with the activities of other Federal agencies?

Answer. Yes. Recognizing the importance of the Nonproliferation Research and Development Program in the development of technologies for the global detection of proliferation and its critical role in verifying a CTBT, I will, if confirmed, continue to foster technology discussions with all appropriate interagency elements to ensure that technology needs are identified. I will work closely with the Department, the OMB, and Congress to secure appropriate funding for these efforts.

Question. The NNSA nonproliferation programs have occasionally had implementation issues that have resulted in large carryover balances.

In your view is the management in place to implement the new Global Lockdown program and to ensure that the funds are spent in a timely and effective manner?

Answer. I believe that the management of our nonproliferation programs is effective. Regarding carryover balances, the NNSA's nonproliferation programs only pay for threat reduction work after it is completed and verified within the host country. Completion of many of these international projects often extends beyond the end of the fiscal year, which gives the appearance of large carryover when in fact; the carryover is due to work still in progress or pending final approval for payment.

Question. If not, what changes would you recommend?

Answer. Based upon my knowledge of the Defense Nuclear Nonproliferation programs and the management team, I believe the management is in place to implement the new Global Lockdown Program and ensure that funds are spent in a timely and effective manner. As noted above, the leadership and experience Anne Harrington will bring to the nonproliferation programs will be invaluable. Many of the current senior executives and senior program managers in the Office of Defense Nuclear Nonproliferation have been engaged in the nonproliferation programs from the beginning, dating back to the mid-1990s. As such, they are very experienced in negotiating terms of work with their foreign counterparts. Also, they have experience working with the technical specialists in the national laboratories who partner with the Federal program managers to accomplish work in a timely and cost effective manner.

The U.S. Congress has facilitated the implementation of the Global Lockdown Program by providing the new funds necessary to undertake the negotiation of new work efforts. This has been critical. Availability of new funds translates into the ability to take on new work scope, which in turn, accelerates progress towards meeting the goal to secure and remove all vulnerable nuclear material from the most vulnerable sites by the end of 2012.

NATIONAL LABORATORIES

Question. The NNSA, as the steward of the three National Security laboratories, has a responsibility to ensure that the labs are capable of meeting their broad national security obligations, not just those of the NNSA.

What is your view on the role of the three National Security laboratories in addressing broad national security challenges and the role of the NNSA in overseeing those activities?

Answer. I believe that the three NNSA national laboratories are truly national assets. The NNSA senior leadership team is implementing a vision and strategy that is transforming the nuclear weapons complex into a Nuclear Security Enterprise. A key element of this strategy is to partner with other Federal agencies, and the Department at-large, and use the remarkable scientific, technical, and engineering capabilities developed for Stockpile Stewardship and expand opportunities to deliver on national security priorities that a single agency working alone could not otherwise accomplish. If confirmed, I will do all I can to help the Administrator secure the expertise and resources required by these institutions to meet these national challenges.

Question. In your view are there any changes that are needed to facilitate or improve the work for others program at the three National Security laboratories?

Answer. I know that the Administrator has initiated actions to make the Work for Others (WFO) Program more effective in meeting the goals and objectives of other Federal agencies in the national security, energy, science, and innovation arenas. I would focus on making sure that these actions are fully implemented and I would look for additional ways to maximize the benefits of the WFO Program for the other agencies and the NNSA.

MATERIALS DISPOSITION PROGRAM

Question. The NNSA is responsible for implementing the U.S. commitment to the Russian Government to dispose of 34 metric tons of weapons grade plutonium. There are many issues and challenges facing the program including the fact that it is substantially over budget.

What role will you play in ensuring that all aspects of this program will be on schedule and on budget?

Answer. The NNSA's disposition programs will be carried out at the MOX Facility, which is now under construction at the Savannah River Site, and the new effort stemming from the Department's decision to evaluate an approach to combine NNSA's Pit Disassembly and Conversion Facility (PDCF) and EM's Plutonium Preparation Project (PuP). If confirmed, my fundamental role will be to ensure the timely identification of any issues related to these projects, and to bring together the appropriate Federal and contractor personnel to address any concerns. In summary, I see my role as conducting close and frequent engagement with the Federal and contractor project managers to stay on top of these key projects.

NATIONAL IGNITION FACILITY

Question. The National Ignition Facility (NIF) is scheduled to achieve ignition by 2010 or early 2011 and become a facility that supports nuclear weapons experimental work but also has the capability to support a broad range of science and energy research challenges.

If confirmed, what role, if any, will you play in ensuring the success of the NIF and to ensure that NIF is fully utilized?

Answer. It is my understanding that work is currently underway to undertake the initial experiments, later this year, for the first attempt to demonstrate ignition. I will work very closely with the Administrator, the Deputy Administrator for Defense Programs, and if necessary, Congress to ensure that the LLNL has the resources necessary to achieve thermonuclear ignition. I will also do all I can to make sure that the NIF not only makes major contributions to the SSP, but also to the broader national science goals of the United States.

CONTRACTOR OPERATED FACILITIES

Question. What recommendations, if any, would you make to improve oversight of and contractor management of the facilities in the nuclear weapons complex?

Answer. I believe that NNSA's oversight of its contractor operated facilities has been rigorous and is continually improving. In addition to oversight by the NNSA Site Offices, the NNSA Chief, Defense Nuclear Safety and Chief, Defense Nuclear Security, have been routinely conducting reviews of nuclear safety, and the Office of Health, Safety, and Security, routinely conducts independent assessments at our facilities. Beginning this year, the Senior Advisor for Environment, Safety, and Health will join those assessments for the purpose of evaluating nonnuclear programs and worker safety programs. These assessments evaluate both Site Office and contractor operations, and follow-up on previously identified findings. NNSA has continuously focused on learning from and improving its oversight. The Administrator has initiated reform activities and established an Enterprise Review Team to evaluate ways to improve operations across the NNSA enterprise. The conduct of Federal and contractor oversight is one of those initiatives or as we refer to it, Line Oversight and Contractor Assurance Systems (LOCAS). Our contractors are contractually bound to provide effective contractor assurance systems that include comprehensive corrective action programs and transparent reporting systems for use by NNSA Federal overseers. These improvements will not only result in improved contractor performance but allow NNSA Headquarters and Site Offices to allocate Federal oversight resources most efficiently focusing on nuclear safety, and other high risk areas or emerging issues. The NNSA has seen much improvement already. I am committed to provide my support to the Administrator to assure these initiatives continue to drive improvement across the NNSA Federal and contractor operations.

Question. In your view what is the role of the NNSA field offices in the oversight of the contractor operated facilities?

Answer. The Site Offices perform a broad array of functions regarding the oversight of the contractor operated facilities. These include: contract administration; business management; facilities, projects, and safety basis functions; safeguards and security; and, facility operations.

The site offices are responsible for providing direction, day-to-day oversight and contract administration activities related to the laboratory or plant contract and associated business management functions, such as: information technology; cyber security; human resources; procurement; personal property management, to list a few. In the area of construction project management, the site offices provide oversight and contract administration of construction project planning and execution. The site offices also provide direction for ensuring satisfactory development of the safety basis requirements for their respective laboratories or plants.

Regarding security, the site offices provide oversight to ensure the effective implementation of the overall safeguards and security programs to include nuclear material control and accountability, personnel security, and emergency management. The site offices also evaluate the effectiveness of the contractor protection plans and strategies in comparison to the current Design Basis Threat and site-specific vulnerability assessments.

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 Administrator?

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 in a timely manner?

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR CLAIRE MCCASKILL

STRATEGIC ARMS REDUCTION TREATY

1. Senator MCCASKILL. Ms. Miller, the Strategic Arms Reduction Treaty (START) may have an impact at both Whiteman Air Force Base (AFB) and the National Nuclear Security Administration (NNSA) Kansas City Plant, both in Missouri. Whiteman AFB is home to the 509th Bomb Wing and is one of only two Air Force units to operate the B–2 Spirit stealth bomber, which is a nuclear-capable bomber. For the purposes of the New START, bombers count as one weapon. It is my understanding that Air Force commanders generally support the treaty but have some concerns with the level of scrutiny and access that Russian inspectors would have to the B–2 fleet. If confirmed, will you thoroughly review what a U.S. AFB like Whiteman could expect in terms of inspectors and verification visits from the Russians, if the START is ratified to determine whether it is appropriate?

Ms. MILLER. No, this would not be part of my responsibilities at the NNSA. The Air Force was actively engaged throughout the New START Treaty negotiations and, in conjunction with other Department of Defense elements, is the appropriate organization for assessing the anticipated impact of New START inspection activities at Air Force installations. The Air Force is currently working with the Office of the Secretary of Defense, the Defense Threat Reduction Agency, and other DOD elements to address the impact of the Treaty's verification regime and determine the most efficient manner to host effective New START Treaty inspections at Air Force sites while limiting the operational impact of such inspections at these bases.

2. Senator MCCASKILL. Ms. Miller, will you please further comment on your current view of the level of access the START would provide to the Russians to inspect U.S. nuclear weapon facilities and whether you think it is appropriate.

Ms. MILLER. The facilities subject to inspection are military facilities. Sites within the NNSA's Nuclear Security Enterprise—to include the National Laboratories and NNSA production facilities—are not subject to New START inspection, and there will be no exchange of information regarding any of these sites.

3. Senator MCCASKILL. Ms. Miller, the NNSA Kansas City plant, where skilled employees assemble and manufacture nonnuclear components for national defense systems, plays a critical role in maintaining our nuclear defense posture. Are you familiar with NNSA's plans to transform the Kansas City plant via the Kansas City Responsive Infrastructure Manufacturing and Sourcing (KCRIMS) project? Please comment on your understanding of the transformation and its importance to NNSA.

Ms. MILLER. I am familiar with the KCRIMS project, and I understand how important it is that NNSA receive full funding for this project in fiscal year 2011. Through the KCRIMS initiative, the NNSA will replace a 65-year old facility with a new, modern leased facility that enables $100 million in annual cost savings and is 50 percent smaller than the existing facility. This new facility is essential to NNSA's efforts to transform the nuclear weapons complex into a Nuclear Security Enterprise.

4. Senator MCCASKILL. Ms. Miller, if confirmed, will you fully support NNSA's KCRIMS project, including working to ensure it is fully completed and executed on schedule?

Ms. MILLER. I will fully support NNSA's KCRIMS initiative. I am aware of Chairman Carl Levin's correspondence of August 2, 2010 concerning the B61 Life Exten-

sion Program, which specifies that NNSA is to provide quarterly reports that lay out the schedule for the KCRIMS project, identify key milestones, the funding necessary to support key milestones, and the project's progress against the cost and schedule baseline. I will see that this reporting requirement is met.

5. Senator MCCASKILL. Ms. Miller, in light of your current understanding of the proposed START, what is your understanding of how it will impact the Kansas City plant?

Ms. MILLER. The New START Treaty will not impact the Kansas City Plant. In fact, none of the Department of Energy and NNSA sites will be subject to the Treaty's limitations or inspections.

QUESTION SUBMITTED BY SENATOR ROLAND W. BURRIS

SCIENCE AND TECHNOLOGY CAPABILITIES

6. Senator BURRIS. Ms. Miller, as mentioned in your advance policy questions, one of your key focus areas is to strengthen the scientific and technological capabilities for NNSA activities. What can we do to attract our brightest minds to engage in an area of such critical importance to national security?

Ms. MILLER. I know that the NNSA has been addressing this issue for many years as a generation of the subject matter experts with weapons design and actual nuclear weapons testing experience have retired over the last decade. The congressionally-mandated Chiles Commission examined this issue and provided recommendations to Congress, the DOE, and the laboratories and production plants. Many of these recommendations have been implemented. The laboratories and production plants have identified the required skill sets and they have put into place programs to overcome this very real problem.

If confirmed, I would begin by assessing where the complex is in addressing this matter. Once informed, I would review the realm of options available for recruiting and retaining the "best and the brightest" and implement adjustments, if necessary. I believe NNSA's mission and programs are exciting, vital, and offer unique challenges to our current and potential workforce. It is important to communicate this and to have in place the tools that can make the difference for current and potential employees. The more obvious incentives include: retention and recruitment pay incentives for critical skills; special pay categories; enhanced continuing education opportunities; unique and challenging assignments, to include rotations to other laboratories and institutions; and, incentives to delay retirements. Regarding the NNSA Federal workforce, the NNSA has put into place numerous programs, such as the Future Leaders Program, the Nonproliferation Graduation Fellowships, the Computational Science and Stewardship Graduates Fellowship, and management internships to infuse the Stockpile Stewardship Program with young, technically competent individuals. Through these programs, there are special recruitment and retention allowances, special pay categories, continuing educational opportunities, rotational opportunities, and challenging assignments, and if warranted, rapid advancement. We also have longstanding development programs with Historically Black Colleges and Universities and Hispanic Serving Institutions to promote minority interest in the mission work of NNSA. These programs deepen the recruiting pool of diverse scientific and technical staff available to NNSA and its National Laboratories in support of the Nation's national security programs.

Before I suggest further steps to recruit and retain the needed technical talent required by the NNSA complex, I would like an opportunity to assess how these programs are working.

QUESTIONS SUBMITTED BY SENATOR DAVID VITTER

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

7. Senator VITTER. Ms. Miller, what role, if any, will you have with the Defense Nuclear Facilities Safety Board (DNFSB)?

Ms. MILLER. Based upon my discussions with the Administrator, if confirmed, I will do my best to ensure that the NNSA meets all of its commitments to the DNFSB. Because of his technical qualifications, the Administrator has decided that he will continue to serve as NNSA's Central Technical Authority and the NNSA focal point for interacting with the Chairman of the DNFSB. I will fully support the Administrator to the best of my abilities and do all that I can to emphasize the importance of nuclear safety to the senior management of the NNSA's Headquarters,

Site Offices, national laboratories and production plants. In addition, I will ensure that nuclear safety performance standards are in place for each nuclear facility and that each contractor's performance is properly evaluated as part of the annual performance evaluation process.

8. Senator VITTER. Ms. Miller, how will you ensure operational nuclear safety in nuclear weapons complex?

Ms. MILLER. I will be a vocal advocate for this nuclear safety program and provide high-level management emphasis and attention to its vital importance so that the NNSA Federal and contractor personnel recognize that this is our highest priority. Given that the Administrator has the specialized technical expertise to address specific program elements, I will support him and the NNSA Chief, Defense Nuclear Safety, by ensuring that our nuclear safety policies and procedures are clear and adhered to. I will also ensure that our nuclear safety commitments to the DNFSB are met in a responsive and timely manner.

[The nomination reference of Neile L. Miller follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
May 27, 2010.

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

Neile L. Miller, of Maryland, to be Principal Deputy Administrator, National Nuclear Security Administration, vice William Charles Ostendorff, resigned.

[The biographical sketch of Neile L. Miller, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF NEILE L. MILLER

Neile L. Miller is currently the Director of the Office of Budget at the U.S. Department of Energy. Ms. Miller is responsible for managing the continuous processes of formulating, defending, and executing the Department's $29 billion annual budget.

Ms. Miller has over 20 years of experience in the fields of nuclear energy, defense policy, and budget analysis. Prior to becoming Budget Director, Ms. Miller served as a senior program examiner in the National Security Division of the White House Office of Management and Budget (OMB), where she was responsible for the Department of Energy's National Nuclear Security Administration and the Department of Defense Cooperative Threat Reduction program. Ms. Miller also served in two Associate Director positions in the Department of Energy's Office of Nuclear Energy—first as Associate Director for Resource Management, and later as Associate Director for International Nuclear Cooperation.

Ms. Miller has spent the majority of her career in the public sector, including an earlier tour at OMB, as the examiner for DOE's radioactive waste management programs and for the Nuclear Regulatory Commission. She spent 2 years in Paris at the OECD's Nuclear Energy Agency serving as a policy and communications officer. Ms. Miller got her start on the Hill at the Congressional Research Service working on nuclear nonproliferation issues.

Ms. Miller earned her undergraduate degree in political science from Vassar College and her Masters degree in International Affairs from the Georgetown University School of Foreign Service. Ms. Miller lives in Chevy Chase, MD, with her husband, Dr. Werner Lutze, and their two sons, Max and Daniel.

[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, and certain senior military officers as determined by the committee, to complete a form that details the biographical, financial, and other information of the nomi-

nee. The form executed by Neile L. Miller 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.)
Neile L. Miller,
aka Neile Miller Lutze,
nee Neile Leslie Miller.

2. **Position to which nominated:**
Principal Deputy Administrator, National Nuclear Security Administration.

3. **Date of nomination:**
May 27, 2010.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
July 23, 1957; Decatur, Macon County, IL.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Dr. Werner Lutze.

7. **Names and ages of children:**
Max Lutze, 15.
Daniel Lutze, 12.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Vassar College, August 1975 to May 1979, AB Political Science, May 1979.
Georgetown University School of Foreign Service, August 1979 to May 1981.
MSFS International Politics and Economics, Degree Awarded May 1985.

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
Director, Office of Budget, U.S. Department of Energy, Washington, DC, 2007–Present.
Senior Program Examiner, National Security Division, Office of Management and Budget, Washington, DC, 2004–2007.
Associate Director, Office of Nuclear Energy, U.S. Department of Energy, Washington, DC, 2003–2004.
Senior Associate, Lutze Consulting, Chevy Chase, MD, 1999–2003.

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.

Program Examiner, Energy and Science Division, Office of Management and Budget, Washington, DC, 1987–1990.

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.

Hadassah, Life Member, 1994–present.

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

Registered Democrat.

(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.

Democratic National Committee, $100, 2008, 2009, 2010.

Barack Obama Presidential Campaign, $250, 2008.

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

Office of Management and Budget Special Achievement Award 2006, 2007.

Annual SES Performance Award 2008, 2009.

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

None.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None.

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

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

NEILE L. MILLER.

This 24th day of June, 2010.

[The nomination of Neile L. Miller was reported to the Senate by Chairman Levin on August 4, 2010, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on August 5, 2010.]

[Prepared questions submitted to Anne M. Harrington by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DUTIES

Question. What is your understanding of the duties and functions of the Deputy Administrator for Defense Nuclear Nonproliferation?

Answer. The Deputy Administrator for Defense Nuclear Nonproliferation provides leadership within the National Nuclear Security Administration (NNSA) team for nonproliferation programs whose goal is to keep weapons of mass destruction (WMD) out of the hands of state and non-state actors. This requires a coordinated effort on the part of suppliers of nuclear and nuclear-related materials, equipment, and technologies; improving capability to detect, deter, and interdict illicit WMD-related trade; strengthening export control systems in other countries; and supporting the transition of WMD-capable expertise and infrastructure in partner countries to peaceful purposes. The Deputy Administrator is also responsible for ensuring that resources and programs are aligned with national policy and strategy.

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

Answer. I have been privileged to dedicate over 20 years of my career to strengthening U.S. national security and countering the threat of WMD. My experience in developing and implementing projects to reduce nuclear, chemical, and biological threats in the former Soviet Union, Iraq, and Libya will serve me well if I am confirmed in the position of Deputy Administrator. This experience spans both 15 years of service in the Department of State and 5 years working on similar issues from the National Academy of Sciences. Those two perspectives have given me an appreciation of the grave nature of the challenges we face, but also that the government does not have to rely solely on its resources and capabilities to face those challenges. Partnerships can offer a powerful alternative to unitary government action.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the Deputy Administrator for Defense Nuclear Nonproliferation?

Answer. It has been my experience that every new job offers the opportunity to learn. Although I have devoted many years to the nonproliferation challenge, if confirmed, I will put considerable effort into studying those areas of the portfolio in which I do not have in depth experience. In addition to briefings and exchanges with colleagues and experts, I believe that it will be essential to plan early visits to the laboratories and facilities that are integral to the nuclear nonproliferation program, both in the United States and abroad.

Question. Assuming you are confirmed, what duties and functions do you expect that the Administrator of the NNSA would prescribe for you?

Answer. If confirmed, I expect the Administrator to direct me to support our ability to reduce WMD risk to the Nation by helping to bring a new way of doing business to NNSA as part of his continued commitment to management reform. Over NNSA's 10 years of service to the Nation, much of its mission has been focused on completing the work begun in the aftermath of the collapse of the Soviet Union. Completing that task must remain a priority, but nuclear threats to the United States and its friends and allies play out on a global stage and can only be addressed by nurturing a network of partnerships and collaborations.

RELATIONSHIPS

Question. If confirmed, how would you work with the following:

Other Deputies in the NNSA

Answer. If confirmed, I expect to develop a close and collaborative relationship with the other Deputies in the NNSA. Each Deputy is responsible for a specific piece of the nuclear portfolio, but we all must work together if we are to accomplish our missions in the most effective way.

Question. The Assistant Secretary of Energy for Environmental Management

Answer. If confirmed, I would look forward to benefitting from the significant experience of the Assistant Secretary of Energy for Environmental Management as we develop programs in the U.S. and with foreign partners to ensure that environmental and waste issues that arise in nonproliferation programs are addressed in the most effective way possible.

Question. The other Assistant Secretaries of Energy

Answer. If confirmed, I would work closely with other Assistant Secretaries of Energy to ensure that there is maximum synergy between our areas of responsibility.

Question. Heads of relevant nonproliferation offices at the Departments of Defense and State, and the National Security Council.

Answer. If confirmed, I would work closely with colleagues in the Departments of Defense and State, and the National Security Council. Throughout the last 20 years, I have believed strongly that the habit of cooperation is the best basis for addressing problems.

Question. The Department of Homeland Security, including the Domestic Nuclear Detection Office and offices responsible for customs and border security.

Answer. If confirmed, I would work closely with the Department of Homeland Security, including the Domestic Nuclear Detection Office and offices responsible for customs and border security. Homeland security does not start at our borders. To provide the greatest degree of security for the Nation, NNSA, and DHS need to continue working together as part of a government-wide effort.

Question. The Director of the Defense Threat Reduction Agency

Answer. If confirmed, I would continue our already close working relationship with the Director of the Defense Threat Reduction Agency. I understand that there are currently monthly meetings between NA–20 and DTRA and that a truly collaborative relationship is developing.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront the Deputy Administrator for Defense Nuclear Nonproliferation?

Answer. First, meeting the President's challenge to lock down all nuclear materials worldwide is a mandatory first step to reducing the risk that state or non-state actors will obtain the materials necessary for a nuclear device. Second, developing the necessary partnerships to enable a truly global effort to prevent the illicit flow of nuclear materials. Third, continuing to work with Russia to eliminate surplus weapons plutonium. Fourth, strengthening global nuclear safeguards and our ability to verify arms control agreements. Fifth, supporting all these missions with a robust nonproliferation-related research and development program.

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

Answer. To meet the first challenge, if confirmed, I intend to focus on actions taken to date, review the plan for completing implementation and consult with all the stakeholders in this effort to ensure that progress is being made as rapidly as possible. For the second challenge, I would work closely with the Department of State to strengthen existing partnerships and develop new ones. For the third challenge, I would closely monitor all aspects of the execution of this program. To address the fourth challenge, I would review the efforts we have underway and then consult with partners in the Departments of State and Defense as well as the IAEA and organizations responsible for implementing arms control agreements and monitoring them. For the fifth challenge, if confirmed, I expect to build on the excellent work that is being done and seek ways to enhance our research and development efforts.

Question. What do you consider to be the most serious problems in the performance of the functions of the Deputy Administrator for Defense Nuclear Nonproliferation?

Answer. The most serious problem will be maximizing the impact of programs through the development of a network of committed partners. Major progress has been made in this area, but we cannot possibly address all threats to the U.S. unilaterally. We must develop a network of international partnerships that shares a vision and is willing to contribute to the human, technical, management and financial requirements to implement and sustain programs.

Question. If confirmed, what management actions and time lines would you establish to address these problems?

Answer. If confirmed, I will first review the status of program partnerships and then identify a set of opportunities to expand or develop new relationships and then set action and time line targets.

PRIORITIES

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

Answer. First, placing a high priority on securing and controlling access to nuclear material. Second, building a broad set of partnerships across the U.S. Government, with nongovernment organizations, academy, industry, and international organizations. Third, build on the success of the Nuclear Summit to accelerate and broaden work around the globe to prevent nuclear proliferation. Fourth, ensure that we continue to explore new technologies to support our missions.

FISSILE MATERIAL DISPOSITION PROGRAM

Question. The fissile material disposition program, under which the United States and Russia each committed to dispose of 34 metric tons of surplus weapons-grade plutonium, has been plagued by numerous problems and delays. Construction of the MOX fuel fabrication facility is a major construction project that is a substantial portion of the NNSA nonproliferation budget request.

If confirmed will you commit to conduct a review of the project to determine the cost and schedule baseline and determine if the project is on budget and on cost?

Answer. If confirmed, I will commit to conducting a review of the project.

Question. The MOX fuel facility will need plutonium feed stock to operate, which is currently in short supply.

What is your understanding of current planning to ensure that the feedstock is available in sufficient quantities and at the appropriate time to ensure that the MOX fuel fabrication facility begins operations on time and continues operations at an efficient level of production?

Answer. I understand a source of feedstock has been identified to begin operations at the MOX facility, but that a pit disassembly and conversion capability is needed to ensure continued operation of the MOX facility.

Question. Are there additional steps which you believe should be taken?

Answer. I understand the next steps on the Pit Disassembly and Conversion project are currently under evaluation at the Department, so if confirmed, I will work to ensure timely execution of the project.

Question. There are currently discussions underway between the NNSA and the Department of Energy Office of Environmental Management (EM) to jointly establish a facility, in the K–Reactor area at the Savannah River Site, to disassemble plutonium pits and to prepare plutonium pits as feed stock for the MOX fuel fabrication facility. It appears that this proposal is not fully supported in the DOE.

What is your understanding of the status of these discussions and the key issues that remain to be resolved?

Answer. I am not aware of any support issues for the project, but if confirmed, I will look into the matter.

Question. If confirmed, would you commit to review this proposal and report back promptly to the committee on the status of this proposal and any issues that are associated with it?

Answer. If confirmed, I would commit to review the proposal and report back promptly to the committee on the status and any associated issues.

Question. If the joint NNSA and EM effort does not go forward what do you understand are the options to supply plutonium feedstock in sufficient quantities when needed for MOX fuel fabrication plant operations?

Answer. I understand that in addition to this option, the Department is evaluating a stand-alone Pit Disassembly and Conversion capability at the Savannah River Site that will also be capable of supplying the plutonium feedstock necessary to sustain MOX operations.

RADIOLOGICAL DETECTION RESEARCH AND DEVELOPMENT

Question. In your view what are the primary requirements for improvements in radiation detection capabilities and, if confirmed, how would you go about improving these capabilities?

Answer. Radiation detection technologies are crucial to many of the Defense Nuclear Nonproliferation (DNN) programs such as the Second Line of Defense and Megaports programs as well as for international nuclear safeguards. My understanding is that current technology, while meeting minimum requirements of these programs, has limitations with regard to sensitivity, size, and power requirements. I understand that DNN works closely with DNDO and DTRA on technology development, and I will continue that.

GLOBAL THREAT REDUCTION INITIATIVE

Question. In your view what are the most significant challenges facing the Global Threat Reduction Initiative?

Answer. The most significant challenges facing the Global Threat Reduction Initiative are receiving full funding to implement the 4-year effort to secure vulnerable nuclear material as well as negotiating agreements for removal of nuclear material from countries such as Belarus, South Africa, and Ukraine.

Question. What strategy, if any, has the NNSA developed for prioritizing its activities under this initiative so that the material that poses the highest risk is identified and addressed first?

Answer. NNSA has developed a detailed prioritization plan to identify and address the materials that pose the highest risk based on quantity and type of nuclear material, site security, country-level threat environment, and proximity to strategic interests. The prioritization process provides a systematic method to prioritize removal projects and assign resources based on the relative risk of the material and the expected risk reduction resulting from removal of the material.

Question. What is the policy governing work with countries that can afford to pay for necessary upgrades?

Answer. The current policy is that the 66 countries that are defined by the World Bank to be high income economy countries such as Kuwait and Hungary pay for security upgrades and removal of nuclear material. For countries that are defined by the World Bank to be other-than-high-income economy countries, GTRI pays the majority of costs for security upgrades and removal of nuclear material.

Question. Do you support these policies or do you believe that changes are needed, and if your answer is yes, what are the changes that you would recommend if confirmed?

Answer. I support these policies, but believe that we should continue to explore ways to implement programs on a partnership basis wherever possible.

BUDGET EXECUTION

Question. The budget request for fiscal year 2011 for the NNSA nonproliferation programs is significantly higher than the amounts available for fiscal year 2010.

If confirmed what steps would you take to ensure that these significant increases are executed to ensure the maximum programmatic benefit?

Answer. If confirmed, I would work closely with the program and budget offices to ensure that there is maximum program benefit.

Question. You have worked on establishing metrics for use by the Department of Defense Cooperative Threat Reduction Programs in assessing programmatic success and effectiveness.

What is your understanding of the metrics currently in use for the NNSA nonproliferation programs?

Answer. I do not have the specifics for how NNSA has developed its current metrics, however, this is an area of great interest to me. I believe that we can always improve how we measure the impact and effectiveness of our complex programs that support national security goals, and it has been a long term personal interest of mine. I know from conversations related to the DOD metrics study that program offices in NNSA, as am I, are open to exploring new approaches.

Question. If confirmed, would you develop new metrics for these programs? What criteria would you use to develop such metrics?

Answer. If confirmed, I believe we should continue to evaluate the way we measure program impact and effectiveness. We are learning from the DOD experience that not all programs can be measured in exactly the same way, but that it is possible to construct an analytical framework that can be adapted to different kinds of programs.

Question. How would metrics be used to plan and develop budget for NNSA nonproliferation programs?

Answer. Program measures of performance and measures of effectiveness need to be integrated into program design if they are to be a useful tool for evaluation and planning. If confirmed, I look forward to working with the program directors and with Congress to explore this further.

NUCLEAR SECURITY COOPERATION

Question. What, in your view, are the primary areas of nuclear security and nonproliferation cooperation that should be sustained or initiated with Russia in the next 5 years?

Answer. Russia is a nuclear weapons state and has a growing nuclear power industry. DOE/NNSA has developed a strong cooperative relationship with our Russian colleagues that has resulted in significant improvements in the way nuclear materials are managed in Russia over the past two decades. While much has been accomplished, there is more that can and should be done to ensure the long-term sustainability of our investment. I believe we should continue to cooperate with Russia in all areas that can increase the security of nuclear materials.

Question. How should future nonproliferation and threat reduction programs be structured to recognize the changes that have taken place in Russia since the early days of the NNSA nonproliferation programs, including funding for new programs?

Answer. Many changes are already taking place in our working relationship with Russia. For example, I understand there is an active Best Practices exchange pro-

gram where NNSA and Russian technical experts share appropriate lessons learned regarding nuclear security. Sharing such information is important as the threat of nuclear terrorism continues to evolve.

Regarding funding, many programs are moving to a 50–50 cost share basis. This is an appropriate target for now, although we should continue to press our colleagues to assume a greater and greater share of the financial responsibility.

Question. In your view what are the guidelines and objectives that should be part of developing nuclear security cooperation with China? India? Pakistan?

Answer. Nuclear security cooperation with new partners should be evaluated on a case-by-case basis in consultation with other U.S. agencies and Congress. We will continue to work with our interagency partners to reach out to the relevant elements of these governments in order to establish a basis for information exchange and cooperation. If confirmed, I would hope to build on the commitments made by each of these countries at the recent Nuclear Security Summit to promote adequate security of their nuclear materials.

NONPROLIFERATION RESEARCH AND DEVELOPMENT

Question. If confirmed, would you commit to review the Nonproliferation Research and Development program to ensure that the requirements for the program are identified, that the program is meeting the needs of the users, and that the program is fully funded?

Answer. If confirmed, I would commit to such a review of the Nonproliferation Research and Development Program.

Question. One of the research and development requirements that has been identified in several studies is the need to improve nuclear forensics capabilities.

What do you believe is needed in this area?

Answer. The National Research Council released a classified report early this year and an abbreviated unclassified version of the same study on July 29. I participated in the early stages of that study and believe that the findings and recommendations are sound. The committee found that, "Although U.S. nuclear forensics capabilities are substantial and can be improved, right now they are fragile, under resourced, and, in some respects, deteriorating. Without strong leadership, careful planning, and additional resources, these capabilities will decline." In the areas applicable to DNN, I understand that many of these areas are being addressed by the DNN Office of Nonproliferation and Verification R&D, such as:

- development of prompt diagnostic systems;
- simulations to better interpret data from prompt diagnostics;
- identification of useful short-lived signatures and how to measure them;
- R&D for new methods for air and ground sampling;
- development of tools and procedures for sample selection;
- Development of faster, more reliable sample-preparation techniques;
- Development of automated analytical techniques that meet modern environmental, health, and safety requirements;
- simulations to explore signatures of nuclear-material-production technologies; and

Initiating international collaborative research projects in nuclear forensic analysis is also critical for developing the global analytical capabilities required for identifying unknown materials and to aid in the attribution of a terrorist nuclear event or the attempted smuggling of nuclear materials.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Deputy Administrator for Defense Nuclear Nonproliferation?

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTION SUBMITTED BY SENATOR ROLAND W. BURRIS

ILLICIT NUCLEAR TRADE

1. Senator BURRIS. Ms. Harrington, the President has stated that ultimately he would like to see a world free of nuclear weapons. There are many steps required to achieve this goal, however controlling the illicit flow of nuclear materials is paramount. How do you propose enhancing the global effort to control the illicit nuclear trade?

Ms. HARRINGTON. The illicit flow of nuclear materials is one of the greatest dangers we face. Unlike threats from biological or chemical weapons, where materials are readily available, the key to building a nuclear capability or improvising a nuclear weapon is the material itself. The President declared in his April 5, 2009, Prague Speech, that the United States would pursue new partnerships to lock down vulnerable nuclear material worldwide in 4 years. To that effort, he added, "We must also build on our efforts to break up black markets, detect and intercept materials in transit, and use financial tools to disrupt this dangerous [nuclear] trade." The United States brings a great deal of experience and expertise to these efforts, much of which is centered in the programs of NA–20, including site security, establishing a second line of defense, and expanding the capacity of our partner governments to develop, strengthen, and sustain their own national export control and border security systems.

The first line of defense, or securing material at the site, involves working cooperatively with international partners to secure and eliminate vulnerable nuclear material that could be used in weapons of mass destruction (WMD). NNSA has two primary programs that work towards securing nuclear material at the first line of defense: Material Protection Control and Accounting (MPC&A) and Global Threat Reduction Initiative (GTRI).

The MPC&A Program emphasizes improvements in physical protection, protective forces, material control and accounting, nuclear security culture, and the creation of an indigenous infrastructure to support these programs. Since the program's inception 15 years ago, MPC&A has cooperated with Russia to install nuclear security upgrades at 91 percent of buildings at Russian nuclear warhead and nuclear material sites. Work is ongoing at the other 9 percent of buildings. While the primary focus of the program has been with Russia, NNSA is also engaged in ongoing reciprocal nuclear security best practices dialogs with China, and pursuing a cooperative role in the establishment of Nuclear Security Centers of Excellence in both China and India. Enhancing site security and collaborating on best-practices dialogs allows the NNSA to work towards ensuring a security culture worldwide that can prevent nuclear material from entering into an illicit trafficking system.

The GTRI Program achieves its mission by converting research reactors and isotope production facilities from the use of highly enriched uranium to low enriched uranium; removing and disposing of excess nuclear and radiological materials; and protecting high priority nuclear and radiological materials from theft/sabotage. GTRI's conversion and removal efforts result in permanent threat reduction by eliminating these materials of concern, preventing the possibility that they could ever enter the smuggling pipeline. GTRI has worked in over 100 countries around the world to implement its nuclear and radiological threat reduction efforts.

The second approach in the NNSA's effort to prevent the illicit movement of nuclear materials is the Second Line of Defense Program (SLD), which strengthens the capability of foreign governments to deter, detect, and interdict illicit trafficking in nuclear and other radioactive materials across international borders and through the global maritime shipping system. Under the SLD Program, NNSA works collaboratively with foreign partners to equip border crossings, airports and seaports with radiation detection equipment and associated communication equipment. The SLD Program provides training in the use of the systems for appropriate law enforcement officials and initial system sustainability support as the host government assumes operational responsibility for the equipment. To date, the SLD Program has installed radiation detection equipment and trained personnel at 322 sites in

Russia and 98 other sites around the world. Out of 100 Megaports chosen to install radiation detection equipment, 30 have been completed, leading to approximately 50 percent of global shipping traffic being scanned by 2015.

In addition to these programs, the NNSA recognizes that black market networks and non-state actors play a vital role in supplying proliferators. These networks seek both suppliers of sensitive goods and places where they can divert from legitimate trade shipments to proliferant programs. NNSA collaborates with other U.S. agencies and with foreign customs, export licensing officials and private industry to strengthen national and regional export control systems and to bolster interdiction capacities, reduce proliferation risk and prevent illicit nuclear trafficking.

There is also a clear need to strengthen international cooperation in nonproliferation nuclear forensics. Nuclear forensics analysis of interdicted materials plays a critical role in nuclear and radiological trafficking investigations by contributing to the determination of isotopic, chemical and physical signatures to deter the unauthorized diversion or use of these materials. Building global capacity for effective forensics analysis and accurate attribution of interdicted materials is an integral part of NNSA's approach to controlling illicit nuclear trade.

A key to success, however, is the concept of working in partnership with other countries and institutions. Global reach is only achievable through a global network and we will work diligently to fulfill this vision. U.S. cooperation with the International Atomic Energy Agency (IAEA) is well known and we will continue to carry out our programs in close collaboration and coordination with the IAEA. We have other partners whose commitment to securing nuclear materials is no less than ours and that help form the backbone of this global network. For example, in its June 15, 2010 news bulletin, the European Commission's Joint Research Centre (JRC) noted that it is responsible for the on-site laboratories at the nuclear reprocessing plants in Sellafield (UK) and La Hague (France). These laboratories analyze spent fuel samples at the sites, which handle approximately 80 percent of the world's reprocessed spent nuclear fuel and assure compliance with IAEA safeguards. The JRC helped set up a similar facility in Rokkasho, Japan, and provides training to IAEA and Euratom safeguards inspectors. It is crucial to have partners like this, who share our concerns and are willing to devote resources to addressing global challenges.

QUESTION SUBMITTED BY SENATOR DAVID VITTER

NUCLEAR SECURITY FACILITIES

2. Senator VITTER. Ms. Harrington, given the President's nuclear security agenda, what role will you play in meeting the long-term responsibilities of nuclear security facilities?

Ms. HARRINGTON. The President's nuclear security agenda places a high priority on global efforts to ensure the physical protection of nuclear material and facilities. Security for the NNSA nuclear security enterprise is managed by the Office of Defense Nuclear Security. The Office of Defense Nuclear Nonproliferation (DNN) helps meet the administration's goals to secure nuclear material around the world through many programs, including: development and support of international nuclear security policy and guidance; assessment of foreign facilities holding U.S.-obligated nuclear material; bilateral and multilateral cooperation on nuclear security; and training of key personnel responsible for protecting nuclear material and facilities. In addition, under the DNN Global Threat Reduction Program, a number of important domestic security activities are performed for the protection of radiological sources at a variety of nonnuclear facilities.

NNSA has led the international effort to complete a fifth revision to International Atomic Energy Agency's recommendations document, "The Physical Protection of Nuclear Material and Nuclear Facilities" (INFCIRC/225). This revision will help ensure that international nuclear security recommendations are consistent with the requirements contained in the 2005 amendment to the Convention on the Physical Protection of Nuclear Materials and Nuclear Facilities. The revision will provide guidance to states on implementing United Nations Security Council Resolution 1540 requirements and is anticipated to be completed before the end of 2010.

As required by the Atomic Energy Act of 1954 and the 1978 Nuclear Nonproliferation Act (NNPA), NNSA has conducted over 170 bilateral visits to over 50 countries since 1974 to ensure adequate physical protection of U.S.-obligated nuclear material provided to other states for peaceful purposes. NNSA is planning to conduct six more visits over the next year. In addition to physical protection assessments, NNSA also formally engages with Japan, the Republic of Korea, Argentina, Brazil

and France and informally collaborates with many other countries. The NNSA and its predecessors have conducted over 90 exchanges with 30 countries since the 1970s to exchange information on best practices and lessons learned for securing nuclear materials at facilities and in transport.

Finally, with respect to the training of personnel responsible for protecting nuclear material and facilities, since the beginning of 2009, NNSA has trained 598 foreign officials in 81 countries who are responsible for the protection of nuclear materials and facilities, as required by U.S. law. Since 1978, NNSA has trained over 3220 students from 116 countries, as mandated by the 1978 NNPA.

[The nomination reference of Anne M. Harrington follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 14, 2010.

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

Anne M. Harrington, of Virginia, to be Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration, vice William H. Tobey, resigned.

[The biographical sketch of Anne M. Harrington, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF ANNE M. HARRINGTON

Anne Harrington is currently the Director of the U.S. National Academy of Sciences Committee on International Security and Arms Control, which was established in 1980 to bring the resources of the Academy to bear on critical problems of international security and arms control. During her tenure she was study director for Global Security Engagement: A New Approach to Cooperative Threat Reduction (2009), and was a staff member of a number of other studies on topics ranging from nuclear forensics to the future security environment between the U.S. and Russia.

From 1990–2005, Ms. Harrington served in the U.S. Department of State, where she was a senior U.S. Government expert on nonproliferation and cooperative threat reduction responsible for developing policy and implementing programs aimed at preventing the proliferation of weapons of mass destruction (WMD) and missile expertise in Russia and Eurasia; she also launched similar efforts Iraq and Libya. Her positions included Acting Director and Deputy Director of the Office of Cooperative Threat Reduction, Senior Coordinator for efforts to redirect former Soviet WMD/missile experts, Senior Advisor to the preparatory committee of the International Science and Technology Center, and Science Analyst at the U.S. Embassy in Moscow, Russia. She was instrumental in negotiating the agreements that established the ISTC and the Science and Technology Center in Ukraine, and the agreement between the United States and Kazakhstan for the secure storage of spent fuel and safe shutdown of the Aktau BN–350 breeder reactor.

Ms. Harrington holds an A.B degree from St. Lawrence University, a M.A. from the University of Michigan, and a M.S. from the National Defense University National War College.

[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 Anne M. Harrington 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.)
Anne M. Harrington.

2. **Position to which nominated:**
Deputy Administrator of the National Nuclear Security Administration for Defense Nuclear Nonproliferation.

3. **Date of nomination:**
June 14, 2010.

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:**
February 17, 1951; Tupper Lake, NY.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Single.

7. **Names and ages of children:**
Meredith Harrington Lynch, age 24.
Owen Harrington Lynch, age 20.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
1964–1968 - Long Lake Central School - New York State Regents Diploma; Long Lake Central School Diploma (1968)
1968–1972 - St. Lawrence University - A.B. cumlaude (1972)
1972–1974 - University of Michigan-M.A. (1974)
2002–2003 - National War College/National Defense University - M.S. (2003)

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.
2005–Present, U.S. National Academy of Sciences, Washington, DC, Director, Committee on International Security and Arms Control
1993–2005, U.S. Department of State, Washington, DC

- 2001–March 2005 - Deputy Director, Office of Proliferation Threat Reduction
- 2000–2001 - Acting Director, Office of Proliferation Threat Reduction
- 1993–2000 - Senior Coordinator, Office of Regional Nonproliferation

1991–1993 - U.S. Department of State, Moscow, Russia

- 1992–1993 - Senior Advisor, International Science and Technology Center (ISTC)
- 1991–1992 - Science Analyst

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.

Intelligence Community Associates Program, Office of the Director of National Intelligence (ODNI), 2007–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.

U.S. Equestrian Federation, member

U.S. Dressage Federation, member

Virginia Dressage Association/Northern Virginia Section, member

Women in International Security, 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.

Obama for President Campaign, 2009 - Occasional campaign 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.

$250 - Obama for President.

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

St. Lawrence University

- Cum Laude, Phi Beta Kappa, Mortar Board, Dean's List, Irving Bacheller English Honorary, Who's Who Among Students in American Colleges and Universities, New York State Regents Scholarship

University of Michigan

- Teaching Fellow, Dean's List, Outstanding Achievement Award

National War College

- Research Fellow, Writing Award

U.S. Department of State

- 1990 - Meritorious Honor Award, U.S. Embassy Budapest
- 1994–1997 - Outstanding Performance
- 1999 - Superior Honor Award for creating and directing the U.S.–Russia biotechnology engagement program
- 2001 - Meritorious Honor Award - Office of Proliferation Threat Reduction
- 2001 - Superior Honor Award - Leadership in Nonproliferation
- 2003 - Superior Honor Award - Iraq Nonproliferation Programs
- 2004 - Superior Honor Award - Libya WMD Scientist Engagement

The National Academies

- 2009 - Policy and Global Affairs Division Group Award for Excellence
- 2008 - Policy and Global Affairs Division Individual Award for Excellence

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

Articles

- with Carleton J. Phillips et al., Global Disease Surveillance, Enmergent Disease Preparedness, and National Security, Museum of Texas Tech University, 2009.
- with Joel Wit, "Redirecting North Korean Nuclear Weapons Scientists: An Initial Program Model," October 2008.
- with Andrew Hood, Nonnuclear Options for Engagement of Personnel Associated with the DPRK Nuclear Program," October 2008
- with Amb. Joseph DeThomas, "Organizational Options for Redirecting DPRK Nuclear Experts," October 2008.

• Encyclopedia of Bioterrorism Defense. 'Threat Reduction in the Former Soviet Union.' Richard F. Pilch and Raymond A. Zilinskas, eds. Wiley-Liss 2005; revised 2010.
• 'Options for Reducing the Threat from Biological Weapons: Perspectives on U.S. Strategy,' unpublished research paper, National War College, 2003.
• with John R. Deni, 'Beyond Brain Drain: The Future of 'Nonproliferation Through Science Cooperation' Programs,' presented March 30–31, 1995, Conference on New Frontiers in Arms Control.
• 'Redirecting Biological Weapons Expertise: Realities and Opportunities in the Former Soviet Union.' Chemical Weapons Convention Bulletin 29. September 1995.

National Academies Studies (the below items are studies on which I played a key staff role, but for which I was not an author):

• Study Director, Global Security Engagement: A New Model for Cooperative Threat Reduction, National Academy Press, March 2009.
• Study Staff, Internationalization of the Nuclear Fuel Cycle - Goals, Strategies, and Challenges (2009)
• Study Staff, Countering Biological Threats - Challenges for the Department of Defense's Nonproliferation Program Beyond the Former Soviet Union (2009)
• Staff, Future of the Nuclear Security Environment in 2015, Proceedings of a Russian-U.S. Workshop (2009)
• Study Staff, English-Chinese Chinese-English Nuclear Security Glossary (2008)
• Study Staff, The Biological Threat Reduction Program of the Department of Defense—From Foreign Assistance to Sustainable Partnerships (2007)

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.

December 2009, 15th Anniversary Celebration of the International Science and Technology Center, Moscow, Russia—In the beginning—A personal perspective on the origins and future of the International Science and Technology Center.

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

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

ANNE M. HARRINGTON.

This 18th day of June, 2010.

[The nomination of Anne M. Harrington was reported to the Senate by Chairman Levin on August 4, 2010, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on September 29, 2010.]

NOMINATION OF GEN. JAMES F. AMOS, USMC, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDANT OF THE MARINE CORPS

TUESDAY, SEPTEMBER 21, 2010

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, Webb, Hagan, Burris, Goodwin, McCain, Sessions, Chambliss, LeMieux, Brown, and Burr.

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

Majority staff members present: Creighton Greene, professional staff member; Gerald J. Leeling, counsel; Peter K. Levine, general counsel; Jason W. Maroney, counsel; William G.P. Monahan, counsel; John H. Quirk V, professional staff member; and William K. Sutey, professional staff member.

Minority staff members present: Michael V. Kostiw, professional staff member; David M. Morriss, minority counsel; Lucian L. Niemeyer, professional staff member; and Richard F. Walsh, minority counsel.

Staff assistants present: Jennifer R. Knowles and Hannah I. Lloyd.

Committee members' assistants present: Christopher Griffin, assistant to Senator Lieberman; Carolyn A. Chuhta, assistant to Senator Reed; Juliet Beyler and Gordon Peterson, assistants to Senator Webb; Roger Pena, assistant to Senator Hagan; Lindsay Kavanaugh, assistant to Senator Begich; Joanne McLaughlin, assistant to Senator Goodwin; Lenwood Landrum and Sandra Luff, assistants to Senator Sessions; Clyde Taylor IV, assistant to Senator Chambliss; Jason Van Beek, assistant to Senator Thune; Brian Walsh, assistant to Senator LeMieux; Brandon Aitchison and William Wright, assistants to Senator Brown; and Brooks Tucker, assistant to Senator Burr.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody. Today, the committee meets to consider the nomination of General James Amos to be the next Commandant of the Marine Corps.

General Amos, you have a long history of military service, a highly distinguished history of military service, and now you're being asked again to add to that service. We are grateful for that, your willingness to do so. We welcome you and your family to today's hearing.

Senior military officials put in long hours every day, 24/7. We appreciate the sacrifices that our nominees are willing to make to serve their country. But, we also note the sacrifices that their families make in order to support those efforts. So, we thank your family for supporting you in your service. We also want to extend our heartfelt thanks to the men and women of the Marine Corps who are serving so ably and so valiantly in harm's way around the world. In Afghanistan, of course, but not just in Afghanistan.

If confirmed, General Amos will assume leadership of the Marine Corps at a difficult time. Foremost among concerns is that the Marine Corps has to strain mightily to support ongoing operations in Afghanistan, and in support of our overall efforts there and in other places around the world. The Marine Corps is facing the prospects of moving operations from Okinawa to Guam to support the government-to-government agreement with the Japanese regarding the long-term presence of Marine Corps forces in the Western Pacific. Even at this date, there are concerns about the implementation of this agreement, how much it will cost, and the potential disruption to Marine Corps operating forces, and training for those forces.

In the spring of 2010, Secretary Gates made several public statements in which he appeared to question the need for and the size of the Navy's amphibious fleet in future defense plans and budgets. Since that time, he has also questioned the need for the Expeditionary Fighter Vehicle (EFV) in the face of anti-access strategies of potential adversaries.

The current lift capability of the Navy is for slightly more than two Marine Expeditionary Brigades which contain about six battalions. Some critics have argued that six battalions is too small a force to operate against a major adversary. They argue that this means that the Nation is really only prepared to use the Marine Corps in amphibious shipping to conduct forcible entry operations against countries of lesser capability, and the extra ability of an EFV to stand off farther from the beach is not needed.

There's little room to breathe on the aviation front, either. There are well-known concerns about overall naval aviation and potential shortages of strike fighter aircraft, a problem that the Marine Corps share with the other Service, the Department of the Navy. There are well-publicized problems in the Joint Strike Fighter (JSF) program, which causes concerns about the Marine Corps' current plans to achieve an initial operational capability (IOC) for the JSF in calendar year 2012, while the other Services have delayed their IOC by a couple of years.

We look forward to your testimony, General Amos, on these and other important issues.

Now I'll call upon Senator McCain for his statement.

STATEMENT OF SENATOR JOHN MCCAIN

Senator MCCAIN. Thank you, Mr. Chairman.

I join you in congratulating General Amos on his nomination to be the 35th Commandant of the Marine Corps, and in welcoming his family and friends. I thank him for his service and his willingness to serve in this critically important leadership position.

If confirmed, General Amos will be the first Commandant of the Marine Corps not from the infantry ranks. Though every marine is a rifleman, his additional proficiency as a naval aviator can only be viewed positively, affording him an advantage. General Amos is well qualified to succeed General Conway as the next Commandant.

As we all know, the Marine Corps today faces many challenges, including providing marines deployed in combat in Afghanistan with everything they need to fight and win, ensuring the well-being of wounded warriors and marines and their families, and recapitalizing key weapons systems, and preparing for future national security demands in a constrained budgetary environment.

You've been fully engaged as Assistant Commandant in addressing these challenges, General, and we look forward to your testimony about these issues.

If you are confirmed, you will be responsible, above all else, for ensuring the combat readiness of marines and Marine Corps units. A legendary wartime marine, General Victor Krulak, once stated, "Being ready is not what matters. What matters is winning after you get there." Your job will be to ensure that happens, and no one in this room understands how to do that better than you do.

You'll also be a member of the Joint Chiefs and a military advisor to the President, the National Security Council, and the Secretary of Defense. Clearly these two hats the Service Chiefs wear are related, and their views and advice about issues that could affect the Marine Corps should be sought out and given great weight by our national leaders.

General, later today the Senate will vote on whether the National Defense Authorization Act for Fiscal Year 2011 should be taken up for debate. Despite the unanimous recommendations of the four Service Chiefs, the legislation includes a provision that would repeal the so-called "Don't Ask, Don't Tell" law. I want to emphasize, the Service Chiefs—and we'll be talking about this on the floor—all of them have said they wanted a complete study about the effect on morale and battle readiness of their respective Services before moving forward with the implementation of repeal of "Don't Ask, Don't Tell." The study that the Defense Department is conducting does not do that. The study assumes that repeal will take place. For all intents and purposes, there is no study as to the impact on battle effectiveness and morale of repeal of this legislation.

I continue to urge my colleagues to reject this effort to short-circuit the process—endorsed by the Department of Defense leaders, not by the Service Chiefs—a process that was supposed to inform us, with one that merely ratifies a politically driven decision. We all look forward to hearing your thoughts about whether the comprehensive review should be allowed to run its course in this fashion, and what you feel about the effect it could have on U.S. Marine Corps.

We also look forward to hearing your professional military advice about what policy is best for your branch of the armed services, the effectiveness and readiness of which you will be entrusted with maintaining at the highest levels, if confirmed in this new position.

Today, our military continues to be engaged in combat operations, and career officers, noncommissioned officers (NCOs), and their families are being asked to do so much. It would be a mistake to ignore the views of our troops and the military advice of the Service Chiefs, and for the Senate to act prematurely to repeal the current "Don't Ask, Don't Tell" law for the sake of fulfilling a political promise.

I look forward to the testimony of General Amos today, and I again thank him and his family for their service.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

We have an esteemed member of our committee, Senator Hagan, who's with us to introduce the General, and now we'll call on Senator Hagan.

STATEMENT OF HON. KAY R. HAGAN, U.S. SENATOR FROM THE STATE OF NORTH CAROLINA

Senator HAGAN. Thank you very much, Mr. Chairman, Ranking Member McCain, members of the committee.

It is with great honor and pleasure that I introduce to you an accomplished Marine general already well known to the committee, General Jim Amos. As the daughter-in-law of a former major general in the Marine Corps it is with great honor that I recognize that I have, today, to introduce General Amos to you.

Though born in the great State of Idaho, he has very solid North Carolina ties. Between 2004 and 2006, he commanded the Second Marine Expeditionary Force, leading all Marine ground, aviation, and logistics forces at two of our great bases in eastern North Carolina, Marine Corps Base, Camp Lejeune, in Jacksonville, and Marine Corps Air Station, Cherry Point, in Havelock, locations that are home to a Marine Active Duty, dependent, retiree, and civilian employee population of over 200,000.

Also, Mr. Chairman, rumor has it that this accomplished fighter pilot, whom I should note is the first aviator nominated to be Commandant of the Marine Corps in its rich 235 year history, maintains a residence in the western portion of the Tarheel State, where he likes to stay, when possible, to get away from the rigors of the Beltway. It is there, in Boone, NC, where we hope to lure him to reside after he has led the Corps in this great role as Commandant over the coming years.

General Amos has not been alone in this journey of service to our Nation. Beside him for nearly 4 decades, as she is today, has been his wife, Bonnie. I actually spoke to Bonnie yesterday, and she shared with me that, almost 40 years ago, they met in September, were engaged in October, and were married in December. I think we have two very smart people here. They met in Pensacola, Florida, at the bank where she worked and, as a young lieutenant, he was in flight school. They have relocated 28 times in 39 years of marriage, to 19 different locations; some better than others, and

some more adventurous than others, but all have been filled with enough memories to last three lifetimes.

While being active in the Marine Corps family readiness, spouse clubs, and various volunteer organizations Bonnie has also worked for a commercial real estate development company for 22 years.

Throughout it all, their family has always been the number-one priority. Jim and Bonnie Amos have two children, ages 36 and 33, who are leading successful professional lives despite having attended 25 different schools in 24 cumulative years of primary and secondary education. Their daughter, Jaymie, was born in Hawaii, and now lives in Charlotte, NC, with her husband and two of the General and Bonnie's four grandchildren. They also have a son, Joshua, named after the great Old Testament general. He, too, is married, and his wife, Molly, is here—they have their other two grandchildren; and also, the grandson, Charlie, is also with us today. They live in Shenandoah Junction, WV. This military family loves the Marine Corps and counts it a blessing to have lived throughout the United States.

General Amos has held the title of Assistant Commandant of the Marine Corps for the past 2 years. Today, we consider his nomination to be Commandant, to lead a force of 202,000 Active Duty and 39,000 Reserve marines serving on the frontiers of freedom, fighting in Afghanistan, providing humanitarian relief to flood-ravaged Pakistan, and rescuing vessels from pirates off the coast of Somalia.

Born in 1946, General Amos is the son of a Navy man. His father received his wings flying seaplanes, and later obtained his commission, completing a 27-year career of service to our Nation as an aviator. Though you see a most distinguished Marine officer before you today, Mr. Chairman, I'll have you know that, growing up with a father who was a Navy pilot saw General Amos living in many warm locales—in Florida, California, and the British West Indies—balmy environments, which pushed him to develop a love for the beach, and perhaps too much so, in the eyes of his concerned high school guidance counselor, Mr. Jim Graham, who once wrote his parents that he feared that the General was, "Destined for life as a beach bum if he didn't turn things around." [Laughter.]

Obviously, he did turn things around. He graduated high school in California in 1964, then headed to Kodiak, Alaska, to work in a crab and halibut processing factory, later taking a job as a laborer in a construction camp. After 15 months of that life, he went back to the Midwest, attended the University of Idaho, and entered their Navy Reserve Officer Training Corps program. He graduated in 1970, with a degree in finance, and embarked on a military career with aspirations to be a pilot. He was designated a naval aviator in 1971, and learned to fly the F–4 Phantom 2 before transitioning later to the F/A–18 Hornet. The rest, as they say, is history.

Over the course of his 38-year career, he has commanded Marine aviation units from the squadron to wing levels. He commanded all Marine aviation in Iraq as the Commanding General of the Third Marine Aircraft Wing during Operation Iraqi Freedom I and II. He has served at the combined and joint levels, as the North Atlantic Treaty Organization's Deputy Commander of the Navy's striking

forces in Italy, and as the Chief of Staff of U.S. Joint Task Force Noble Anvil during the 1999 air campaign over Yugoslavia. He has been the Commanding General of the Marine Corps Combat Development Command, and the Deputy Commandant for Combat Development Integration. He has also been the Assistant Deputy Commandant for Plans, Policies, and Operations, and the Assistant Deputy Commandant for Aviation.

General Amos fully understands that the price of the war is paid by the young men and women that make the ultimate sacrifice to our great Nation. While serving as the Third Marine Aircraft Wing commander in Iraq, he had the names of each of the marines and sailors whose lives were lost posted along the wall of his Combat Operation Center. In honoring the memory of America's heroes, General Amos ensured that their lives had not been in vain. The names of the fallen served as a daily reminder of what was at stake, and today they reinforce the General's personal commitment to our Corps.

As the Assistant Commandant of the Marine Corps, he has been at the forefront of ensuring the personnel readiness and quality of life for marines and their families. He has championed and tackled head-on the critical readiness challenges facing our forces from the past 9 years at war.

Mr. Chairman, the Marine Corps will face many challenges in the coming years, foremost of which include supporting our Marines in ongoing operations in Afghanistan and elsewhere. These times will require the steady hand of a leader tested and proven in combat operations, and an experienced manager with a clear vision for the future. You have such a general officer before the committee today.

It is a pleasure both to welcome and introduce General Jim Amos. I hope both the committee and the full Senate will move swiftly to confirm him so that he can move forward to the important task of continuing to ensure our Marine Corps remains America's expeditionary force in readiness.

Thank you very much, Mr. Chairman, it is my pleasure.

Chairman LEVIN. Thank you so much, Senator Hagan, for really a wonderful introduction, a warm introduction, and a very powerful introduction, as well.

General Amos, before we call on you for your opening statement, let me ask you a set of standard questions, which we ask of all of our nominees.

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

General AMOS. Yes, sir, I do.

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

General AMOS. Yes, sir, I will.

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

General AMOS. No, I did not.

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

General AMOS. Yes, sir, I will.

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

General AMOS. Yes, sir, I will.

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

General AMOS. They will, Mr. Chairman.

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

General AMOS. 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?

General AMOS. Yes, sir, I will.

Chairman LEVIN. Thank you very much.

Now we will call on you for an opening statement. Please feel free to introduce members of your family who are with you, and anyone else that you might wish to introduce.

STATEMENT OF GEN. JAMES F. AMOS, USMC, NOMINEE FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDANT OF THE MARINE CORPS

General AMOS. Thank you, Mr. Chairman.

Chairman Levin, Ranking Member McCain, distinguished members of the committee, thank you for the opportunity to appear before this committee in support of my nomination to be the 35th Commandant of the U.S. Marine Corps.

Senator Hagan, thank you. Thank you for introducing me, for your time and effort, and for your very kind and generous words. You have honored both me and my family, and I look forward to the next opportunity for the Amos clan to spend time at our log cabin in western North Carolina. Thank you for sharing a small, but beautiful, portion of the Tarheel State with the Amos family.

While Senator Hagan has kindly introduced my best friend in life, my wife, Bonnie, I want to acknowledge for the record her selfless contributions to both me, personally, and to the thousands of Marine Corps families whose lives she has touched. As acknowledged earlier, during our 40 years of marriage to each other and to the Marine Corps she has raised our children in my absence. She's packed and unpacked our household goods more times than I am willing to publicly admit. She has repaired our family cars, our dishwashers, and our washing machines; she's helped with countless hours of homework for our two children. She is the epitome of the Marine spouse. She is the epitome of a mom and sage role model. She is the rock of our family.

Also with Bonnie and me today is our daughter, Jaymie, and our daughter-in-law, Molly, and one of our four grandchildren, Charlie Bear. Behind them are a row of my high school classmates that

bear testimony to Mr. John Graham's letter to my mom and dad. [Laughter.]

I am humbled and honored to be nominated to serve as the 35th Commandant of the Marine Corps. I am keenly aware of the challenges that our Nation faces today and those that we will most likely face in the future, and the critical role that America's expeditionary force and readiness will play in meeting those challenges.

I have been fortunate to have served as the Assistant Commandant for the past 2 years, a position that has afforded me a broad view of the successes of your marines in every clime and place. From Afghanistan, where nearly 20,000 marines are fighting a determined enemy today, to the current flood relief efforts that are ongoing in Pakistan, to the recapture of the pirated ship, Magellan Star, 12 days ago, and finally, to the 5,000 marines and 7 amphibious ships who responded faithfully and with compassion to the earthquake victims in Haiti earlier this year, the courage, determination and selflessness demonstrated by your marines has been remarkable. Thanks to General Jim Conway's leadership, our marines have never been better trained or better led. They are simply magnificent.

Today, your Marine Corps' focus is on winning the war in Afghanistan. That will remain the Corps' principal focus unless directed otherwise. Concurrent with those efforts, however, we will look to the future to determine what our Corps needs to look like to optimize its relevance in the uncertain times that no doubt will lie ahead. We will shape the Corps to be our Nation's shock force, ever ready to respond to a looming crisis. While we cannot predict the future, we can certainly prepare for it. If confirmed, I will do everything in my power to ensure that our Nation continues to have a Marine Corps that is ready to answer the call: always faithful, always ready.

Finally, thank you for the legendary support that this committee has provided its Corps of marines over many decades. We exist today because of the will of Congress and the will of the American people. If confirmed, I'll look forward to working with you to meet the challenges that lie ahead. I pledge you will always have my honest assessment of what's required to maintain the health of your Marine Corps and the security of our great Nation.

Thank you for the opportunity to come before this committee and I'll look forward to your questions.

Chairman LEVIN. Thank you so much, General.

We will have a 7-minute first round, and perhaps a second round for questioning.

General, two fundamental elements of the Afghanistan strategy that the President announced in December 2009 are, first, a surge of 30,000 additional U.S. troops by the end of this summer, to regain the initiative; and second, the setting of the July 2011 date for the beginning of the reduction in our combat presence in Afghanistan, with the pace of those reductions to be determined by the circumstances at that time. Do you agree with the President's policy?

General AMOS. Mr. Chairman, I absolutely agree that this needs to be a conditions-based effort. Everything I've read since the President has made his announcement at West Point last fall indicates

that the withdrawal will begin and doesn't stipulate specifically what that means in terms of force structure. Everything I've read since then would indicate that the withdrawal will be conditions-based. I have great confidence in the leadership on the ground and General Petraeus and General Mattis; they know how to fight an insurgency, or a counterinsurgency. I have every belief that they will give the President and the Secretary of Defense their best military advice.

Chairman LEVIN. General, do you agree that the setting of that date, July 2011, is important for the success of our mission in Afghanistan because it signals urgency to Afghan leaders that they must, more and more, take responsibility for their country's security?

General AMOS. Mr. Chairman, I do agree with that. I think it's helpful, and I'm particularly pleased that it's also undergirded and backed up by the conditions on the ground. Everybody understands that. Yes, sir, I do agree with you.

Chairman LEVIN. The United States and Japan, now, have recently reaffirmed support for an agreement that realigns U.S. forces on Okinawa and moves 8,000 marines and their dependents to Guam. The agreement obligates Japan to build a replacement facility for the Marine air station, and requires the detailed management of more than $10 billion worth of projects to complete construction of all operational requirements, housing, training ranges, as well as the upgrade to the civilian infrastructure and utilities on Guam.

The agreement between Japan and the United States outlines which troops will move to Guam, with the units selected largely being headquarters units. However, there are reports that the Marine Corps would prefer to change the force mix to include more operational troops and fewer headquarters units. It's my understanding that the Marines believe that their preferred force mix would be more efficient and more effective.

Are you satisfied with the force mix of marines that are planned to be moved from Okinawa to Guam, and is there a mix that you believe would be preferable to the mix that is currently planned?

General AMOS. Mr. Chairman, the original agreement was made many years ago. I was not present when that was agreed to. But, after we stepped back, about 2 years ago, and took a look at this, at the laydown, we determined, in the Marine Corps, that there probably was a better laydown. What it did was, in an effort to try to optimize the presence across the Pacific, this laydown put what we would call a Marine air-ground task force in each one of the locations. Instead of having predominantly headquarters on Guam, we looked at the opportunity to put a Marine air-ground task force there; one in Okinawa, as well; and, of course, we have one in Hawaii. So, yes, sir, we do have an adjustment to the laydown, and we're negotiating right now. We're working with the Office of the Secretary of Defense policy and State Department.

Chairman LEVIN. It's also a concern, over the Marines' ability to adequately train, once the move has been made, a parcel of land which I believe is called "Pa-gat" or "Pay-gat"—do you know the pronunciation of that?

General AMOS. Yes, sir, it's "Paggot." [Pagat]

Chairman LEVIN. Pagat has been identified as the only suitable place for certain small arms and individualized training ranges. However, Pagat has cultural significance, and this has raised opposition, on Guam, to relocating marines to the island. Do you believe that there are other acceptable training options if Pagat is not available?

General AMOS. Mr. Chairman, I think this recent discussion on Pagat and the whole issue of Guam and training requirements, I know that it's still in the negotiation phase. I don't think there's been any final decision with regards to Pagat. I think the message that the Marine Corps would like to leave our brothers and sisters on Guam is that their rich history, their Chamorro history, is important to us. We've been great stewards of our training areas and our land. Camp Pendleton is a prime example, along with Camp Lejeune. We have every expectation that, if we get Pagat and we're able to fire our heavy weapons out there, our machine guns and our 7.62 weapons, that it will be satisfactory in the end to our brothers and sisters on Guam. We will be good stewards of that.

For us, sir, the issue is forward presence in the Pacific. What is that optimal laydown of marines for our Nation to be engaged forward? The second is available training areas, as you've just talked about; the importance of the Marine Corps to be able to train and maintain their proficiency. Finally, the quality of life for those 9,000 marines and family members that will move eventually to Guam.

Those are our concerns, sir. I think we can work around the Pagat issue, and I think it's heading that direction.

Chairman LEVIN. Thank you. Relative to the "Don't Ask, Don't Tell" issue, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff both support the repeal of "Don't Ask, Don't Tell." They also have undertaken a study relative to how to implement that change, and that study is underway. But, the decision to make the change is one that they decided was the right decision before they undertook that study. It's how to implement it which is the subject of the study that they have undertaken.

Now, the House and the Senate Armed Services Committees have both passed a provision which would repeal "Don't Ask, Don't Tell" if, and only if, the President and the Chairman of the Joint Chiefs of Staff and the Secretary of Defense certify to Congress that they have received and considered the report of the Department of Defense working group, and only if they certify that the implementation of a repeal of the statute would be consistent with the standards of military readiness, military effectiveness, unit cohesion, and recruiting and retention.

I understand that you have indicated that you have opposed a change in the policy. However, my question is this: If such a certification by civilian and military leadership were made following receipt of that report, could you, if confirmed, implement a repeal of the "Don't Ask, Don't Tell" policy in the Marine Corps?

General AMOS. Mr. Chairman, the Marine Corps is probably one of the most faithful Services you have in our country, and if the law is changed by Congress and signed by the President of the United States, the Marine Corps will get in step, and do it smartly.

Chairman LEVIN. Thank you. My time is up.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

Thank you, General. This is very interesting, in time, for you to be here in your confirmation hearing. I know that some of these questions are very difficult for you.

In your written statement in response to a question from the committee, "My personal view, the current law, and associated policy have supported the unique requirements of the Marine Corps, and thus I do not recommend its repeal. Primary concern with proposed repeal is the potential disruption of cohesion that may be caused by significant change during a period of extended combat operations." Is that an accurate quote from your statement, General?

General AMOS. Yes, sir, that sounds accurate.

Senator MCCAIN. Have you seen the "study" that is being conducted by the Department of Defense?

General AMOS. Senator, I did. I went through all 103 questions.

Senator MCCAIN. You note that this "study" does not assess the impact on morale and effectiveness of repeal of the law. What it does is ask questions as to how the military would adjust to repeal of the law. Therefore, we're now basing a decision by the President of the United States, Secretary of Defense, and the Chairman of the Joint Chiefs of Staff, based on a study that does not get to the fundamental question, which is, "What is the effect of repeal on morale and battle effectiveness?"

This study, this questionnaire that's being sent out, assumes repeal of the law. An incredible act of disingenuous behavior on their part. The four Service Chiefs—you included, and General Conway—all—request and state their positions unequivocally that a study should be conducted that would determine the effect of morale and battle effectiveness on the men and women who are serving. By the way, that's also the view of the senior enlisted personnel.

I guess my question is, with this survey, will you be able to determine what the effect on morale and battle effectiveness would be, or would this survey tell you how best the repeal can be implemented?

General AMOS. Senator McCain, I've been a big fan of the Secretary of Defense's effort to introduce the survey since its beginning. As I said earlier, I've gone through the entire survey, looked at every single question. I determined how I would answer it myself if I were taking it electronically, which I did not.

There were two other parts, in addition to the anonymous survey.

The survey is still underway, by the way. It's out there right now among our family members; it has gone out to the active force in all the Services, and the Reserve Force. The family members now are in the process of responding to the survey.

But, there are two other aspects of that effort. The first one is kind of a townhall—they weren't called "townhalls," but they were effectively townhalls—at many military installations around this country, led by senior leadership, asking questions, talking to them, getting input. The second part is an online survey, where all the servicemembers can respond. It's a little bit like a blog site, but

not quite—and they get on, and you can respond. That's not anonymous.

To answer your question: at the end of the day, when all of this information comes, to whoever is the 35th Commandant of the Marine Corps in December, will there be enough information to provide the Chairman and the Secretary of Defense best military advice? My sense with the survey, having read it, is, in addition to those other matters, sir, I believe we will. I believe whoever the Commandant is will be able to give his best military advice from it.

Senator MCCAIN. The response, both online and at townhall meetings, I have been told, has been overwhelmingly negative. Is that true?

General AMOS. Sir, I've heard, at the Marine bases and the Marine input for the online survey, it has been predominantly negative. But, I don't know that for a fact. I have not seen that.

Senator MCCAIN. Thank you. As you well know, later today the Senate will act without having that—whether the survey is valid or not—study completed. The Service Chiefs will not be required to sign off on any decision which is made, those that are given direct responsibility for the morale and battle effectiveness of their respective Services. Unfortunately, this is all being done in light of the November 2 elections—I've never seen anything quite like it in my years that I have served here—because, obviously, there will be a different composition of this committee and the U.S. Senate after November 2.

I'm a little concerned about your response to the Chairman's question about Afghanistan. I've visited, with my friends Senator Lieberman, Senator Graham, and others, many times, Afghanistan. I get the opposite impression from people, ranging from a police chief outside Kandahar to President Karzai. All of them say that the fact that we have set a date for withdrawal, that we will be withdrawing, has caused a ripple effect which is very damaging to our ability to succeed. It doesn't give Karzai a sense of urgency. What it gives him is a sense of survival. It doesn't give the Taliban a sense that they are about to be exterminated. It gives them the impression that all they have to do is hang on.

A high ranking Taliban captive said to his interrogators, "You've got the watches; we've got the time."

If it were condition-based, and conditions-based alone, there would be no one more supportive than this member. But, condition-based and saying that we will be withdrawing, no matter what, has sent a signal throughout the region, from India to Iran to Pakistan to Afghanistan: "Hang on, adjust to the new realities, that the United States is leaving."

The President made the announcement of the withdrawal, through the middle of next year, with no military advice to do so, or recommendation to do so, whatsoever. It is the President's ability to make that decision, or any decision along those lines. But, to believe that this is somehow going to hasten success, when the fact is that it enhances dramatically the chances of failure. The present Commandant of the Marine Corps said that the withdrawal, the middle of next year, provides the enemy with sustenance. I wonder if you disagree with General Conway's assessment.

General AMOS. Senator McCain, I read the entire press conference that Jim Conway had about 10 days ago, 2 weeks ago, from start to finish. I've worked for him for a long time. He certainly made that comment. But, if you look at the entirety of the press conference, shortly thereafter, he's making comments along the lines of, "If the Taliban in the Helmand Province think that the Marines are going to begin to withdraw the summer of 2011, and it's August and September, and they wake up and walk out to do their business, they're going to find marines there. They're going to be the most surprised of all."

Taken in its context of the entire article, that's really what I believe General Conway was talking about.

Sir, as I look at the Helmand Province, I would say that there is great success going on there with the Marines. I can speak about that province. I don't think there's an expectation that there is going to be a wholesale withdrawal out of the Helmand next summer.

Senator MCCAIN. My time is expired, but the media reports, as short a time ago as today, that the progress in Helmand Province has not been as rapid as we had expected, nor is it in Marjah, and that we are going to have to plan for more difficult times ahead. Casualties are up. I obviously have different information than you do about the degree of success that we have achieved so far.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

Senator Reed.

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

General Amos, and your family, thank you for your devoted service to the Marine Corps and to the Nation. You have a challenging assignment, but we're all very confident you will perform magnificently in that assignment.

With respect to the "Don't Ask, Don't Tell" issue, do you feel confident that you'll be able to give your uninhibited advice to both the Secretary of Defense and the President before they make any final decision, going forward, if you're confirmed?

General AMOS. Senator, I absolutely do. I think we're going to spend some time taking a look at what those results look like, and interpreting them. Exactly what do they mean, what is it telling the Service Chief. It will tell each Service Chief, probably, something a little bit different, because I think each Service has its own culture and will end up with different results. But, I'm told that whoever's the Commandant in December will receive that information that's specific to the U.S. Marine Corps. Based on that information, and whoever is Commandant, with 40 years of experience, I'm absolutely confident that whoever's in that job will be able to provide the Secretary of Defense, the Chairman, the best military advice.

Senator REED. Do you feel that, in this process, you and your colleagues have been significantly educated on the issue and on the potential impact, both the pluses and the minuses?

General AMOS. Senator Reed, I think there's parts of this that we've not peeled back yet. By that, I'm talking some policy issues, some standards-of-conduct issues, the issue of unit cohesion. We're not quite sure what the impact will be on a All-Volunteer Force,

especially a young force like the Marine Corps—predominantly young; 60-plus percent of all marines are 21 years or younger. So, we're not quite sure what the impact's going to be.

I think that that's the important part of the survey; it's going to inform us, it is to give us a sense for that impact. But, it's too soon to tell.

Senator REED. Now, in the process of—and I think you're right about informing yourselves—in turns, you will be in a position—as you said, you feel confident you can inform both the Secretary of Defense and the White House about your perspectives and the perspectives of the Corps. But, I would assume, whatever decision is made, that will entail another process of education, of educating the marines, the sailors, soldiers, Army, Department of Defense, about the new standards of conduct that might be imposed. I think that's obvious.

General AMOS. Senator, you're absolutely correct. The whole idea that—beginning with certification—we are able to come back to Congress and be able to say, "We have thought through the policies, we have thought through the legal ramifications, we've thought through the monetary ramifications, the impact on things from—like building barracks, base housing—we've thought through all these things, and we understand what we would call kind of the whole Doctrine, Organization, Training, Materiel, Leadership and Education, Personnel and Facilities (DOTMLPF), which is the whole horizon of things that will be impacted by this." That will be required before certification, the way I understand the language of the bill. There's a lot of work to be done, once the results come in, to work through that before the certification can take place. After that, there certainly will be training, there will be a whole host of different aspects, that we haven't even thought of yet, that we're going to have to spend time working through.

Senator REED. Let me just switch gears quickly to Afghanistan. The sense I had from your response was that you see that the policy of the United States is to sustain a position, long-term indefinite position, in Afghanistan. But, the size is the issue. The President clearly indicated, next July, that his intention is to begin to downsize forces there. Again, I don't want to put words in your mouth—but, I don't hear you saying that maintaining a long-term military position in Afghanistan requires having that size troop force there indefinitely. Is that an accurate deduction?

General AMOS. Senator, I honestly don't know—historically, in combat, we typically guess wrong. We guess incorrectly. We do our best to try to be clairvoyant, but we typically are not completely accurate. I mean, that's the nature of warfare. A little bit similar to Iraq. I don't think any of us believed that we were going to be in Iraq as long as we have, and I remember talking to people, thinking about Ramadi and Fallujah, when I was there, and thinking, "Okay, we have about another year, and then we'll be done, and we'll be able to come home." Well, it was a long time after that.

I don't know what's going to happen in Afghanistan. I am confident in the U.S. military force on the ground, both Army, Air Force, Navy, and Marine Corps. I really am. I just spoke to the Marine commander on the ground last Thursday for about 45 minutes

on a video teleconference. He's a personal friend, I've worked with him for years, deployed with him in combat, so I trust his judgment. He is very encouraged by what he is seeing on the ground in Afghanistan—in his part of Afghanistan right now, in the Helmand Province.

Militarily, I have to believe that that's taking place with your military forces, probably throughout the other provinces, where other Service brothers and sisters are. I have an air of confidence that we're headed in the right direction with this thing. I can't tell you how long the forces will need to be on the ground. I know that there are pockets of the Helmand Province right now that are optimistically improving every day. I mean, there's marked improvement in place like Nawa, in places like Nowzad, that just a year ago were absolutely Taliban territory, now the district governor is setting up schools, and bazaars are open. I can walk down—and I did—walk down through those markets without any helmet or flak jacket on.

I'm optimistic. The commander on the ground is. I'm optimistic about our military forces, of all our Services, that they'll be able to do their mission. I just can't tell you how long we're going to need to be on the ground, and what size force.

Senator REED. Just a final topic, and that is: The traditional role of the Marine Corps was to conduct amphibious operations, to go across the beach into areas denied us, anti-access operations. Over the last almost 10 years now, the Marine Corps has been on the ground, not in amphibious operations, but in traditional land-based operations; mobile operations, ground operations. How much of this—your basic skill set being—has been diminished because of all this focus on other tasks?

General AMOS. Senator Reed, first of all, the skill sets for combat are still there. In fact, they're probably better honed today than they had been in the last 30 or 40 years of our Marine Corps history. Those young men and women, those NCOs, those young staff NCOs and lieutenants and captains, are fearless. They know what they're doing, and they're very effective. So, the combat effectiveness is there.

We have, today, three Marine Expeditionary Units, which is made up of nine amphibious ships, at sea—one of them off the coast of Pakistan, doing the relief operation and taking down the Magellan Star; the other one sailed 30 days early from the east coast of the United States just to get over there to help—another great effort by our Nation to help the people of Pakistan in humanitarian assistance. Then we have the 31st Marine Expeditionary Unit at sea right now, down in the Southern Pacific, doing operations there. We have amphibious expertise in the Marine Corps.

Have we spent a lot of extra time doing it, other than what I've just described? The answer is no. Will we need to get there? Yes, sir, we will. I think, as our dwell begins to increase in the Marine Corps, thanks to Congress approving the 202,000 growth of the Marine Corps, it's finally getting us up to a point now where, when we come home with a unit, we can actually do something besides go to Twentynine Palms and do counterinsurgency training. We can actually do the kind of training that you're talking about.

Senator REED. Thank you very much, General.

Thank you. My time's expired.

Chairman LEVIN. Thank you, Senator Reed.

Senator Sessions.

Senator SESSIONS. Thank you, General Amos. Thank you for your service, and your family for their service. I am so proud of the Marines. I've had the opportunity, as I know Senators Levin and McCain have, and others on this panel, to visit with marines in serious combat areas, and seen their performance, their courage, their dedication. They're the kind of people that we have to support, affirm, help, and train, in every way possible, to make them successful. I know you believe that, and I believe that you have the opportunity to play a critical role in the continued development of the Marine Corps.

One of the visits I remember to Iraq was with Senators Levin and McCain, and we received a terrible, I thought, very worrisome briefing at one of the worst points in the Iraq war. The Marines gave us that briefing in the Al Anbar Province. Later, the situation turned, with The Awakening. As we were briefed, on a second visit, the Marines—officers—briefed us on how they bonded with the local leaders, supported the local leaders, and they turned against al Qaeda and ran them out, pretty much, in short order, supported by the U.S. military, and particularly the Marine Corps.

I know one war model is not precisely that of another one, but it seems to me that we do have to have a modest view of what we can accomplish in Afghanistan. We need to understand that the remote areas of Afghanistan have never been directly ruled by Kabul; and we're going to have to work with local leaders, much in the way that occurred in Al Anbar.

You understand that discussion. I'm sure it's been going on within the Marine Corps. Would you briefly give your comments about how you see the central government in Afghanistan relating to distant provinces, and how we can best bring safety and security in some of those distant provinces?

General AMOS. Senator Sessions, you are absolutely correct as you look back on the history of Iraq. When you were there, it was probably places like Ramadi, which was one of the most dangerous places, probably, on the face of the Earth when you were there. Those tribal sheikhs, when they finally figured out that we were not the enemy, took their families—by the hundreds—and The Awakening began.

It's a different culture—and you know that—in Afghanistan than it is in Iraq. There are not tribal sheikhs that have the generational power and authority that we had in Iraq. But, we do have tribal chiefs. There is a hierarchal of leadership that we're finding in Afghanistan. It's different, it's a little more difficult to work with. We are working with it on the ground right now. Probably 70 percent, maybe 75 percent, of those great lessons learned—certainly the fundamental lessons on counterinsurgency—apply in Afghanistan, the same way they applied in Iraq.

But, the way we deal with the culture, the way we interact with the leadership of the tribes, is a bit different. There are what we call "district governors" on the ground in places like Golestan, Nawa, Nowzad, Musekaylah, Garmsir, all these different names that you read in the paper. There are district governors appointed

by the central government. Some, quite frankly, are more effective than others. There was always the expectation that if the military came in and provided the security—in other words, we came into a town like Nowzad, which the Taliban had been in that town for almost 5 years, and they came in 5 years ago, and they ran the villagers off. The marines liberated that village in early December of this past year. I went through, in December, and spent Christmas with the marines there, and walked through with the district governor. There's a good example of the central government providing a really strong district governor. He went in there, cleaned the place out, they rebuilt the marketplace, rebuilt the school.

Each one of these little districts, with their governor, some are more effective than others.

I'll tell you, I think that the key is, we can provide the security, but the central government needs to ensure that the government's part of helping that country is in place.

Senator SESSIONS. I appreciate that. It's just the extent to which you believe that the central government is able to impose its will and order in distant provinces as a realistic goal is something that I think we have to wrestle with, and we don't need to be too optimistic about that. We need to be willing, in my view, to accept that—what happened in Al Anbar is, those local leaders brought in their children, their family, their young people, and they took it over without too much direction from Baghdad.

Let me ask this, with regard to Senator McCain's questions on "Don't Ask, Don't Tell." I'd like to say I share his views, in general, there, and was disturbed to read, recently in the Washington Times, that a general—an Army general—General Bostick—who is the deputy chief in charge of personnel matters, spoke before several hundred troops in the European Command headquarters in Germany, and said, "Unfortunately, we have a minority of servicemembers who are still racist and bigoted, and you will never be able to get rid of them all." He said, "But, these people opposing this new policy will need to get with the program. If they can't, they need to get out. No matter how much training and education of those in opposition, you're always going to have those that oppose this on moral and religious grounds, just like you have racists today."

General Amos, you'll be setting the policy for the Marine Corps. How do you feel about what would appear to be a message that if you have traditional values, that you don't have a place in the military?

If the policy changes all should comply with it, do you believe that any marine, or any Marine officer, is not able then to express a personal opposition to that policy without being attacked?

I will note that, apparently, the general later said those words were taken out of context and not totally accurate. But, it raises the question that's an important question.

General AMOS. Senator Sessions, again I can't comment on that. I know the general from dealings, but I can't comment on it, because I wasn't there and I don't——

Senator SESSIONS. Well, I want to know if you think it's an appropriate leadership position of the military, if this policy is adopt-

ed, to not allow people to have different views, and for them to get out of the military?

General AMOS. Senator, if we step away from the "Don't Ask, Don't Tell," there are lots of things that go on today in the American military that the average marine out there might not agree with. But, the one thing we have in the Marine Corps is discipline. We have leadership. Those are the two things that I think will carry the day for us, should the law get changed. But, there's never been a gag order, and I don't anticipate one being put on marines. In fact, I would probably say that one of the rites of passage of being a young, enlisted marine is to be able to grouse. We do that, and they do that, and I did it as a lieutenant. Sir, I don't see that that would be an issue. I think leadership and discipline——

Senator SESSIONS. Do you condone that kind of comment, if it was an accurate quote?

General AMOS. I'm sorry, Senator——

Senator SESSIONS. Do you condone that kind of leadership from this lieutenant general?

General AMOS. Sir, I try to shy away from him and his comments, but I will tell you that, from my perspective, this is leadership. It's fundamental leadership and discipline. I don't see this as a racist issue. I don't see these as an issue of—I'm mean, it's an anxious issue for the Marine Corps, because we don't have any answers yet. We will get those. But, I don't see this in the same light as it was reported.

Senator SESSIONS. I think good people can disagree on this. I think the military can survive changes. They have had changes before. But, as Tommy Sears, Executive Director of the Center for Military Preparedness, said, "There will be no toleration of dissent. If, for whatever reason, you disagree, whether it's religious conviction or personal objection, your career will, in essence, be over." Do you think that's—that wouldn't be a policy—a view you would support, would it?

General AMOS. Sir, when he said that——

Senator SESSIONS. Wouldn't you take action to protect someone who genuinely disagrees with the change, but is willing to live and work in the military, in accordance with that change?

General AMOS. Sir, we will. There's no question about it. I'm going to brag just for a minute. We are the most disciplined Service of all the ones that you have. We follow orders. The answer is, "Absolutely, yes, we will." The last thing we'd want to do is to be able to not have—if this policy is changed, the last thing you're going to see your Marine Corps do is try to step in and push it aside. That will simply not be the case. There'll be issues; we're going to work through them——

Senator SESSIONS. I'm not saying putting it aside, I'm saying respect somebody in the Marine Corps who didn't approve of the change, has genuine moral or principle opposition to the change. Will that be respected? Is their career going to be over?

General AMOS. Sir, unless there is something that happens that I'm unaware of, that career will not be over. We have plenty of issues out there where marines disagree. They disagree vocally, and you read about it in our publications.

Senator SESSIONS. Thank you. I was just troubled by this comment by a top-ranking Army officer.

Thank you very much, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Sessions.

Senator Webb.

Senator WEBB. Thank you, Mr. Chairman.

First, a minor correction for the record, if I may. When Senator McCain mentioned that General Amos would be the first Commandant not from the infantry ranks—as he and I discussed when he visited with me last week, General Chapman was an artillery officer and was a great Commandant. So, he certainly will be the first marine aviator to hold the Commandant rank. But, out of my profound respect for General Chapman, who was my Commandant when I was a marine, I think we ought to give him credit for his own military occupational specialty.

General, I would like to thank you for the precise way that you have addressed this issue, on "Don't Ask, Don't Tell," particularly with respect to the survey that was mandated after the hearings in February, when Secretary Gates and Admiral Mullen came forward and began this process. Because, I had an exchange with them, at the time, where it was my understanding—and I said it to them after their opening testimony—that the survey was vitally important, for two reasons. One is to make sure that those who we're surveying were a part of this process. Not the decisional process, not the political process, but that their input was vital, in terms of moving forward. The second, as you mentioned, was that this type of a survey would enable the military leaders to provide their best advice. I think you've made that point clearly today. It's the reason I've had hesitations about moving forward at this time. I just wanted to thank you for the precision with which you have answered these questions.

We are going to have the opportunity, obviously, in the future, to discuss the major policy concerns, some of which you've been asked about today: the nature of the war against international terrorism; how we are deploying our forces operationally in places like Afghanistan; the drain on our people, operationally, with this type of structure. Second, the very key issue coming up now about the roles and missions of the Marine Corps.

As I think most marines fully understand, marines do amphibious operations well. They have, historically. But, the amphibious role for the Marine Corps came out of the fact that they've always been on a cutting edge of tactical change. They developed the amphibious doctrine in the 1930s, after looking at what happened in World War I, and became the predominant innovators, but they're not simply amphibious warriors. If you look at—preaching to the choir here, but I think our colleagues need to understand this—the casualties from World War I, Vietnam, Korea, very few of those had anything to do with amphibious warfare.

We are going to have to address, seriously, the reconfiguration of the Marine Corps forces in Asia. I spent some time as a military planner in Guam, Tinian, in the 1970s, putting together a facilities analysis out there then. I actually was very encouraged to hear your comment about moving more operationally into the Guam area, rather than headquarters. I think that fits Guam. I think we

need to look more at Tinian, per se, particularly in terms of the ability to have firing ranges and small maneuver areas out there. I was out there again, this past February, looking at the training, going to Okinawa and then down into that area.

But, today what I would like to get your thoughts on is something a little more provincial, but it's kind of disturbing to me, as I mentioned to you in our meeting. That is this legislative initiative that is moving forward to change the name of the Department of the Navy to the Department of the Navy and Marine Corps. When you talk about troops grousing and sitting around having a beer, this is something that came up many times over my many years of association with the Marine Corps, but in my view, there's some demagoguery going on over here on this issue. I'm not really sure what utility changing this name would bring about.

Just to be frank here, it never bothered me, when I went to the Naval Academy, that I didn't go to the Naval and Marine Corps Academy. It didn't bother me when I was awarded the Navy Cross, that it wasn't a Marine Corps Cross. It didn't bother me, when I was Secretary of the Navy with responsibility for the Navy and Marine Corps, that I didn't have that title. I think that 235 years of tradition and excellence sort of answers the question.

I'm trying to figure out, on the one hand, what's the upside of doing this? What is the impact, in terms of 235 years of tradition, if we do it?

General AMOS. Senator, all the former Commandants that have been asked this, for as long as I probably can remember being a general officer, have elected to stay out of this. They've elected to make comments such that this is a political effort—and that's not a disparaging political effort—but this is a political effort, and it's probably not appropriate for the Commandant of the Marine Corps, as a Service Chief, to weigh in on. That's the current position of General Conway.

Sir, I'd like to maintain that position. I'm not sure I'm going to be allowed to today, but I'd like to be able to maintain that. I am comfortable with that.

I've thought through this a lot. You and I discussed it last week in the office call. But, at this point, I'd like to keep it that way. Now, is that going to be satisfactory, or do I need to dig into this a little bit more, here, and reveal myself?

Senator WEBB. Let me just ask people in the Marine Corps to be careful about this. There's an old saying, "It takes 200 years to develop a tradition, and 2 days to destroy one." If there is a serious upside that you don't want to discuss right now, I'm happy to listen to it.

But, I think we ought to, at a minimum, really examine the impact that this would have, beyond what people are thinking about, in terms of maybe getting a more equal place in a budget process or something like that.

General AMOS. Sir, we talked budget the other day, a little bit, the process—just as the Commandant of the Marine Corps was not a member of the Joint Chiefs of Staff in the middle part of the last century, and that evolved; he wasn't invited to meetings at things like the Key West Agreement, when roles and missions were established for our country and for one of the great warfighting forces

that clearly had a significant contribution in the Pacific—you have to wonder, "Well, how did that happen?" But, it was in the early 1950s, the Commandant of the Marine Corps was finally made a member of the Joint Chiefs of Staff.

This whole process has been evolutionary since the beginning of the Department of the Navy. I think if you talk to the marines out there—I haven't gone out for a survey, but my instincts, in talking to marines, are that where we are in 2010, today, because of where we have evolved, we are a pretty formidable force for our Nation. I think just viscerally—and this is subjectively, this is not that part that has analysis behind it—I think, subjectively, the average fleet marine would look at the Secretary and say, "Yes, I'd like him to be called the Secretary of Navy and the Secretary of the Marine Corps."

Now, is that worth breaking those years of traditions? I'm not sure it is, but that's really kind of the basis behind it, sir. We paid a pretty healthy price in the last 9 to 10 years of combat, and we feel pretty relevant right now.

So, that's it. It may not carry the day, but that's kind of a heartfelt answer.

Senator WEBB. The Marine Corps has always paid a heavy price, in every war, from World War I, particularly, forward. We know that. They've had the higher percentage of casualties. We took 103,000 killed or wounded in Vietnam. At the same time—and I know—if you and I'd have sat down over a beer in 1969, people would say, "Yes, why can't we be the Secretary of the Navy and Marine Corps?" But, just think about the other implications here. I'm not sure people have really studied the other areas that this might affect.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Webb.

Senator Brown.

Senator BROWN. Thank you, Mr. Chairman.

General Amos, I'm honored to meet you. I've seen you on TV, as well. I know we met behind there, you referenced that, but I've also seen you on TV and in the newspapers. Thank you for your service—you and your family—and the sacrifice that your family has made to support your career.

I was wondering if you could help define what you feel the Marine Corps' mission, post-Iraq and, hopefully, post-Afghanistan, will be, if you have some general thoughts on that.

General AMOS. Senator Brown, thank you for the opportunity to maybe take the committee to a little glimpse of what we in the Marine Corps see in the future of the Marine Corps.

The title of "America's Expeditionary Force and Readiness" captures it. It needs a little bit of explanation, but that's the overarching sense for what we need to provide our Nation.

The Nation pays a price in readiness for its Marine Corps. In other words, to have a force that is ready when the President says, "Send in a force. We have a crisis that is either brewing, that we want to circumvent, we want to terminate, we want to intervene on, early on," that requires a force that's ready.

The Marine Corps needs to be that force and readiness. As we come out of Afghanistan, what I pledge this committee, if I become

the 35th Commandant, is, we will maintain that force of readiness. I think our Nation expects it. That's why the motto of "Send in the Marines" resonates so well across this country. That's the first piece, is the readiness.

The second piece is, I think we need to be forward-deployed. Whether it be the Pacific or whether it be down in Africa, engaging in countries with what we would call Theater Security Cooperation, engagement with nations in war-prevention activities, the ability to train armies, the ability to be present and help nations train their forces—I think that's a vital role of the Marine Corps.

Finally, I'd say that we need to be the Nation's crisis response force. Not everybody can be that. We need to be light enough to get there rapidly and heavy enough to carry the day for whatever the crisis is. It's our intention to refocus ourselves back on that ability to be our Nation's crisis response force. So, when the President says, "Send in the Marines," we're either there or we can get there, and we can get there rapidly. That's going to be the focus of effort for the next 2 decades, once we come out of Afghanistan.

Senator BROWN. That being said, do you feel that you have the tools and resources you will need, especially based upon some of the cuts that are being proposed? Will you have those tools and resources, not only to do the job, but to keep your men and women safe?

General AMOS. Senator, we have what we call a Force Structure Review Group going on right now. In simple terms, that means we have an effort, by some of our best minds in the Marine Corps, to determine what the shape of the Marine Corps will look like, post-Afghanistan. What should it be? How many size units? What should be the composition of those units?

Based on the results of that, which we should see in the early part of January, that will help us determine, "Do we have the assets?" We may have the organic assets right now.

I do know that the equipment that we have in Afghanistan is going to have to be what we call "reset." It's either going to go into depot-level maintenance and get completely refurbished or we're going to have to replace it. There is a reset bill that is out there to kind of help the Marine Corps get well, post-Afghanistan.

It's too soon for me to tell, "do we have the resources right now?" I know that we'll be reshuffling the deck. I know that we'll—whenever that Force Structure Review Group comes out, and the Secretary of the Navy approves that, then we're going to begin to reorganize the Marine Corps. That will determine, then, what those assets and really it turns out to be money, "what's going to be required to help reorganize the Marine Corps?" So, it's too soon to tell right now.

Senator BROWN. How is the troop morale with all the deployments? The family morale, quite frankly? How are you working through the family assistance issues and trying to keep that family unit strong?

General AMOS. Sir, first, the issue on troop morale. It's interesting. While these are, you could say, some of the toughest times, these are also the best times. The morale among the marines is sky high. If you visit them—or, when you visit them down in the Helmand Province—and they're living in some pretty tough condi-

tions, some of them are living in what we call "tin cans," those small little trailers up at Camp Leatherneck. But, the bulk of those 20,000 marines are out, deployed in small little villages, living in pup tents, haven't had a bath in, in some cases, 30 days, eating meals ready-to-eat, and living a pretty hard life. But, they're a happy lot. It's almost an oxymoron; I mean, it's almost counterintuitive that you could take young men and women and put them in an environment like that, or promise them that they're going to go to an environment like that, while they're in their training, and they'd be happy about it.

The morale among the marines is happy. Our recruiting is up. In fact, if you signed up today, in September, to be a U.S. marine, an infantryman, you couldn't go to Parris Island or San Diego until probably around February or March. We're backed up with the number of applicants. That part is exceptional.

My sense on that is that marines are actually getting to do what they signed up to do. We promise, "You come in, it's going to be tough. You're going to join us, we're not the least bit interested in joining you. You join this elite organization, this warfighting organization, and we're probably going to put you into harm's way." My sense is, we're fulfilling our part of the promise, and I think that the young men and women are attracted to this. That's the first part.

The second part of it is the morale of the families. I think that's the part that I worry the most about, because it's tough. It was exciting for the first couple of years. We have some of the best family readiness programs in the entire military. But, my sense right now is, our families are getting tired. We have families that are on their fifth and sixth deployment.

So, when you start talking families, even though we're caring for them well, and we're reaching out to them, and we're doing everything in our power to put arms around them, our families are getting tired.

Senator BROWN. Thank you, Mr. Chairman.

Thank you, sir. Good luck.

Chairman LEVIN. Thank you very much, Senator Brown.

The National Defense Authorization Bill is hopefully going to be coming to the floor at 11 o'clock. There'll be a cloture vote on that bill at 2:15 p.m. I must go to the floor, and Senator Goodwin has kindly offered to take the gavel. We appreciate that.

I leave, with thanks again to you, General, and to your family, for your tremendous service, for your forthright answers here this morning. I wanted to pay, especially, thanks to your grandson, Charlie. He has sat there all morning, looking interested in what Grandpa had to say.

I have five grandkids, and I know what a task it is to listen to your grandpa answer some technical questions for hour after hour. But, he deserves some kind of a medal for his wonderful behavior here today.

Thank you for your passion for the Marine Corps. It came through very loud and clear this morning, and it's very inspirational to them and to us.

So, Senator Goodwin, I'll turn the gavel over to you.

Senator GOODWIN [presiding]. Senator Hagan.

Senator HAGAN. Thank you, Senator.

General Amos, I'm thrilled that you've been nominated to be the next Commandant of the Marine Corps. I can't think of anybody more qualified than you.

I want to say thanks, again, to your wife Bonnie, your wife of 40 years, and Jaymie and Molly and Charlie. You and your family have committed so much, and I just thank them for their support for our country. It means a lot.

I am extremely proud of our marines, especially their brilliant execution of military operations in Iraq and Afghanistan. North Carolina is honored to host the Second Marine Expeditionary Force and the Marine Corps Special Operations Command. Our marines have led the way in Regional Command South and Regional Command Southwest in Afghanistan; specifically, the Helmand and Kandahar Provinces.

General Amos, before I get to my questions, I wanted to emphasize that I do look forward to working with you on the historical Camp Lejeune water contamination issue. It is certainly an issue that I am very committed to and feel strongly about. Affected marines and their families need closure.

But, what I want to ask you about first is: The geographic combatant commanders have increased the demand for forward-postured amphibious forces capable of conducting security cooperation, regional deterrence, and crisis response, such as the July 2006 noncombatant evacuation operation in Lebanon. This need for increased amphibious capabilities is emerging in the wake of geopolitical strategic uncertainties, increased challenges to access, and limited amphibious assets. The requirement for amphibious ships that has been agreed upon within the Department of the Navy is 38 ships. But, I'm aware that risk was accepted in reducing the amphibious fleet to 33 ships. However, my understanding is that we are currently down to 31 amphibious ships, with that number possibly falling even lower.

As Commandant of the Marine Corps, with a statutory requirement to organize, train, and equip forces in support of combatant commanders, are you concerned that further degrading amphibious capabilities may be imprudent? What capabilities might be lost with further fleet reductions?

General AMOS. Senator Hagan, thank you for the opportunity to talk about something that's been kind of my life for the last 4 years, both down at Quantico, as the head of requirements, and now the last 25 months, as the Assistant Commandant.

Just bragging for a moment, the amphibious ship is, in my estimation, the most utilitarian vessel that is afloat within the U.S. Navy. You can do combat off of that ship, you can do humanitarian assistance operations off that ship.

When the terrible earthquake happened in Haiti, seven amphibious ships went to their rescue. When the port was completely clogged and the airfield was a mess with airplanes and you couldn't fly people in and out and you couldn't get supplies in and out, those seven amphibious ships pulled off the coast. Out of them, both in helicopters and on seaborne craft, both the aircushion vehicles and on our Amtracs, our amphibious tractor, came marines, came sailors, came engineers, came equipment, came water, came medical

supplies. They were there for over 45 days, providing command and control, providing those capabilities, bringing Haitians out to our ships, to our surgery units. So, there's a great example.

But, what most people don't remember is when Katrina hit. When Katrina hit, I was down at Camp Lejeune at the time, and I think it was four or five amphibious ships sailed from Norfolk, and they swung by Camp Lejeune, Morehead City, and then off the beach at Onslow Beach. We loaded equipment, we loaded bulldozers, we loaded front-end loaders, we loaded big 7-ton trucks, water, food, communications equipment. No weapons were taken. We just put marines on those ships, along with the sailors. Once Katrina passed through, one of those big amphibious ships pulled pier-side in downtown New Orleans and provided the central command and control in the early stages of the aftermath of Katrina. Those amphibs pulled off the coast of Mississippi and off the coast of Louisiana, and they sent out their marines in those amphibious tractors and those aircushion vehicles, and they came across beaches that were otherwise unaccessible.

You know what's just happening right now in Pakistan, with the three amphibious ships there. Not only are they flying combat operations in Afghanistan with their Harriers, they're also flying relief operations up in northern Pakistan, all the way up, with their CH–53 Echo helicopters. Then they managed to take one of their ships, the *Dubuque*, and go over and take down the Magellan Star and rescue the crew from the Somali pirates.

We just launched the 26th Marine Expeditionary Unit, which is one of yours, from North Carolina. They left, a month early, to sail and get off the coast of Pakistan. They should be there by the end of this month. There's a further testimony to the fact of the utilitarian value of amphibious ship.

So, not only in these Marine Expeditionary Units are they valuable, but one at a time they are. They can pull off and operate off of Africa with what we would call a Theater Security Cooperation Mission. They can bring engineers, they can bring medical and dental. It is a one-stop-shopping operation. I think the value of this ship is absolutely paramount.

We have a Secretary of the Navy that believes in that. You're absolutely correct, we have agreed to a fiscal constraint of 33 ships. Everything we do now is informed by the budget, and I know you appreciate that. We are sitting at 31 ships today. We are going to go down over the next couple of years. But, as we look at the Future Years Defense Program (FYDP), the fiscal defense planning effort—by the end of this FYDP, by the time we hit fiscal year 2016, we should be back up to 33 ships. Some of those ships will be brand-spanking-new ones. So, we're excited about it.

Is 33 enough? We're not quite sure yet. It's certainly what we've agreed to. Over this Force Structure Review Group, we'll make a determination exactly what the right amount is.

Senator HAGAN. Thank you. I wanted to ask about wounded warriors. One of my priorities is to ensure that Wounded Warrior programs across the Services effectively assist our wounded warriors to reintegrate into their operational units, transition to another military occupational specialty, or transition to a productive civil-

ian life. I know that the Marine Corps' Wounded Warrior Regiments have played a vital role in this regard.

What are your thoughts on the long-term needs and requirement for the Wounded Warrior Regiment?

General AMOS. Senator Hagan, my personal opinion on the Wounded Warrior Regiment, the whole approach that has been taken to care for our wounded—and our ill and injured, by the way—we put our arms around all of them—I think it's become legendary. I think it was prescient, I think it was something that came in its time.

I was speaking to a group, on Saturday night down in the Marine Museum, that had raised money to care for the families of our wounded. I likened the evolution of how we started this war, in 2003, to where we are today, as kind of like building an airplane while it's in flight. We weren't sure what all the requirements were, but over time we've evolved to this thing called the Wounded Warrior Regiment, with two battalions, one on each coast. I think it's probably one of the greatest success stories coming out of this war.

My sense is that it will be around for a long time. I'm having a hard time envisioning when we're not going to do that. I say that for two reasons. One, I think the wounds of this war will be with us for a while. Even if we stopped 2 years from now, and came wholesale out of Afghanistan, or came next month out of Afghanistan, the wounds of this war are going to be there for a while, and our young men and women are going to need the care. We also have the typical things that happen to our young men and women: cancer, accidents, tragedies that happen. That is the ill and injured that find their way into our Wounded Warrior Battalions and their care. I think it'll be around for that.

The second reason is that I think the world that we live in is going to require of its marines to live in some of those nasty, tough places to do the bidding of our Nation. I think we'll probably have wounded marines for the next decades to come, and they'll need a place to go, they'll need a place to refit and rearm.

You mentioned the care for them. I just talked about that. I think it's absolutely first-rate. We have an effort underway to help them reintegrate in the Marine Corps, change their military occupational specialty. Truth of the matter is, most of our young men that are wounded are infantryman. You've met them in the hospital. The very first thing they say in the hospital is, "I want to get back to my unit." Now, they may be missing a leg or an arm, or both legs, but, "I want to get back to my unit," that's the first order of business. From their recovery, the second piece is, "Okay. Now, that it looks like I may recover, I want to get back to being an infantryman." Truth of the matter is, in some cases, they may not be able to. In those cases, we work very deliberately to try to help them move into another military occupational specialty. It takes a while for them to get to a point where they're willing to do that.

Finally, the matriculation back into civilian society. Ma'am, I know you know this. We work hard. We are plugged into industry. We are plugged into folks that want to hire wounded warriors. I was sitting at that dinner, on Saturday night, and I will not men-

tion the major defense industry corporation, but there was a retired marine there that was employed by them, and he had just hired 32 of our wounded marines. There's that kind of effort that's going on across our country. It's a great newsstory.

Senator HAGAN. My time is up, but I want to thank you for your service. I look forward to your confirmation.

Thank you.

Senator GOODWIN. Thank you, Senator Hagan.

Senator Chambliss.

Senator CHAMBLISS. Thank you, Senator.

General Amos, thanks to you and your family, for your commitment to freedom and democracy. Your nomination to be the next Commandant speaks to that commitment, as well as your leadership to our Nation. For that, we're very appreciative.

I want to publicly thank the current Commandant, General Conway, who's been such a great asset, not just to the Marine Corps, but to our Nation, with his over 40 years of service. To the two of you, thanks for what you do every day.

I intended to ask you a little bit about the resources at our logistics bases, because we have a Marine Corps Logistics Base (MCLB) at Albany, GA, and we're very proud to have the Marine Corps located in our State, and particularly that facility. The relationship between the community and MCLB is, I think, unparalleled. I think you've addressed that resource issue, so I'm not going to get to that.

But, I do want to ask you about this July 1 deadline. I'm a little bit confused about your answer to that. I, frankly, think it's a huge mistake to have that deadline out there. Just like Senator McCain, I think it alerts our enemy that they can sit back and wait on us. I understand that you're saying that, just because you support the July 1 withdrawal, that, in August and September, if a bad guy raises his head, a marine is going to be there to take it off. But, that's what confuses me. Why do we want to tell them that we're going to even begin withdrawing in July, if, in fact, we are going to be there in August or September, or even in 2012, if need be, to finally achieve the mission to which you've been assigned?

General AMOS. Senator, obviously, I can't speak for the President. He's my Commander in Chief. He made the announcement. He's reconfirmed that. But, my sense, since he's reconfirmed that, is the leadership of the Department of Defense, the leadership of our combatant commands, leadership on the ground in Afghanistan, has confirmed to me that they're confident that the right decisions will be made. Those type of warfighting decisions that commanders—only commanders on the ground have access to the full situational awareness. I'm confident in the abilities of David Petraeus and Jim Mattis. I believe in our Secretary of Defense; I know he has our best interests at heart.

Nowhere have I seen a deadline tagged onto the backside of the July 2011 announcement. In other words, there's not been a deadline that, "at this date, the last U.S. service man or woman will be out of Afghanistan." I'm led to believe, and I'm led to be encouraged, that this not a precipitous as a cliff. July 2011 is not a cliff that we'll fall off; it will be some type of gradual decline. I can't speak to what that decline will look like or how rapid that decline

will take place. I just go back to the fact that the commanders on the ground, who know best, are going to have a great amount of say about what forces come out at what rates, or where they need to be realigned. That's where I fall in on this.

Senator CHAMBLISS. Are you confident, beginning July 1, 2011, that the withdrawal rate's going to be dictated by conditions on the ground?

General AMOS. Sir, I believe, first of all, that the President said, "a withdrawal will begin." I believe that when President speaks, there'll be a withdrawal that will take place. Absolutely. What that will look like, I don't know. But, again, to answer your question specifically, I am confident. I am confident, at the leadership, that they're going to make the best decisions. We've paid a price for this. There are young men and women's lives that we've lost in that country. Those commanders on the ground have knowledge of that. They're not going to let those lives go in vain. I'm confident that the leadership will be able to have a direct input on this, Senator.

Senator CHAMBLISS. Let me switch gears for just a minute. Your background is in aviation. How comfortable are you with the 2012 IOC date for the F–35B? Do you believe it will be obtained? What are the possible alternatives if that IOC date is not achieved?

General AMOS. Senator, I've watched this program, since its birth, having been the Assistant Deputy Commandant of Aviation, as we've made the decisions to buy the Joint Strike Fighter, skip a generation of airplanes, and take a what we call a "procurement holiday" while we waited for the Joint Strike Fighter. It's an exciting time for us.

There are five Marine Corps Joint Strike Fighters flying over Patuxent River, Maryland, right now, going through test and evaluation, all the scheduled testing that has to take place, for an airplane or a new weapons system. So, they're over there now. Indications are, they're behind on their test schedule some, not a lot, but the airplanes themselves are flying very well.

Our IOC, in December 2012, will give us 10 airplanes, and will give us the aircrew that are combat ready and ready to deploy. When you think about what that would mean to our Nation, to have its very first fifth-generation fighter attack airplane in our inventory, ready to deploy, or should something happen, is pretty significant. The Marine Corps are holding pretty firm on wanting to maintain that 2012 December IOC.

Now, if the IOC slides to the right, then it will slide to the right, and we'll still have an IOC somewhere, hopefully not too many months after that, that we'll end up with a 10-plane squadron, fifth-generation aircraft, ready to deploy anywhere in the world.

It's pretty important to us. I think it's important to our international partners. We're partnered with Italy and Spain and Great Britain, on the short takeoff and vertical landing variant, which the Marine Corps will be flying. Our IOC encourages them and shows them a record of progress. I think it's pretty important that we maintain that, if at all possible.

Senator CHAMBLISS. Your aviators in the Marine Corps have been very patient. We've experienced, as policymakers, the same frustrations you've experienced with this program. But, hopefully

we're on track now and we're going to see that 2012 IOC date reality, because I know the value of this weapon system to your inventory. I know how much it's going to mean to you as we go ahead down the road.

Thanks very much for your service. We look forward to your confirmation.

General AMOS. Thank you, sir.

Senator GOODWIN. Thank you, Senator.

Senator Burris.

Senator BURRIS. Thank you, Senator Goodwin.

Congratulations to you, General Amos.

Earlier this year, during a trip to San Diego, I had the opportunity to visit the Marine Corps Air Station at Miramar and the Marine Corps Recruit Depot. Both visits reinforce my intense respect and admiration for the men and women who serve as marines. Based upon the exceptional career of General Amos, I am confident the President has made the right choice in his nomination for the next Commandant of the Marine Corps.

Additionally, I would like to thank you, personally, General Amos for your continued service and dedication to our great Nation, because of individuals like you that make this Nation great. I'm pleased to extend my appreciation to your wife, Bonnie, and your family, for what she does to support the spouses and families of our marines and sailors.

Mr. Chairman, I have a couple of questions I want to submit for the record, which my staff will do.

I am very concerned, General Amos, in reference to the position on "Don't Ask, Don't Tell." Please let me understand that your position is that, individually, you do not support the statute change. Is that correct?

General AMOS. Senator Burris, I do not. I don't because, if confirmed, I'll represent all those 202,000 young men and women that wear this uniform. I don't know, yet, what the impact on unit cohesion will be. I don't know yet what the impact on recruiting and retention will be, and our combat readiness. There's nothing more intimate in life than combat. I have a bunch of questions, and that's the reason why I said what I just said.

Senator BURRIS. General, I understand that your birthday was in, what, 1947? Was that when you were born, sir?

General AMOS. Sir, I'm sorry. I couldn't hear you.

Senator BURRIS. Was your birthday 1947?

General AMOS. I was born in 1946, sir.

Senator BURRIS. 1946. You were 1 year old when President Truman issued the executive order integrating our armed services.

General AMOS. Yes, sir.

Senator BURRIS. Because, at the time, we had segregated forces, segregated troops. My ancestors, who had an opportunity to serve, proceeded to serve in spite of racism and just out and out bigotry in reference to them. I can remember my uncles and my uncles-in-law and family members of 18, 19 years old, going off to war, in World War II, and talking about their limited experience and the racism that existed in the military. But, yet still, General, they were willing to fight and die for this country.

My position to you is, there are individuals who happen to be of another persuasion, called either gay or lesbian. They're just as dedicated and committed to this country, and can serve just as valiantly and well, regardless of their sexual orientation. We have, today, thousands of them that are trying to continue to serve. Because of my position on this issue, General, I've had someone come to me and say, "The reason why I did not go into the military—I'd love to be into the military, but I did not want to be hassled in reference to my sexual orientation."

I figure, General, we're not getting the best and the brightest, because of the limitations that this law placed on them. I know that you are an experienced warrior and a dedicated military man, and I respect your views. Please understand that. But, I think, in this instance, what we must do is not limit the opportunity for a dedicated American, regardless of his or her sexual orientation, to serve this country if they want to.

General, we don't know the best and brightest we may be missing, who might even make the Marines even better—which might be hard to do, but we might be able to do that. What's your comment, General?

General AMOS. Sir, if I become the 35th Commandant, I'll have responsibility for a very——

Senator BURRIS. You will, sir. There's no question about that. [Laughter.]

We're going to make you the Commandant.

General AMOS. I'll be responsible for a very small segment of the American society. I mean, it's less than one-tenth of 1 percent of all Americans, first of all, who would even want to be a marine, and, second of all, could probably physically and mentally qualify.

Senator BURRIS. Sir, I saw them training. There's no way in the world I could have gone through the training that I saw those young kids do, and they make them train even though they're tripping—they're tired. What the trainer said, "In combat, you can't get tired because you never know when that ounce of energy is going to be needed to save yourself or one of your partners." I saw those kids just crawl on the ground, roll on the ground. I couldn't do that when I was 20 or 30, and I was a bad little guy in my day. I couldn't handle it.

General AMOS. Those are the same wonderful young men and women, those bright, great sons and daughters that our parents of our country give us—loan to the Marine Corps. They don't give them to us, they loan them to us. We work pretty hard to train them into the kind of young men and women that you're talking about. Those fearless young men and women that would give their lives for one another in a very tough situation in a place like Afghanistan.

Senator BURRIS. General, I was in a forum one day, and I made a mistake. There was a Marine recruiting section right there, they had a display there. There were several of the marines. One other gentleman was in civilian clothes, and I said, "Oh, you're an ex-marine, are you?" I made the biggest mistake in my life. You don't call a marine an ex-marine. What he told me, "Sir, once a marine, always a marine."

General AMOS. Sir, you're absolutely correct. In fact, you are always a marine. I'm on a one-man campaign to change this comment about "former marine," and just get that out of the lexicon, because you're either a marine wearing this uniform, or you're a marine wearing another uniform, but you're a marine forever, for life.

Senator BURRIS. I heard Senator Webb questioning you on the Navy and Marines. I know you can't comment on it, but I think that, given the fact that you're always first in battle, that you all are ready for the call, as you just stated, the President said "Go," you're ready to go. I think that the Marines are at the point where they deserve that type of departmental recognition. I would support changing that title, to the Department of the Navy and Marine Corps, because even though you're a so called branch of that, what you all do needs to be recognized and commented on.

General, just keep in mind that we need to give the best and the brightest an opportunity to serve, regardless to their sexual orientation. I know you'll follow the law if it's changed. I don't have any question about that. But, maybe one day we'll now get a chance to talk about this privately. But, being a person who experienced what racism is, what sexism is—I'm a former attorney general, I've fought this in my State, for those persons who were of different persuasion of sexual orientation. They need the same opportunities, the same commitment to serve as anyone else.

General AMOS. Senator, thank you, first of all, for your high regard for the Marine Corps. You've made my day. It'll get me through the rest of the day.

Senator BURRIS. Sir, I've seen marines sometimes that would bring tears to my eyes, because when you said that. I was at Walter Reed talking to one of ours from Illinois, an amputee. I said, "You're being discharged. What do you want to do?" You know what he said, General? "I want to go back and join my unit."

General AMOS. Yes, sir.

Senator BURRIS. As old and as decrepit as I am, I just cried like a baby. I could not believe that that's the commitment that you all have trained those young men and women to have. God bless you, and thank you for protecting us, General.

General AMOS. Thank you, Senator.

Senator GOODWIN. Thank you, Senator Burris.

Senator LeMieux.

Senator LEMIEUX. Thank you, Mr. Chairman.

General, thank you for being here. Thank you, to Bonnie and your family, for the sacrifice that they have made. We know that those who stand beside us oftentimes pay even a heavier price than those who get the opportunity to serve. We're grateful to your family and grateful to you for all of the years that you've served this country.

I want to pick up, a little bit, on the topic that my colleague from Georgia discussed with you, and that's the F–35 and the delivery of it. We are proud to have the Marine Corps in Florida; not as much of a presence as in other States, but, in Blount Island, where we do some of the refurbishing work that you referred to earlier, but also now coming to Eglin, with the F–35, and where they'll do the training for one squadron of military aviators.

I am concerned about the F–35. We're obviously happy to be doing the training in Florida, but this project, this program, this plane, has taken an awful long time to develop and it has been overbudget and continues to be delayed. If we don't meet these delivery dates that you talked about, what impact is that going to have on your strike fighter community? Is it going to put you in any kind of strategic predicament if these planes don't come on time and don't come at the rate that they need to for you to be able to use them?

General AMOS. Senator, first of all thanks for, I think, having a real sense for understanding what the issues are here. I was down there when we stood that squadron up at Eglin Air Force Base that day, commissioned it. It's pretty exciting, and we're looking forward to the delivery of the first airplanes down there. I know the Marine lieutenant colonel, who's the commander, is building a great team.

If the IOC moves to the right—again, if it does—I don't know whether it will or not—I know that there's discussions, right now, going on. I'm not privy to them, but I've heard that. But, if it moves to the right, it'll finally settle on some date to the right of that—however many months; hopefully, again, like I said earlier, not too many—we'll do IOC then. But, in the meantime, the Marine Corps set out just about, probably 6 or 7 years ago, to take a look at our strike fighters that we currently have, and how do we manage that? How do we manage total flight hours, on those airplanes, to sustain their service life? That's really what we're talking about.

If we have a slide to the right of the Joint Strike Fighter, then we certainly don't have a slide to the right of our current requirements, to produce airplane squadrons, have carrier squadrons, and all that. What we did several years ago, to mitigate this and to be able to sustain this, is that we began to manage the service life of each one of our airplanes, to include our AV–8B pluses. We've done it with our F–18s. We move airplanes around within squadrons, based on the numbers of catapults and numbers of arrested landings they've had on carriers, because there's a limitation to that that you can have. The amount of g-forces pulled on those airplanes is registered in what we call "strain gauges." Those are an indication of service life of the airplane, as well. Not to mention the total hours.

What we've done now is, we've actually moved the deck chairs, so to speak, on the ship, to move low flight-hour airplanes or low g-loaded airplanes into squadrons where they are more apt to end up pulling more g's, low catapult and trap airplanes into our carrier squadrons.

The short answer here is that we can manage that. We are managing it right now. We stood down a couple of squadrons of F–18s not too long ago, and have taken their assets, those airplanes, and kind of spread them around to sustain ourselves. We can do this, this is doable.

Senator LEMIEUX. How long can you do it for?

General AMOS. Sir, I'm going to have to come back to you with a precise answer, because we know how long we can do it for. There are other mitigation efforts underway right now which is examining: How can we put some money in our fleet of F–18s and

extend their life? That analysis is underway right now. But, I'll get back to you on that.

Senator LEMIEUX. If you could supplement that for the record. I have a great concern about this project. Obviously, we need to get these F–35s out.

General AMOS. Yes, sir.

[The information referred to follows:]

It is best if I provide some background information first as there are many variables that affect the service life of our strike fighter platforms, primarily the F/A–18 A–D inventory. The four major variables for consideration are: flight hours; fatigue life expended (FLE); catapults and arrested landings; and total landings. Keeping those four variables in mind, flight hours and FLE are the two most critical elements in calculating the remaining service life of our F/A–18 A–D inventory.

Approximately 10 years ago the Navy and Marine Corps made the decision to extend the service life of our shared legacy F/A–18 Hornets beyond 6,000 flight hours. Actions undertaken by Naval Air Systems Command (NAVAIR), Commander Naval Air Forces and Headquarters Marine Corps Aviation (HQMC AVN) resulted in the development of the F/A–18 Service Life Management Plan (SLMP) which has extended F/A–18 A–D service life to 8,000 hours. The SLMP focuses on the most effective utilization of aircraft—meeting operational requirements and training readiness needs.

Currently, NAVAIR has identified two pathways to extend the service life beyond 8,000 hours; the High Flight Hour inspection which extends the life of the aircraft another 600 hours, raising the service life to approximately 8,600 hours, and the Service Life Extension Program (SLEP). Upon completion of the SLEP, aircraft will have an additional 1,400 hours of service life remaining. Combining these two pathways will give the airframe a service life of approximately 10,000 hours.

Based on our current tactical aircraft transition plan, SLEP will enable the transitioning of our last active duty F/A–18 squadrons to the Joint Strike Fighter (JSF) in 2022, and in 2023 for our last Reserve component squadron. While the JSF production rate will be the largest single contributor that affects our transition plan, options still exist if there are any further delays in JSF procurement. For example, the AV–8B Harrier is not currently under the same fatigue life constraints as the F/A–18 community. Therefore, if the JSF is delayed, AV–8B squadrons will transition later than what is currently planned.

Ultimately the Marine Corps, in conjunction with the U.S. Navy, continues to evaluate and rigorously manage the service life, as well as the warfighting effectiveness, of each of our legacy Hornets and Harriers to ensure their maximum contribution to the warfighter.

Senator LEMIEUX. But, we've been working on this program since 1995 and it occurs to me that we went to the Moon faster than we built this airplane. I'm worried about continued delays, and also worried about the cost and overbudget of this plane. Thank you for that, and I look forward to getting that from you.

I want to shift gears a little bit to Afghanistan. I don't want to replow the ground that was talked about before, but let me just ask you some straightforward, simple questions. Do you think that we're winning the war in Afghanistan?

General AMOS. Senator, that's probably the question that is the hardest to answer. There's not a yes or a no. I can't give you that. But, I can give you a glimpse into portions of what's happening in Afghanistan, and that's the glimpse in the Marine portion, which is down in what we call Regional Command Center Southwest, in the Helmand Province, sits right on the border, right next to Kandahar. Arguably, one of the toughest areas of all of Afghanistan. The Marines are there.

I've watched the progress, personally, on my visits. Again, having just talked to the commander on the ground, I could give you indication after indication where things are actually moving well.

Let me just give you a couple. I've talked to you about the town of Nowzad that was liberated by the Marines in December. Now the bazaars are opened, the town is rebuilt, the school is open. When the district governor held my hand and walked me in there, into the schoolhouse, in the four corners of a room, about one-tenth the size of this hearing room, were four large rugs, and the students were in four groups. The proudest that he was, was when he took me over and put me in front of a bunch of little girls. This district governor, in the town of Nowzad, which had been ruled and dominated by the Taliban, was the first female school class in all of the Helmand Province. Since then, they've opened up—for instance, in the town of Marjah, they've opened up 4 schools, and they have 400 students, to include young girls, in the town of Marjah right now.

Those are the indications that there is positive evidence, things are happening. When I talked to the commander, he said, "You know, General, several months ago, when the Taliban attacked us, they'd attack in groups of 15 to 20, and they were pretty ferocious." We've worn them down now, where they do what he calls "shoot and scoot operations," three to five. They will stick their muzzle of their AK–47 around a building and they'll fire a burst of fire, then they'll run off. There's no major sustained operation combat. I mean, there's combat operations, but the typical thing you see in these villages are these "shoot and scoot" things. I'm encouraged. That's why I say that I'm convinced that the American military knows how to fight a counterinsurgency operation, and will succeed militarily in the Nation of Afghanistan.

Senator LEMIEUX. Is the July 2011 withdrawal date that we've talked about, is it harming your mission? Is it making your mission more difficult?

General AMOS. Sir, I asked that question of the commander on the ground, and to be honest with you, down at his end, they don't even talk about it. There's no discussion in the Helmand Province about, "Is this an issue with the leadership down there?" Now, the Afghanistan National Army, the Afghanistan National Police, the district governors, the leadership, the provincial governor of the Helmand Province, they are dedicated, there's not an ounce of flinching on this.

Senator LEMIEUX. Last question I have for you, and it probably deserves a longer answer than you might be able to give today, but it occurs me, as an expeditionary force, the Marines have always been light on their feet, in and out, try to be the first in, secure the beachhead, secure the city, secure village, win the battle, and then be able to move on to the next battle. That seems to me to be in tension, with a counterinsurgency strategy that requires you to go in and work to build trust, to build relationships, to build local fighting forces. As the Commandant of the Marine Corps, I would assume that's something that you think about, the tension between your traditional role and this new way of warfighting. I wonder how you will reconcile those two competing demands, going forward.

General AMOS. Senator, I think when we leave Afghanistan, the last thing I would want to see the Marine Corps do would be to lose those skill sets that we've learned over the last 9 years. Many

of those skill sets—the cultural sensitivity, the importance of language, the ability to work with other nations in some pretty remote areas—are all things that we have learned. We've actually relearned those. We've done those throughout the 235 years of our Marine Corps history.

We are on the land right now. That has happened to us periodically throughout the Marine Corps. It happened to us in Korea; it happened to us in Vietnam; it happened to us at Belleau Wood, in France. But, we come out, and we become our Nation's crisis response force that has that high state of readiness that I referred to earlier in my testimony.

I will want to capture the very best of what we've learned. I will want to maintain that, because I think it will apply as we work with nations and other countries around the world. But, we are going to do our level best to begin to lighten the Marine Corps up. We are going to do our level best to work with our Navy brothers and the Chief of Naval Operations to be those forward-deployed forces, ready to do the Nation's bidding at a moment's notice.

I think we'll be able to take the best of what we've learned and hang onto that, and then we'll get on with the rest of the business.

Senator LEMIEUX. Thank you, General.

Thank you, Mr. Chairman.

Senator GOODWIN. Thank you, Senator LeMieux.

Thank you, General, for being here today.

I'd like to begin by reiterating my appreciation to the committee and to Chairman Levin for having the opportunity to serve on this committee, where my predecessor, Robert C. Byrd, served honorably for decades. As the General may be aware, I was appointed to my position, caused by the passing of Senator Byrd, this summer, a man who's revered in my home State of West Virginia, and in many respects is a giant in American history, having served at the highest levels of our Government for nearly a quarter of the Republic's history. A daunting task, I suppose, in its own way, but one that, in many respects, pales in comparison to the challenges that await you in your new position.

Which is why I'm particularly pleased to have had the opportunity to visit with you briefly here today, because it allows me to make good on a promise I made to a friend and a marine in West Virginia, upon receiving my appointment. Back in July, when the announcement was made, amidst the dozens of calls of congratulations and well wishes, I had the chance to have a conversation with a friend and former colleague in the West Virginia State government by the name of Bob Ferguson, a marine who's currently serving as the cabinet secretary for the West Virginia Department of Administration, and a man who is extremely active in veterans issues throughout the State of West Virginia and across our country. During our brief conversation, he cited me a simple figure, and that was 32. It was the number of suicides suffered by his fellow marines so far this calendar year. Certainly a startling figure, one perhaps even more troubling, given the high numbers over the past several years.

Talk to me about the mental and behavioral health challenges facing the men and women under your command as they return from defending our country in places like Iraq and Afghanistan;

and also the DSTRESS Program, the behavioral health counseling service, which you have previously expressed a desire to expand and grow.

General AMOS. Senator, thank you for the opportunity to address this key important issue. I suspect that of all the things I've spent my time on, the last 25 months as the Assistant Commandant, the issue of suicides in our Corps, the issue of psychological health, traumatic brain injury, post-traumatic stress, probably occupied a clear majority of my time, all for the right reasons, all for the reasons you imply in your statement.

We've lost 32 marines, as of this morning. That's 32 more marines than we should have lost. We lost 52 last year. Suicides are counted on a calendar year, not a fiscal year. We began, last year, about midway through last year, just looking at this trend going up and saying, "Boy, we have to do something"—it's not a matter of we just woke up, we were doing things, but we're going to have to do things differently. Brought in marine noncommissioned officers and said, "We need your help," because most of the suicides were young men, they were age 19 through 22, they were white, and they were young enlisted, and they were E–1s through E–5s. Predominantly, the ones we were losing were about E–3s and E–4s to E–5s. A noncommissioned officer said, "Sir, let us take this on." We began to focus our efforts in the Marine Corps, a year and a half ago, on our noncommissioned officers. We had them help us build probably the most high-impact and most relevant training program for noncommissioned officers on suicide prevention that I've ever seen—in fact, in any Service that we have today.

I'm encouraged to report to you today that the numbers of suicides in this year among our noncommissioned officers have dropped what I would consider to be markedly. This time last year, we had 37 suicides in the Marine Corps. On this date, we had 37. We have 32 today.

Where are we headed? It's important. We're not done. We have another effort underway right now to take that same type of high-value or high-impact training and put it down to our young E–1s through E–3s. That is underway right now, the same thing for our lieutenants, first lieutenant and second lieutenants. We're going to build a separate training program for them. That is the focus of effort for suicide prevention.

We're not done. We're not satisfied. I've had 32 more than we wanted to have this year, and we are determined to bring that number down and make a difference.

The DSTRESS Program was an effort that came out of these noncommissioned officers. While we were addressing suicides a year and a half ago, I asked them, I said, "Can you give me a suggestion on something that you might think would help?" Looking at the suicides, and that a lot of them are based on or seem to have a common denominator of a problem with a relationship with a young woman—could be a wife, could be a girlfriend, could be a fiance—they said, "Sir, you need to have a relationship hotline." Now, maybe, to us, we would look at that and go, "That sounds—I don't understand that." But, we fussed with that for about 6 months, and we came to the conclusion that what we really needed was a hotline that would plug in to mental health providers, across

this Nation, that a family member, a wife, a husband, a marine, one of our corpsmen, our docs, our sailors could call, completely anonymously, and get assistance. We broke ground on this about 3 weeks ago. What we call a beta test is being done at Camp Pendleton, at Miramar, Yuma, Twentynine Palms, and it's in cooperation with our healthcare provider out there.

We have a 24-hour hotline. We've advertised this now, and the early indications are that it's getting some traction. So, yet to be seen. When I come back to this committee, I'll be able to give you a full report on the value of that. But, the whole idea is to be able to provide another venue to reduce this issue of stigma, where a man or a woman can pick up a phone and call and talk to somebody, and then get referred to a mental health provider somewhere in the western part of the United States. It's the referral and the follow-on care, which is critically important.

Sir, there's a host of things that we're doing, and I'd be happy to go through those things with you. But, I just want you to know, it's a great focus of effort with the Commandant.

Senator GOODWIN. I appreciate that, and I appreciate your answer.

It's certainly been an honor for me to preside over part of your confirmation hearing today.

Chairman Levin has indicated that the committee intends to meet as soon as possible to act on your nomination and encouraging the Senate to quickly confirm you.

I want to wish you well and thank you and your family for being here today. I am in receipt of some information that you brought some West Virginians with you to the hearing today. That's why he was so well behaved, I imagine. [Laughter.]

The record will remain open for 5 days if Senators wish to submit additional questions to you.

This hearing is now adjourned.

[Whereupon, at 11:39 a.m., the committee adjourned.]

[Prepared questions submitted to Gen. James F. Amos, 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 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. Not as the act specifically applies to the military departments; however, I could see benefits with modifications to improve broader interagency coordination in response to world events.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. The complexities of warfare today, as evidenced in Iraq and Afghanistan, have demonstrated the need for greater coordination of all elements of national power in the pursuit of our goals. We need to continue to make progress in achieving greater coordination and effectiveness across departments.

DUTIES

Question. What is your understanding of the duties and functions of the Commandant of the Marine Corps?

Answer. Title 10 makes the Commandant of the Marine Corps responsible for organizing, training, and equipping forces in support of combatant commanders. Fundamentally, these duties and responsibilities are to prepare the Marine Corps to fight and win on the battlefield. Also, it is the Commandant's duty to advise the President, the National Security Council, the Secretary of Defense, and the Secretary of the Navy on military matters. He executes his responsibilities as a member of the Joint Chiefs of Staff. The Commandant also has the responsibility to lead marines, ensuring their readiness to execute missions across the full spectrum of warfare as the President may direct, and tending to their welfare and the welfare of their families.

Question. What background and experience, including joint duty assignments, do you possess that you believe qualifies you to perform these duties?

Answer. I have had the good fortune to serve in key service billets and joint assignments within the Department of Defense (DOD). I have commanded marines at every level up to and including command of a Marine Expeditionary Force (MEF). I served as the Deputy Commandant for Combat Development and Integration, an assignment that gave me great insights into the joint requirements process. As a general officer I have also served in NATO as the Deputy Commander, Naval Striking Forces, Southern Europe and as Chief of Staff of the Joint Task Force that conducted the air campaign over Serbia. I am currently assigned as the assistant Commandant of the Marine Corps, an assignment which has provided me a unique opportunity to understand the challenges facing the Service Chiefs today as they strive to meet their title 10 responsibilities.

Question. Do you believe that there are any steps that you need to take to enhance your ability to perform the duties of the Commandant of the Marine Corps?

Answer. No. With the continued support of Congress, the leadership of the Secretary of the Navy and Secretary of Defense, the continued superb performance of our marines, and the steadfast support of my family, I believe I have the ability to perform the duties that will be expected of me if confirmed.

MAJOR CHALLENGES AND PRIORITIES

Question. In your view, what are the major challenges that will confront the next Commandant of the Marine Corps?

Answer. The major challenges facing the next Commandant of the Marine Corps center on continuing to provide the marines fighting in Afghanistan the very best training, equipment, and support possible while ensuring the Marine Corps is ready for the uncertain threats of the future, all during what we anticipate to be a very challenging fiscal climate.

We are at war and that must be our highest priority. At the same time, we must balance our capabilities to do what the Nation will likely ask of its marines in the coming decades. Additionally, as the Nation's premier Expeditionary Force in Readiness, the Marine Corps must always be ready to answer the call to do whatever the President may direct.

The impact of 9 years of war has been significant, and the wear and tear on our equipment has taken a toll. The Marine Corps will require additional funding for several years after the end of operations in Afghanistan to reset our equipment.

The cost of war has been felt most keenly by our wounded marines and sailors and their families. If confirmed, I will build on the tremendous work of General Conway to care for our wounded and their families.

Fiscal realities place an additional strain in meeting our challenges and priorities. Difficult choices will have to be made. If confirmed, I will work with the Chief of Naval Operations and Secretary of the Navy to ensure that the Navy-Marine Corps team continues to provide the Nation a force capable of coming from the sea across the full range of military operations.

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

Answer. If confirmed, I will continue to work with the Secretary of the Navy to ensure that we have the fiscal resources to support the war in Afghanistan while maintaining the Corps' ability to respond across the full range of military operations, now and in the future. I will work with the deputy commandants of the Marine Corps to develop plans to ensure our readiness to meet future requirements. At the same time, I will work to ensure that we retain our capability, along with the Navy, to carry the fight from the sea ashore to any adversary that would threaten our national security.

Question. If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the Commandant of the Marine Corps?

Answer. Our first priority will be to continue to ensure that our marines deployed in harm's way have everything they need to fight and win. Caring for the welfare of our marines and their families will also be a priority. For marines, looking to their welfare means providing them the absolute best training, equipment, and support. Therefore, I will work to ensure that our training, from boot camp through senior level professional military education and every step in between, incorporates the lessons learned in combat to make our marines more resilient, more ready, and more effective on the complex battlefield we see today and in the future.

I will build on the tremendous foundation that has been established in our family readiness and wounded warrior programs. The strains of war require robust, effective support for the needs of our families and our wounded marines. These efforts will not be reduced when combat operations in Afghanistan are over. They will require sustained support to ensure that we honor the sacred trust the Nation has with those who serve and those who pay the heaviest price.

We must ensure that we maintain the sustainable deployment to dwell ratio of about 1:2 for our force while fighting a war. A deployment to dwell ratio worse than 1:2 increases the stress on personnel and limits our ability to be ready for the broad range of threats and challenges the Nation will face. Our goal during peace is a 1:3 deployment to dwell ratio.

We must ensure that we provide our marines the equipment and support they need. People, equipment and programs all cost money, and difficult decisions will have to be made. If confirmed, I will do my best to ensure that those decisions support a Marine Corps that remains the ready and capable force that the Nation has come to expect.

ROLE OF THE MARINE CORPS IN THE WAR ON TERRORISM

Question. The main focus of the U.S. military has been on the war in Iraq and Afghanistan, and the Marine Corps has had a major role in Operation Iraqi Freedom and Operation Enduring Freedom.

What do you see as the Marine Corps' role in the continuing war on terrorism?

Answer. The future security environment will be one of global uncertainty brought on by changing economic conditions and stressors on emerging and traditional democracies as well as a trend towards a rise in the numbers of troubled and failed states. I foresee enduring problems of continued aggression by al Qaeda and other non-state actors who seek to destabilize weak states to create safe havens, the acquisition of weapons of mass destruction, as well as other nefarious, asymmetrical plots against our Nation.

In this environment, I envision a Marine Corps that must continue to engage forward to forge partnerships and prevent crises, respond rapidly and effectively to protect national interests, and project power in order to assure access to areas vital to our national interest. A balanced Navy-Marine Corps team—meaning one that is capable of promptly, effectively, and efficiently conducting operations along the range of military operations to include counter-terrorism—is critical to the continued prosperity of our Nation and is essential to the survival of our friends, allies, and partners.

Question. What role do you envision for the Marine Corps in homeland security and homeland defense?

Answer. I envision the Marine Corps continuing to use our expeditionary capabilities to support Homeland Security and Homeland Defense. We are a willing partner, responding when called, to support the Department of Homeland Security and other Federal agencies in crisis. The Marine Corps is a unique force with many capabilities (i.e. disaster response, amphibious capabilities along our Nation's shore lines, evacuation, providing security) to support civil and Federal officials as seen in our rapid mobilization to assist our fellow Americans during Hurricane Katrina. The Corps remains focused on defending the homeland forward. We will act wherever and whenever needed for homeland defense, and will do so in accordance with our title 10 authorities or others as directed by Congress and/or the President.

Question. If confirmed, do you plan any major changes to Marine Corps warfighting doctrine?

Answer. Marine Corps doctrine has evolved over time to meet current demands. The Corps continues to operate in an outstanding manner whether in the combat theaters of Iraq and Afghanistan or during expeditionary missions from the sea. We will continue to examine the future security environment to determine where our doctrine may need adjustments for the future.

U.S. FORCES IN AFGHANISTAN AND IRAQ COMMAND AND CONTROL RELATIONSHIPS

Question. Policies directing and guiding command and control relationships for U.S. unified commands and their assigned and attached forces are found in statute, regulation, and in joint doctrine. In March 2010, changes were made to command relationships in Afghanistan to address operational challenges attributed to insufficient command and control authority for U.S. Forces-Afghanistan (USFOR–A) over forces attached to or operating in its area of responsibility (AOR).

What is your assessment of the current command relationship structure for U.S. forces attached to or operating in the USFOR–A and U.S. Forces-Iraq AORs?

Answer. In as much as the current command relationship structure in Afghanistan meets the operational needs of the Commander, International Security Assistance Force and Commander, USFOR–A, then I support it. As it relates to Iraq, we have very few marines left in that theater, and I support the current command structure there as well.

Question. In your view, do the Commanders of USFOR–A and U.S. Forces-Iraq have appropriate and sufficient command and control authority over all U.S. forces operating in Afghanistan and Iraq to ensure unity of command and unity of effort?

Answer. As it relates to Marine forces, they have sufficient authority in my view. If the situation on the ground at either location impresses the respective Commanders of U.S. forces in Iraq or Afghanistan to call for a re-evaluation of the current command and control authority, I would support such a review.

Question. If confirmed, what changes, if any, would you recommend with respect to command and control relationships for U.S. forces operating in Afghanistan or Iraq?

Answer. For Marine forces, I would not recommend any changes at this time. The Marine Air Ground Task Force (MAGTF), with its balanced mix of dedicated and organic air, ground, and combat service support elements, provides a unique combat capability that is greater than the sum of its parts.

Question. In your view, what are the critical criteria that should be used to determine whether forces allocated to USFOR–A or U.S. Forces-Iraq, or any other combatant command, are provided under "operational control" versus "tactical control"?

Answer. Successful accomplishment of the mission and the ability of the joint force commander to exercise effective command and control of his subordinate elements should be the critical criteria in establishing command relationships.

MARINE CORPS FORCES SPECIAL OPERATIONS COMMAND

Question. Marine Corps Forces, Special Operations Command (MARSOC), is a subordinate component command to the U.S. Special Operations Command (SOCOM) established in 2005.

What is your assessment of the progress made in standing up and growing MARSOC, and what do you consider to be the principal issues that you would have to address to improve its operations?

Answer. Since its inception in mid-2006, the Marine Corps has resourced MARSOC to its current level of over 2,400 marines and sailors. There have also been significant investments made in military construction of MARSOC training facilities, barracks and headquarters. The principal, near-term issue to be addressed will be to consider an increase in the size of MARSOC's enablers (e.g. logisticians, intelligence and other support personnel). This issue will be examined as part of the Marine Corps' force structure review that begins in September.

Question. Some have suggested that MARSOC personnel should be "SOF for life," rather than rotating through the command for a 3- to 5-year rotation as they are currently doing. They argue that this would help SOCOM create and retain personnel with the special cultural and language skills that are critical for success in irregular warfare and foreign internal defense missions.

Do you believe that Marine special operators should be "SOF for life," just as Army special operations forces are?

Answer. Marine Special Operators represent a significant investment in training time and money, and MARSOC has demonstrated the value of this investment on the battlefield for the past 4 years. The current assignment policy for Marine Special Operators is an assignment to a 5 year tour. However, the Marine Corps is evaluating multiple options to ensure an efficient return on investment to both SOCOM and the Marine Corps. The personnel options being evaluated include multiple assignments, extended assignments beyond 5 years, and a Primary Military Occupation Specialty (MOS) for Marine Special Operators. The Marine Corps wants to ensure Marine Special Operators meet the operational needs of SOCOM while retaining their "Marine" ethos. I am absolutely committed to creating the highest quality

Marine Special Operators possible and providing this nation, through SOCOM, the unique, combat-proven operational capabilities of MARSOC.

EFFECTS OF DEPLOYMENTS ON READINESS

Question. What is your assessment of the current state of readiness of the Marine Corps?

Answer. The Marine Corps is sourcing its best trained and most ready forces to meet global combatant commander requirements. Consequently, deployed units report the highest levels of readiness for their assigned mission. Deployed unit readiness has come at the expense of nondeployed units, which have sourced unstructured equipment and personnel requirements to meet the needs of our deployed forces. Currently, 63 percent of nondeployed units report degraded or nondeployable levels of readiness. The largest contributing factor to decreased readiness in nondeployed units is a shortage of equipment supply. This lack of equipment impacts the ability of nondeployed forces to respond to other potential contingencies and to train for all potential missions.

Question. In your judgment, are combat operations in Afghanistan adversely affecting the readiness or retention of marines on active duty and in the Reserve component?

Answer. No, combat operations in Afghanistan are not adversely affecting readiness and retention of Active Duty and Reserve marines. We are meeting our retention goals across the Marine Corps, and some of our highest retention rates come from units that have deployed. Marine Corps units, both active and Reserve, are deploying for all our global mission demands (e.g. theater security cooperation initiatives, Marine expeditionary unit operations, combat operations etc.) at the highest states of readiness. As long as we maintain a deployment to dwell ratio of about 1:2, I do not foresee adverse impacts on retention.

Question. If confirmed, what will be your priorities for maintaining readiness in the near term, while modernizing the Corps to ensure readiness in the out years?

Answer. If confirmed, my priority for readiness will be to ensure there are adequate funds to reset Marine Corps equipment for the years after we leave Afghanistan. Overseas Contingency Operations (OCO) in Iraq, Afghanistan and elsewhere have placed an unprecedented demand on ground weapons systems, aviation assets and support equipment. Assets have experienced accelerated "wear and tear" due to the harsh operating environments and have far exceeded peacetime usage rates. Many items have been destroyed or damaged beyond economical repair. Based on current analysis, the Marine Corps has estimated reset cost at $8 billion, consisting of $3 billion requested in the fiscal year 2011 OCO budget and an additional long-term reset liability of $5 billion upon termination of the conflict. This estimate will continue to rise with continued combat operations. Additionally, our equipment sets have been modified based on the lessons we learned in OIF and OEF about what we need to be ready for future operations. The cost to make changes that have been proposed for our equipment sets is estimated to be $5 billion.

RECRUITING AND RETENTION

Question. What do you consider to be the key to the Marine Corps' success in recruiting the highest caliber American youth for service and retaining the best personnel for leadership responsibilities?

Answer. The key to the Marine Corps' recruiting success is its continued focus on finding highly-qualified young men and women who are seeking the challenge of serving their Nation. Continued access to high schools and colleges not only assures that we have access to a quality market that reflects the face of the Nation, but also a market that has the mental abilities to serve in our technically challenging fields such as linguistics, aircraft and electronic maintenance and intelligence.

Another key component of our recruiting success is the Marine Corps' image of smart, tough, elite warriors. The time-proven intangible benefits of service, pride of belonging, leadership, challenge and discipline are what we offer. The Nation's young people continue to answer the call of duty, responding to these intangibles, even during this time of war. Maintaining sufficient funding for recruiting advertising, enlistment bonuses, and select reenlistment bonuses will be instrumental to the continued success of recruiting and retaining the best personnel.

Question. What steps do you feel should be taken to ensure that current operational requirements and tempo do not adversely impact the overall readiness, recruiting and retention, and morale of the Marine Corps?

Answer. As it relates to operational requirements and tempo, one of the key factors to ensure that readiness, recruiting, retention and morale are not affected is to maintain our goal of a 1:2 or better dwell time throughout the force. We also need

to weigh competing operational demands and requirements (e.g. exercise support, expeditionary missions, theater security cooperation, combat operations, etc) throughout the total Marine force, active and Reserve, to ensure there is proper balance. Lastly, we are committed to maintaining sufficient funding for enlistment and reenlistment bonuses, advertising, and sufficient numbers of recruiting personnel.

Question. What is your assessment of current recruiting standards, particularly DOD-wide criteria for tier one recruits, and their propensity to accurately predict minimal attrition and future success in Military Service?

Answer. The Marine Corps has not, and will not, reduce its quality standards or enlistment criteria. The Marine Corps recruiting of quality youth has translated into higher performance, reduced attrition, increased retention, and improved readiness for the operating forces. These quality standards and metrics are continuously assessed to ensure that we are meeting our manpower skill level needs. We believe that DOD-wide standards of 90 percent Tier I (high school graduates) and 60 percent Mental Group I–IIIA are appropriate. We know through studies that a high school graduate is more likely to complete recruit training. The DOD education tier divisions are appropriately grouped and adequately serve as attrition predictors. Applicants who score in the I–IIIA categories on the Armed Services Vocational Aptitude Battery have the intellect and mental agility needed to work with today's technology. So far this year, 99.7 percent of our enlisted accessions have been high school graduates and 72 percent have scored in the I–IIIA range, both far exceeding DOD standards.

QUALITY OF LIFE

Question. What do you consider to be the most essential elements supporting the quality of military life for marines and their families, and, if confirmed, what would be your goals in this regard?

Answer. I consider the essential elements impacting quality of life for our marines, sailors, and their families to be dwell time, housing, schools, medical care, community services, and pay/benefits. If confirmed, my goal as it relates to quality of life will be to ensure that marines, sailors, and their families have availability and access to quality facilities and family support programs, as well as resources and benefits that afford a respectable, decent and healthy standard of living. Maintaining our deployment to dwell ratio at 1:2 or better is a key part of maintaining a good quality of life for all marines and our assigned sailors.

MILITARY COMPENSATION

Question. What is your assessment of the adequacy of military compensation?

Answer. I believe the cumulative increases in military pay and benefits that Congress has generously bestowed on the Armed Forces consistently over the past several years have been adequate.

Question. What recommendations would you have for controlling the rising cost of personnel?

Answer. We have the world's most competent, professional and ready military, but that comes at a tangible cost. Any cost-saving measures must consider the possible negative effects on the dynamic of an All-Volunteer Force and our needs for national security. Our force structure review that begins in September will address our posture and organization for the future security environment and will give us a better insight into personnel requirements over the long term.

Question. As the Marine Corps has the highest percentage of servicemembers who leave after their first term, what is your assessment of the adequacy of compensation and benefits available for noncareer servicemembers?

Answer. The Marine Corps is a high-intensity, physically demanding military organization that requires a younger demographic (i.e. 17–25 year olds) to meet force structure requirements. This demographic often has intentions of serving for only one term, especially as it relates to the combat arms occupational specialties. In my estimate, compensation and benefits are generally adequate to the needs of those with both career and noncareer goals.

EDUCATION FOR MARINES

Question. An important feature of the Post-9/11 GI Bill is the ability of career-oriented servicemembers to transfer their earned benefits to spouses and dependents.

What is your assessment of the effect of the Post-9/11 GI Bill on recruiting and retention of marines?

Answer. Given the Post-9/11 GI Bill was just implemented last year, we have not identified quantifiable metrics on the impacts this program has had on recruiting

and retention; however, the provisions of the program seem to be universally welcomed and appreciated by marines.

Question. In your view, what has been the effect of the transferability option on retention and career satisfaction of marines?

Answer. Given the Post-9/11 GI Bill was just implemented last year, we have not identified quantifiable metrics on impacts this program has had on recruiting and retention; however, the provisions of the program seem to be universally welcomed and appreciated by marines.

Question. How important do you believe tuition assistance benefits are to young marines, and what trends do you see in the Marine Corps' ability to pay for such programs at current levels over the Future Years Defense Program?

Answer. I think tuition assistance benefits are extremely beneficial to young marines given their high levels of interest and use of that program. Tuition assistance provides marines the opportunity for scholarly and intellectual development, personal growth, and increased awareness and maturity. This benefits our Corps both on the battlefield and in garrison. Tuition assistance provides great opportunities for our young men and women to attain college degrees. With the fiscal challenges facing our government, we will have to closely monitor trends in our tuition assistance program to ensure adequate levels of funding. Historically, we have not executed our full tuition assistance account, therefore, we will continue to monitor this program during our budget development process.

WOMEN IN COMBAT

Question. Women have a long history of honorable service in the Marines, and the Marine Corps recently notified Congress of its intent to open two intelligence-related occupational specialties to service by female marines.

What other occupations, if any, do you believe could be opened to female servicemembers?

Answer. The military occupation specialties (MOSs) currently open to female marines, including the intelligence-related MOSs you refer to, are appropriate for the Marine Corps. The Marine Corps conducted a review that resulted in the current recommendation that the Counterintelligence/Human Source Intelligence Specialist/Officer MOS be expanded to include women. I support that effort and recommendation.

GENERAL OFFICERS

Question. At the request of the Secretary of Defense, Congress included a provision in the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 that designated up to 324 general and flag officer positions as joint duty assignments that are excluded from the limitation on the number of general and flag officers in each Service, and specified the minimum number of officers required to serve in these positions for each Service.

What is your view of the merits of this provision and its impact on the Marine Corps?

Answer. It is too soon to know what the impact of this provision will be on the Marine Corps. As the smallest Service, with the fewest number of general officers, management of general officer assignments to billets in the joint pool and billets in the Marine Corps while ensuring appropriate career progression is challenging. The nominative nature of joint billets contributes to this challenge, particularly with our relatively small number of general officers.

Question. What impact has the implementation of this provision had on joint officer assignments of Marine Corps general officers?

Answer. It is too soon to know what the impact of this provision will be. Currently, 24 Marine general officers are assigned to joint billets in the joint pool. Our goal is 26. We currently have 2 general officers serving in joint billets that do not count towards our joint pool goal of 26. One impact of this provision is that we will look hard at assigning general officers to joint assignments that do not count towards our joint pool goal of 26.

Question. In your view, does the Marine Corps have statutory authority for a sufficient number of general officers to meet mission requirements of the Corps and joint requirements?

Answer. At this time, I believe we have the right number of general officers (GOs) to meet our requirements. The USMC is authorized 60 Active component GOs to meet internal Marine Corps requirements, 26 GOs to meet joint requirements and ten Reserve component GOs for a total of 96 GOs authorized. The USMC is currently filling seven GO requirements in Afghanistan. Of these, three are temporary joint assignments which will be drawn down parallel to U.S. force levels in the fu-

ture. To meet internal GO requirements in support of overseas contingency operations, the Marine Corps has utilized, on average, four Reserve component GOs to fill internal billets.

Question. The results of recent promotion selection boards for brigadier general have shown that a number of best qualified officers have not completed all requirements (i.e., joint professional military education, or joint tours of duty) before consideration by selection boards.

What factors do you consider most important in the difficulty experienced by field grade Marine Corps officers in satisfying joint requirements for promotion?

Answer. The most important factor is career progression. It is imperative for Marine Field Grade Officers to be assigned to billets within their military occupational specialty (MOS), thus certifying their credibility in maintaining relevancy and competitiveness with their peers. Current promotion rates create pressure on the available time an officer has to complete operational MOS tours, attend resident professional military education, and complete a joint tour. While great care is taken to create as much opportunity as possible for officers to be assigned to joint billets, there are still critical institutional requirements for these officers outside of these assignments. These include recruiting and training tours of duty, education support duties, security forces, and service-specific higher staff duties.

Question. Do you think that in today's operational environment that these requirements for promotion to O–7 should be modified?

Answer. I think we should seek ways to make Joint Professional Military Education (JPME) II more accessible. A constraining element on the critical path to Joint Qualified Officer designation is JPME II matriculation. Increasing opportunities for completion (e.g. increased JPME II seat capacity, distance learning options, additional JPME II accredited locations, and traveling JPME II education teams) will assist us in meeting our requirements.

Question. What steps are being taken to ensure that officers who are competitive for promotion to general officer rank are able to fulfill all joint education and experience requirements?

Answer. The Marine Corps is taking several steps that include:

1. Proactive assignment process. Our assignment policies include placing, at every opportunity available, competitive nonjoint qualified officers in available joint billet assignments. This action includes opening up additional Joint Duty Assignment List billets when critical occupational specialty incumbents reach their 24-month tour milestone.
2. Self nomination experience track. We are improving the recognition and marketing of joint qualifying experiences through the regular education of officers to encourage officers to petition for joint credit.
3. Goals-Driven Assignments Process. We have set goals of 100 percent post Top Level School (Senior Level School) assignment to Joint Billets for nonjoint qualified officers and over 90 percent of nonjoint qualified Intermediate Level School graduates to available joint billets for majors.

FAMILY SUPPORT

Question. What do you consider to be the most important family readiness issues in the Marine Corps, and, if confirmed, what role would you play to ensure that family readiness needs are addressed and adequately resourced?

Answer. Dwell time is the most important consideration impacting family readiness. After that, our interest is to provide top notch housing, schools, medical care, and other family-oriented programs to our Marine families. I support our recent initiatives to improve family readiness—the hiring of full time family readiness officers, improvements in support to families with exceptional family members, the establishment of School Liaisons to advocate for military school-age children, and child care programs to name a few. If confirmed, my role in terms of family readiness will be to make informed decisions and balance competing budgetary requirements to ensure we provide our families with the very best quality of life that we can. I will also ensure that the needs of the Marine Corps in these areas are properly communicated to the DoN, DOD, and Congress.

Question. How would you address these family readiness needs in light of global rebasing, BRAC, and multiple deployments?

Answer. Regarding deployments, our goal during war is to maintain a deployment to dwell ratio of 1:2 or better across the force. In peace, our goal is 1:3. Our current end strength of 202,000 personnel will allow us to get close to our goal with the current commitment of marines in Afghanistan.

In terms of global rebasing and BRAC, our goal is to maintain the standard of quality and availability with respect to facilities, housing, schools, community serv-

ices, and medical care for all marines and their families. They deserve nothing less. We must be especially watchful during periods of transition and consolidation, as there can be stressors on the capacities of existing facilities or new requirements identified that must be addressed.

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. Support of our reservists' families during the mobilization, deployment and de-mobilization process is of utmost importance to me and the Marine Corps. The immediate benefit to our Reserve marines and sailors is the knowledge that their families are being taken care of by representatives of our commands during their absence. Accordingly, if confirmed I would encourage continued support and resourcing to Marine Forces Reserve's full-time nondeploying professional Family Readiness Officer (FRO) billets that are located at each battalion/squadron-level units and above. These FROs train and prepare their units' marines and families, and any active duty servicemembers and families in their area, on the challenges—and mitigating resources and strategies—of the military lifestyle. Additionally, these FROs ensure that the five statutorily-required Yellow Ribbon Reintegration Program events are delivered to their units' marines and family members throughout the deployment cycle.

I would also ensure the continued allocation of resources necessary to support the Marine Corps' Unit Personal and Family Readiness Program (UPFRP). The UPFRP provides strong programs at the unit level, directs Commanding Officer involvement, and employs full-time, paid FROs who ensure continuous outreach to all marines—Active and Reserve—and their families. The UPFRP utilizes all support services available within the Corps and partners with DOD as well as other branches of service programs to expand the UPFRP capabilities and geographic outreach capabilities. The support services utilized include Marine Corps Community Services (MCCS), Military OneSource, Joint Family Services Assistance Program (JFSAP), TRICARE, and military family assistance centers.

Lastly, mitigation of unique issues impacting servicemembers who do not reside near a military installation often requires special allocations, resourcing and benefits, and I will ensure these special needs are noted at the DoN, the DOD, and Congress via the authorization and appropriation processes.

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 deployments. These programs must be relevant and attractive to all eligible users, including active duty and Reserve personnel, retirees, and their eligible family members.

What challenges do you foresee in sustaining and enhancing Marine Corps MWR programs and, if confirmed, what improvements would you seek to achieve?

Answer. The Marine Corps Community Services (MCCS) programs are outstanding and have served the world-wide needs of our marines and their families over the past years of conflict. In the future, the fiscal environment may introduce budgetary challenges which must be considered to maintain an appropriate balance of programs offered by MCCS. We will focus on the sustainment of vital MCCS programs such as the Family Readiness Officer, Behavioral Health, Exceptional Family Member, and Child Care, and expansion of newer programs showing promising signs of success like the programs in support of our single marines.

SUICIDE PREVENTION

Question. The Marine Corps suicide rate has been increasing over the last 3 years: 33 in 2007; 42 in 2008; and 52 in 2009.

If confirmed, what changes in policies, programs, and practices would you make to reverse this trend in Marine suicides?

Answer. In my duties as the Assistant Commandant of the Marine Corps, I have overseen Marine Corps suicide prevention efforts and am personally briefed on every suicide that occurs in our Corps. First and foremost, I view suicide prevention matters as a leadership issue. If confirmed I aim to capitalize on the early success of our new NCO training program entitled "Never Leave a Marine Behind" aimed at identifying at risk junior marines by expanding it to include training on suicide awareness and identification at the officer and SNCO level and even for our families. We will explore ways to help younger marines be more resilient as it relates to dealing with the stressors that we have identified by closely examining the cases of marines who have taken their lives. In all cases we will continue working to re-

duce the stigma that keeps too many of our marines from seeking mental health care and support.

I will look to expand the reach of our newly operational behavioral health counseling service, "DSTRESS". While we continue to benefit from the counseling services provided by Military OneSource, VA Lifeline, and others, we know that sometimes a marine will only talk to another marine or someone intimately familiar with our culture. We are testing this "by Marine—for Marine" concept in the western United States with a confidential counseling line operated by marines and specifically trained clinicians. It is available to our Active Duty, Reserve, retired, and former marines as well as their families, and if it proves popular, we will expand coverage across the globe.

We will ensure that we continue our ongoing efforts to work closely with the other Services, the DOD, and civilian and Federal agencies to build our programs, share our information and put our best practices forward. We are currently partnered with the DOD Joint Task Force on the Prevention of Suicide among members of the Armed Forces. We have joined with the Army in the National Institutes of Mental Health longitudinal study to assess the risk and resilience in servicemembers. We will also capitalize on the success of our Operational Stress Control and Readiness program and explore ways to expand it where needed.

Question. What suicide prevention initiatives should be taken, in your view, with respect to Marine Corps reservists after they have been demobilized?

Answer. Our reservists are a key component of the Marine Corps Total Force. Given that the signs of operational and combat stress and suicide can manifest long after a Marine returns home from deployment, there are unique challenges posed for reservists who can be isolated from the daily support network inherent in one's unit and vital medical care. We will ensure that demobilization and reintegration processes for our Reserve marines following deployment, such as the Yellow Ribbon Reintegration Program, are fully supported and resourced. With that stated, there are six suicide prevention initiatives that immediately come to mind regarding our Reserve marines and sailors:

(1) In-theater Assessment. reservists who exhibit or are struggling with clinically significant issues should be seen by competent medical authorities and evaluated for post-deployment treatment with follow-up decisions made prior to their return home.

(2) Post Deployment Health Reassessment (PDHRA). It is important that if any issues emerge during the reservist's PDHRA that they are immediately evaluated and referred for treatment by the clinician interviewer. This includes referral recommendations based on the available local resources, such as the VA, Military OneSource, private mental health providers, etc.

(3) Psychological Health Outreach Program (PHOP). I would urge continued delivery of the PHOP, a pilot program provided to the Navy Reserve in the NDAA for Fiscal Year 2007 and extended to the Marine Reserve in the NDAA for Fiscal Year 2010, which assists Marine and Navy reservists with screening for behavioral health, referring them for appropriate treatment, and assisting with follow up to ensure they are receiving the appropriate behavioral health services.

(4) Care Management Teams. The fourth suicide prevention initiative includes the VA's OIF/OEF care management teams that are a readily available resource for our reservists. That is, the VA assigns a Primary Care manager, who is responsible for referral and follow-up, to any reservist who has a health care issue. I would continue to encourage Marine Forces Reserve's active duty staff at the Reserve sites to develop close working relationships with these teams.

(5) Noncommissioned Officer (NCO) Suicide Prevention Course. I would continue to support Marine Forces Reserve's NCO Suicide Prevention Course. As of this summer, Marine Forces Reserve has 300-trained marines who can deliver the NCO Suicide Prevention Course at 130 different Reserve sites around the country.

(6) Telemedicine. We need to ensure there are effective mechanisms available to identify Marine reservists in need and a way to treat those who can sometimes be geographically isolated from the TRICARE networks. In this regard, I support telemedicine initiatives to help address this problem.

Question. Are there additional suicide prevention measures that should be taken by the Marine Corps, in your view, with respect to Marine veterans?

Answer. We will continue working at ways to reduce the stigma of seeking mental health counseling in the Marine Corps. We will make a concerted effort at working more closely with the VA to establish a substantive program to identify Marine vet-

erans with combat stress as this is often an indicator of the potential for suicide. If we can improve our ability to identify veterans with stress-related needs, and provide them treatment, then we can potentially reduce the number of suicides among that same group.

WOUNDED WARRIOR REGIMENTS

Question. What is your assessment of the effectiveness of Marine Wounded Warrior Regiments (WWRs) in treating and managing the medical needs of wounded, ill, and injured marines?

Answer. The WWR provides nonmedical care management services to wounded, ill, and injured (WII) marines and their families. The comprehensive care coordination provided by the WWR, throughout the phases of recovery, has been highly successful. The results of internal assessments have substantiated that the creation of the WWR has had a positive impact on the support offered WII marines and families. Additionally, our assessments have shown positive satisfaction levels in important care areas, such as our Recovery Care Coordination Program (executed by the Regiment's Recovery Care Coordinators) and our family support staff.

Question. Are you aware of any legislative authorities the Marine Corps may need in order to more effectively and efficiently run these WWRs?

Answer. At this time, the WWR is working well within the authorities provided under the most recent National Defense Authorization Acts. We appreciate the committee's flexibility to help us serve WII and will remain engaged should any issues arise that require statutory changes.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Question. Prevention of sexual assault has been one of the highest priorities of the Secretary of the Navy. Many victims and their advocates, however, contend that they were victimized twice: first by attackers in their own ranks and then by unresponsive or inadequate military treatment. They assert that commanders failed to respond appropriately with basic services, including medical attention and criminal investigation of their charges.

Based on your experience, what additional actions, if any, should the Marine Corps take in monitoring progress in order to ensure effective implementation of a "zero tolerance" policy relating to sexual assaults?

Answer. Prevention of sexual assault is a leadership responsibility. Effective implementation of a "zero tolerance" policy begins with education of our leaders to ensure their full attention to the initiatives in place to reduce the incidence of this crime in the Marine Corps. Those initiatives include:

(1) Senior Leadership Engagement: We formed a general officer level Executive Steering Committee (ESC) to produce and implement a 30–90–180 day action plan for the reduction of sexual assault. Sexual Assault Prevention and Response (SAPR) has been a topic at every conference for general officers and their spouses over the last 2 years. The Commandant issued a letter to all commanders re-emphasizing their role and responsibilities in addressing sexual assault prevention and response.
(2) Increased Staff. We hired SAPR Program Managers for each installation with more than 1,000 marines assigned. Among other duties, these program managers are charged with conducting training, overseeing case management, and performing community outreach; thereby assisting installation commanders to create and more successfully implement necessary and effective prevention initiatives.
(3) Training. We have revised SAPR training to emphasize Values-Based Leadership and Bystander Intervention Training to focus on intervention before a sexual assault occurs.
(4) Holding Offenders Accountable. We have appointed a permanent Judge Advocate field grade officer liaison to the USMC SAPR Office who is actively involved with SAPR policy development and improving attorney litigation training at every level. We have improved training for our prosecutors in the specifics of prosecuting sexual assaults.

Question. What reporting requirements or other forms of oversight are most valuable in your view to ensure that the goals of sexual assault prevention and response policies are achieved?

Answer. The Inspector General of the Marine Corps' inspection program (including site visits) is a valuable form of oversight in that it is the best method to evaluate whether prevention training is being effective. We will continue to administer frequent surveys among "at-risk" population groups to determine if, when, and how their attitudes are changing. Reporting the number of victim treatment referrals is

very valuable as it provides a snap-shot of how much our services are being utilized. It also helps determine resource allocation and whether proper staffing models are in place to meet our needs.

Question. What is your understanding of the resources and programs the Marine Corps has in place in deployed locations to offer victims of sexual assaults the medical, psychological, and legal help that they need?

Answer. Deploying Marine Air-Ground Task Forces (MAGTFs) have a Unit Sexual Assault Response Coordinator (SARC) assigned as a collateral duty, ensuring presence in the theater of operation. The Marine Corps further requires at least two Uniformed Victim Advocates (UVA) be available in all deploying battalions and squadrons. Medical and psychological doctors and specialists deploy as part of our MAGTFs and are prepared to treat victims of sexual assault. For legal services, victims of sexual assault have access to deployed Marine Judge Advocate legal assistance attorneys in-theater who provide legal support coincident to an assault.

Question. What is your view of the steps the Marine Corps has taken to prevent sexual assaults in combat zones?

Answer. Prevention efforts start before arrival in a combat zone, and continue throughout. Unit pre-deployment training includes awareness of sexual assault issues specific to deployments and prevention techniques, cultural awareness objectives appropriate to the region, and individual sexual assault risk reduction measures. Commanders responsible for base operating support in a combat zone also receive instruction on sexual assault risk reduction measures provided by Naval Criminal Investigative Service (NCIS) and the Command SARC.

Question. What is your view of the adequacy of the training and resources the Marine Corps has in place to investigate and respond to allegations of sexual assault?

Answer. We have a reliable system in place that functions capably in the majority of cases; however, there is room for improvement. Sexual assault cases are often very difficult to prosecute. The Marine Corps has taken several steps to improve our capability to handle sexual assault cases and our assistance to victims as they go through the criminal justice process.

We have increased funding and training for our judge advocates in prosecuting sexual assault cases. Initiatives include providing specialized trial advocacy training on alcohol-facilitated sexual assault at the Naval Justice School; utilizing training offered by the Joint Mobile Training Team (NCIS/OJAG/JAM) focused on offender-based prosecution, and using Joint Computer Training Modules, with live actors online to work through scenarios related to sexual assault. We have taken steps to improve response and services for crime victims via the Victim Witness Assistance Program (VWAP), which is designed to minimize the effects of crime and to help victims and witnesses understand, and meaningfully participate in, the military justice system. In this regard, the Marine Corps held its first ever Corps-wide VWAP conference in June of this year, resulting in a plan for immediate improvement of Base VWAPs around the Corps.

Question. Do you consider the current sexual assault policies and procedures, particularly those on confidential or restricted reporting to be effective?

Answer. Yes. For a multitude of reasons, sexual assault has historically been an under-reported crime. Equally important as investigating and prosecuting those who commit sexual assault is the need to ensure victims of sexual assault get necessary and adequate support after an assault has occurred. Restricted reporting provides a way for victims to report the crime and access the full range of care and services without further public disclosure than he or she desires. This has been a positive influence on inducing victims to come forward for necessary treatment and victim support. About 1 in 10 reports in the Marine Corps typically are restricted.

Question. What problems, if any, are you aware of in the manner in which the restricted reporting procedures have been put into effect?

Answer. With the restricted reporting policy, there has been a learning curve of sorts for commanders and their senior enlisted advisors to overcome the tendency to seek justice and take care of their marines. We continue to educate our leaders on how restricted reporting works within their command to take care of their marines. Also, marines sometimes have a hard time understanding that there are representatives available that they can approach to report an assault without alerting the chain of command. Through ongoing training and education, we will continue addressing these points.

Question. If confirmed, what actions would you take to ensure senior level direction and oversight of efforts to prevent and respond to sexual assaults?

Answer. Sexual assault prevention begins at the top, with the Commandant. If confirmed, I will continue the initiatives underway to reduce the incidence of this crime within the Marine Corps and seek additional ways to improve our prevention and response. In terms of executive level direction on SAPR matters, I convened the

Executive Steering Committee (ESC) and chaired its first meeting last December. I also chartered an Executive Working Group (EWG)—a cross-functional team comprised of talent and subject matter expertise in multiple disciplines from throughout the Marine Corps—to support the work of the ESC and devise implementation strategies for the policies and direction recommended by the ESC. If confirmed, I will ensure this senior level of attention and involvement continues.

"DON'T ASK, DON'T TELL" POLICY

Question. Section 654 of title 10, U.S.C., titled "Policy Concerning Homosexuality in the Armed Forces," includes findings and policy barring service by gay and lesbian individuals in the Armed Forces. Following their testimony recommending repeal of the policy on February 2, 2010, Secretary of Defense Gates and Chairman of the Joint Chiefs of Staff, Admiral Mullen, initiated a high level, comprehensive review of the impact of repealing current law.

What is your view of the current "Don't Ask, Don't Tell" policy, and its impact on the Marine Corps?

Answer. In my view, the current law (and associated policy) has been a reasonable compromise between the unique requirements of military service and the aspirations of qualified citizens who are interested in military service. I would characterize its impact on the Corps as being minor; about two tenths of 1 percent (.2 percent) of the roughly 626,000 marines discharged since 1993 were released for reasons of homosexuality.

Question. In your personal view, should the current policy be repealed? Why or why not?

Answer. In my personal view, the current law and associated policy have supported the unique requirements of the Marine Corps, and thus I do not recommend its repeal. My primary concern with proposed repeal is the potential disruption to cohesion that may be caused by significant change during a period of extended combat operations. Furthermore, I'm concerned that a change now will serve as a distraction to marines who are tightly focused at this point on combat operations in Afghanistan. The Secretary of Defense has instituted a comprehensive review of the law and policy, and that review should tell us a lot about whether such a change will be disruptive to unit cohesion. The review will also provide insights into how, if Congress approves of a change in law and the President signs it, the DOD should develop policy for its implementation.

NAVY-MARINE CORPS LEGAL TEAM

Question. The grades of the Judge Advocates General and the Staff Judge Advocate to the Commandant were recently increased by Congress to enhance their ability to fulfill their responsibilities and, with respect to the Department of the Navy, an independent panel has been established under section 506 of the National Defense Authorization Act for Fiscal Year 2010 to review judge advocate requirements and the supervisory role and authority of the Judge Advocate General of the Navy.

How would you evaluate the contribution by Marine Corps judge advocates to the mission of the Marine Corps in Operation Enduring Freedom (OEF) and Opeation Iraqi Freedom (OIF), and the success of the Corps overall in performing its mission?

Answer. Marine judge advocates have made significant, critical and well-documented contributions to OIF and OEF, supporting our overall success as a Marine Corps. Since 2001 over 600 Active and Reserve judge advocates have deployed in support of OEF and OIF, serving in every level of command from infantry battalion to the headquarters of U.S. CENTCOM. The reviews from our commanders have been uniformly and overwhelmingly favorable on their performance as legal advisors, Marine Air-Ground Task Force (MAGTF) officers and contributors to the warfighting mission. Our judge advocates, as unrestricted line officers, are immersed in Marine Corps ethos from accession and mature into well rounded MAGTF officers, which facilitates their seamless integration into the warfighting effort at all levels.

The contribution of our judge advocates to the overall success of the Corps has been similarly significant. We are aggressively working to get better and meet emerging challenges. The SJA to Commandant of the Marine Corps (CMC) has recently published a Strategic Action Plan (SAP) that fairly assesses our capabilities and charts a way forward. The SAP also details several recent initiatives aimed at enhancing the effectiveness and efficiency of the legal services community.

Question. How important, in your view are command or operational—i.e., nonlegal—assignments for field grade Marine judge advocates for their career and professional development?

Answer. The opportunity to serve in command, operational, and other nonlegal billets is essential to the development of Marine judge advocates. We both consider, and are of the firm opinion, that our judge advocates are unrestricted line officers. For the past 50 years, we have maintained this approach because we believe service in nonlegal billets makes our judge advocates better Marine officers and better legal advisors. An analogy is to pilots who serve as forward air controllers with our combat arms maneuver units becoming better equipped to provide close air support as a result of their time out of the cockpit and on the ground with front-line combat units. As well, a common culture and philosophy, gained through shared professional background, experiences and hardships, builds comradeship—an essential component to establishing trust between commanders and their judge advocates. In short, service in nonlegal billets ensures that our judge advocates are fully integrated and enhances their credibility.

This integral part of the professional development of our judge advocates has also proven beneficial to a successful career. As a testament to their integration as complete MAGTF officers, our judge advocates have historically been successful on promotion boards. They have also been competitive on command selection boards attaining commands, for instance, in charge of recruit training battalions, a Marine Corps Embassy Security Group, and a School of Infantry headquarters battalion. We also do not believe that this time out of one's legal occupational specialty detracts from the overall legal mission of the Corps. The amount of time a typical judge advocate spends in nonlegal billets (including nonlegal professional schools attended after the 9 months spent in early officer training) varies but is relatively small. Over the course of a 20 year career, a Marine Judge advocate spends, on average, about 20 months in nonlegal billets.

Question. What is your understanding of the respective authorities and responsibilities of the Staff Judge Advocate to the Commandant and the Judge Advocate General of the Navy over the performance of the military justice mission within the Marine Corps and by judge advocates who are assigned military justice duties?

Answer. My understanding is that the JAG has the responsibility and authority to set policy and oversee the performance of the USMC and USN military justice mission at the departmental level. The Marine Corps and the U.S. Navy have the service responsibility and authority to oversee execution of the mission and to oversee the performance of judge advocates performing legal duties, including military justice.

Question. If confirmed, will you support the Independent Panel in investigating possible means of improving the Navy-Marine Corps legal team?

Answer. Yes, the Marine Corps welcomes, and I fully support, the Independent (506) Panel reviewing possible means of improving the Navy-Marine Corps legal community. I also trust the panel will recognize the unique role of the Marine Corps and our unique requirements. I am confident that our participation in the Panel will be comprehensive and transparent.

RECAPITALIZATION

Question. The Marine Corps intends to concurrently recapitalize several of its front line systems. The MV–22 Osprey tiltrotor aircraft, the Expeditionary Fighting Vehicle (EFV), and the Joint Strike Fighter (JSF) are all scheduled to be in production at the same time.

Do you believe that these production plans are realistic in light of the demands on resources imposed by maintaining current readiness?

Answer. Procuring new aircraft, vehicles, and equipment, while maintaining current readiness, is a continual and long-term process of balancing demands on resources to man, train and equip the Corps. The ongoing transition to the MV–22 and the future migration to the JSF and EFV are optimized to ensure an operational equilibrium across the Marine Corps.

The EFV program is a component of our developing ground tactical vehicle strategy, and the full impact of its affordability versus capability will be defined in that document once published.

We are procuring MV–22s at a rate that retains assault support readiness, and as recently demonstrated in OIF and OEF this aircraft delivers battlefield effectiveness in support of ground forces. We are confident in the rate of procurement and transition of the MV–22 and the need to realize our planned buy of 360 aircraft. The Marine Corps TACAIR strategy for the last 11 years has been to forego procuring new variants of legacy aircraft. It was our decision that continuing to buy legacy airframes left us with the inherent obsolescence, high ownership cost and fatigue life issues associated with those aircraft. We opted instead to transition to a

new generation aircraft that takes advantage of technology improvements, generating substantial savings in total ownership cost.

The capabilities of the F–35B enable the Marine Corps to replace three legacy aircraft types and continue to execute all of our missions. This was a wise management decision which minimized resource demands while retaining operational relevance and readiness. The planned procurement rate of the F–35B and the associated return on investment outweighs the unavoidable legacy aircraft operating and support cost increases we will incur with the F/A–18, AV–8B, and EA–6B. The timely delivery of the F–35B Short Take Off and Vertical Landing (STOVL) remains critical to maintaining current and future readiness.

Question. Is it your understanding that MV–22 readiness rates in Iraq, Afghanistan, and in the United States have achieved desired levels?

Answer. While our deployed MV–22 units have met all expectations placed on them in theater and are accomplishing their assigned missions around the world, we are not satisfied with our readiness rates. We have acknowledged this issue and are working on multiple fronts to improve aircraft readiness.

Question. In your view, will the MV–22 be sustainable over time at an acceptable cost?

Answer. Yes, it will be sustainable over time. Reducing operating costs for the MV–22 is an issue our government-industry team is addressing. Our coordinated strategy will provide incremental improvements over time. Component modification, improved maintenance, and diligent supply support practices are being implemented to reduce component removals and increase component availability.

Question. What is your understanding of the steps that the Marine Corps and the contractor are taking to reduce costs and increase MV–22 readiness rates?

Answer. Our government-industry team has a coordinated strategy to increase readiness rates while reducing costs. This strategy is spiral in nature and will provide incremental improvements over time. Short term, we will procure spares at the correct range and depth, both to overcome inaccurate engineering estimates of component failure rates and to incorporate rapidly a select number of redesigned components.

Simultaneously, our team is working on the program's long-term health and cost reduction with a three-pronged approach. First, we are focused on redesigning the specific components that are continuous degraders for the fleet. Second, we are improving maintenance practices and shifting to lower repair levels in order to achieve the most cost-effective and efficient means of component repair. Third, our team is ensuring industry raises parts production capacity to meet demonstrated demand while designating additional candidates for potential redesign and retrofit. The full implementation of these three efforts will allow us to achieve our desired readiness levels while reducing overall aircraft life cycle costs.

AVIATOR AS COMMANDANT

Question. If you are confirmed, you would be the first commandant to be an aviator. This achievement could bring particular new perspectives as well as potential challenges.

What particular perspectives do you believe you would bring to the job of Commandant from your experiences with a career in aviation?

Answer. Marine officers at all levels are first and foremost marines—an ethos transcending occupational specialty or categorization into classes, corps or branches of specialty. Although I am aviator by trade, for the last 8 years I have been in command at various levels to include an Aircraft Wing in combat and a MEF comprised of 60,000 marines. I served as Deputy Commandant for Combat Development and Integration, overseeing all USMC warfighting requirements. For the last 2 years, I have served as the assistant Commandant of the Marine Corps, fully engaged in the pressing issues of readiness, training and equipping that impact our Corps. That is the perspective I will bring to the job of Commandant if confirmed.

Question. What challenges, if any, do you believe you would need to overcome as the first aviator serving as Commandant?

Answer. If confirmed, I do not foresee any challenges serving as Commandant stemming from my background as an aviator.

TACAIR INTEGRATION

Question. Under the so-called TacAir Integration Program, the Department of the Navy has integrated certain Marine Corps F/A–18 squadrons into its carrier air wings and deployed them as part of carrier battle groups. You commanded such a squadron. Additionally, some Navy squadrons are supposed to support Marine Corps land-based deployment commitments.

From your perspective, how well has this program worked to support both carrier-based and land-based deployments?

Answer. From my perspective, I believe TACAIR integration is a mutually supportive Navy-Marine Corps concept that has worked well. TACAIR integration provides the Department of the Navy with the flexibility to employ sea-based squadrons and move those squadrons ashore when required, and to surge both Navy and Marine Corps nondeployed squadrons to project dominant and decisive offensive power from the sea or ashore in support of combatant commanders and joint force objectives. The continued integration of naval aviation TACAIR units provides the framework for the Navy and Marine Corps to enhance further our core combat capabilities and provide a more potent, cohesive, and sustainable fighting force.

Question. What, if any, have been the problems with this program that you have seen?

Answer. There are no problems that I am aware of with TACAIR integration. TACAIR integration has increased the tactical acumen and interoperability of our pilots with those of the U.S. Navy. We continue to meet our obligations under the current TACAIR Memorandum of Understanding, TACAIR Memorandum of Agreement and TACAIR Integration Team Charter; and we look forward to increasing the Marine Corps' participation in 2012.

Question. As the Marine Corps shifts from operating F/A–18 aircraft to F–35B aircraft, how will that affect the current TacAir Integration Program?

Answer. The Marine Corps commitment to TACAIR integration is enduring, and our participation will continue after the introduction of the JSF. During the transition, the Marine Corps will continue to have F/A–18 squadrons integrated with Navy Carrier Air Wings through 2021, which is when the Marine Corps anticipates transitioning its last Active component squadrons to the JSF. TACAIR integration is more than single-seat F/A–18s aboard the carrier, however. Marine Corps AV–8Bs have been deploying aboard L–Class U.S. Navy ships for almost 30 years (the first deployment for AV–8 was aboard the USS *Tarawa* in October 1980), and that relationship will continue as the Marine Corps acquires the F–35, with a vision of an all-STOVL force.

ARMY AND MARINE CORPS CAPABILITIES

Question. What are your views regarding the joint development and acquisition of Army and Marine Corps equipment?

Answer. Where it makes sense, I am a big proponent of joint development and acquisition with the Army, especially given our respective history working in a joint capacity during the prosecution of land campaigns. The Army and Marine Corps are well harmonized in the development and acquisition of equipment. The Army-Marine Corps Board has provided a great forum to identify and discuss areas of divergence and allow us to turn them into areas of convergence. We team well in those venues where we have common requirements and on those platforms we should be addressing jointly.

I would like to stress, however, that the focus on joint acquisition should neither negate nor preclude an appreciation of an equal need for Service-specific programs or ones vital to legislatively-mandated Marine Corps competencies, which in some instances are truly divergent from those of the Army. The Marine Corps is a unique, combined arms, amphibious force unlike any other on the world stage and as such maintains unique needs that merit appreciation.

Question. Do you believe the Joint Staff should have a role in synchronizing Army and Marine Corps requirements and service programs?

Answer. I think the Joint Staff plays an essential role in the requirements, synchronization and validation cycle between the Army and Marine Corps and that such mechanisms currently exist via processes inherent in the Joint Requirements Oversight Council (JROC) and the Joint Capabilities Integration Development System (JCIDS).

Question. What programs would you consider to be candidates for joint program development for the Army and Marine Corps?

Answer. While this list is neither restrictive nor exhaustive, I think there may be opportunities for joint program development for the Army and Marine Corps in areas such as intelligence programs addressing collection and dissemination, common logistics systems such as Cargo UAS, unmanned aerial systems, indirect fire assets and command and control programs.

EXPEDITIONARY FIGHTING VEHICLE PROGRAM

Question. During the fiscal year 2011 budget deliberations, Secretary Gates decided to continue the EFV Program in research and development to see whether the

redesigned EFV can achieve better reliability goals. Since that decision Secretary Gates has called into question various aspects of opposed amphibious landings in the future, including the costs and performance of the EFV program.

Is there an enduring requirement for the capability to conduct opposed amphibious operations? If so, at what scale?

Answer. There is absolutely an enduring requirement for the capability to conduct opposed amphibious operations; in simple terms this gives the United States an assured access capability under any circumstances. America remains a maritime Nation with global responsibilities. The majority of the world's population lives within 200 miles of the sea. The Marine Corps-Navy team provides the Nation's only assured access force that can come from the sea to project and sustain power ashore in this environment. Seaborne amphibious forces provide a maritime power like the United States significant advantages including the ability to overcome the tyranny of distance and project power where we have no basing or infrastructure. The amphibious capability inherent in the Marine Corps also provides a powerful deterrent that is central to our National Security Strategy.

Question. What is your view of the EFV and the role that it may play in future Marine Corps operations?

Answer. The EFV program will help to fill a current gap in littoral capabilities and supports a waterborne assault capability the United States cannot live without—assured access and forcible entry from the sea. If the Nation wants the ability to come from the sea, it needs an amphibious tractor that is also a fighting vehicle for use across the continuum of threats and at every scale in the littorals. I am convinced of that. A modern amphibious tractor is required to maneuver the ground combat forces of the Marine Air Ground Task Force, a balanced air/ground team.

Question. Would the Marine Corps be able to conduct opposed amphibious landings with the capability promised by the EFV?

Answer. The Marine Corps will maintain the capability to conduct opposed amphibious landings with the EFV. The EFV's ability to conduct high speed maneuver at sea as well as on land, combined with its weapon, communication, and protective systems make it a highly-survivable and lethal capability suitable for opposed landings as well as hybrid threats that accompany counter-insurgency environments. The program also includes a force protection component for use once ashore which consists of an underbody applique armor kit, employed to enhance survivability against IEDs, much as the Bradley and M1A2 underbelly appliquès are employed. The range and speed of the EFV, up to 26 knots or greater, allows for a substantial over-the-horizon launch process, providing stand-off that protects our naval amphibious ships from high-end littoral threats, such as anti-ship ballistic missiles.

Question. Would the Marine Corps and the Navy be able to conduct opposed amphibious operations against capable adversaries without an armored vehicle with the attributes of the EFV?

Answer. The Marine Corps and Navy have the ability now to conduct opposed amphibious landings against capable adversaries with our current amphibious vehicles, helicopters, and other equipment. My concern would be that our current amphibious vehicles are 40 years old, slow, and not equipped with a potent main gun to deal with the continuum of threats a formidable opposed landing could present. They require Navy vessels to be at closer ranges to the littorals exposing them to greater mine and anti-ship missile threats. In an era of increasing challenges to access, the capabilities of a vehicle like the EFV afford our amphibious ships the maneuver space and stand-off distance to better counter anti-access weapons.

SEA BASING

Question. The Sea Base has long been envisioned as an element of the Department of the Navy's future concepts and had been seen as one of the centerpieces of the future force. In particular, the Maritime Prepositioning Force-Future (MPF–F) was being designed to support future Marine Expeditionary Brigades with logistics at sea to avoid having to rely on a large logistics footprint ashore.

What compromises in future war fighting concepts or capabilities has the Marine Corps had to make to compensate for the elimination of the MPF–F program in its original design?

Answer. The MPF–F program has been restructured into an enhanced Maritime Prepositioning Ships program that will not be capable of the full range and depth of sea-based operations that we envisioned with MPF–F. However, we are continuing to examine how we will execute seabasing with the capabilities provided by the improvements being made to MPF. We are using capabilities that include additional high-speed intra-theater lift, improved connectors that can transfer people and materiel at-sea, enhanced maritime prepositioning, and integrated naval logis-

tics. These and other emerging initiatives are and will be employed in combination to continue to capitalize on existing Seabasing capabilities as well as reduce the joint force's reliance on ports in the operational area.

Question. Will the Marine Corps' be more vulnerable to anti-access strategies in the future due to the elimination of the MPF–F?

Answer. The differences in our fleet without MPF–F—the loss of three Aviation capable ships, three Large Medium-Speed Roll-On/Off (LMSR) Platforms, and changes to the three Mobile Landing Platforms (MLP)—means we will have a loss of sea-basing enabling capabilities. We simply will not have the capability we would have had with MPF–F.

However, the addition of three Mobile Landing Platforms and three T–AKE auxiliary dry cargo ships to the Maritime Prepositioning Ships (MPS) squadrons, coupled with MPS's existing LMSR cargo ships, will enable the MPS squadrons to conduct true at-sea, sea-state three selective offload of vehicles, personnel, and equipment without complete reliance on fixed ports ashore. While not all of the MPS ships and stocks will be able to execute at-sea offload and maneuver ashore as envisioned in the MPF–F program, the introduction of MLPs, T–AKEs, and LMSRs provide the Navy and Marine Corps a substantial first step in attaining the full range of sea-basing capabilities. As stated in the Report to Congress on Annual Long-Range Plan for Construction of Naval Vessels for fiscal year 2011, the Navy intends to procure three MLPs to fulfill this capability. These ships will provide concept validation, operational testing and an incremental operational capability.

AMPHIBIOUS FLEET REQUIREMENTS

Question. In the spring of 2010, Secretary Gates made several public statements in which he appeared to question the need for and size of the Navy's amphibious fleet in future defense plans and budgets.

What is your view of the need for and size of the Navy's amphibious fleet?

Answer. The requirement for amphibious ships that has been agreed to within the Department of the Navy (DoN) is 38 ships; we have accepted risk down to 33 ships. This number gives a capability needed for both steady state operations and represents the minimum number of ships needed to provide the Nation with a credible sea based power projection capability of the assault echelon of two brigades—with risk. However, we currently have 31 amphibious ships with that number possibly falling even lower. So, I am concerned about the size and health of our current and future amphibious fleet.

Combatant commanders have increased demand for forward-postured amphibious forces capable of conducting security cooperation, regional deterrence, and crisis response. In the past 20 years, U.S. amphibious forces have responded to crises and contingencies at least 104 times—a response rate more than double that of the Cold War.

Amphibious ships are useful, flexible warships—ideal for the current and future demand signal for building partnership capacity and conducting NEOs and HA/DRs, as we are currently doing in Pakistan in response to the floods there. The inherent flexibility and utility of amphibious forces is not widely understood, as evidenced by the frequent—and erroneous—assumption that "forcible entry capabilities" alone define the requirement for amphibious ships. The greatest employment of amphibious ships is for steady state engagement and crisis response.

Question. What are the alternatives if the amphibious fleet is allowed to decline in size or capabilities?

Answer. If the amphibious fleet is allowed to decline in size or capabilities, our Nation will have a diminished capacity to support the objectives of the National Security Strategy—forward presence, building partners, deterring aggression, and assuring access.

F–35 REQUIREMENTS

Question. The Marine Corps has stated that its F–35 requirement is 420 aircraft. The total number of F–35s planned for the Department of the Navy is currently set at 680.

To your knowledge, has the allocation of F–35s between the Navy and the Marine Corps been established?

Answer. The allocation of F–35s within the Department of Navy by specific variant—the F–35B STOVL and the F–35C carrier variant—has not been established; and I feel such a decision would be premature at this time. We are committed to making a decision at the earliest opportunity based upon F–35 program maturity as defined by discrete and successful program events and accomplishments to include F–35B test burn down; F–35B/L–Class sea trials; F–35C test burn down; F–

35C/CVN sea trials; and an assessment of F–35B/CVN interoperability. Upon completion of these and other key program milestones, the Marine Corps will determine the proper allocation of F–35 variants to support our operational commitments and remain the expeditionary force in readiness the Nation demands.

Question. What is your understanding of when Congress will be informed of this allocation?

Answer. I anticipate this decision could be made after the completion of the JSF program System Development and Demonstration (SDD) phase in accordance with the F–35 program restructure.

Question. Do you believe that the current plan for 680 aircraft can fully accommodate the needs of both the Navy and the Marine Corps?

Answer. The Marine Corps remains committed to the DoN's F–35 Program of Record (POR) to procure 680 aircraft. Since 2001, the Marine Corps has consistently stated, documented and periodically re-verified a TACAIR requirement to meet our operational demands and commitments as being 420 F–35B JSF aircraft. Our inventory projection is based on detailed projected and historical operational analysis, optimization of JSF multi-mission capabilities, complete legacy TACAIR replacement by the F–35B, and expected improvements in reliability, maintainability, and survivability.

JOINT FORCES COMMAND

Question. In your view, what is the appropriate role for the U.S. Joint Forces Command (JFCOM) with respect to Marine Corps experimentation, acquisition, and exercise planning and execution?

Answer. The greatest impact that JFCOM has is through its influence on joint standards, experimentation and harmonization. It is appropriate for JFCOM to work in partnership with the regional combatant commanders to coordinate and synchronize worldwide joint exercises, provide joint training models and scenarios, and establish joint training tasks, conditions, and standards. With respect to acquisition programs, while we do not want to sacrifice what are truly unique contributions to national security in the name of jointness, it is important to consider alternatives. JFCOM can serve as a catalyst for this consideration through its experimentation efforts.

NAVAL SURFACE FIRE SUPPORT

Question. The DDG–1000 program was initiated to fill the capability gap for naval surface fire support. The original requirement for 24 to 32 DDG–1000 ships, each with 2 155mm Advanced Gun Systems (AGSs), was reduced to 12 ships, then to 10 ships, then to 7 ships, and finally to 3 ships.

In your view, does this significant reduction in the number of DDG–1000 destroyers meet the Marine Corps' requirement for naval surface fire support?

Answer. Any reduction in naval platforms designed to contain a capability to contribute to the Marine Corps' overall requirement for naval surface fire support, with its proven record of an all-weather capability to provide precision, volume and lethality, is something of concern. However, I am confident the Navy can provide the surface fire support that we need in the Marine Corps with its current and future fleets. The Corps has an enduring requirement for fire support from naval vessels in the range of 41–63 nautical miles to support amphibious operations in the littorals. These fires are ones needed by tactical commanders to maneuver towards battlefield objectives once ashore. The 3 DDG–1000 ships, each with 2 AGS, 600 round magazines and employing the Long-Range Land Attack Projectiles can be augmented with surface fires from virtually all current surface combatants with their 5-inch conventional ammunition capability.

Question. What other capabilities would you rely upon to help meet naval surface fire support requirements?

Answer. The Marine Corps adheres to the concept of a balanced and complementary use of the joint triad of fires. So, we will rely on other components of the joint triad of fires to include tactical aviation (Marine aviation and Carrier based naval aircraft) and ground fire systems. We also look towards the possibility of Air Force support. I am in favor of an all-weather system with lethality, volume and precision such as the AGS. I also support ongoing research and development efforts of transformational naval surface fire systems like the Electromagnetic Rail Gun.

JOINT ACQUISITION PROGRAMS

Question. What are your views regarding joint acquisition programs, such as the Joint Tactical Radio System and the JSF?

Answer. Joint acquisition programs work well when there is a commonality of mission and function, and when the Services involved are willing to work together and fully resource the effort to its conclusion. There have been some challenges with our Joint Tactical Radio System program. However, as the Marine Corps continues to participate in the Joint Tactical Radio System program, we find joint waveforms being developed that not only enhance the interoperability of the program but also that provide a more robust communications capability for the deployed war-fighter. Equally significant are the Joint Mine Resistant Ambush Protected Vehicle and the Joint Light Tactical Vehicle. These are current examples of programs where the Marine Corps and the Army have joined to produce a common solution.

As it relates to joint and multinational acquisition of the JSF, there has been a directed effort towards design commonality into all aspects of the F–35 program. This will minimize acquisition and operating costs of Marine Corps tactical aircraft and will drive enhanced interoperability with the U.S. Air Force and the U.S. Navy along with the nine partner nations participating in the development of this aircraft. Unique to the STOVL variant is the additional benefit from collaboration in training, operations, and support with the British Royal Navy, British Royal Air Force, Italian Navy and Italian Air Force. We share common capability requirements and the need for basing flexibility, ashore and afloat, and these shared goals result in savings in development, procurement, and sustainment costs.

Question. Do you see utility in encouraging the Services to conduct more joint development, especially in the area of helicopters and unmanned systems?

Answer. Yes, there is clear utility in our continuing to exercise a preference for joint programs. Economy is gained throughout the life-cycle of such programs. We are always looking for opportunities to capitalize on the investments that our sister Services have committed or to join together in a common endeavor that will save us both precious development and production dollars. The positive impact of common systems on training, sustainment and interoperability are clear from my perspective.

Regarding unmanned systems, the real utility is in development of joint technical standards that will allow each service to modify existing command and control systems and unmanned systems to develop Joint or Service specific systems that will be interoperable. We need to specify these standards to industry to decrease cycle times and increase interoperability in this critical capability area.

Question. If so, what enforcement mechanisms would you recommend to implement more joint program acquisition?

Answer. Mechanisms and regulations currently in place seem adequate. However, with greater complexity of joint systems, particularly in the area of command and control, the need for the most qualified program managers and visionary governance becomes vital. For any joint program, ensuring the right number and mix of subject matter experts from each stakeholder is paramount to informing leadership in making appropriate risk-based decisions that consider the larger impact across DOD.

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 Commandant of the Marine Corps?

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

CHALLENGES AHEAD

1. Senator INHOFE. General Amos, the 2010 Quadrennial Defense Review objectives are significant undertakings for our armed services: prevail in today's wars, prevent and deter conflict, which includes fighting a two front war, prepare to defeat adversaries and succeed in a wide range of contingencies, and preserve and enhance the All-Volunteer Force. In our current defense budgeting, we are mortgaging our future warfighting capability by reducing our modernization and research and development efforts in order to meet the near-term threats that have consumed our force for the last 9 years. Our equipment, such as aircraft, naval vessels, ground combat vehicles, and helicopters are in many instances legacy equipment, having for the last several decades been upgraded but not replaced. Just like the Army, the Marine Corps has been at war for 9 years in both Afghanistan and Iraq and suffering the impacts: high operation tempo, casualties, and higher rates of wear and tear on equipment. Suicides in both the Marine Corps and the Army remain high. Personnel costs, due to medical costs, have increased exponentially. Programs are being cut, efficiencies are being sought, and savings are being pursued. In your view, what are the major challenges that will confront the next Commandant of the Marine Corps?

General AMOS. The major challenges facing the next Commandant of the Marine Corps center on continuing to provide the marines fighting in Afghanistan the very best training, equipment, and support possible while ensuring the Marine Corps is ready for the uncertain threats of the future, all during what we anticipate to be a very challenging fiscal climate.

We are at war and that must be our highest priority. At the same time, we must balance our capabilities to do what the Nation will likely ask of its marines in the coming decades. Additionally, as the Nation's premier Expeditionary Force in Readiness, the Marine Corps must always be ready to answer the call to do whatever the President may direct.

The impact of 9 years of war has been significant, and the wear and tear on our equipment has taken a toll. The Marine Corps will require additional funding for several years after the end of operations in Afghanistan to reset our equipment.

The cost of war has been felt most keenly by our wounded marines and sailors and their families. If confirmed, I will build on the tremendous work of General Conway to care for our wounded and their families.

Fiscal realities place an additional strain in meeting our challenges and priorities. Difficult choices will have to be made. If confirmed, I will work with the Chief of Naval Operations and Secretary of the Navy to ensure that the Navy-Marine Corps team continues to provide the Nation a force capable of coming from the sea across the full range of military operations.

2. Senator INHOFE. General Amos, assuming you are confirmed, what plans do you have for addressing these challenges?

General AMOS. If confirmed, I will continue to work with the Secretary of the Navy to ensure that we have the fiscal resources to support the war in Afghanistan while maintaining the Corps' ability to respond across the full range of military operations, now and in the future. I will work with the deputy commandants of the Marine Corps to develop plans to ensure our readiness to meet future requirements. At the same time, I will work to ensure that we retain our capability, along with the Navy, to carry the fight from the sea ashore to any adversary that would threaten our national security.

3. Senator INHOFE. General Amos, if confirmed, what broad priorities would you establish in terms of issues which must be addressed by the Commandant of the Marine Corps?

General AMOS. Our first priority will be to continue to ensure that our marines deployed in harm's way have everything they need to fight and win. Caring for the welfare of our marines and their families will also be a priority. For marines, looking to their welfare means providing them the absolute best training, equipment, and support. Therefore, I will work to ensure that our training, from boot camp through senior level professional military education and every step in between, incorporates the lessons learned in combat to make our marines more resilient, more ready, and more effective on the complex battlefield we see today and in the future.

I will build on the tremendous foundation that has been established in our family readiness and wounded warrior programs. The strains of war require robust, effec-

tive support for the needs of our families and our wounded marines. These efforts will not be reduced when combat operations in Afghanistan are over. They will require sustained support to ensure that we honor the sacred trust the Nation has with those who serve and those who pay the heaviest price.

We must ensure that we maintain the sustainable deployment to dwell ratio of about 1:2 for our force while fighting a war. A deployment to dwell ratio worse than 1:2 increases the stress on personnel and limits our ability to be ready for the broad range of threats and challenges the Nation will face. Our goal during peace is a 1:3 deployment to dwell ratio.

We must ensure that we provide our marines the equipment and support they need. People, equipment, and programs all cost money, and difficult decisions will have to be made. If confirmed, I will do my best to ensure that those decisions support a Marine Corps that remains the ready and capable force that the Nation has come to expect.

4. Senator INHOFE. General Amos, what recommendations would you have for controlling the rising cost of personnel?

General AMOS. We have the world's most competent, professional and ready military, but that comes at a tangible cost. Any cost-saving measures must consider the possible negative effects on the dynamic of an All-Volunteer Force and our needs for national security. Our force structure review that begins in September will address our posture and organization for the future security environment and will give us a better insight into personnel requirements over the long term.

5. Senator INHOFE. General Amos, as the Marine Corps has the highest percentage of servicemembers who leave after their first term, what is your assessment of the adequacy of compensation and benefits available for noncareer servicemembers?

General AMOS. The Marine Corps is a high-intensity, physically-demanding military organization that requires a younger demographic (i.e. 17–25 year olds) to meet force structure requirements. This demographic often has intentions of serving for only one term, especially as it relates to the combat arms occupational specialties. In my estimate, compensation and benefits are adequate to meet our recruiting and retention goals.

6. Senator INHOFE. General Amos, what do you consider to be the most essential elements supporting the quality of military life for marines and their families?

General AMOS. I consider the essential elements impacting quality of life for our marines, sailors, and their families to be dwell time, housing, schools, medical care, community services, and pay and benefits. If confirmed, my goal as it relates to quality of life will be to strive to ensure that marines and their families have availability and access to quality facilities and family support programs, as well as resources and benefits that afford a respectable, decent and healthy standard of living. I would also push for a continued dwell time ratio of 1:2 or better, which is important to maintaining a good quality of life for all marines and our assigned sailors.

7. Senator INHOFE. General Amos, what areas should not be cut?

General AMOS. I believe there should be caution and judiciousness used when considering cuts to programs impacting our marines, sailors, and their families' quality of life such as housing, schools, medical care, community services, and pay and benefits. The current fiscal environment may introduce budgetary challenges and responsibility to maintain an appropriate balance of programs offered by Marine Corps Community Services (MCCS). I will advocate for sustainment of vital MCCS programs like ones funding family readiness officers, behavioral health resources, exceptional family member and child care as well as other programs in support of our single marines. I will advocate for retention of our current end strength to ensure the 1:2 dwell time we are just now achieving endures amidst existing force requirements at war. In the midst of any discussion on budgetary cuts, I will ensure the needs of the Marine Corps are properly communicated to the Department of Navy, Department of Defense (DOD), and Congress.

DON'T ASK, DON'T TELL

8. Senator INHOFE. General Amos, when Don't Ask, Don't Tell was first implemented in 1993, I was staunchly against it and any recognition of homosexuals serving in the armed services. As I see it now, the policy approved in 1993 has worked. Earlier this year, in public testimony, General Conway, your predecessor, along with the other Service Chiefs, collectively stated that a review be conducted first to fully

assess the situation and then, only then, make a decision as what is the best way forward. What is your view of the current Don't Ask, Don't Tell policy, and its impact on the Marine Corps?

General AMOS. In my view, the current law (and associated policy) has been a reasonable compromise between the unique requirements of military service and the aspirations of qualified citizens who are interested in military service. I would characterize its impact on the Corps as being minor; about two tenths of 1 percent (.2 percent) of the roughly 626,000 marines discharged since 1993 were released for reasons of homosexuality.

9. Senator INHOFE. General Amos, in your personal view, should the current policy be repealed? Why or why not?

General AMOS. In my personal view, the current law and associated policy have supported the unique requirements of the Marine Corps, and thus I do not recommend its repeal. My primary concern with proposed repeal is the potential disruption to cohesion that may be caused by significant change during a period of extended combat operations. Furthermore, I'm concerned that a change now will serve as a distraction to marines who are tightly focused at this point on combat operations in Afghanistan. The Secretary of Defense has instituted a comprehensive review of the law and policy, and that review should tell us a lot about whether such a change will be disruptive to unit cohesion. The review will also provide insights into how, if Congress approves of a change in law and the President signs it, the DOD should develop policy for its implementation.

TACTICAL AIRCRAFT

10. Senator INHOFE. General Amos, as I understand it, the Marine Corps intends to concurrently recapitalize several of your critical systems. I am glad to hear you reference your tactical aircraft strategy—foregoing procurement of new variants of legacy aircraft and vehicles, in particular the Osprey. The MV–22 Osprey tilt-rotor aircraft, the Expeditionary Fighting Vehicle (EFV), and the Joint Strike Fighter (JSF) are all scheduled to be in production at the same time. You have stated that your F–35 requirement is 420 aircraft. The total number of F–35s planned for the Department of the Navy is currently set at 680. Just like with the Future Combat System, the DDG–1000 destroyer, the F–22, and several other programs, I am concerned with Secretary Gates' comments that have called in to question the need for the EFV. Secretary Gates has also questioned the need for and size of the Navy's amphibious fleet in future defense plans and budgets. Your statement of "Procuring new aircraft, vehicles, and equipment, while maintaining current readiness, is a continual and long-term process of balancing demands on resources to man, train, and equip the Corps" is very appropriate and one that resonates significantly with me. As with all of the Services, I remain concerned with the great propensity to over mortgage our future for the near-term fight. While I do not discount the demands created by operations in Iraq and Afghanistan, I feel strongly that we must continue to substantially fund research, development, testing and evaluation efforts, striving to provide the best systems we can to the force. Do you believe that your production plans are realistic in light of the demands on resources imposed by maintaining current readiness?

General AMOS. Procuring new aircraft, vehicles, and equipment, while maintaining current readiness, is a continual and long-term process of balancing demands on resources to man, train, and equip the Corps. The ongoing transition to the MV–22 and the future migration to the JSF and EFV are optimized to ensure an operational equilibrium across the Marine Corps.

The EFV program is a component of our developing ground tactical vehicle strategy, and the full impact of its affordability versus capability will be defined in that document once published.

We are procuring MV–22s at a rate that retains assault support readiness, and as recently demonstrated in Operation Iraqi Freedom (OIF) and Operation Enduring Freedom (OEF) this aircraft delivers battlefield effectiveness in support of ground forces. We are confident in the rate of procurement and transition of the MV–22 and the need to realize our planned buy of 360 aircraft. The Marine Corps TACAIR strategy for the last 11 years has been to forego procuring new variants of legacy aircraft. It was our decision that continuing to buy legacy airframes left us with the inherent obsolescence, high ownership cost and fatigue life issues associated with those aircraft. We opted instead to transition to a new generation aircraft that takes advantage of technology improvements, generating substantial savings in total ownership cost.

11. Senator INHOFE. General Amos, what is your view of the EFV and the role that it may play in future Marine Corps operations?

General AMOS. The EFV program will help to fill a current gap in littoral capabilities and supports a waterborne assault capability the United States cannot live without—assured access and forcible entry from the sea. If the Nation wants the ability to come from the sea, it needs an amphibious tractor that is also a fighting vehicle for use across the continuum of threats and at every scale in the littorals. I am convinced of that. A modern amphibious tractor is required to maneuver the ground combat forces of the Marine Air Ground Task Force, a balanced air/ground team.

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Combatant commanders have increased demand for forward-postured amphibious forces capable of conducting security cooperation, regional deterrence, and crisis response. In the past 20 years, U.S. amphibious forces have responded to crises and contingencies at least 104 times—a response rate more than double that of the Cold War.

Amphibious ships are useful, flexible warships—ideal for the current and future demand signal for building partnership capacity and conducting NEOs and HA/DRs, as we are currently doing in Pakistan in response to the floods there. The inherent flexibility and utility of amphibious forces is not widely understood, as evidenced by the frequent—and erroneous—assumption that "forcible entry capabilities" alone define the requirement for amphibious ships. The greatest employment of amphibious ships is for steady state engagement and crisis response.

13. Senator INHOFE. General Amos, what is the allocation of F–35s between the Navy and the Marine Corps?

General AMOS. The Marine Corps remains committed to the DoN's F–35 Program of Record to procure 680 aircraft. Since 2001, the Marine Corps has consistently stated, documented and periodically reverified a TACAIR requirement to meet our operational demands and commitments as being 420 F–35B JSF aircraft. Our inventory projection is based on detailed projected and historical operational analysis, optimization of JSF multi-mission capabilities, complete legacy TACAIR replacement by the F–35B, and expected improvements in reliability, maintainability, and survivability.

14. Senator INHOFE. General Amos, how will the Marine Corps balance the near-term fight requirements with the need to ensure it remains a technologically advanced force?

General AMOS. Our marines in the near-term fight are unquestionably the priority. In ensuring that we enable their success, we will continue to focus on their requirements—both at home and overseas. To accomplish this goal, we will continuously and closely monitor where we accept risk. In terms of technological advantage, we recognize that we have to guard against over-reliance on technology as a solution in and of itself. Leveraging the advantages of technology we currently have to enhance the abilities of our marines and sailors is where we can continue to capitalize on our tremendous existing advantage.

15. Senator INHOFE. General Amos, what systems are critical in maintaining that technological edge?

General AMOS. I do not see one particular system or asset as critical to maintaining a technological edge. The individual marine remains the single greatest determinant of success in any endeavor. Our ability to leverage mature and applicable technology to sharpen the skills and intellectual abilities of our marines and sailors is what I see as critical to both realizing the true value of any initiative and maintaining a technological edge.

SUICIDE PREVENTION

16. Senator INHOFE. General Amos, you outlined some of the critical Marine Corps systems and services in your prepared statement that are applied against the mental health issues we are facing . . . DSTRESS [behavioral health counseling service]; "by Marine—for Marine" [marines counseling marines]; DOD Joint Task Force on the Prevention of Suicides; and your Operational Stress Control and Readiness program. There has been significant debate over the topic of suicides amongst servicemembers and veterans. You were part of the panel for the Senate Armed Services Committee hearing on suicides a few months back. As we discussed during that hearing, though much has been done to combat suicides, we still struggle to gain a clear understanding as to the best means of prevention. As you well know, I have special interest in how Traumatic Brian Injury (TBI) and Post Traumatic Stress Disorder are creating the conditions for these acts. I remain concerned and frustrated that there seems no one concrete solution to these problems, some 8 years later. As you have highlighted, the Marine Corps suicide rate has been increasing over the last 3 years: 33 in 2007; 42 in 2008; and 52 in 2009. Specific to TBI, you, along with the other Service Chiefs, stated that Automated Neuropsychological Assessment Metrics (ANAM) is not a good method of determining the impacts of a TBI event during the post deployment screening. In the 2008 National Defense Authorization Act, Congress directed DOD to utilize ANAM for both pre- and post-deployment screenings. If confirmed, what changes in policies, programs, and practices would you make to reverse this trend in Marine Corps suicides?

General AMOS. Over the past 2 years, the Marine Corps has instituted several policies, programs, and practices that have been well received among our marines and may be showing the signs of a positive effect. We are going to use these positive indicators to inform and shape our suicide prevention efforts. I believe that the best means of preventing suicides is through engaged, focused leadership that is sensitive to risk factors, warning signs, and the personal stressors that detract from our marines' quality of life. In that regard, we are taking the following actions:

- Along with the Vice Chief of Staff for the Army, General Chiarelli, I provided the framework for event-based TBI evaluations that have been adopted in a DOD Directive Type Memorandum and a CENTCOM order. We are using these evaluations right now in Afghanistan and they have significantly increased the likelihood that a marine who suffers a concussive injury will receive the appropriate medical care.
- We have established Combat and Operational Stress Control for general application and Operational Stress Control and Readiness for deployed environments as a primary prevention tool to help marines identify and mitigate early signs of stress and to encourage them to seek help within the unit setting.
- Our noncommissioned officers (NCOs) asked me if they could take on the responsibility for lowering suicides within their ranks and we created the "Never Leave a Marine Behind" training program.
    - This new, dynamic training program is targeted directly at the NCOs and it has been overwhelmingly accepted by that peer group.
    - Since the program began 1 year ago, NCO suicides have decreased and they now make up a number proportional to their overall population in the Corps.
    - Because of the success of "Never Leave a Marine Behind", we are releasing a version for junior marines this month and will produce versions for staff NCOs, officers, and family members next year.
- In conjunction with Tricare Management Activity, we are piloting the DSTRESS Line, a new, confidential, 24/7 call center staffed by veteran marines, former Navy corpsmen, and civilian counselors trained in Marine Corps culture. This 'by marine—for marine' concept gives any Marine, family member, or loved one someone to talk to who can help them develop coping skills, increase resiliency, and work their way out of the personal battles confronting their lives.
- We are participating in a longitudinal research study with the National Institute for Mental Health (NIMH), called the Study to Assess Risk and Resiliency in Servicemembers.
- With peer and senior leadership, we are sending the message to every marine that getting help for behavioral health is a duty-not an option-and is consistent with our culture and our ethos.
- We are working closer than ever before with the other Services, DOD, and civilian and Federal agencies to build our programs, share our information, and put our best practices forward.

• We disseminate lessons learned from all suicide debriefs to build knowledge and senior leader awareness.

17. Senator INHOFE. General Amos, what suicide prevention initiatives should be taken, in your view, with respect to Marine Corps reservists after they have been demobilized?

General AMOS. Our reservists are a key component of the Marine Corps Total Force. Given that the signs of operational and combat stress and suicide can manifest long after a marine returns home from deployment, there are unique challenges posed for reservists who can be isolated from the daily support network inherent in one's unit and vital medical care. We will ensure that demobilization and reintegration processes for our Reserve marines following deployment, such as the Yellow Ribbon Reintegration Program, are fully supported and resourced. With that stated, there are six suicide prevention initiatives that immediately come to mind regarding our Reserve marines and sailors:

• In-theater Assessment. reservists who exhibit or are struggling with clinically significant issues should be seen by competent medical authorities and evaluated for post-deployment treatment with follow-up decisions made prior to their return home.

• Post-Deployment Health Reassessment (PDHRA). It is important that if any issues emerge during the reservist's PDHRA that they are immediately evaluated and referred for treatment by the clinician interviewer. This includes referral recommendations based on the available local resources, such as the VA, Military OneSource, private mental health providers, etc.

• Psychological Health Outreach Program (PHOP). I would urge continued delivery of the PHOP, a pilot program provided to the Navy Reserve in the NDAA for Fiscal Year 2007 and extended to the Marine Reserve in the NDAA for Fiscal Year 2010, which assists Marine and Navy reservists with screening for behavioral health, referring them for appropriate treatment, and assisting with follow up to ensure they are receiving the appropriate behavioral health services.

• Care Management Teams. The fourth suicide prevention initiative includes the VA's OIF/OEF care management teams that are a readily available resource for our reservists. That is, the VA assigns a Primary Care manager who is responsible for referral and follow-up, to any reservist who has a health care issue. I would continue to encourage Marine Forces Reserve's active duty staff at the Reserve sites to develop close working relationships with these teams.

• NCO Suicide Prevention Course. I would continue to support Marine Forces Reserve's Noncommissioned Officer Suicide Prevention Course. As of this summer, Marine Forces Reserve has 300-trained marines who can deliver the NCO Suicide Prevention Course at 130 different Reserve sites around the country.

• Telemedicine. We need to ensure there are effective mechanisms available to identify Marine reservists in need and a way to treat those who can sometimes be geographically isolated from the TRICARE networks. In this regard, I support telemedicine initiatives to help address this problem.

18. Senator INHOFE. General Amos, are there additional suicide prevention measures that should be taken by the Marine Corps, in your view, with respect to Marine veterans?

General AMOS. We will continue working at ways to reduce the stigma of seeking mental health counseling in the Marine Corps. We will make a concerted effort at working more closely with the VA to establish a substantive program to identify Marine veterans with combat stress as this is often an indicator of the potential for suicide. If we can improve our ability to identify veterans with stress-related needs, and provide them treatment, then we can potentially reduce the number of suicides among that same group.

19. Senator INHOFE. General Amos, in your opinion, why is ANAM good for predeployment but not for post-deployment cognitive assessments?

General AMOS. The Automated Neurocognitive Assessment Metrics (ANAM) test, a specific version of a neurocognitive test, obtained in the pre-deployment window serves adequately to establish a baseline for comparison later on if an individual is exposed to blast or suffers a concussion. The baseline ANAM is useful for future comparison and as such is acceptable for post-deployment testing on selected marines. However, neurocognitive assessments are focused on assessing a specific set of cognitive functions rather than evaluating the entire spectrum of possible post-

concussive problems and as such they are not designed for nor perform well as a screening test for all deploying marines.

The goal of the post-deployment screening is to identify all servicemembers who may be having persistent symptoms from a concussion/TBI and thus need further evaluation. This is accomplished primarily through the completion of the Post-Deployment Health Assessment and PDHRA. Concussion can produce a variety of symptoms (with or without cognitive dysfunction) such as headache, dizziness, insomnia, irritability, mood and anxiety disturbances in addition to isolated cognitive disturbances. Our goal is to discover and then aid all marines suffering from any post-concussion symptoms.

The Marine Corps continues to work with the medical community in research and development of an objective, simple and reproducible test procedure that can accurately distinguish between individuals with continuing post-concussive problems and marines who do not have these issues that can be administered to all deploying marines. As of now, it is our understanding that no such test exists.

READINESS OF NONDEPLOYED FORCES

20. Senator INHOFE. General Amos, I appreciate your candid remarks regarding the readiness status of the Marine Corps: deployed unit readiness has come at the expense of nondeployed units, which have sourced unstructured equipment and personnel requirements to meet the needs of our deployed forces; currently, 63 percent of nondeployed units report degraded or nondeployable levels of readiness; the largest contributing factor to decreased readiness in nondeployed units is a shortage of equipment supply; this lack of equipment impacts the ability of nondeployed forces to respond to other potential contingencies and to train for all potential missions; and an estimated reset cost of $8 billion ($3 billion for fiscal year 2011 and $5 billion upon termination of combat operations). Can you explain why there is a shortage of equipment?

General AMOS. OCO missions have placed an unprecedented demand on ground weapons systems, aviation assets, and support equipment. Despite these challenges, the Marine Corps remains committed to fully resourcing forward deployed forces with mission-capable equipment and the next-to-deploy units with sufficient training assets. To achieve this, we have taken critical equipment from nondeployed units and strategic programs to help fully equip our deployed and next-to-deploy units. Assets in theater have also experienced accelerated wear and tear due to the harsh operating environment and far exceeded planned peacetime usage rates.

In the final analysis, Marine Corps nondeployed forces are suffering the greatest shortage of equipment within the Corps due to: (1) the requirement to fully resource forward-deployed units; (2) an increase in the tables of equipment (T/E) resulting from lessons learned after 9 years of sustained combat in Iraq and Afghanistan; and (3) a strategic shift from OIF to OEF resulting in critical equipment diverted from Iraq to Afghanistan that otherwise would have been reset and returned to units in dwell.

21. Senator INHOFE. General Amos, if confirmed, what will be your priorities for maintaining readiness in the near term, while modernizing the Corps to ensure readiness in the out years?

General AMOS. My priority for readiness will be to ensure there are adequate funds to reset Marine Corps equipment for the years after we leave Afghanistan. Overseas Contingency Operations (OCO) in Iraq, Afghanistan and elsewhere have placed an unprecedented demand on ground weapons systems, aviation assets and support equipment. Assets have experienced accelerated "wear and tear" due to the harsh operating environments and have far exceeded peacetime usage rates. Many items have been destroyed or damaged beyond economical repair. Additionally, our equipment sets have been modified based on the lessons we learned in OIF and OEF about what we need to be ready for future operations.

22. Senator INHOFE. General Amos, what has prevented the Marine Corps from decreasing shortages?

General AMOS. With the help of Congress, additional equipment is being procured with supplemental funds to meet wartime demands and finite baseline funds to support equipment replacement and modernization, but is slow to arrive due to long lead times for procurement and production rates. Since the decision to build combat power in Afghanistan, operational necessity has forced us to adjust our original plans to reset our Corps.

Our equipment shortages are exacerbated by the requirement to fully resource forward deployed units in OEF, the increase in the tables of equipment (T/E), the strategic shift from OIF to OEF resulting in critical equipment diverted from Iraq to Afghanistan that otherwise would have been reset and returned to units in dwell, and the fact that OCO missions have created an unprecedented demand on equipment. Ongoing actions do continue based on our original OIF reset plan, and we continually seek to synchronize Marine Corps efforts to ensure we effectively and efficiently reset equipment to support follow-on combat operations.

[The nomination reference of Gen. James F. Amos, USMC, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
July 21, 2010.

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

The following named officer for appointment as Commandant of the Marine Corps, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 5043 and 601:

To be General

Gen. James F. Amos, USMC, 1550.

RÉSUMÉ OF CAREER SERVICE OF GEN. JAMES F. AMOS, USMC

Date of rank:
2 Jul 08

Date of birth:
12 Nov 46

Date commissioned:
15 Jan 72

MRD:
1 Dec 10

Education/qualifications:
University of Idaho, BS, 1970
The Basic School, 1972
Armed Forces Staff College, 1984
Air War College, 1997
CAPSTONE, 1998
JFLCC, 2004
Pinnacle, 2005
Leadership at the Peak, 2007
Naval Aviator
Joint Qualified Officer

Language(s):
None.

Commands:
Commanding General, II Marine Expeditionary Force (LtGen: Jul 04–Aug 06)
Commanding General, 3d Marine Aircraft Wing (MajGen: Aug 02–May 04)
Commanding Officer, Marine Aircraft Group-31 (Col: May 96–Jun 98)
Commanding Officer, VMFA–312, Marine Aircraft Group-31 (LtCol: Jun 91–Jan 93)

Joint assignments:
Chief of Staff, STRIKEFORSOUTH/Deputy CG, FMF Europe (BGen: Jun 98–Jun 00)

Service staff assignments:
Deputy Commandant for Combat Development and Integration (LtGen: Aug 06–Jun 08)
Director, Strategy and Plans Division, PP&O Department (BGen: Dec 01–Jul 02)
Assistant Deputy Commandant, Aviation Department (BGen: Jul 00–Nov 01)

Deputy Director, MAGTF Staff Training Program (LtCol/Col: Jun 93–Dec 95)
Executive Officer, Marine Aircraft Group-31 (LtCol: Jan 93–Jun 93)
Plans Officer, Marine Aircraft Group-31, 2d Marine Aircraft Wing (LtCol: Dec 90–Jun 91)
Operations Officer; Chief Instructor, The Basic School (LtCol: Jun 88–Jul 90)
Executive Officer, VMFA–212, Marine Aircraft Group-24 (LtCol: Aug 86–Jun 88)

[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. James F. Amos, 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.)
James F. Amos.

2. **Position to which nominated:**
Commandant of the Marine Corps.

3. **Date of nomination:**
July 21, 2010.

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 12, 1946; Wendel, ID.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Bonnie Jean (Covan) Amos.

7. **Names and ages of children:**
Jaymie N. Nielson, 34.
Joshua J. Amos, 32.

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 - Member.

Marine Corps Aviation Association - Member.

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

2007 - C.A. "Mack" McKinney Award, Marine Corps League, Camp Lejuene, NC, in recognition for professional dedication and service.

2006 - "Esprit de Corps" Award, Fisher Foundation, New York City, NY, in recognition for care of our wounded.

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

Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even if those views differ from the administration in power?

Yes.

[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

GEN. JAMES F. AMOS, USMC.

This 17th day of July, 2010.

[The nomination of Gen. James F. Amos, USMC, was reported to the Senate by Chairman Levin on September 28, 2010, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on September 29, 2010.]

NOMINATIONS OF GEN. CLAUDE R. KEHLER, USAF, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER, U.S. STRATEGIC COMMAND; AND GEN CARTER F. HAM, USA, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER, U.S. AFRICA COMMAND

THURSDAY, NOVEMBER 18, 2010

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

The committee met, pursuant to notice, at 9:33 a.m. in room SH–216, Hart Senate Office Building, Senator Carl Levin (chairman), presiding.

Committee members present: Senators Levin, Lieberman, Reed, Bill Nelson, E. Benjamin Nelson, Webb, Udall, Hagan, Begich, Burris, Manchin, Coons, McCain, Inhofe, Sessions, Thune, LeMieux, and Brown.

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

Majority staff members present: Madelyn R. Creedon, counsel; Richard W. Fieldhouse, professional staff member; Michael J. Kuiken, professional staff member; Gerald J. Leeling, counsel; Jason W. Maroney, counsel; Robie I. Samanta Roy, professional staff member; and William K. Sutey, professional staff member.

Minority staff members present: Joseph W. Bowab, Republican staff director; Adam J. Barker, professional staff member; Daniel A. Lerner, professional staff member; Richard F. Walsh, minority counsel; and Dana W. White, professional staff member.

Staff assistants present: Jennifer R. Knowles, Kathleen A. Kulenkampff, and Brian F. Sebold.

Committee members' assistants present: Christopher Griffin, assistant to Senator Lieberman; Carolyn Chuhta, assistant to Senator Reed; Jeffrey Fatora, assistant to Senator Bill Nelson; Gordon I. Peterson, assistant to Senator Webb; Jennifer Barrett, assistant to Senator Udall; Roger Pena, assistant to Senator Hagan; Lindsay Kavanaugh, assistant to Senator Begich; Nathan Davern, assistant to Senator Burris; Joanne McLaughlin, assistant to Senator Manchin; Halie Soifer, assistant to Senator Coons; Anthony Lazarski, assistant to Senator Inhofe; Lenwood Landrum, assistant

to Senator Sessions; Clyde Taylor IV, assistant to Senator Chambliss; Jason Van Beek and Ryan Nelson, assistants to Senator Thune; Erskine W. Wells III, assistant to Senator Wicker; Brian Walsh, assistant to Senator LeMieux; and Brandon Aitchison, assistant to Senator Brown.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody. The committee meets this morning to consider the nominations of General Robert Kehler, U.S. Air Force, to be Commander of U.S. Strategic Command (STRATCOM), and General Carter Ham, U.S. Army, to be Commander of U.S. Africa Command (AFRICOM). We give both of you a warm welcome.

We also have a warm welcome for two new colleagues, I believe, who are with us this morning. Senator Coons is with us this morning, from Delaware. A warm welcome to you, Senator. Senator Manchin is not here, but I expect that he will be here. Senator Burris is still with us.

General Kehler and General Ham, each of you have long and distinguished careers in the U.S. military and it's a real pleasure to have both of you with us today. As you and we all know, without the strong and continuing support of your families that your military careers would not be possible. We thank each member of your families for the sacrifices that they have made and will continue to make when you assume the commands for which you have been nominated.

General Kehler, you're well suited to be Commander of U.S. Strategic Command. You've spent your entire career in space and nuclear assignments, and that includes 2½ years as the Deputy Commander of Strategic Command. As you well know, Strategic Command is a challenging command with a global reach and a large number of challenging mission areas, including the following:

Ensuring the United States has access to and freedom of action in space and cyberspace; maintaining a reliable nuclear deterrent and being prepared to respond if deterrence fails; providing targeting and other support to U.S. Joint Force Commanders; synchronizing global missile defense plans and operations; coordinating regional efforts to combat weapons of mass destruction (WMD); planning, integrating, and coordinating intelligence, surveillance, and reconnaissance (ISR), assets in support of strategic and global operations; and guiding the implementation of the New Strategic Arms Reduction Treaty (START) when it's ratified.

On the subject of the New START treaty, I would note that there have been multiple hearings and briefings on the new treaty. Hundreds of questions for the record have been answered. A robust budget request for the nuclear weapons complex has been submitted to Congress. It's now been a year since the United States has gone without a replacement for the expired START treaty and thus no ability to implement the new and important inspection and verification regimes of the New START treaty, and we'll be asking General Kehler for his views on that new treaty.

Much of the technical superiority of U.S. military forces is reliant on space systems. While these systems provide significant advantages, they also present the potential for significant vulnerability.

Strategic Command helps to ensure that the global access to these important systems is maintained and sustained.

One of the newest and most challenging areas of responsibility for Strategic Command is the area of cyber operations, protecting and defending Defense Department networks and cyber assets and, if directed, engaging in offensive cyber operations. Strategic Command must also plan and be prepared, if called upon, to assist other government agencies with the defense of their networks.

There are many issues which remain unresolved in this area, in which you will be involved, General, and we look forward to your views on these issues, including the questions of authorities, responsibility, and rules of engagement.

General Ham, you've had a distinguished career in the Army and we thank you for your willingness to serve our country over the last 3½ decades. If confirmed, you will be only the second Commander of the U.S. Africa Command, and you will be forced to balance the requirements of continuing to stand up this nascent geographic combatant command, as well as play a supporting role in advancing U.S. policy objectives on the continent of Africa.

General Ham, the challenges facing AFRICOM are staggering: terrorism and violent extremists in Somalia and West Africa, conflicts between state and non-state actors that rage across borders, fragile governments that lack the capacity to project their presence beyond the bounds of their capitals, illicit arms smuggling routes, nations where peacekeeping or peace-enforcing forces are the best and sometimes the only hope for security and stability. So we look forward to hearing your views on these and other matters.

At present, one of the most pressing concerns in the view of members of this committee is the evolving threat posed by certain al Qaeda and al Shabab elements in Somalia, including the stated desire of these elements to attack the United States. In addition to Somalia, there are a number of other areas where the committee will be eager to learn of your views, including: the January 2011 referendum in Sudan; the threat posed by al Qaeda in an organization known as Al Qaeda in the Lands of the Islamic Maghreb (AQIM); ongoing atrocities being conducted by the Lord's Resistance Army (LRA); and potential areas for expanded military-to-military relations with a number of key countries in Africa.

One area where you will be working together is in combatting the regional spread of WMD. You'll be working together on that issue; and, with the support of this committee, the Cooperative Threat Reduction (CTR) program now has the authority to make a more global approach to combatting WMD, including identifying issues and actions in Africa.

Strategic Command's responsibility for coordinating both regional and global approaches to combatting WMD and the CTR program's new authorities should result in a more comprehensive, coordinated approach to dealing with these challenges.

Senator McCain.

STATEMENT OF SENATOR JOHN MCCAIN

Senator MCCAIN. Thank you, Mr. Chairman, and let me thank our distinguished witnesses for joining us this morning and for their service to our Nation. I'd also like to join the chairman in wel-

coming our two new members, Senator Coons and Senator Manchin. We look forward to working with you.

I say to the witnesses, if confirmed, your respective commands will prove critical in countering a variety of strategic, asymmetric, and terrorist threats to the United States. General Kehler, Strategic Command is responsible for ensuring freedom of access to space and cyberspace, and coordinating global missile defense plans and operations. The missile threat from rogue nations like Iran and North Korea is increasing, but equally worrisome is China's growing air and conventional missile capabilities. According to the U.S.-China Economic and Security Review Commission 2010 Report to Congress, it concludes: "China has the ability to strike five out of six U.S. Air Force bases in East Asia."

The report also highlights China's increasingly sophisticated cyber warfare capabilities. Earlier this year, the Chinese Internet service provider redirected global Internet traffic for at least 18 minutes, briefly hijacking what the commission report refers to as a "large volume of Internet traffic," including data from the U.S. military.

A large-scale cyber attack against Google in China was also reported. An incident Google described as a "highly sophisticated and targeted attack on its corporate infrastructure, originating from China, that resulted in the theft of intellectual property."

I predict that this committee and you will be spending a great deal of time on this whole issue of cyber warfare. We don't know a lot about it. We haven't really understood some of the things that both friends and adversaries are doing, and it opens up, obviously, a whole new type of warfare that we are going to have to be much better prepared for than we are today.

As Commander of STRATCOM, you will serve a critical role in countering these threats and advocating for our own nuclear, missile defense, space, and cyber capabilities. One of these responsibilities which the Senate has spent considerable time reviewing is the New START treaty, its references and legally binding limitations on ballistic missile defense, and the modernization of both the nuclear weapons complex and the triad of nuclear delivery vehicles.

I look forward to hearing your views on the treaty's handling of missile defense, the current health of the nuclear weapons complex, and the need for investing in the development and deployment of the next generation of delivery vehicles.

General Ham, I believe you are nominated for this command at a critical time, not only with respect to security on the continent, but with respect to possible growing threats to our homeland. In the past I've been critical of U.S. military involvement on the Horn of Africa. Other than providing more financial support for the United Nations (U.N.) mission there and humanitarian support, I'm unclear of what the administration's short- or long-term plan is to achieve stability on the Horn.

But the threat from the region to our friends, our interests, and even our homeland has changed significantly in the past few years. AFRICOM was born in the shadow of a combatant command (COCOM) fighting two wars. Concerns about basing rather than the mission dominated the debate for years. Given the command's integrated interagency command structure, AFRICOM remains

unique among equals, and that's why AFRICOM must be prepared and resourced to protect Americans, American interests, and American security throughout its area of responsibility.

As we all might remember, in 1998 al Qaeda launched attacks on the U.S. embassies in Kenya and Tanzania, killing 12 Americans. Al Qaeda and related groups have executed subsequent terrorist attacks in East Africa, including an American suicide bomber in Somalia in October 2008. This summer in Uganda, al Shabab, a Somali Islamist insurgent group with ties to al Qaeda, conducted its first successful attack outside Somali territory, killing 76 people, including 1 American.

While al Shabab has focused primarily on its neighbors, then-Director of National Intelligence Dennis Blair, at a Senate Select Committee on Intelligence hearing, testified: "We judge most al Shabab and East Africa-based al Qaeda members will remain focused on regional objectives in the near term. Nevertheless, East Africa-based al Qaeda leaders or al Shabab may elect to redirect to the homeland some of the westerners, including North Americans, now training and fighting in Somalia."

On August 5, more than a dozen Somali Americans, permanent residents, were arrested. Attorney General Eric Holder announced that 14 people are being charged with providing financial support to al Shabab.

I trust that AFRICOM will continue to deliver its unique brand of interagency theater security cooperation and building partner capacity. However, it's imperative that AFRICOM also evolve and acquire the necessary capabilities to identify, deter, and counter all relevant threats to our Nation's security.

I look forward to our witnesses' testimony. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

Senator Manchin, welcome.

There's a series of standard questions that we ask all of our nominees, that I'll now ask, and you can give us your responses together.

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

General KEHLER. I have.

General HAM. 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 KEHLER. I do.

General HAM. 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 KEHLER. I have not.

General HAM. I have not.

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

General KEHLER. I will.

General HAM. I will.

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

General KEHLER. I will.

General HAM. I will.

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

General KEHLER. They will.

General HAM. They will.

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

General KEHLER. I do.

General HAM. 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 KEHLER. I do.

General HAM. I do.

Chairman LEVIN. Thank you, General Kehler, General Ham. We're going to now turn to you for your opening remarks, and please feel free to introduce any members of your family or others who may be with you today. Thank you.

General Kehler, why don't you start.

STATEMENT OF GEN. CLAUDE R. KEHLER, USAF, NOMINEE FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER, U.S. STRATEGIC COMMAND

General KEHLER. Mr. Chairman, thank you, sir. Before I begin, I would like to introduce my wife, Marjorie, who is here. This is the first time she's attended a hearing in the Senate. This is an exciting time for the Kehler family. Unfortunately, our two sons, who are grown, couldn't be here with us today. But I can tell you that, if I may just put a plug in for military spouses, the phenomenal things that they do for our airmen, soldiers, sailors, marines, coast guardsmen, Marj certainly represents that. I'm very proud of her and very grateful for the things that she does. Especially, she has set aside an accounting profession to be part of a team, to take care of our troops and their families. I'm especially proud because she and others like her have been doing an awful lot to work in support of our wounded warriors.

Chairman LEVIN. We thank her for that and for all the things that she does for us and for you. We could use maybe some of your accounting talents in the Pentagon.

Have you thought about joining forces with your husband? [Laughter.]

You're very welcome indeed, Mrs. Kehler.

General.

General KEHLER. Mr. Chairman, Senator McCain, distinguished members of the committee: Thank you for this opportunity to come before you today. It's my sincere honor to appear as the nominee to lead U.S. Strategic Command. I thank the President and the Secretary of Defense for nominating me for this important duty. I

also thank the Chairman of the Joint Chiefs of Staff for expressing his confidence in my ability to serve as a combatant commander.

If confirmed, I look forward to working with you to address the strategic challenges that face our Nation. They are complex, unremitting, and compelling, and U.S. Strategic Command plays a key role in each.

Previous nuclear threats continue, while new ones, state and non-state, are emerging. New and complex transitional linkages provide opportunities for terrorism and other security concerns. Space is no longer the sole purview of two superpowers and it is certainly not a sanctuary. Cyber threats present national security problems that we are only beginning to understand, and organizing for this challenge is still in its beginning stages. International security relationships need to be forged with rapidly growing new regional powers.

All these developments will require more intensive and extensive cooperation across many elements of our Government and the governments of our friends and allies. Our ability to shape events to our interests will depend, as always, on the skill and dedication of the great men and women who serve our Nation.

Leading Strategic Command is an awesome responsibility. If confirmed, I pledge to you that the strategic challenges facing our Nation will command all the energy and commitment that I can muster. I'm very fortunate in that I have been the beneficiary of assignments, mentoring, operational experiences, and command opportunities that align with Strategic Command's mission set and that I believe have prepared me for this challenge.

If confirmed, I will also be fortunate and deeply humbled in following the path blazed by some of our truly great national leaders. I want to particularly mention the most recent one, General Kevin Chilton. His leadership has been deeply important in these past critical years to shaping our national posture, and Marj and I are grateful to count Chilli and his wife Cathy as our dear friends, and we certainly wish them the best as they proceed into retired life.

Of course, as always, if confirmed, I will look forward to working with and caring for the world's best soldiers, sailors, marines, airmen, civilians, and their families.

Mr. Chairman, Senator McCain, distinguished committee members, it's a privilege to be here before you today and I look forward to your questions.

Chairman LEVIN. Thank you very much, General Kehler.

General Ham.

STATEMENT OF GEN CARTER F. HAM, USA, NOMINEE FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER, U.S. AFRICA COMMAND

General HAM. Thank you, Mr. Chairman. My family's not here, but I'm hoping they're watching by webcast. My wife, Christie, is a lifelong educator, having taught and served as a principal in numerous schools as we moved during our Army service. Our daughter Jennifer was born in Vicenza, Italy, and she and her husband, Army Captain Kyle Burns, a Silver Star and Purple Heart recipient for actions in Afghanistan, live near Fort Benning, GA. Jen-

nifer and Kyle are parents to 3½-month old Jackson, our first grandchild.

Our son Jonathan was born in Weisbaden, Germany, and graduated from the University of Georgia. He and his wife Sarah live and work in Northern Virginia and they're expecting a baby girl this spring.

I'm certainly proud of all of them and draw my strength from them, and thank you, Mr. Chairman, for allowing me to mention them.

Mr. Chairman, Senator McCain, and members of the committee: When I enlisted in the Army as a private in 1973, never in my wildest imagination did I envision appearing before the Armed Services Committee of the U.S. Senate to be considered as a combatant commander. The day that Secretary Gates told me that he intended to recommend to the President that I be nominated to be the next Commander of U.S. Africa Command, I was struck by two contradictory feelings. First, I was exhilarated to have the possibility to serve in a command that I believe is of great importance and for which there is such great opportunity. Second, I felt a tremendous sense of humility, the humility and sense of honor that comes from being asked to continue to serve alongside the men and women of our Armed Forces as they and their families unselfishly serve our Nation.

I also recognize that, if confirmed, I have big shoes to fill. I've been an admirer of General Kip Ward and Mrs. Joyce Ward for a long time, and I'm proud to be their friend. In my opinion, we owe General and Mrs. Ward our deepest thanks and appreciation.

Africa is important to U.S. interests. These interests include concerns over violent extremist activities, piracy, illicit trafficking, Africa's many humanitarian crises, armed conflicts, and more general challenges such as the effect of HIV–AIDS. U.S. Africa Command, as the military component of a U.S. "whole-of-government" approach, has a role in addressing each of these issues. The key remains that Africa's future is up to Africans.

If confirmed, I look forward to building upon the command's efforts, to continue expanding the unique interagency composition of the headquarters, and to enhancing partnerships with African nations. I acknowledge that, if confirmed, I have a lot to learn about Africa and about U.S. Africa Command, and I pledge to you, Mr. Chairman, to Senator McCain, and to the members of the committee the same pledge that I gave to Secretary Gates: I will do my best each and every day to uphold the trust and confidence you place in me, to accomplish the many and varied important missions of the command, and to the very best of my ability provide for the wellbeing of the soldiers, sailors, airmen, marines, Coast Guardsmen, civilians, and families entrusted to my care.

If confirmed, I look forward to working closely with this committee to ensure U.S. Africa Command is correctly focused on accomplishing its role in support of U.S. policy objectives in Africa.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you so much, General Ham.

Let's try a first round of 7 minutes for questioning. We have a good turnout here today.

General Kehler, the committee has a provision in our National Defense Authorization Bill for Fiscal Year 2011 that would require the Secretary of Defense to report to Congress by March 1, 2011, on cyber warfare policy. The committee conducted an extensive examination of the Department's proposal to establish U.S. Cyber Command (CYBERCOM) as a sub-unified command under U.S. Strategic Command. Our examination revealed that there are substantial and worrisome gaps in the policy and guidelines needed to govern U.S. military operations in cyberspace. Senior Department of Defense (DOD) officials testified to this fact and assured the committee that the Secretary of Defense understands the situation well and intends to have answers to many, if not all, of the major policy questions by the end of this calendar year.

Now, these are just a few of the unresolved issues: first, rules of engagement and authorities for various command echelons, including Cyber Command itself; second, how to limit escalation; third, what constitutes a use of force and an act of war in cyberspace, including for compliance with the War Powers Act; and fourth, the lack of a deterrence doctrine, what deters cyber attacks.

Now, my question is kind of a status or process question. If you know the answer, what is the status of the Secretary's cyber policy review, and is the Department on track to fulfil the year-end commitment to complete the review that was given to the committee during the confirmation process for General Alexander?

General KEHLER. Thank you, Mr. Chairman. First let me say I recognize that in the whole area of cyberspace I have much to learn. If I'm confirmed, this is one of the areas that is going to command a great deal of my time and energy early on. My perspective today is as a Service component to Strategic Command, we have been working to align our cyberspace activities under the new construction of Strategic Command, U.S. Cyber Command, and then the Service components that fit that.

There is much for me to learn here if I am confirmed, and I would be delighted to dig into this further. My understanding, you have defined, I think, the issues very well. In my mind, this is about authorities, responsibilities, oversight, doctrine, all of the pieces that need to be put in place to drive forward and where we need to be postured in cyberspace.

That work is underway. I think you and the committee are aware that the Department of Homeland Security (DHS) and DOD have just signed a memorandum outlining roles and responsibilities and other steps that will be taken to partner together. Those are all positive steps, but there is much more to do.

My understanding is that the work on the report that you're referring to is continuing. In my preparation for the confirmation hearing, I was told that the expectation is that they will be delivering that on time.

Chairman LEVIN. Thank you.

Last year the Secretary of Defense and the Joint Chiefs, with support from the combatant commanders, unanimously recommended the so-called "Phased Adaptive Approach" to missile defense in Europe, and the President approved their recommendation. This year the administration produced the Ballistic Missile

Defense Review Report that set forth U.S. strategic policy and plans for missile defense.

My question is, do you support the administration's missile defense policies and priorities, including the Phased Adaptive Approach, to missile defense in Europe?

General KEHLER. Yes, sir, I do support those policies and I do support the Phased Adaptive Approach.

Chairman LEVIN. General Kehler, Secretary of Defense Gates, Admiral Mullen, the Chairman of the Joint Chiefs, General Chilton, the current Commander of Strategic Command, and Lieutenant General O'Reilly, the Director of the Missile Defense Agency, have all testified that the New START treaty does not limit or constrain our missile defense plans or programs. Do you agree?

General KEHLER. Mr. Chairman, that's my understanding as well. Yes, I do.

Chairman LEVIN. Let me ask you a couple of questions about the New START treaty specifically. Does the New START treaty limit our non-nuclear long-range weapons?

General KEHLER. Mr. Chairman, the New START treaty as I understand it does not limit non-nuclear long-range weapons. It does, however, under certain circumstances cause them to be counted under the limits of the New START treaty.

Chairman LEVIN. Does the New START treaty constrain our development and deployment of missile defense capabilities?

General KEHLER. Sir, in my opinion it does not. There's one relationship in the treaty, to put a finer point on it, about not being able to deploy missile defense interceptors in existing ballistic missile silos, except for the five that we have already done so at Vandenberg Air Force Base. However, it is not in our current plans, as I understand them, to do that.

Chairman LEVIN. Is the administration committed to replacing and modernizing our aging nuclear weapons laboratory and industrial infrastructure?

General KEHLER. Sir, my understanding is that they are. The 2011 budget is on the Hill and has sustainment and modernization funds in it. I have not seen the 2012 budget and can't comment on the 2012 budget.

Chairman LEVIN. Thank you.

General Ham, you and Jeh Johnson, the DOD General Counsel, are serving as co-chairmen of the Department of Defense Working Group tasked by the Secretary of Defense to conduct a comprehensive review of the issues associated with implementing a repeal of the law that's commonly referred to as "Don't Ask, Don't Tell." Your report is due to the Secretary of Defense no later than the 1st of December, I believe.

When we met yesterday, you informed me that you are not authorized to discuss the content of the draft report before that time. This committee will hold a hearing on the report shortly after the Secretary provides it to Congress. We're urging that be done, by the way, prior to December 1, if possible, and you will be available at that time to discuss the contents of the report.

My question is just on the timing issue, then, because I won't ask you about your views on the substance or what the substance is.

Do you anticipate that the working group's report will be ready to be presented to the Secretary of Defense before December 1st?

General HAM. Mr. Chairman, I think it will take us until December 1. The key factor remaining for us and the review group is to receive the review and comments by the Service Chiefs and Service Secretaries, which is ongoing. We anticipate their comments soon. Mr. Johnson and I will review those comments, make final adjustments to the report, which is currently in draft form, and then deliver it to Secretary Gates on 1 December.

Chairman LEVIN. Would you make every effort to deliver it prior to December 1st if possible?

General HAM. Yes, sir, in consultation with the Secretary's office.

Chairman LEVIN. Thank you.

Senator McCain.

Senator MCCAIN. General Ham, since the issue has been brought up, the survey went out to 400,000 military personnel; is that correct?

General HAM. That's correct, Senator.

Senator MCCAIN. What percent responded?

General HAM. Senator McCain, we received a little over 115,000 responses.

Senator MCCAIN. Like 25 percent.

General HAM. A little more, about 28 percent, sir.

Senator MCCAIN. Excuse me, 28 percent.

Isn't it true that the survey said in a preamble, that it is considering changes to the "Don't Ask, Don't Tell" policy that "would allow gay and lesbian servicemembers to serve in the military without risk of separation because of their sexual orientation"? Is that true?

General HAM. Yes, sir, it is.

Senator MCCAIN. The question was also preceded by a presumptive declaration that if "Don't Ask, Don't Tell" is repealed, "the Services will maintain their high standards of conduct." Is that also true?

General HAM. Sir, it is.

Senator MCCAIN. Thank you.

General Ham, what do you understand to be the relationship between al Qaeda's senior leadership and al Shabab?

General HAM. Senator, I know that, from open source reporting, that al Shabab has claimed that there is a relationship between——

Senator MCCAIN. What's your view of the relationship?

General HAM. Sir, they're stating that they believe that they have a relationship certainly conveys to me that that's the type of operations that they want to engage in. I'm not privy to the detailed information and intelligence yet that would verify or refute that allegation. But they are certainly a dangerous and disruptive organization.

Senator MCCAIN. I'm sorry you couldn't answer the question. I was asking your view as to what the relationship was. But what is the threat to the United States from al Shabab, particularly given recent arrests of U.S. citizens apparently planning to travel to Somalia to join al Shabab?

General HAM. Senator, my understanding is that al Shabab is, while primarily focused on internal matters in Somalia, their recent activities outside of the country convey to me a very disturbing interest in conducting more widespread terrorist activities, which certainly are of concern to the United States. If confirmed, it would be a very high priority for me to understand better how we might counter that threat.

Senator MCCAIN. Again it's evidence that Americans are joining al Shabab, right?

General HAM. Sir, my understanding is that in this particular case that's true.

Senator MCCAIN. General Kehler, notwithstanding Russia's threat to withdraw from the treaty, are you committed to advocating for the funding, development, and deployment of all elements of the Phased Adaptive Approach for missile defense in Europe, as well as implementing the strategy as portrayed in the ballistic missile defense review?

General KEHLER. Yes, sir, I am.

Senator MCCAIN. Do you believe that the Russian unilateral statement that the treaty is "effective and viable only in conditions where there is no qualitative or quantitative buildup in the missile defense system capabilities of the United States of America"? That statement was part of the signing statement at the time of agreement, right?

General KEHLER. Yes, sir.

Senator MCCAIN. Have the Russians made any public statement refuting that signing statement they made?

General KEHLER. Sir, I don't know if they have or not.

Senator MCCAIN. To your knowledge?

General KEHLER. To my knowledge, they have not.

Senator MCCAIN. Given your involvement, you might know probably if they did.

General KEHLER. Yes, sir. Yes, sir, although I will tell you that at this point in my current seat I may not have seen everything. But I have not seen anything. I'm not trying to be evasive, but I've not seen anything.

Senator MCCAIN. Does it concern you that they would make a signing statement at the time that the agreement was signed that basically said that if there was any change, "qualitative or quantitative buildup in the missile defense system capabilities of the United States of America," that the treaty would not be viable, in their words?

General KEHLER. Sir, all I can answer with is that our position as I understand it has been that those two are not related.

Senator MCCAIN. But the Russians have made no statement that it is unrelated. It's just our position, right?

General KEHLER. Yes, sir.

Senator MCCAIN. Recent press reports state that North Korea's weaponry is showing design characteristics associated with the Shahab-3, Iran's most advanced missile.

Are you concerned that apparently the two countries, Iran and North Korea, are collaborating to produce improvements in both arsenals?

General KEHLER. Sir, I am most definitely concerned.

Senator MCCAIN. We have seen, in an unclassified manner, published reports have been that apparently they are working in coordination together to improve both arsenals. Is that your view as well?

General KEHLER. It is. The proliferation of missile technology, I think, especially in those areas like North Korea and Iran, is especially disturbing. My view, the number one threat that we are facing these days is the proliferation of WMD in the hands of the regional actors that pose the threat.

Senator MCCAIN. Do you agree with DOD's assessment that with sufficient foreign assistance, "Iran could probably develop and test an intercontinental ballistic missile capable of reaching the United States by the year 2015"?

General KEHLER. I agree with the DOD assessment, yes, sir. I wasn't aware that it was 2015. I've read that, but I do agree with the DOD assessment on this, yes, sir.

Senator MCCAIN. Again, I return to my previous statement. It seems to me that it's deeply concerning that both countries have areas of expertise on both nuclear capability as well as missile technology, and transfers between the two countries is deeply concerning.

General KEHLER. Yes, sir, I would agree with that.

Senator MCCAIN. Are you concerned about Mr. Ahmedinejad's new relationship with Mr. Chavez down in Venezuela?

General KEHLER. Yes, sir.

Senator MCCAIN. How serious do you think that relationship is?

General KEHLER. Again from my current perspective, I'm not much more aware of that relationship than what we've just been discussing here in an open forum. This is one of those areas that, if confirmed, I'm going to have to push into to get a better feel for those specific points. STRATCOM does have some responsibility here, working with the regional combatant commanders, to address these kinds of threats that can go outside the regional boundaries.

Senator MCCAIN. Thank you. I just want to repeat again what I said in my opening comments. This whole cyber war issue is one that we've been working on with Senator Lieberman and the Senate Homeland Security and Governmental Affairs Committee and Intelligence Committees. It covers a number of jurisdictions here in Congress. But I would argue that it is the greatest threat, of which we have the least knowledge and expertise, than just about any threat that we face. Would you view that as an overstatement?

General KEHLER. Sir, I wouldn't view that as an overstatement. I do think it's a significant area of concern. Certainly, again, in STRATCOM's portfolio, if I'm confirmed, this is one of those areas that demands I think the same sense of urgency that has been put on it here over the last year or so, and my pledge will be to dig right into this and be as helpful as I can.

Senator MCCAIN. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

As Senator McCain points out, the relationship of our committees that have jurisdiction over parts of that issue is extremely important, and our working together, which is underway, with Senator Lieberman and his ranking member, Senator Collins, and the Intel-

ligence Committee is, if not as important, very important, just the way interagency working together is very significant and very important, as Senator McCain points out.

Senator Lieberman.

Senator LIEBERMAN. Thanks, Mr. Chairman. Let me just pick up from your comments and Senator McCain's about how real the threat of cyber attack is and how much I think that members of Congress and the general public are not aware of it. Perhaps even some are skeptical of how serious it is.

Yesterday, in the Senate Homeland Security and Governmental Affairs Committee, we held a hearing on the so-called Stuxnet worm that was discovered. Really, this is another world, but the ability—just to show how complicated it is, as the experts said to us yesterday, we don't know where this originated, we don't know what its target was, but we know it's out there and it has now infected 60,000 different computer systems in the world, including some in the United States. It has the capacity essentially on command to disrupt the digital systems, the computer systems, that control, for instance, electric power plants.

When you think about the havoc that could be unleashed in a country like ours, it's profoundly unsettling. I appreciate the very significant step forward in the memorandum of understanding between DOD and DHS, a pretty clear division of responsibility here. DOD has responsibility for, obviously, defense web sites and our offensive capacity and defensive capacity, DHS for the civilian infrastructure and the Federal Government non-defense web sites.

But DOD and, of course, the National Security Agency have such extraordinary capabilities that they can now inform what DHS does. I appreciate that. Our committees are going to continue to work together.

I was actually very proud yesterday that all the witnesses agreed that it was a group at DHS more than anybody in the private sector or anywhere else that actually had the comprehensive capability to unravel the Stuxnet puzzle, if you will. But we need your help, and I appreciate your commitment to that, General, and I look forward to working with you on both committees.

Thank you both for your service to our country. You're both just extraordinarily prepared for this next assignment that the country has asked of you.

General Ham, I just want to ask a quick question about the working group on "Don't Ask, Don't Tell." First, I appreciate that you've told us this morning that the report will definitely be out by December 1 and, if possible, working with the Secretary, earlier if you complete the work.

I wanted to ask you, just for informational purposes, not about the contents, but in a sense about the table of contents. There has been a lot of focus on the leaks about the survey down of military personnel, but am I right that that's just one part of what you're going to do? I wonder if, in summary, you could describe what else you and Mr. Johnson intend to cover in the report?

General HAM. Senator, I would. Essentially, the terms of reference which Secretary Gates issued to Mr. Johnson and myself gave us two tasks. The first was to assess the impacts upon effec-

tiveness, readiness, unit cohesion, recruiting, and retention should repeal occur.

Senator LIEBERMAN. Right.

General HAM. Then the second part of our charge was, understanding those impacts, develop a plan for implementation, so that if the law is repealed and the policy changes the Department is prepared for that. We would call that in military parlance contingency planning.

Senator LIEBERMAN. Right.

General HAM. The directive to assess the impacts contained a specific issue or statement from Secretary Gates to conduct a systematic engagement of the force, to include families. We did this in a number of ways. The survey of the servicemembers—Active, Guard, and Reserve—was one. We also had a survey for family members.

In addition to those two statistically sound and analytically rigorous assessments, we conducted a number of engagements across the force, in groups both large and small, to get a sense of what were the topics of interest to the force and to their families. We conducted small demographically focused focus groups, for example a group of perhaps 9 to 12 junior enlisted marines from the combat arms and other similarly organized groups.

We established what we call an on-line in-box, an opportunity for members of the military and their families to provide anonymously their comments to us with regard to their thoughts about "Don't Ask, Don't Tell."

The most difficult challenge we had probably, at least in my opinion, was how do we get the sense from those who are gay men and lesbians that are serving in the force today without triggering the requirements of the law that would cause them to separate. We established what we called a confidential communication mechanism through a third party, non-DOD entity to try to get a better assessment of that.

All in all, Senator, we believe this is probably as far as I could tell the most comprehensive assessment of a personnel policy matter that DOD has conducted.

Senator LIEBERMAN. Thanks for that. Obviously, I agree it's very comprehensive and should inform the decision that Congress makes in voting on the question, and also obviously, if it's repealed, facilitate the transition that DOD itself will make. I thank you for that.

I want to ask you one question about Africa Command. I agree with you in highlighting the threat posed by al Qaeda in the Islamic Maghreb and al Shabab, that you're highlighting the two highest counterterrorism priorities in Africa. It also reminds us that really the war against Islamic terrorism is a world war. We're obviously involved intensively on the ground in Afghanistan, now scaling down in Iraq. But this enemy is appearing all over the world.

I view these two terrorist groups in Africa and the countries in which they're located as tests of whether we can essentially stop them or contain them before they spread and they become something like Afghanistan, if you will. I note in your response to advance policy questions that you've said that AFRICOM faces sig-

nificant resourcing challenges in almost every field. I hope upon your confirmation that you'll conduct a top to bottom assessment of your command's requirements for personnel, ISR, security assistance funding, and other resources and convey them directly, both up the chain of command, but when you appear before the committee, to this committee.

Can we count on you to do that?

General HAM. Yes, sir.

Senator LIEBERMAN. Thank you.

That's all the questions I have this morning. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Lieberman.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

Let me get the unpleasantries out of the way first. As I read this, there are many things about the New START treaty I don't like, but the major concern is one that's brought up by Senator McCain. When I read something like this, the unilateral statement—this is the wording they used—they talk about the extraordinary events would cause them to release themselves. Consequently, "the extraordinary events referred to in Article 14 of the treaty also include a buildup in the missile defense system capabilities of the United States of America such that it would give rise to a threat to the strategic new era"—and then that was further simplified, I think, by the Russians when they said "The treaty can operate and be viable only if the United States of America refrains from developing its missile defense capabilities quantitatively and qualitatively."

I guess my question is, what's ambiguous about that?

General KEHLER. Sir, I'm not exactly sure what you just asked me.

Senator INHOFE. I read that and it says that they'd bail out if we enhance our systems.

General KEHLER. I see. It doesn't sound like the Russian position is ambiguous. But again, as I understand it, our position is not that one. Our position is that these are not related. Again as I understand it, the regional threat drives our missile defense planning. The strategic balance between the United States and Russia is driven by the strategic forces that are covered by the treaty.

Senator INHOFE. We are going to have to enhance our missile defense system. I think most people here, they may not say it that way, but we are going to. I know a lot of us were very much concerned when the ground-based capability was taken out of Poland, and it was just pointed out by Senator McCain that Iran would have this capability with a delivery system by 2015. That's not even classified. That's a position that everyone agrees with.

Now, I guess I'd just ask you one question: Do you think in the absence of that capability that we are not more endangered—and I'm talking about in Western Europe and the Eastern United States—by the removal of that system in Poland? A quick answer.

General KEHLER. As I understand it, I don't think we are endangered, provided that we go ahead with the Phased Adaptive Approach.

Senator INHOFE. All right. General Ham, I enjoyed our long visit that we had on the subject that's been discussed here. I can only tell you that the soldiers in the field, the ones you talk to, don't feel that their input was heard during this inquiry that was announced that was supposed to be taking place until December 1. It was the impression, at least what I hear from them in the field, that they're saying: All right, we're going to adopt this position; now, how do we best implement this thing? I only want you to know that we'll be talking about this in some length in the future.

But I am interested in what you're going to be doing, as I told you, in some of the problems in Africa that I'm very personally interested in. Admiral Mueller handled this thing during the transition. Then General Ward came along and has done an incredible job, I think with limited resources, with inadequate resources, at least it's my impression.

We've had a problem, a lot of little problems, in Africa that people don't know about. Of course, they're familiar with what's happening in Zimbabwe. They're familiar with Somalia, the problems between Eritrea and Ethiopia. One of the biggest things that I've been concerned with and personally involved in trying to do something about is the Lord's Resistance Army (LRA). Starting in northern Uganda, it's also spread through Rwanda, eastern Congo.

It wasn't until a few weeks ago that we passed and it was signed by the President a policy of this country to take out Joseph Kony and the LRA. I'd like to get your opinion for those members of the committee who might be new, let me just say that Joseph Kony started about 30 years ago in this. Some people call it the child soldiers, little kids, 13, 14 years old. They trained them to be soldiers, and the first thing they have to do is go back to their villages and murder their parents and all this. If they don't do it, they cut their limbs off. This is really something that nobody likes to talk about, that a lot of people don't know about.

What's your level of concern and your interest in implementing the direction that we gave in the law that we passed a few months ago concerning the LRA?

General HAM. Senator, I agree with you. I need to learn more about the LRA, but what I do know from my previous assignment as the Director for Operations on the Joint Staff and what I've read in open source, it is a horrific situation. As we discussed yesterday, Senator, I look to learn more about that personally and find ways that, if confirmed, that Africa Command can contribute to the solution to that problem.

I am aware that Africa Command has been engaged in developing the capability of the Ugandan forces and I think that's a step in the right direction. If confirmed, Senator, I'll look at this issue much more closely to see what the command might be able to do.

Senator INHOFE. I would say that President Museveni in Uganda and President Kigami in Rwanda and Joe Kabila, all three now agree that it's kind of a joint problem, because of the fact that this movement is moving around between these countries, and Central Africa, too, the Central African Republic.

That's going to be something that I would like to be the clearing point for any activity that you have and be updated on on a regular basis, because I would like to have it during your command, and

I think you're going to be doing a great job in that command, that we will have this problem be eradicated by that time.

Now, there are a lot of others. People know about Somalia, people know about some things that get Sudan a lot of publicity. But a lot of things are happening that they're not aware of. I am quite upset with the Morocco attack on the western Sahara that took place. I want to try to do something on the floor with a resolution on the horrible thing that took place there, and these people, who have been out in the wilderness for some 30 years now.

Are you interested in trying to come up with a solution, that James Baker was not able to do, I have not been able to do, but working with us to try to correct the problem that is out there in the Western Sahara?

General HAM. Senator, my understanding is that the issues in Western Sahara and Morocco are not primarily military. But if confirmed, I certainly want to explore what the role of U.S. Africa Command might be, again in support of a U.S. "whole-of-government" approach to that matter.

Senator INHOFE. I appreciate that. I would think, though, that it becomes military when armed forces are invading there, although I understand what you're saying.

My time is up and it went too fast. You and I talked at some length and I just want to make sure that you are on record on some of the things that you want to get done. One last question if I could, Mr. Chairman. That is, we made a decision, a good decision, in this committee several years ago—in fact, it was right after September 11—that we would assist the Africans in building five African commands, geographically located around. The Economic Community of West African States (ECOWAS) is successful in West Africa, but the rest has kind of been lingering. The Africans are not as aware of how we're trying to help them take care of their own needs.

What I'd like to do is have you look at that—I'm sure that General Ward would agree that we haven't done enough with that—and before the terrorists start coming down in greater numbers through Djibouti and through the Horn of Africa, to try to have this in place, so that we won't be sending our troops over, they'll be able to take care of their own problems.

Would you consider that to be a priority?

General HAM. Senator, I would. I believe regional approaches are a good way ahead, in Africa.

Senator INHOFE. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Inhofe.

Senator Ben Nelson.

Senator BEN NELSON. Thank you, Mr. Chairman.

Thank you, General Kehler and General Ham, for your service and for your willingness to extend your service in these new positions, and a special thank-you to your families for supporting you in this effort.

General Kehler, the current Commander of STRATCOM, General Kevin Chilton, recently has been very vocal about the need for a new Strategic Command headquarters building at Offutt Air Force Base. I've been extremely pleased with the progress that we've

made so far in addressing this vital need. The existing facility's failings have put STRATCOM's mission and its personnel at some risk. I know you have previous duty as the Deputy Commander of STRATCOM and that you would have views on the need and importance of the new STRATCOM headquarters facility.

To date, the design nears 60 percent completion and construction is planned to break ground in late 2011. The progress is a strong indication of the Department's commitment to STRATCOM's mission. What is your view on the need for a new headquarters at STRATCOM to replace the existing facility?

General KEHLER. Senator, I can base my view on this from the time that I was the Deputy Commander there and we went through a series of electrical fires, electrical outages, and other problems that reflect I think sort of the state of health of a building that was built in the 1960s.

Clearly something needs to be done about all of that. The demands of the mission there at STRATCOM have placed some stresses on that facility, that whole complex—there's an underground complex as well—that it was never designed to address. If I'm confirmed, certainly I'll make sure that I am looking into that and looking after an appropriate way forward to make sure that the people there have what they need to get the job done.

Senator BEN NELSON. I appreciate that.

One of the things that I've always tried to look for back here, and as governor as well, stovepipes within government, whether it's in the military or whether it's in civilian government, which establishes duplicate services, duplication of efforts over mission effectiveness or the expenditure of taxpayers' money.

General Chilton has previously highlighted the importance of sharing information among the agencies, including DHS, the Intelligence Community, DOD, in addressing the security risks, particularly in cyberspace. Just yesterday, Secretary Gates said that the future cyber threat was "huge," and that's no understatement.

My concern is that without strong coordination agencies will continue to build their own protective walls around their own unique situation. What is your view of the role of STRATCOM and its sub-unified command CYBERCOM? What is the role that it should play in coordinating this national defense against the growing cyber threat, both to our military and to our civilian agencies?

General KEHLER. Senator, I think that Strategic Command sits in a very unique position to have a very strong influence on the way DOD proceeds and also on these other relationships that you talked about. I think that as we look at STRATCOM's role to integrate, STRATCOM's role to advocate, STRATCOM's role to oversee some of the activities that go on in the sub-unified and the other activities, STRATCOM's role to engage with the other combatant commanders to make sure that cyberspace is being addressed across the military forces, and then of course STRATCOM's ability to look up into the policy world, where I think there is a role for the Commander of Strategic Command to play there as well.

I think there's a big role there for Strategic Command to plan in all of this. Most of that is handed to them by the President and the unified command plan.

Senator BEN NELSON. If we partner with all the private entities, whether it's Google or any other similar company that has significant interests and considerable experience in what we would call cyber, in developing that partnership could that also, let's say, enhance our national defense? In other words, can we learn something from the private sector as well as having the private sector learn something from us?

General KEHLER. Sir, my experience to date is that in many cases we're learning more from the private sector than they are learning from us. Some of the latest technologies, of course, techniques, and approaches are there. I think again you're defining the big challenge of cyberspace. It is the ultimate partnership activity, and that is something that we need to be working on.

Again, I think Secretary Gates's comments yesterday about the DHS-DOD partnership is a real positive step here in terms of aligning responsibilities and authorities.

Senator BEN NELSON. Maybe we'll some day tear down all the stovepipes.

General Ham, AFRICOM has limited personnel to address a rather vast and diverse continent. One of the deficiencies we experienced in Afghanistan was that we lacked a cadre of soldiers that possessed the right language and cultural training. Given the diversity in Africa, are we developing the right skills, the right mix of skills, in our forces to be able to engage in successful operations, recognizing the diversity in Africa?

General HAM. Senator, if confirmed I'll look at that. My sense is yes, but not quickly enough. I think we start to see that the cultural understanding, the language skills, emerge first in our special operating forces, where they develop those attributes. As forces become available, as general purpose forces become available, I think it would be highly appropriate to seek ways to further understanding of African matters in the general purpose forces.

A way to do that is through the State partnership program.

Senator BEN NELSON. This will be one of your high priorities as you step into the new position, to make certain that we direct enough of our resources so that we can get the kind of result that we need to get? We can't get it any other way. If we don't have the cultural and language understanding that is required, we're not going to be able to make our mission as successful as we might otherwise.

General HAM. Senator, I agree, and if confirmed I know I have to do that personally and also look at that across the command.

Senator BEN NELSON. My time has expired. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Nelson.

Senator Thune.

Senator THUNE. Thank you, Mr. Chairman.

General Kehler and General Ham, thank you so much for your great service to our country and your willingness to take on these important positions of responsibility.

General Kehler, in your response to the advance policy questions you state that the Commander of the U.S. Strategic Command is "responsible for the plans and operations of U.S. forces conducting strategic deterrence," which includes the mission of deterring at-

tacks on U.S. vital interests. As the nominee to be the combatant commander responsible for strategic deterrence and responsible for missions such as ensuring U.S. freedom of action and the delivery of integrated kinetic and nonkinetic effects in support of joint operations, how important in your view is it to you that the Air Force develop a new long-range nuclear and conventional strike aircraft that's capable of penetrating anti-access and area denial systems and technologies?

General KEHLER. Senator, I think it is critically important that we continue with both sustainment and modernization of all the legs of the triad, and I do agree that a long-range strike replacement is appropriate and would advocate for that.

Senator THUNE. The Air Force for some time has been working on requirements, to identify requirements and convince the Office of the Secretary of the need for a manned next generation long-range strike platform. What do you foresee as your role in developing and advocating for that type of system?

General KEHLER. Again, if confirmed I do think that one of the things that combatant commanders do is they establish requirements, and again if confirmed I would be responsible, I think, for setting requirements for such a platform. I know that the Air Force is looking, studying some preliminary ways forward and I would look forward to participating as a combatant commander if I'm confirmed.

Senator THUNE. There are on the order of about 25 studies that have been done with regard to next generation long-range strike aircraft and yet there hasn't been any significant progress made to date. As a follow-up to my previous question, what can you see yourself doing differently than your predecessors when it comes to successfully advocating for this capability to the Office of the Secretary?

General KEHLER. Sir, I don't know if there's anything different that needs to be done right now. I know, again from my Air Force hat, that this is getting a lot of attention. It's a difficult set of issues to grapple with, to make sure that they have the requirements correctly stated and outlined and a way forward that matches those requirements.

I don't know that there is one thing if I was confirmed that I could do that would be different. However, I would just restate that, again, if confirmed, my belief is that the sustainment and modernization of the entire deterrent force elements and the sustaining stockpile that goes behind it, the command and control that supports it, and the ISR that contributes to it are all important and I would advocate for all of those.

Senator THUNE. As well as a follow-on or next generation long-range strike?

General KEHLER. Yes, sir, and that's part of that. In the mean time, there's also sustainment effort underway for the B–52s and the B–2s. We shouldn't ignore that.

Senator THUNE. Another question. This has to do with the New START treaty, which I know you've answered, responded to some questions about that already, but the New START treaty includes a ceiling on operationally deployed nuclear warheads of 1,550 warheads and 700 strategic nuclear delivery systems. What do you

foresee as the possible implications of reducing our number of delivery vehicles under the treaty?

General KEHLER. If you mean to get down to the treaty limits, again I haven't been part of the analysis, nor was I part of the negotiation activity. What I would say at this point is what I understand from my current seat. From my current seat, I understand that at those levels, 1,550 operationally deployed warheads, 700 operationally deployed delivery vehicles, up to 800 deployed and non-deployed, that we can still achieve our deterrence objectives.

Senator THUNE. The current plan to comply with the treaty would reduce the number of nuclear-capable bombers to a maximum of 60, and if my math is right we have the 20 B–2s that would remain nuclear-capable, and it would require us to reduce the number of nuclear-capable B–52s by about half, to somewhere around 40, to stay under what they expect to be the 60 number of bomber delivery vehicles.

What will the impact be in STRATCOM's mission of nuclear deterrence using the triad strategy and at what level of reduction in bombers do you start to become nervous about the viability of the bomber leg of the triad?

General KEHLER. Sir, first of all, we've decided to retain a triad, which I think is the foundational step that we've taken. The exact mixture of that triad has yet to be determined, and I know there have been some numbers stated, but we have entry into force plus 7 years to get to the appropriate mixture of weapons.

I would like to take the opportunity, if I'm confirmed, to come back with a more fulsome discussion about what I think about the mixture of each individual leg.

Senator THUNE. If the United States develops a prompt global strike weapon, these systems would further reduce the number of bombers or Intercontinental Ballistic Missiles in our inventory. What's your position on the development of prompt global strike? Is this a must-have type capability, and is it important enough that we further reduce the other legs of the triad?

General KEHLER. Sir, first of all, again as I understand the treaty, a prompt global strike weapon could count. It depends on its characteristics, whether it is actually mated to an intercontinental-range ballistic missile. It wouldn't have to count, but it could, depending on how we went forward.

My view is we should go forward on continuing to develop long-range strike, conventional strike, of some type. I think, again if confirmed, this is one I'd like to come back and have a further discussion with you.

Senator THUNE. I think it would be important in terms of reviewing the treaty, too, to determine whether or not whatever the prompt global strike would consist of would in fact fall under those caps and therefore impact the other considerations with regard to the triad.

General KEHLER. Yes, sir.

Senator THUNE. I see my time has expired, Mr. Chairman.

Thank you all very much for your service.

Chairman LEVIN. Thank you, Senator Thune.

Senator Webb.

Senator WEBB. Thank you, Mr. Chairman.

Gentlemen, I'd like to congratulate both of you for having been selected to undertake these responsibilities. I have no doubt from the quality of the service you've already given our country that both these commands will be in excellent hands.

General Kehler, it was interesting to visit with you yesterday. As we discussed, my father spent a good deal of his Air Force career in Strategic Air Command (SAC), did two tours at Vandenberg Air Force Base and one at Offutt Air Force Base. It brought back a lot of memories of the really amazing work that his generational cohort did in terms of pioneering these programs that have matured now into the discussions we're having today.

A lot of people don't realize the jeopardy this country was in in the late 1950s after the Soviet Union had gotten ahead of us with the Sputnik program. So the discussions that we're having and the issues that we're facing now are a direct product of, I think, the quality of work that generation put into this.

Having grown up a good part of my life on those two bases, I wish you the best.

General Ham, we've had discussion here about the DOD study on the "Don't Ask, Don't Tell" issue. I would like to say, as the chairman of the Personnel Subcommittee, how much I appreciate the cooperation that you and Counsel Jeh Johnson gave us in terms of designing this study. I think it's important, if I may, to quote from what Senator Lieberman just said when he said this study should inform the decision that Congress makes in voting. We tend to forget that in our political haste here. This is a very important study for us, not simply to receive, but to examine and to discuss.

Your background as a former enlisted and as an infantry officer I think is very important to the credibility of whatever comes out of that study. Having spent 5 years in the Pentagon, I can't remember a study on this type of issue that has been done with this sort of care, not even having seen it or knowing the results. But I know the preparation that went into it. It's going to be a very important study for us to look at and examine.

As I told both of you yesterday, I regretfully put a hold on civilian and military nominations based on an issue of what I believe was noncooperation from DOD. More than 3 months ago, I asked for a series of comparable historical data that goes into our analysis of all of these commands and the efficiencies which Secretary Gates is attempting to put into DOD and the efficiencies I fully support. But this should not have taken this amount of time. This was a basic providing us data so that we can participate in a discussion.

It was not a political ploy. Basically, if you don't have the information, if you don't have the tools, you can't do the analysis so that you can have a discussion about where these reductions might be going in our commands.

I'm very happy to point out that last night at close of business we did receive the first cut on this data. So I'm happily going to release any of these holds that we were forced to put in place in order to do this. We're going to examine this data. We're going to have follow-on questions. But it's a very important part of how you're going to bring efficiencies into DOD. So you're free at last.

I have a question, General Ham, on Africa Command. Where do you think the headquarters is going to go?

General HAM. Senator, the headquarters today is in Stuttgart, Germany. When I had a discussion with Secretary Gates about the possibility of him recommending me to the President for this job, one of the things we talked about was the necessity to conduct an assessment of the headquarters location. If confirmed I will certainly do that, and we'll consider a wide variety of locations, to include the current location, perhaps other sites in Europe. I think we ought to consider locations in the continent of Africa, and certainly there are some locations in the continental United States that have asked to be considered as well. If confirmed, Senator, I'll do just that.

Senator WEBB. Let me suggest you examine Norfolk.

General HAM. I understand, sir.

Senator WEBB. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Webb, and thank you so much for your action on the nominations.

Senator WEBB. Thank you, Mr. Chairman.

Chairman LEVIN. Senator LeMieux.

Senator LEMIEUX. Thank you, Mr. Chairman.

I want to thank both of you for your service to our country and congratulate you on these appointments.

General Ham, if I may ask you some questions about AFRICOM and some of the concerns I have about that region.

Before I do, with all due respect to my friend from Virginia, please look at Florida also. We are so pleased to have three combatant commands in Florida. We would appreciate your evaluation of Florida as well.

Chairman LEVIN. If you'd yield, I think you'd better add Illinois and Michigan at this point. [Laughter.]

We don't have any commands and so we really feel we're entitled to one. I can't speak for Illinois.

Senator BURRIS. We don't have any commands. We'd like one.

Chairman LEVIN. It's about time we had a command.

Anyway, Senator LeMieux, thank you.

Senator LEMIEUX. Thank you, Mr. Chairman.

I had the opportunity to visit Yemen as well as Djibouti this past August and talk about and see firsthand what our forces there are trying to do to combat al Qaeda in the Arabian Peninsula (AQAP) as well as al Shabab. I'm very concerned about what's happening in Somalia. I'm very concerned about the ties between AQAP as well as the ties that they have with al Shabab in that destabilized area.

You may have already spoken to this point, but I'd like for you to tell me what your view is of the area, what will be the plan of this country in the coming years to combat terrorism and the links between Yemen and Somalia and other African countries and radical Islamic groups and what we're going to do to combat their threats to this country?

General HAM. Senator, I agree with you. I believe that the extremist threat that's emerging from East Africa is probably the greatest concern that Africa Command will face in the near future. If confirmed, that becomes a very high priority, I think consistent

with what I believe to be the command's highest priority, which is to detect, deter, and if necessary defeat threats that would emerge from the continent toward the U.S. homeland or to U.S. interests.

One of the challenges I think for us will be that, as you correctly point out, Senator, that area sits astride two geographic combatant command areas of responsibility. One of the things I learned as the Director for Operations on the Joint Staff: It is in those boundary areas where we must pay great attention to ensure that extremist organizations and others find no safe haven and no opportunity to transition unimpeded between geographic combatant commands.

Senator, if confirmed, I would look forward to working very closely with U.S. Central Command and General Mattis and his crew to ensure that we counter that threat appropriately.

Senator LEMIEUX. I appreciate that. I believe that outside of the Pakistan-Afghanistan region, the most dangerous place in the world for us right now is Yemen and then the ties to Somalia. These ungoverned territories and the presence of people like Anwar Awlaki in Yemen, who are using sophisticated recruiting tools, who grew up in the United States, understands how to use social media to attract recruits, is as dangerous of a place in the world as it could be.

There's a lot of concern, and it's probably not something for an open hearing, but there's a lot of concern about the communication and connection now between AQAP and al Shabab and the fact that they may be recruiting folks through Yemen and training them in Somalia. So being focused on that I think is of very high importance.

General HAM. Sir, if confirmed I'd certainly take that as a high priority.

Senator LEMIEUX. General Kehler, I want to talk to you a little bit about your new responsibilities at Strategic Command and the concerns about cyber concerns and cyber warfare. I know that we are looking at a Cyber Command, but tell me how that will play into your new responsibilities?

General KEHLER. Senator, when the Secretary of Defense decided, in consultation with the President, to stand up a subunified command, what he essentially did was he consolidated, if you will, a number of disparate activities that were going on inside DOD related to cyberspace into one place, with a four-star, much like the relationship between Pacific Command and U.S. Forces Korea, where that's a subunified command of Pacific Command. It exists within Pacific Command and yet it operates with some degree of autonomy to take care of a mission that they've been assigned.

That's the same relationship that we have here. Strategic Command, as I have reread the mission here recently, still has responsibilities to advocate, to integrate, to be part of the command relationships with the other combatant commands. So there is still quite a bit of work, both direct and indirect work, that goes on at Strategic Command level. But the day-in and day-out activities and command and control of network activities, those types of things are going on in CYBERCOM.

Senator LEMIEUX. So it won't be your specific day-to-day operations. It's kind of like a command within a command?

General KEHLER. It is a command within a command, yes, sir.

Senator LEMIEUX. I want to talk to you a little bit about space policy.

General KEHLER. Yes, sir.

Senator LEMIEUX. That is within your responsibility. With the degrading of our plans for the National Aeronautics and Space Administration (NASA), although we were able to make some accomplishments before we went out for our recess in trying to continue the space program, tell me about your views of where we'll be on the military side of our space program and whether or not you feel that we're doing all that we can to make sure that we command space for military purposes?

There is always the view that we have to maintain the high ground. At one time, aviation was the high ground. But we know space is the ultimate high ground, and we do not want to be in a position where a future competitor to the United States has command over space.

Tell me what your view is of where we are strategically in terms of the command of space?

General KEHLER. Sir, the nature of space really has changed pretty dramatically in the last 5 to 10 years. It is now—and you'll hear these words used in DOD—space is now congested, competitive, and complex. You'll also hear the word "contested" used sometimes.

I think what has happened is that from 1957, when there was one manmade object on orbit, to today when there are over 20,000 that are softball-sized and larger, the fact that there are now over 50 nations that are involved in some way in space, the fact that those nations that are spacefaring with their own capabilities to get there and stay there are growing, given that China and others are emerging in space in a significant way, with very ambitious programs, things are different.

As a result of that, a new national space policy was just issued. It says essentially that we need to still maintain the competitive advantages here that it gives us in terms of our warfighting capabilities, and it says that to go about that we will need to be more collaborative and cooperative with allies, with friends, with partners, and with commercial.

From a military side, leveraging those kinds of space capabilities has become the way that we think we need to go to the future. We have turned the corner, I believe, in many cases in acquisition difficulties. That is not to say we don't have any, but we have turned the corner in many of our acquisition difficulties.

Then finally, in terms of our relationship with NASA, of course those are two separate and distinct organizations, with two separate and distinct missions, but we do collaborate and we do partner since the beginning of the space age. We're looking for ways that we can leverage NASA, working together with DOD, and the National Reconnaissance Office to make sure that we are all to be more efficient while becoming more effective.

Senator LEMIEUX. I thank you for those comments. My time is up. I think if I were in your position the two things that would be keeping me up at night would both be cyber and space, as two priorities where we have to keep our advantage. I appreciate your focus and attention on that.

General KEHLER. Sir, if I'm confirmed you can rest assured that those two will be at the top of my list, yes, sir.

Senator LEMIEUX. Thank you very much.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator LeMieux.

Senator Burris.

Senator BURRIS. Thank you, Mr. Chairman. Of course, this is more than likely my last appearance before your great committee, and I just want to commend you, Mr. Chairman, for your wonderful work and the opportunity to be able to serve on this Armed Services Committee.

Chairman LEVIN. It's been a real pleasure for us and a real advantage for us to have you here.

Senator BURRIS. Thank you, Mr. Chairman.

To both the generals, I am pleased to meet both of you today. I have more of a statement than I do questions, but if I have enough time after my statement I would like to ask a couple of questions.

After reviewing both of your resumès, I'm confident that you will both serve commendably in STRATCOM and AFRICOM. I've had the privilege of visiting both STRATCOM and AFRICOM over this past year, so I've been able to see the capabilities in which you will serve and the challenges which you face, and I say that there are some challenges out there, gentlemen.

General Kehler, I traveled to Omaha to see the STRATCOM facilities in July and was impressed by the sophistication and dedication to mission shown by the entire staff. I hope that you look at those individuals and hold onto them. They're good people.

I see in your biography that you were the Deputy Commander at STRATCOM, so you need not reiterate the important role that your command has played in defending our Nation from ballistic threats. I'm confident that you are the right man for the job, and should I be here to vote, rest assured you have my vote. But I will be following your success, sir.

To General Ham, your predecessor has laid the groundwork to take this unified command to the next level of proficiency and interagency cooperation. The U.S. African Command does so much more than train African troops in stability and security operations. They represent the United States and our military throughout the entire continent of Africa.

General Ham, what we find out in America, that most Americans speak of Africa as a country. They have no idea of the size of this continent, the complexity of this continent, with 53 different separate entities and countries on this continent. I stress that point clearly as it has the potential to be both your greatest challenge and your greatest success.

The men and women that you command through the U.S. Agency for International Development, the Department of Agriculture, the Department of State operations throughout the continent, but it is the presence of your men and women in uniform that Africans will remember the most.

General, this is a new and highly engaged command post. I'm excited to see its progress as I continue to follow your career upon leaving the Senate.

Again, I would like to thank both of you for sitting before this committee today and for your service to our country. You've put a lot of years of service in. I take my hat off to all of you who made it through the ranks and made it up to the status that you've made it because of the contributions that you made and the confidence that people have placed in you. You've taken on added responsibility now with these two commands. I am proud to support your nomination and should I be here I would be voting for it.

General Ham, I just have a couple points on AFRICOM. The African Union (AU), I visited them in Addis Ababa and come to find out I think I was the first U.S. Senator to visit. There have been a lot of Congresspersons that have been to the AU, but as the deputy minister of the AU told me, I was the first Senator to come and visit them at their headquarters. They're building a new wonderful headquarters there in Addis Ababa.

Please encourage my colleagues through your contacts to check out the AU. They're looking forward to seeing us and to letting us hear their concerns.

I also visited the East Africa Standby Brigade, that really has all these different countries in it, where they're certainly trying to bring peace and security into those East African nations. They are concerned, too, about our participation. General Ward has stood up this command. He's done his best, but the resources are a problem. The other agencies that are there are really seeking to do what their responsibilities are, but I think a lot of it is depending on the military.

I found out that they were a little concerned about what standing up Africa Command was. They didn't communicate it properly. So you still have a public relations job to continue to do, as General Ward has tried to do, in terms of those African countries, on just what is our purpose.

General Ham, you're also going to compete as well with China as they move into these various countries with their assistance. Africa is the future for all of our existing countries, because of the resources that are there. We have to look to how we can build our relationships with those African countries in spite of the terrorism and in spite of the conflicts that exist. We need to have a better presence on the continent.

As far as the headquarters is concerned, I wouldn't mind Chicago. But I was in Stuttgart. By the way, my second language is German. I visited the headquarters in Stuttgart, had a great time there with the staff, and went on to Djibouti to visit Lemonnier there and to Nairobi in Kenya. I turned in to my chairman a report of my experience that I received there, and just hoping, General Ham, that we can really step up our presence and that the African countries understand that we are there to assist them. We're not there to, as they were concerned about, to take them over: Here comes big America. So you'll have that to deal with, as I was able to pick up, too, General Ham.

But you also must work with those different factions that exist in all those different countries. I have a great deal of sympathy for you as you undertake that.

You answered my headquarters questions, where do you think it's going to go. Do you have any idea?

General HAM. Sir, I don't. I think I should approach this, if confirmed, essentially with a blank piece of paper and start, what's the requirement, and then come up with the best recommendation for the headquarters location.

Senator BURRIS. I think every African country wants the headquarters there. You're going to have a problem unless you select an African country.

I see my time is up. Gentlemen, continue the service, continue to do good for the American people and to take our message abroad to the other countries and let them know that we are here, not as conquerors, but we're here to help move civilization forward for the betterment of all mankind. God bless you all and your families, and keep up the good work.

Thank you.

Chairman LEVIN. Thank you very much, Senator Burris. Again, thank you for your major contribution to our Nation and to this Senate and to this committee. It's really been appreciated.

Senator Udall.

Senator UDALL. Thank you, Mr. Chairman. Let me echo your words about Senator Burris. I'm going to miss him. I've really enjoyed serving with the former attorney general of Illinois and now Senator Burris. I look forward to your advice and counsel as we continue our work in the Senate.

Generals, thank you for being here today. Thank you for your service.

General Kehler, if I might start with you. I think you're familiar with a joint op-ed that Secretary Gates and Secretary Clinton wrote on START this week, where they said that a ratified treaty creates "a more stable, predictable, and cooperative relationship between the world's two leading nuclear powers."

Russia and the United States today, I think they comprise over 90 percent of the supply of nuclear weapons. As a strong regional power, Russia has a great deal of influence in dealing with Iran and its nuclear weapons program. I believe that the New START will help to bolster our relationship with the Russians and in turn our ability to leverage Russian support to put pressure on Iran.

Would you agree? What are your thoughts on that particular situation?

General KEHLER. Senator, I would agree that an arms control agreement contributes as a piece of a broader relationship in many ways. I would agree that my personal opinion is that a treaty will in fact be helpful in the ways that you suggest.

Senator UDALL. Thanks for that insight.

I am on the record strongly supporting New START as a new start, as a step forward. There will be more work to do. We discussed the other day the tactical weapon arsenal that the Russians have, but I think by passing New START we could continue to have those negotiations further about tactical nuclear weapons. But if we believe Iran is the center of our efforts in the Middle East, I think we have to ratify the New START treaty.

Thank you for your comments.

Let me move to cybersecurity, if I might. I recently spent some time with Secretary Napolitano. I know that DHS and DOD have signed a cybersecurity memorandum of agreement. I'm really en-

couraged by the progress that both Departments are making in leveraging their capabilities to keep our Nation's networks safe.

Could you talk a little bit more about your involvement and the importance of this effort?

General KEHLER. Sir, again, if confirmed, as I mentioned before, Strategic Command I think has an important role to play. Strategic Command sits at the confluence of a lot of activity in DOD. Strategic Command I think has a strong advocacy role, certainly an integration role.

My intent, if confirmed, would be to try to continue to make Strategic Command a better and better partner, both inside DOD and then as necessary with DHS and others.

Senator UDALL. I know you're passionate about this. I know we've talked about the very interesting similarities between outer space and inner space, inner space including this area of cyber and cybersecurity. I look forward to working with you when you're confirmed. I know that's certainly my intent.

General KEHLER. Thank you, sir.

Senator UDALL. General Ham, if I might move to you, and then I may have a comment to come—actually, let me, one final comment for General Kehler.

Could you tell me about the status of the final space posture review? Can you provide any insights in when we would see it and any additional thoughts you might have?

General KEHLER. Sir, I'm not sure I can. I'll have to get that for the record. But what I do know is, of course, the space posture review in large part contributed to two important documents. One is the new national space policy that the President signed some months ago.

The other is a strategy, a national security space strategy document that is being prepared as a follow-on to the policy. I'm not sure if there will be a separate space posture review document released or whether that is now rolled into the national security space strategy. That national security space strategy is in coordination and should be available soon. I can't specify exactly when, and I will get that information for the record for you.

[The information referred to follows:]

The National Security Space Strategy (NSSS) concludes the process of reviewing America's Space Posture by describing the Department of Defense and Office of the Director of National Intelligence's objectives for national security space and the interrelated approaches to achieve these ends. The NSSS builds upon the assessment of the strategic environment and those programmatic details identified in the interim Space Posture Review, submitted to Congress in March 2010, as required by Section 913 of the National Defense Authorization Act for Fiscal Year 2009.

The NSSS is proceeding through final staffing for signature by the Secretary of Defense and Director of National Intelligence with an anticipated release early next year.

Senator UDALL. I would appreciate that. I think we both agree that we're increasingly reliant on space for our economy and for our national security. We also know that increasingly space is a congested and contested environment, and we need to stay on the front end of this. I'm looking forward to your continued advice and counsel in your new position, given your past experience and expertise.

General Ham, I'd like to turn to you. As I understand it, one of AFRICOM's missions is to enhance the kinetic capabilities of Africa's militaries through assistance programs. Another part of your mission would be to conduct or support actions and programs in conjunction with U.S. Government agencies and other partners to reduce the potential—there's plenty of intra-state conflict, but there's also inter-state conflict in Africa, by enhancing the governance, stability, and economic development of the countries that are in the AFRICOM sphere of responsibility.

Of those two basic missions, do you see either as more important than the other, particularly in the context of short-, mid-, and long-term concerns? That's a big question, but it's an important question. I know you've considered it.

General HAM. Senator, in my view they are indeed complementary efforts. I think the role of the command is through a wide variety of programs and authorities to help build the capacity that African nations need at their national level and then, importantly, also to build regional capacity. If confirmed, I think this becomes an important requirement, an important task, for the command, to see how we can best leverage the authorities and the resources that are available to achieve the best effect.

Senator UDALL. Those two basic missions, you don't elevate one above the other? You see them as both equally important, training the military and then also operating in that civilian-military space to build governing capacity?

General HAM. Senator, I think they do go hand in hand. If confirmed, I'd have to take a look at that, as I would all the other requirements of the command, and see if a prioritization was necessary, particularly in the application of resources. Certainly, if confirmed, I would take a look at that.

Senator UDALL. I see my time is about to expire. Let me make one final short remark and then ask you for a commitment I think you'll be able to meet.

The Defense Science Board has been charged by the current AFRICOM Commander and the Under Secretary of Defense with assessing the security implications of climate change on Africa and the potential role for AFRICOM in addressing these impacts. I'd like to ask you to commit to providing the committee, once you get your feet on the ground, with your personal view on the findings and recommendations of that task force at an appropriate time next year. Could you do that?

General HAM. Sir, if I'm confirmed I will.

Senator UDALL. Thank you, General.

Thanks again to both of you for being here.

Chairman LEVIN. Thank you, Senator Udall.

Senator Begich.

Senator BEGICH. Thank you, Mr. Chairman.

Thank you both for being here. I will also just state for the record that I am looking forward to supporting both of you in these new positions. I think you are very qualified, highly qualified, for these new challenges that you're taking on. I also thank you and your families for the commitment they have to make in this new venture and stress that will be added to your households. So thank you both very much for that willingness.

General Ham, most of my questions have been answered, except I would put in my pitch, of course, that Alaska would be happy to take the command when you look for a location. We would tell you that we're 90 percent by air to any place in the western world. We can access most places through our airport technology and we don't close our airports under any conditions. I'll just leave it at that.

I know General Kehler knows that about Alaska and its uniqueness. But I had to get my pitch in. It seems like everyone else did.

General Kehler, my questions are going to be a little parochial, but I want to give first a broad statement, because I did hear some comments, as usual on this committee, from some that are somewhat worked up over the New START treaty. I'm not. I think it's a good treaty and I'm looking forward, hopefully, to vote on this at some point.

But let me be a little bit parochial, but really clarify, and I think you will—I anticipate your answer on this, so it's more of a setup because I want to make it clear one more time. That the New START treaty—and I know there was some discussion of missile defense and how it interacts with it. My understanding is that the New START treaty does not restrict the missile defense system in any way.

Let me ask it in a formal way if I can: If confirmed, will the New START treaty hinder your ability to advocate for ballistic missile defense requirements for this country?

General KEHLER. Sir, I don't believe it will.

Senator BEGICH. It's almost like we have to do this every hearing, with every person from the military, when we talk about the START, because there seems to be a discussion to kind of put it in the air, let people spin out there a little bit, and let the press carry it as maybe it will. But what I hear over and over, especially when we had Secretary Clinton here and Secretary Gates, that it was very clear that it does not hinder our capacity.

Now, I want to just say first, thank you once again for the military putting it on the record so it's clear, and hopefully maybe we'll end that part of this debate around the New START treaty.

But now let me kind of hone in, if I can, on the missile defense system, especially in Fort Greely, AK. The majority of the ground-based interceptors are deployed there, and I'm interested to know, assuming you're confirmed in your position, how you will help advocate and represent the requirements and the capability of what's up there? Can you give me your sense and your feeling or your understanding of the need, how you will advocate for basically our last line of defense when it comes to missile defense for this country?

General KEHLER. Sir, the current policy of our Government is that we will deploy a limited defensive system against long-range threat from regional powers that could reach out and strike the United States of America. That is the basis on which the sensor network and of course the ground-based midcourse interceptors in Alaska and the handful at Vandenberg were postured.

My responsibility, I believe, is to help advocate for that capability, certainly as long as that's our country's view about what we need to do.

Senator BEGICH. Very good. I don't know if you've ever been to Fort Greely. Have you been up there?

General KEHLER. Sir, I have not.

Senator BEGICH. We'll invite you.

General KEHLER. Yes, sir.

Senator BEGICH. We would love to have you up there. I know the Director of the Space and Missile Defense Command always comes up. He always picks January. I think that's great. It gives him a lot of extra credit points when you come to Alaska in January.

But we would love to have you up there. It's a very unique situation, but also there are some, what I would call some deficits. The nearest town has one doctor and there's no clinic on base, to give you a sense of what they have to work in, the conditions they work in. We would love to have you up there at some point, at your convenience, because I think once you're on the ground there, first, you'll find a very committed community within range of the base, that is very supportive and helping any way they can. But I think it's also important to see what we have.

If you're confirmed, we would love to participate in any way we can to help make that happen.

General KEHLER. Yes, sir. Just to put a finer point, I've been to Alaska a number of times. I just haven't been to Greely. Typically I go to Clear Air Force Base.

Senator BEGICH. Oh, very good. That's actually another piece of the equation with Fort Greely. I don't have questions on Clear, but I'm glad you brought it up, because at some point I'll want to have some conversation about the long-term plan—I know there is one—of the rehabilitation and renovation to the facility, and just to make sure we're on track on the dollar requirements.

I know in these tight budget times everyone's looking to push where they can, but obviously we think Clear is critical long-term and that investment that is being considered over the next several years will hopefully be continued. I don't have to have a conversation on that right now.

Let me ask you a general question on support and development of the two-stage ground-based interceptor as a hedge in the event that the proposed development and deployment of the long-range Phased Adaptive Approach is not achieved by 2020. In other words, if we can't get to our schedule, do you see the two-stage ground-based interceptor as a hedge to make sure we're covered? Your thoughts on that?

General KEHLER. Sir, I don't know enough about this. I'd like to take that one for the record if I could.

Senator BEGICH. I would like that. That would be great, because it's not that I would say that the military is not always on schedule, but there are times where planning and development of especially new technology gets delayed. If we don't have something that backs against it to protect ourselves as we develop our technology, as things change, I want to make sure we have a kind of cohesive plan in that arena, and not just say, we're done here because we have this new plan down the road, and then we miss some timetables.

If you could take that for the record, that would be very good.

General KEHLER. I will, sir. I apologize, but I'm just not familiar enough with the details of General O'Reilly's laydown to render a comment.

Senator BEGICH. No problem. I know when I talked to General O'Reilly he has it down to the detail. He lives and breathes it. But I know that you're just getting into this position, so I appreciate it if you could.

General KEHLER. Yes, sir.

[The information referred to follows:]

I agree with the Ballistic Missile Defense Review that we should continue development and testing of a two-stage ground-based interceptor and continue investing in Phased Adaptive Approach development to enable the United States to stay ahead of the emerging long-range ballistic missile threat.

Senator BEGICH. The other one is, in some advance policy questions we gave you, you made a comment: "Robust access to space is a national imperative," which I 100 percent agree. In Alaska we have the Kodiak launch complex. I'm not sure if you're familiar with that. It is very flexible, efficient, and does commercial as well as military launch capacity.

The Space Development and Test Wing currently has two missions scheduled in Kodiak this year. It has very unique capability. I don't know if you're familiar with it, but I would love, again the same thing, if you're not I would encourage you to look at that, and then help our office understand, help me understand, what you see is the potential, if at all potential, of a long-term relationship from your office and your operation with the Kodiak launch facility.

There is a lot of Federal dollars in there to build that facility. It has great capacity. Again, as I said, there already are two missions this year from one component of the military. If you could just briefly comment. My time has expired, but any comment on that at this point?

General KEHLER. Sir, I think the mission is tomorrow, actually. I think one of them is tomorrow.

Senator BEGICH. I think you're right.

General KEHLER. Yes, sir, if confirmed I'd be more than happy to get involved with you and have discussions about Kodiak.

Senator BEGICH. Excellent. Thank you very much.

Mr. Chairman, that's all the questions I have, and I appreciate the time.

Again, congratulations for your willingness to take on additional responsibility and commitments to this country. Thank you both.

Chairman LEVIN. Thank you, Senator Begich.

Senator Bill Nelson.

Senator BILL NELSON. Thank you, Mr. Chairman.

Gentlemen, congratulations on your appointments to these positions. Thank you both for your public service and your long service to our country.

General Kehler, as we have discussed many times the Nation's space program now, now you're taking it to a different level. In Strategic Command, you are going to have to be concerned with the nuclear program. I would encourage you to, as one of your first things that you do, which I encouraged General Chilton to do the same thing, and I think he would reaffirm that this is good advice: Go visit the three national labs. That's my suggestion.

Have you visited the three before?

General KEHLER. Sir, I have not visited all three. I've been through pieces of them in the past. You had mentioned this to me several days ago. I will do this if I'm confirmed, because there are some deficiencies that I have in getting eyes on to some of the aspects of what needs to happen, and I will go visit there. Plus the rest of the weapons complex I will go and put eyes on early on.

Senator BILL NELSON. Also, with regard to the triad, the nuclear posture review states that "Each leg of the triad has advantages that warrant retaining all three legs," and that "Strategic nuclear submarines represent the most survivable leg of the U.S. nuclear triad." Do you think that we should retain all three legs of the triad?

General KEHLER. Yes, sir, I do.

Senator BILL NELSON. You want to discuss the significance of the next generation of the ballistic missile submarine?

General KEHLER. Sir, I think it's important that, as we look to the future, I think it's important that two things happen. Number one, I think it's important that we sustain the legs that we have today, and I know that the Services have invested in sustaining those legs. I think it's important that we sustain the command and control that makes sure that the President is always linked to those forces. I think it's important for us to sustain the ISR capabilities that support all of those activities.

Then I think it's important that we put in place the modernization efforts to make sure that we can get to the next versions of each of these. My understanding of the programmatics of this, it looks like the first to come up for modernization investment will be the replacement to the *Ohio*-class ballistic missile submarine, and I'm looking forward if I'm confirmed to working with the Department of the Navy to make sure that we understand and have clarified requirements and that they are actively moving forward.

The other legs are underway, studies at various levels. I think it's important also to have a replacement long-range strike aircraft, and I also think it's important for us to begin the process to modernize the Nation's land-based strategic deterrent.

I would mention one other thing. Clearly, survivability is a key aspect that the triad brings to bear. No doubt about it, on a day-in and day-out basis the submarine ballistic missile force is the most survivable. But, if generated, the bombers are equally survivable.

Senator BILL NELSON. General Ham, we have a problem of drugs going into West Africa and then it just goes right on up to Europe. Do you want to comment on that? Unfortunately, even though they're coming out of Colombia, they go into Venezuela, and then from Venezuela they're either going straight to West Africa or they're going to the island of Hispaniola, either the Dominican Republic or Haiti, and they get dispersed out of there.

But they're coming into West Africa, and they're using that as a transshipment point then to get it on into other places, primarily Europe. Do you want to comment about that?

General HAM. Senator, it's a very real concern, certainly not exclusively a military or even primarily a military challenge. But I

think Africa Command in its uniquely interagency composition is in a posture to contribute to countering that effort.

The illicit trafficking of narcotics and other illicit trafficking destabilizes nations and regions, all of which are unhelpful in trying to provide security. I think this is a challenge for the whole of government and I will, if confirmed, look at AFRICOM's appropriate role in that regard.

Senator BILL NELSON. Have you had any thoughts about what should we do about that as Commander of AFRICOM?

General HAM. Senator, I think the way in which AFRICOM could probably bring military assets to bear are in maritime domain awareness. In this regard, if I'm confirmed I would very much like to partner with U.S. Southern Command, who participate in these types of efforts on a routine basis. I suspect, but don't know, that Africa Command has already done so, to learn from the experience of Southern Command and find how we might best leverage that experience in Africa.

Senator BILL NELSON. Mr. Chairman, this is a great example. General Ham just mentioned Southern Command. Southern Command and Africa Command is just a great example, where all the agencies of government are coming together to address a particular problem. It has certainly been true with regard to drugs in South America, but it's also being true with regards to drugs in Western Africa and through that command.

It's the Drug Enforcement Agency, it's the Federal Bureau of Investigation, it's the Central Intelligence Agency, as well as the military components, that are all working together. So often we are giving deference and kudos to our young men and women in uniform, which is most appropriate and they are held in such high esteem. Often we don't realize the changing nature of projecting the interests of the United States and the free world is a combination of all of these agencies, sometimes led by the U.S. military, but other times working directly in a partnership.

I think it's fascinating. West Africa is clearly a place where we have that going on right now, as well as the U.S. Southern Command.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you for that comment. It's something that's important to make and it's not made often enough, and I'm glad, Senator Nelson, that you have pointed out, made that point.

I just want to ask one question about the New START treaty and then, unless there's other questions, we can adjourn the hearing. You have pointed out, when you were asked about the Russian unilateral statement, that it's not part of the treaty, it's not binding on us, it's their point of view, and that we've made our own unilateral statement at the same time, that we're going to proceed with missile defense; and our statement, our unilateral statement, made at the same time theirs was made, on April 7, says that: "U.S. missile defense systems would be deployed to defend the United States against limited missile launches and to defend its deployed forces, allies, and partners against regional threats." The United States further noted its intent to continue improving and deploying its missile defense systems in order to defend itself against limited at-

tack as part of our collaborative approach to strengthening stability in key regions.

I think you've pointed that out, General Kehler, that our unilateral statement was made the same time as their unilateral statement; their unilateral statement is not binding on us, it is not part of the treaty.

But what is not pointed out enough, it seems to me, is that the exact same thing happened at the time of START I. There were unilateral statements made by the Russians. That had to do with the Anti-Ballistic Missile (ABM) Treaty: If we pull out of the ABM Treaty, then what they said was that—this is the unilateral statement at that time on the Soviet side, when there was a Soviet Union: "This treaty may be effective and viable only under conditions of compliance with the treaty between the United States and the Union of Soviet Socialist Republics on the limitation of ABM systems as signed on May 26, 1972."

That's the statement they made, and we made a unilateral statement at the same time saying: Sorry, we're not bound by that statement and we can make changes in the treaty or pull out of the treaty if it's in our supreme national interest to do so. As a matter of fact, we did pull out of the ABM Treaty, and as a matter of fact they did not as a result terminate the START I Treaty despite their unilateral statement.

Is that correct, General? Are you with me so far?

General KEHLER. Yes, sir, that's the way I understand it.

Chairman LEVIN. What I don't understand is why when our witnesses are asked about the unilateral statement and why, after they put out it's not binding on us, the Russian unilateral statement, and we've made our own unilateral statement saying it's not binding on us and we intend to proceed and that it's not going to threaten you in any way, why our witnesses don't point out: Hey, we've been there before; we just went through that exact same unilateral versus unilateral back in 1991.

I'm just curious. You're aware of the history, I gather. But why is that something which is used to address this constant refrain we hear about a unilateral Russian statement on this particular treaty? Why isn't that part of the response, the history?

General KEHLER. It's probably a deficiency on my part.

Chairman LEVIN. No, no. It's not a deficiency on your part. Most witnesses don't get there. I'm just curious as to, is it not as important as I think it is that they have been there, done that, listened to that before, and it had no effect?

I'm not critical of you. I'm just curious, frankly, because witnesses don't seem to focus on what seems to me is not only obvious, that their unilateral statement isn't binding on us, that we make our own unilateral statement saying it's not binding on us and, by the way, we intend to proceed with our missile defenses, that we've been through this exact same unilateral, unilateral before, and it didn't have any impact.

Rightly or wrongly, we pulled out of the ABM Treaty. I thought it was a mistake, but that's not my point. My point is we pulled out of the ABM Treaty and they did not pull out of the START I Treaty, even though they had made a unilateral statement saying the two were related. I'm really curious. I'm not at all critical, be-

cause your not making reference to that history is fairly typical of our witnesses.

Is it not as important as I think it is? You can be totally blunt or diplomatic, as you wish, either one.

General KEHLER. No, sir. I just think certainly to describe the full context of the debate, you captured it better than I did, for sure. I don't know why I didn't capture it that way.

Chairman LEVIN. No. Again, it's kind of a pattern, frankly. Maybe people don't want to sound defensive. Maybe that's it. But it's not defensive to make reference to this unilateral history, in my judgment. That's my opinion.

I want to thank both of you. You've served our country well. Your family support, we know how critical that is. We thank your families again and appreciate your making reference to your families the way you do.

Unless there's further questions by me, which there are none, and there's nobody else here to add any, we will again stand adjourned. I want to thank you both. But I also want to thank Senator Webb for the step that he's now taken to allow our nominations to proceed. He had a legitimate interest in getting information. He has obtained that information now and has indicated his release of the hold on nominations. Hopefully, that not only will facilitate a number of other nominations which have been pending, but also will help speed up your nominations and confirmation as well. We're going to try to get a quorum as quickly as we can of this committee so that we can address your nominations. Thank you both. We'll stand adjourned.

[Whereupon, at 11:40 a.m., the committee adjourned.]

[Prepared questions submitted to Gen. Claude R. Kehler, USAF, by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms brought about fundamental change in the manner in which the Department of Defense (DOD) and the Services carry out the mission of national security.

Do you support full implementation of these defense reforms?

Answer. Yes.

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

Answer. The defense reforms clarified military operations by defining responsibilities for each combatant commander for mission planning, preparation, and execution of forces across traditional Service boundaries. The clear chain of command from national leaders to combatant commanders is both effective and efficient. The focus on joint doctrine, assignments, professional military education and strategic planning led to an improvement in joint military operations.

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

Answer. I believe DOD has successfully implemented these reforms.

Question. The goals of Congress in enacting the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations defense reforms, as reflected in section 3 of the Goldwater-Nichols Department of Defense Reorganization Act, can be summarized as strengthening civilian control over the military; improving military advice; placing clear responsibility on the combatant commanders for the accomplishment of their missions; ensuring the authority of the combatant commanders is commensurate with their responsibility; increasing attention to the

formulation of strategy and to contingency planning; providing for more efficient use of defense resources; enhancing the effectiveness of military operations; and improving the management and administration of DOD.

Do you agree with these goals?

Answer. Yes.

Question. Do you foresee the need for additional modifications of Goldwater-Nichols in light of the changing environment and possible revisions to the national security strategy?

Answer. No.

DUTIES

Question. What is your understanding of the duties and functions of the Commander, U.S. Strategic Command (STRATCOM)?

Answer. The Commander, STRATCOM is responsible for the plans and operations for U.S. forces conducting strategic deterrence and DOD space and cyberspace operations. These responsibilities include the following missions: deter attacks on U.S. vital interests, ensure U.S. freedom of action in space and cyberspace, deliver integrated kinetic and nonkinetic effects in support of U.S. Joint Force Commander operations, synchronize global missile defense plans and operations, synchronize regional combating weapons of mass destruction plans, provide integrated surveillance and reconnaissance allocation recommendations to the Secretary of Defense and advocate for assigned capabilities.

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

Answer. My 35 year career includes assignments and responsibilities involving operational and staff assignments in the Air Force, Strategic Air Command, the Joint Staff and STRATCOM. I commanded at the squadron, group, wing and major command levels and have a broad range of operational and command tours in intercontinental ballistic missile (ICBM) operations, space launch, space operations, missile warning and space control. As the Deputy Commander, STRATCOM, I gained experience in delivering effects with the broad range of strategic capabilities for combatant commanders engaged across the spectrum of conflict around the world. As the Commander, Air Force Space Command for the past 3 years, I organized, trained, and equipped space, cyberspace, and ICBM forces in support of the missions of STRATCOM, North American Aerospace Defense Command and other combatant commands. In this role, I led planning and activation activities for a new numbered Air Force dedicated to providing cyberspace capabilities to U.S. Cyber Command (CYBERCOM). If confirmed, I will leverage my experience to lead STRATCOM in fulfilling its responsibilities.

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, STRATCOM?

Answer. I will seek to continue to enhance my expertise in STRATCOM's broad range of missions. If confirmed, I look forward to working with all the combatant commanders and the many organizations STRATCOM depends on for continued success, many of whom I worked with during my tour as the Deputy Commander, STRATCOM. I intend to establish clear lines of communication, define relationships and become more familiar with these organizations (e.g. Department of Homeland Security, Department of Energy-National Nuclear Security Administration (NNSA), Missile Defense Agency (MDA), Defense Threat Reduction Agency, and the Nuclear Weapons Council (NWC)) and their contributions to mission success.

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 commanders of the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander, STRATCOM, to the following officials:

The Secretary of Defense.

Answer. Pursuant to title 10, U.S.C., section 164, subject to the direction of the President, the Commander, STRATCOM performs duties under the authority, direction, and control of the Secretary of Defense and is directly responsible to the Secretary for the preparedness of the command to carry out assigned missions.

Question. The Deputy Secretary of Defense.

Answer. In accordance with title 10, U.S.C., section 132, the Deputy Secretary of Defense will perform such duties and exercise powers prescribed by the Secretary of Defense. The Deputy Secretary of Defense will act for and exercise the powers

of the Secretary of Defense when the Secretary is disabled or the office is vacant. If confirmed, I will work closely with the Deputy Secretary on appropriate matters.

Question. The Under Secretaries of Defense for:

Answer. The Under Secretaries of Defense, as the principal staff assistants (PSA), provide advice, assistance and support to the Secretary of Defense in managing the Department and in carrying out such duties as prescribed by the Secretary or by law. Within their areas, Under Secretaries exercise policy and oversight functions. In carrying out their responsibilities, and when directed by the President and Secretary of Defense, communications from the Under Secretaries to commanders of the unified and specified commands are transmitted through the Chairman of the Joint Chiefs of Staff. If confirmed, I will work closely with the Under Secretaries in the areas of their responsibilities.

Question. Policy.

Answer. The Under Secretary for Policy is the PSA and advisor to the Secretary and 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.

Question. Intelligence.

Answer. The Under Secretary for Intelligence is the PSA and advisor to the Secretary and Deputy Secretary of Defense for all matters regarding intelligence, counterintelligence, security, sensitive activities and other intelligence-related matters.

Question. Acquisition, Technology, and Logistics.

Answer. The Under Secretary for Acquisition, Technology and Logistics is the PSA and advisor to the Secretary and Deputy Secretary of Defense for all matters relating to the DOD Acquisition System; research and development; modeling and simulation; systems integration; logistics; installation management; military construction; procurement; environment; services; and nuclear, chemical, and biological programs.

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, Western Hemisphere security matters and provides overall supervision of homeland defense activities of DOD. If confirmed, I look forward to working with the Assistant Secretary of Defense for Homeland Security and Americas' Security in coordination with the Under Secretary of Defense for Policy on matters in the area of STRATCOM.

Question. The Assistant to the Secretary of Defense for Nuclear, Chemical, and Biological Programs.

Answer. The Assistant to the Secretary of Defense for Nuclear, Chemical, and Biological Programs advises the Secretary of Defense on nuclear energy, nuclear weapons and chemical and biological defense; serves as the Staff Director of the NWC; and performs such additional duties as the Secretary may prescribe. If confirmed, I will work closely with this office and the NWC in support of the nuclear deterrence mission.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. Title 10, U.S.C., section 163, clearly establishes the Chairman as the principal military advisor to the President, the National Security Council, the Homeland Security Council, and the Secretary of Defense. In this role, he is the most senior ranking member of the Armed Forces but does not exercise command over any military forces or serve in the Chain of Command between the President and Secretary of Defense and combatant commanders, although the President may transmit communications through him. By law and as directed by the Secretary of Defense, the Chairman consults with the combatant commanders, evaluates and assists in achieving their requirements and plans. The Chairman provides a vital link between the combatant commanders and other elements of DOD. If confirmed, I will keep the Chairman and the Secretary of Defense promptly informed on matters for which I am personally accountable as Commander, STRATCOM.

Question. The Secretaries of the Military Departments.

Answer. Under title 10, U.S.C., section 165, subject to the authority, direction and control of the Secretary of Defense, and subject to the authority of the combatant commanders, the Secretaries of the Military Departments are responsible for administration and support of forces that are assigned to unified and specified commands. The authority exercised by a combatant commander over Service components is quite clear but requires close coordination with each Secretary to ensure there is no infringement upon those lawful responsibilities which a Secretary alone may dis-

charge. If confirmed, I look forward to building a strong and productive relationship with each of the Secretaries of the Military Departments.

Question. The Chiefs of Staff of the Services.

Answer. As a result of the Goldwater-Nichols Act, the Service Chiefs no longer serve in the operational chain of command. They now serve to provide organized, trained, and equipped forces to be employed by combatant commanders in accomplishing their assigned missions. Additionally, these officers serve as members of the Joint Chiefs of Staff and have a lawful obligation to provide military advice. Individually and collectively, the Service Chiefs are a tremendous source of experience and judgment. If confirmed, I will work closely and confer regularly with the Service Chiefs.

Question. The Director of the National Reconnaissance Office.

Answer. The National Reconnaissance Office (NRO) is a DOD organization engaged in the research and development, acquisition, launch and operation of overhead reconnaissance systems necessary to meet the needs of the Intelligence Community and of DOD. According to the Unified Command Plan, STRATCOM is the responsible combatant command for both space operations and for planning, integrating and coordinating intelligence, surveillance, and reconnaissance (ISR) in support of strategic and global operations, as directed. In these capacities, the Commander, STRATCOM, must maintain a close relationship with the Director of NRO to coordinate and represent requirements in these mission areas. If confirmed, I will work closely with the Director of NRO on matters of shared interest and importance.

Question. The combatant commanders, particularly Commander, U.S. Northern Command, and Air Force Global Strike Command and CYBERCOM.

Answer. The Commander, STRATCOM has both supported and supporting relationships with other combatant commanders, largely identified within the Unified Command Plan (UCP), the Forces for Unified Commands Memorandum, the Joint Strategic Capabilities Plan, specific command arrangement agreements, Operations Plans and Concept Plans. Air Force Global Strike Command is an Air Force major command that provides combat ready forces to STRATCOM to conduct nuclear deterrence and global strike operations as directed. CYBERCOM is a subordinate unified command to STRATCOM. CYBERCOM plans, coordinates, integrates, synchronizes, and conducts activities to direct the operations and defense of specified DOD information networks. STRATCOM supports U.S. Northern Command's mission to conduct homeland defense to secure and defend the United States and its interests. In many cases, STRATCOM is a supporting combatant commander for other UCP assigned missions. If confirmed, I look forward to working with other combatant commanders to broaden and enhance the level and range of these relationships.

Question. The Administrator of the National Nuclear Security Administration.

Answer. According to title 50, U.S.C., section 2402, the Department of Energy's Under Secretary for Nuclear Security serves as Administrator of the NNSA. The Administrator is responsible for all Department of Energy programs and activities related to nuclear weapons, including the Stockpile Stewardship Program (SSP). Although the Administrator serves outside the DOD's operational control, he does serve on the NWC and executes duties which closely concern and support STRATCOM. If confirmed, I will work closely and confer regularly with the Administrator.

Question. The Director of the Missile Defense Agency (MDA).

Answer. The MDA serves as the missile defense systems engineering and development organization for DOD. It provides the research, development, testing, and evaluation of the missile defense and associated systems that would be employed by combatant commanders. The current Unified Command Plan charges STRATCOM with synchronizing planning for global missile defense operations, including developing and advocating for missile defense and warning capabilities desired by combatant commanders. Given these closely aligned responsibilities, both the Commander, STRATCOM and its Joint Functional Component Command for Integrated Missile Defense must continue their close working relationship with MDA. If confirmed, I will work closely with the Director of MDA to ensure that combatant commanders' required ballistic missile defense and warning capabilities are appropriately and effectively represented to MDA.

Question. The Director of Operational Test and Evaluation.

Answer. Title 10, U.S.C., section 139, provides for a Director of Operational Test and Evaluation, who serves as the principal advisor to the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology, and Logistics on operational test and evaluation in DOD and the principal operational test and evaluation official within the senior management of DOD. The Director, as allowed by law and departmental regulations, formulates policy, provides guidance, coordinates, re-

views, monitors and makes recommendations regarding test and evaluation matters under his purview. If confirmed, I will work closely with and seek the advice of the Director of Operational Test and Evaluation in assessing the progress of command programs of interest.

MAJOR CHALLENGES AND PROBLEMS

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

Answer. The missions of STRATCOM are at the heart of U.S. national security and that of our allies and friends abroad. Today's national security environment is far more complex and diverse than ever before. Wider access to advanced technology, newly assertive states with rising aspirations regionally and globally, and still emerging vulnerabilities created by transnational linkages all fuel threats requiring synchronized efforts of many departments and agencies and other countries as well. Ensuring mission readiness and the proper policies, decision authorities and organizational relationships are in place to rapidly respond to complex and diverse threats will be a major challenge.

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

Answer. If confirmed, I will work with other Federal departments, agencies, and allied partners to advance the policies and relationships needed to enhance a cooperative and collaborative approach. I will assess the STRATCOM organizational structure and work to streamline processes and enhance flexibility, effectiveness, and efficiency.

Question. What are your priorities for STRATCOM?

Answer. The first priority is to provide a safe, secure, and effective strategic nuclear force providing strategic deterrence for the United States and its allies. STRATCOM has a unique responsibility regarding the country's deterrent force in setting requirements and translating national guidance into operational readiness. Second, ongoing combat operations require many of the capabilities provided by STRATCOM and, if confirmed, I will consult with the Commander, U.S. Central Command (CENTCOM) and the other combatant commanders to provide capabilities for today's conflict. Third, in line with the new National Space Policy, STRATCOM must preserve U.S. access to space and freedom of action in space by improving awareness and providing resilient capabilities for the joint fight. Fourth, relationships across Federal agencies with cyberspace responsibilities need to be defined to enhance the Nation's cyber security and support to joint operations.

STRATEGIC THREATS

Question. In your view, what are the most serious strategic threats facing the United States today?

Answer. As outlined in the National Security Strategy, the pursuit of nuclear weapons by violent extremists and their proliferation to additional states is the greatest strategic threat facing the United States. Beyond this, a profound strategic challenge is defining strategic relations to ensure stability involving new and emerging powers. Additionally, the pace of technology is rapid, which is a serious concern in space and cyberspace. Finally, traditional and nontraditional threats pose serious consequences, some of which are not yet fully understood in these domains, and the United States is in the beginning stages of addressing these issues.

Question. What future strategic threats should the United States prepare for?

Answer. Surprise is a problem in a constantly changing world environment. In my view, the future requires adaptive and flexible capabilities to respond to unanticipated threats.

U.S. STRATEGIC COMMAND MISSIONS

Question. In an overarching sense, how do you define the STRATCOM mission?

Answer. STRATCOM promotes global security for the United States and its interests through strategic deterrence, ensuring U.S. freedom of action in space and cyberspace and through dedicated planning, advocacy and operational execution efforts to advance our warfighting priorities.

Question. STRATCOM has absorbed multiple new missions since its creation, with the most recent addition being the establishment of the Cyber Command, as a subunified command of the STRATCOM.

How successful has STRATCOM been at integrating these new missions and acquiring the expertise needed to perform them?

Answer. My sense is that STRATCOM is on track with integrating mature missions, like space, while emerging missions, like cyberspace and missile defense, con-

tinue to advance. There is still more to be done among all the Services, and recruiting, training, and retaining the personnel with the right expertise is very important. If confirmed, I will move quickly to assess the scope of all mission areas, integration and expertise, and take appropriate action as needed.

Question. What organizational challenges remain at STRATCOM related to these new missions? Specifically, what additional work, if any, remains to be done and what expertise, if any, needs to be acquired for these new missions?

Answer. Cyberspace capabilities and capacity are still maturing across DOD and the national security enterprise. If confirmed, I will assess the status of capabilities and determine the proper course of action to align personnel and resources to address the issues.

Question. If confirmed, would you recommend or support any changes in the missions currently assigned to STRATCOM? If so, what changes would you recommend?

Answer. Not at this time. As my understanding of the missions evolved and integration matured, I would assess command mission effectiveness and recommend changes as appropriate.

Question. Are you aware of any additional new missions that are being contemplated for STRATCOM?

Answer. No.

ORGANIZATION

Question. In addition to the Cyber Command, the Command is organized into a series of joint functional component commands that correspond to the mission areas of STRATCOM.

If confirmed, would you anticipate maintaining or modifying this structure?

Answer. I would not anticipate any immediate changes; however, as relationships across Federal agencies are defined and cyberspace capabilities are matured, there may be a need to make organizational changes. It is important to keep a flexible organizational structure that is capable of responding to a constantly changing threat environment and technology advances.

BALLISTIC MISSILE DEFENSE

Question. How do you view the roles and responsibilities of the Commander, STRATCOM, related to ballistic missile defense?

Answer. The UCP charges STRATCOM with responsibilities for synchronizing and planning for global missile defense operations, including developing and advocating for missile defense characteristics and capabilities desired by combatant commanders. If confirmed, I will ensure STRATCOM and its Joint Functional Component Command for Integrated Missile Defense (JFCC–IMD) continue their close working relationship with MDA and that they continue their work with the Geographic Combatant Commanders to integrate capabilities across combatant command boundaries.

Question. What do you believe is the appropriate function of the JFCC–IMD?

Answer. The JFCC–IMD was established to optimize planning, execution, and force management to deter or defend against attacks against the United States, its territories, possessions and bases, by planning, integrating and coordinating global missile defense operations and support for missile defense. If confirmed, I look forward to reviewing the current activities of JFCC–IMD to ensure that this is the most appropriate function for today's national security environment.

Question. If confirmed, would you recommend or support any changes in the authorities of Commander, STRATCOM, as they relate to ballistic missile defense?

Answer. As of today, I would not make any changes. If confirmed, I will continue the close working relationships with the combatant commanders and MDA and make recommendations to the Secretary of Defense regarding the appropriate authorities to support the defense of the United States and its allies.

Question. If confirmed, what role would you anticipate playing in the assessment of the military utility of U.S. ballistic missile defenses against short-, medium-, intermediate-, and long-range ballistic missiles?

Answer. DOD regulations require STRATCOM to direct, coordinate and report the Military Utility Assessment of the Ballistic Missile Defense System (BMDS). I understand that the last report was developed and submitted in 2010, and I plan to continue this important effort until such time as the BMDS architecture has matured and all elements have transitioned to their respective Services.

Question. If confirmed, what role would you anticipate playing in representing and advocating for the views and needs of the combatant commanders for missile defense capabilities, and how do you believe that warfighter perspective should inform our missile defense program?

Answer. The Ballistic Missile Defense Program exists to meet the limited defense of the United States and the theater defense needs of combatant commanders. STRATCOM participates in the missile defense Warfighter Involvement Process and manages the development of the missile defense Prioritized Capabilities List, to account for and prioritize combatant command requirements. If confirmed, I will consult fellow combatant commanders and advocate for their mission needs, always mindful of the joint warfighter.

Question. Please describe your view of the appropriate roles for the Joint Staff and the Missile Defense Executive Board in guiding decisions on the development, acquisition, and deployment of effective missile defense capabilities.

Answer. The Joint Staff is responsible for defining required systems interoperability and operational architectures while validating joint theater missile defense capabilities through both simulation and technology demonstrations. The role of the Missile Defense Executive Board is to provide oversight and guidance in a collaborative mode involving all missile defense stakeholders in DOD and other agencies and departments. Important considerations for both entities include the necessary transition of tested systems from MDA to a Military Service to be organized, trained, and equipped for eventual combatant command employment.

Question. Do you agree that any BMDSs that are deployed must be operationally effective and cost-effective?

Answer. The joint warfighter requires fielded systems with military utility. I agree with the Secretary of Defense Ballistic Missile Defense Review (BMDR) report that establishes the metrics to measure BMDSs cost effectiveness through comparison with available options, affordability, and comparison of incurred vice avoided costs.

Question. Do you agree that ballistic missile defense flight tests need to be operationally realistic, and that operational testing is necessary, in order to demonstrate the capabilities of our systems and provide confidence that they will work effectively?

Answer. I agree with the MDA testing approach outlined in the June 2009 Integrated Master Test Plan. If confirmed, I will support this approach and assess the capabilities of BMDSs.

Question. What are your views on the relationship between ballistic missile defenses and nuclear deterrence?

Answer. Ballistic missile defenses protect the United States against the threat of a limited ICBM attack by a regional actor such as North Korea or Iran. Through deployment of limited defenses, the United States seeks to dissuade such States from developing an ICBM, deter them from using an ICBM if they develop or acquire such a capability, and defeat an ICBM attack by such states should deterrence fail. Ballistic missile defenses will also defend U.S. deployed forces from regional missile threats while also protecting our allies and partners and enabling them to defend themselves. Present plans for missile defense do not contemplate protection of the United States against large scale nuclear strikes. The U.S. strategic nuclear deterrent force of ICBMs, bombers and ballistic missile submarines will remain the primary deterrent of nuclear attacks against the United States, our allies, and partners.

Question. Do you support the policies and priorities stated in the BMDR report of February 2010?

Answer. Yes.

Question. Do you support the Phased Adaptive Approach (PAA) to missile defense in Europe, and do you believe this approach will provide a timely and effective capability to address existing and emerging ballistic missile threats to Europe?

Answer. Yes. The work is ongoing and, if confirmed, I will continue to assess our progress and make recommendations to the Secretary of Defense.

Question. Do you support the development of the Two-Stage Ground-based Interceptor as a technological hedge in the event the proposed development and deployment of the SM–3 IIB interceptor is not achieved within the planned 2020 timeframe?

Answer. I agree with the BMDR that we should continue development and assessment of a two-stage ground-based interceptor and continue investing in SM–3 IIB development to enable the United States to stay ahead of the emerging long-range ballistic missile threat.

Question. What role do you believe STRATCOM should play in the development and implementation of the PAA to missile defense in Europe and other regions?

Answer. STRATCOM's role is to optimize planning, execution, and force management to deter or defend against attacks against Europe and other regions, by integrating and coordinating global missile defense operations and support for missile defense.

Question. Do you believe it is in our interest to cooperate with Russia on ballistic missile defense, including the possibility of sharing radar early warning data?

Answer. Yes. To quote the BMDR, "The United States will also continue in its efforts to establish a cooperative BMD relationship with Russia . . . The administration is committed to substantive and sustained dialogue with the leadership of Russia on U.S. missile defenses and their roles in different regions . . . Our goals are to enlist Russia in a new structure of deterrence that addresses the emerging challenges to international peace and security posed by a small number of states seeking illicit capabilities."

Question. What do you believe are the most promising opportunities to work collaboratively with Russia to address emerging ballistic missile threats?

Answer. As agreed by President Obama and President Medvedev at the July 2009 Moscow Summit, the most promising opportunity to work with Russia is in the joint assessment of the ballistic missile threat.

CYBER SECURITY

Question. What are your priorities for CYBERCOM?

Answer. Our reliance on cyber capabilities, the many and varied threats, and the rapid rate of technological change all demand we place an initial and enduring focus on defense of our information networks. Priorities beyond defense include assuring the warfighting mission, strengthening and expanding partnerships in the domain, building capability to conduct full-spectrum cyberspace operations and developing processes to integrate cyberspace capabilities into combatant command operations and plans across DOD.

Question. In your view, what are the most important unmet priorities for the development and deployment of cyber security tools and capabilities?

Answer. STRATCOM, as a Global Combatant Command, is in a unique position to favorably influence two essential priorities in this area. The first is to advance the development of a multi-service cadre of cyber professionals, with emphasis on technical and tactical competence. This includes continuous training and education and focused career path development. The second is to accelerate the fielding of shared cyber situational awareness tools, taking advantage of emerging technologies to know friendly and threat activity within the network while understanding intent; and display and disseminate that information in an operationally relevant manner.

Question. If confirmed, what role will you play in establishing policy for CYBERCOM?

Answer. If confirmed, I will engage and advise senior leaders within DOD, Federal agencies, and with Members of Congress to advocate for the appropriate policies regarding cyberspace. There is still a lot of work to do regarding cyberspace, including policy development. It is important to focus on interagency relationships, authorities and building flexible and responsive capabilities.

Question. If confirmed, what role will you play in establishing requirements for the Military Services to be able to support CYBERCOM?

Answer. Each Service component brings a set of core competencies to CYBERCOM. The challenge is integrating those capabilities as part of ongoing operations and determining future requirements by balancing Service competencies with those of other government agencies to minimize duplication of effort, promote efficiency, and harness synergy.

SPACE

Question. What is your view on the responsiveness of current space systems to meet warfighter needs and what are the opportunities for the Operationally Response Space (ORS) program to meet military and other space requirements?

Answer. National Security Space systems are responsive to warfighters needs, but as the speed of warfare increases and military decision cycles decrease, space systems need to continue to evolve in their ability to deliver capability sooner. ORS will be an important program to respond to this environment, by providing augmentation capability, meeting urgent needs or leveraging developed technology for future warfighter capability.

Question. What is your view of the ability of DOD to develop and deploy space systems in a cost-effective and timely manner?

Answer. DOD and, in particular, the Air Force have worked extensively to reverse troubling acquisition trends. Significant strides are being made with a concentration on program stability, increasing the quantity and quality of the acquisition workforce and strengthening the requirements process to allow for incremental system development and increased technology maturation. The result is recent operational

certification of new on-orbit systems with additional new systems preparing to launch to fulfill combatant commander needs.

Question. What steps, if any, do you believe might be necessary to improve the responsiveness of current space systems?

Answer. Responsiveness, as measured by the speed, capacity and fusion of data to the warfighter, are important in the evolution of warfare to counter adaptive adversaries. Providing the warfighter with dynamic situational awareness, such as for tailored ISR, while optimizing stressed communications and networks, will increase the value of current space systems.

Question. In your view, what are the most important unmet requirements for space systems?

Answer. Guaranteeing mission assurance, which includes resilience and space protection, is critical. Central to this is developing adequate Space Situational Awareness (SSA) in a domain that is increasingly competitive, congested and contested. Geographic Combatant Commanders require a sustained emphasis on meeting ISR needs and satisfying increased military satellite communication requirements in support of global military operations.

Question. Do you believe any urgent needs or capability gaps exist? If so, please specify in detail.

Answer. Urgent needs and capability gaps will exist in a constantly changing battlespace and a fiscally constrained environment. If confirmed, I will work through the Service components to mitigate capability gaps and responding to combatant commanders' urgent needs. With the pending launch of ORS–1, STRATCOM is demonstrating its ability to respond to a CENTCOM identified gap for an ISR capability.

Question. What do you believe should be done to meet those requirements, and what space programs should be accorded highest priority?

Answer. If confirmed, I will articulate national and joint warfighter imperatives, including a judicious blend of alliances, partnerships and commercial relationships. I will also press for improved SSA and ensure the highest priority is accorded to meeting continuing needs for assured communications, uninterrupted missile warning, persistent GPS, and overhead ISR. Additionally, I will advocate through the Services for greater investments in scientific and technical advancement to maintain our space systems advantages well into the future.

Question. How important, in your view, is persistent surveillance? What programs do you believe are best able to provide this capability?

Answer. Combatant commanders identify persistent surveillance as an enduring priority needed to detect, collect, disseminate, and characterize activity in the battlespace. Space, airborne, maritime, and terrestrial programs contribute to ISR, but where persistent surveillance can be achieved is through integration of sensors on multiple platforms, with space-based ISR providing unique contributions over deep and denied areas.

Question. What is your view on the effectiveness of efforts to cooperate with the commercial space sector to improve SSA and how could this effort be expanded and made more successful?

Answer. The SSA Sharing Program is a strong effort to share SSA information with commercial partners. Currently STRATCOM supplies high fidelity information to over 41,000 users from 141 countries. The Secretary of Defense's authority to conclude agreements with commercial entities was delegated to STRATCOM in September 2010. Since then, STRATCOM has concluded 17 agreements with major commercial providers and is in the process of concluding additional agreements. So far in 2010, 64 satellites have maneuvered to avoid potential on-orbit collisions based on the information shared.

The opportunity exists for STRATCOM to build relationships with individual operators to begin two-way exchanges of information. If confirmed, I will advocate for the continued development of expanded sharing opportunities with the commercial sector and improve SSA services, while protecting our national security interests.

Question. In the National Defense Authorization Act for Fiscal Year 2004, Congress approved a national policy to support two space launch vehicles, or families of launch vehicles, capable of launching national security payloads into space. The two launch vehicles have been combined into one company to provide launch services to the U.S. Government with the expectation that this would improve both the efficiency of space launch and reduce the cost.

What are your expectations with respect to future space launch efficiencies and cost savings?

Answer. The Evolved Expendable Launch Vehicle (EELV) program was the first step in gaining launch efficiencies as a replacement for expensive heritage systems. Today, the Launch and Range Enterprise Transformation initiative takes the next

step with targeted reinvestment to enable efficient execution of the EELV program and serve the many diverse interests of the national ranges through 2030.

Question. In the next several years the rate of space launches is expected to increase, what new approaches to space launch, in your view, should be implemented to handle this increased rate of launch?

Answer. Recent improvements in the range manifest and scheduling process, such as the concept of matching boosters with satellites when there is a higher confidence of being ready for launch, will maximize the probability of meeting launch demands consistent with national priorities.

Question. What, in your view, should the United States do in the future, and what steps would you take if confirmed, to ensure continued reliable access to space?

Answer. I will continue to advocate for cooperative development of launch and range transformation initiatives between the Air Force, NRO, and National Aeronautics and Space Administration (NASA). Recently, these agencies signed a Letter of Intent pledging cooperation in initiatives for, among other things, stabilizing the launch vehicle industrial base, controlling cost growth, and leveraging commercial launch providers when their systems demonstrate operational reliability to support national missions.

Question. Do you believe that the Nation should sustain redundant space launch capabilities?

Answer. Robust access to space is a national imperative requiring flexible capability to ensure continuity of access. The Air Force commitment to mission assurance in the management of the EELV program has delivered a perfect launch record for more than a decade. Additional commercial capabilities are emerging. If confirmed, I will continue to review the viability of this approach to assure the Nation's access to space.

Question. Recent decisions, and probably future decisions, about launch capabilities made by NASA will impact national security space launch cost and capacity.

What in your view, should STRATCOM do to coordinate civil and national security space launch?

Answer. Assured access to space is a national imperative that, in a fiscally constrained environment, could benefit from a whole-of-government approach. The Letter of Intent between the Air Force, NRO, and NASA is a first step to commitment and cooperation that, if confirmed, I will advocate building upon this commitment.

Question. In your view, what are the most significant challenges that the United States faces in military and national security space programs and policy?

Answer. Our challenges are rooted in the increasingly congested, contested and competitive nature of the space domain with potential far-reaching impacts to U.S. interests. The challenge is to assure the required strength in the industrial base, workforce and acquisition processes and ensuring an innovative edge.

Question. Training of U.S. military personnel to understand and to incorporate space assets into all aspects of operations is critically important to future military success.

While much has been done to incorporate space assets into all aspects of military operations, in your view are there additional steps that should be taken to address this challenge?

Answer. There is opportunity to leverage recent combat experience with operations in Iraq and Afghanistan to determine more efficient and effective ways to provide space capabilities to Joint Force Commanders. In addition to taking advantage of technological improvements of space systems, the U.S. military must create innovative ways of leveraging existing capabilities, and to communicate these efforts and availability of capability from the strategic to tactical levels.

Question. What role does the National Security Space Institute (NSSI) play in the training process, and how could their training programs be improved?

Answer. NSSI is a key element of the Space Professional Development Program and the advancement of space expertise. Recent upgrades to NSSI courses refined the operational focus, instructional methodology and content accuracy. Given growing requirements from the other Services and international partners, NSSI programs could be enhanced by added capacity to meet this increased demand.

Question. What, in your view, are the priorities for improving SSA?

Answer. There are three primary needs to support orbital safety, threat mitigation and effective space operations. First, there is a need to integrate, exploit and share SSA data. Second, it is important to improve the ability to detect, track, and identify objects. Third, it is critical to improve the ability to characterize events such as breakups and potential collisions.

Question. What programs and policies, in your view, should be changed or added to ensure adequate SSA?

Answer. SSA improvements are critical in a competitive, contested and congested domain. First, existing sensors and the space surveillance network need to be sustained, other organizations' sensors need to be integrated to augment SSA, and finally gaps need to be closed through new programs like Space Fence and the Joint Space Operations Center Mission System.

Question. What are your views on how military and national security space should and could be better integrated?

Answer. Significant synergy exists in those common, underlying "enablers" such as the space industrial base, research and development, science and technology and the space workforce. If confirmed, where feasible and achievable, I will advocate effective integration of military and national security space where a "whole-of-government" approach can best meet the needs of the Nation.

Question. In your view, what role should the National Security Space Office play in integrating military and national security space?

Answer. The functions assigned to NSSO are under review as part of a broader discussion of space management. Some functions have been recommended for realignment. If confirmed, I will assess whether additional adjustments would be useful

Question. In your view, should the role of the National Security Space Office be modified or expanded in any way?

Answer. There are a number of changes underway regarding National Space Management. If confirmed, I will participate in on-going discussions and reviews.

CRUISE MISSILE DEFENSE

Question. In your view, how serious is the vulnerability of our Nation and deployed military forces to the cruise missile threat?

Answer. Cruise missiles represent a credible threat to our Nation and forces abroad.

Question. What role do you believe STRATCOM should play in the cruise missile defense of our Nation?

Answer. STRATCOM, as the Air and Missile Defense Integrating Authority, should continue advocating for cruise missile defense capabilities desired by the warfighters.

PROMPT GLOBAL STRIKE

Question. In your view, how adequate are current efforts to establish requirements and develop a prompt global strike capability?

Answer. The Department is developing requirements and investing in development and testing of prompt global strike capabilities. As these technologies mature, the Department will evaluate acquisition and deployment. If confirmed, I look forward to becoming more involved in this process.

NUCLEAR DETERRENCE

Question. If confirmed as Commander of STRATCOM, you would be involved in implementing the new Nuclear Posture Review and the reductions under the New START treaty when it enters into force.

Do you support the New START treaty?

Answer. Yes.

Question. Do you believe that a commitment to modernize the nuclear weapons complex should be a prerequisite to ratification of the New START treaty?

Answer. Regardless of treaty ratification, the nuclear weapons complex needs modernization. The Strategic Posture Commission described the Nation's plutonium and uranium facilities as "decrepit." To provide a safe, secure, and effective nuclear deterrent, we must invest in the facilities, equipment and personnel dedicated to sustaining and managing the nuclear weapons program.

Question. In your previous position as Commander of Air Force Space Command you were responsible, until just recently, when the Air Force Global Strike Command was established, for the ICBMs.

What in your view are the most pressing modernization requirements for the Minuteman III ICBM, following completion of the current upgrades?

Answer. The Air Force is conducting sustainment programs to take the Minuteman III ICBM to 2030 as directed by Congress. If confirmed, I will advocate to sustain life extension programs as required and continue to monitor the status of the Minuteman III and make recommendations as issues arise.

Question. Do you support the development and fielding of a follow-on program to the Minuteman III ICBM? If so, when will a decision be necessary for pursuing the development of a follow on ICBM?

Answer. Land-based ICBMs are an integral and enduring part of the nuclear triad, and the 2010 Nuclear Posture Review includes a commitment to begin an initial study of alternatives in fiscal years 2011 and 2012. The Air Force is initiating a Capabilities Based Assessment (CBA) and will closely follow with an Analysis of Alternatives (AoA). The CBA and AoA findings will shape the plan and resource strategy to recapitalize our ICBM force beyond 2030.

Question. Do you support and intend to advocate for the modernization of all legs of the triad of nuclear delivery vehicles?

Answer. Yes. The nuclear triad has attributes that provide the President with multiple options for a variety of scenarios. The value of the triad lies with its flexibility for command and control of the force in a degraded environment, responsiveness to a changing world environment, technical failure of any one system or warhead type or breakout of another nation's deployed weapons.

Question. In your view, is there a relationship between U.S. nuclear deterrence policy and nonproliferation policy? If so, please describe the relationship.

Answer. Yes. Extended nuclear deterrence has provided a strong and attractive alternative for states considering whether to develop their own nuclear capability. The extended protection provided by U.S. nuclear forces reassures allies they do not need to seek or develop independent capabilities. The requirements for extended nuclear deterrence and nonproliferation further buttress the need for safe, secure, and effective weapons and operationally effective forces.

NUCLEAR WEAPONS COUNCIL

Question. If confirmed you would become a member of the NWC.

What would your priorities be for the NWC?

Answer. If confirmed, I would encourage vigorous and persistent attention to the sustainment and life extension of the nuclear weapons enterprise. This must include sufficient attention to scientific and technical personnel.

Question. What changes if any would you recommend to the organization, structure, or function of the NWC?

Answer. None at this time. The NWC is composed of the appropriate members to provide effective oversight of the nuclear weapons enterprise.

Question. What role is the NWC playing or should it play in the discussion with respect to any future nuclear arms control treaties?

Answer. NWC principals should provide policy, military, and technical recommendations.

MAINTAINING A SAFE, SECURE, AND RELIABLE STOCKPILE

Question. If confirmed, you would play a major role, in conjunction with the NNSA, to maintain the safety, security, and reliability of the U.S stockpile of nuclear weapons. What are your priorities for implementing that responsibility?

Answer. If confirmed, I will continue, in conjunction with the NNSA, to conduct assessments, determine requirements and establish priorities for stockpile management. It is imperative to ensure unfailing excellence in the proper care and performance of nuclear weapons. If confirmed, I will ensure proper priority is given to this mission by insisting that the people performing the mission unfailingly observe procedures and have the equipment to accomplish the mission; that standards are clear and upheld; and that evaluation measures are in place to assure the mission.

Question. STRATCOM is an integral part of the annual certification process for nuclear weapons. Would you recommend any changes in STRATCOM's role in the annual process or the process generally?

Answer. Not at this time. If confirmed, I will closely monitor this process and its outcome to recommend any changes that may become necessary.

STOCKPILE STEWARDSHIP PROGRAM

Question. What is your view of how well the SSP is proceeding towards its goal of being able to continuously assess and annually certify the U.S. enduring nuclear weapons stockpile as safe, secure, and reliable, without the need for underground nuclear testing?

Answer. The SSP appears to be effective at present and this will require continuous assessment.

Question. In your opinion, what are the biggest challenges for the SSP?

Answer. The SSP's most significant challenges are to understand the stockpile as it ages, confidently certify without underground nuclear testing, and respond to technical issues in a timely manner.

Question. Do you believe that all nuclear weapon life extension methods, refurbishment, reuse, and replacement, should be given equal consideration?

Answer. I fully support the Nuclear Posture Review's position regarding weapon extension options. It is important to study all options to determine the best solution.

MILITARY-TO-MILITARY COOPERATION PROGRAMS

Question. STRATCOM has a long history of conducting military-to-military exchanges and discussions with its counterparts in Russia, but in recent years these exchanges and discussion have stopped for the most part.

If confirmed, would you seek to continue or expand this dialogue?

Answer. If confirmed, I would consult extensively with the Secretary of Defense, the State Department and the Commander, U.S. European Command to see what steps would be appropriate to engage Russia.

Question. Would you seek to establish military-to-military programs to include other countries, such as China?

If confirmed, I would consult extensively with the Secretary of Defense, the State Department and the Commander, U.S. Pacific Command to see what steps would be appropriate to engage China.

STRATEGIC FORCES AND MISSIONS

Question. During the Cold War, the primary mission for strategic forces was to deter the Soviet Union from using its nuclear weapons and, more broadly, to contribute to U.S. efforts to contain the Soviet Union. Strategic forces were therefore synonymous with nuclear forces. This isn't the case today, as the wide-ranging missions assigned to STRATCOM make clear.

What, in your view, is the primary mission for U.S. Strategic Forces today and in the future?

Answer. Our strategic forces are no longer synonymous with our nuclear forces. Consistent with the missions assigned to STRATCOM, I see strategic forces as including our Global Strike forces (nuclear and conventional), space forces, cyber forces, global Intelligence, Surveillance, Reconnaissance forces and ballistic missile defense forces. These forces serve to assure allies and deter, dissuade and if necessary, defeat adversary attacks on the United States or its allies.

Question. Should we think differently about the use of strategic forces today?

Answer. Yes, because the scope of those forces and their contributions to our security have expanded significantly since the Cold War.

Question. Given the mission for strategic forces, as you define it, what capabilities are still needed to carry out that mission?

Answer. Required strategic deterrence capabilities include warning, attribution, assured command and control, forces, weapons, and the infrastructure to sustain them. The Triad is the cornerstone of deterrence and strategic stability. Sustainment and recapitalization of strategic space, cyber, and nuclear forces, National Command and Control systems, nuclear weapons, and stockpile infrastructure are required to deter adversaries, assure allies and manage risk.

Question. The nuclear weapons in Europe are under the command of the Commander of European Command.

How would you plan to work with that command with respect to nuclear weapons security, and policy?

Answer. If confirmed, I will consult with the Commander, U.S. European Command to assess his needs and collaborate on how to best provide safe, secure, and effective nuclear weapons. This includes advocating for the needs of European Command and planning, executing and assessing security cooperation activities supporting strategic deterrence.

NUCLEAR WEAPONS SECURITY AND HANDLING

Question. What in your view are the most challenging aspects of maintaining security in the handling of nuclear weapons?

Answer. Absolute denial of unauthorized access is a national security imperative. Meeting this standard is a multi-faceted challenge and if I am confirmed, it will have my utmost attention. Enhanced awareness and training, improved physical security, and intrinsic weapon security features are crucial.

Question. What role do you think STRATCOM should play in ensuring that nuclear weapons are securely stored, transported, and handled when in control of the military services?

Answer. STRATCOM has a critical oversight role spanning operations, maintenance, training and inspections by Service components as well as the conduct of exercises. If confirmed, I will advocate for increased resources to improve all aspects of weapons handling and security.

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 Commander, STRATCOM?

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

MODERNIZATION AND THE U.S. NUCLEAR TRIAD

1. Senator INHOFE. General Kehler, I continue to emphasize the criticality of modernization and the associated investment requirements. This concern is not unfounded or ungrounded. The Perry-Schlesinger Strategic Posture Commission has provided an alarming assessment of the disrepair and neglect of our nuclear weapons stockpile and complex. Secretary Gates warned in October 2010, "no way we can maintain a credible deterrent and reduce the number of weapons in our stockpile without either resorting to testing our stockpile or pursuing a modernization program". During testimony to this committee earlier this year, Dr. Michael Anastasio of Los Alamos National Laboratory was: "very concerned about that budget profile . . . much of the planned funding increase for weapons activities do not come to fruition until the second half of the 10-year period."

Our Trident submarines are an average age of 20 years and their replacement build does not start until 2019 and will not be completed until 2028. Our Trident II D–5 Fleet Ballistic Missile life is being extended but the timeline has slipped and there are concerns about the decline in our Solid Rocket Motor Industrial Base as well as refurbishment/life extension of the W–76 warhead. The W–76 warhead as well as the B–61 gravity bomb both pre-date the 1960s with variants developed in the mid-1990s. Our strategic bomber fleet of B–52s and B–2s vary in age from 15 to 48 years with no definitive plan to replace these aging assets. Finally, there are currently no definitive plans to replace the 30 year old nuclear Air Launched Cruise Missile or field a follow-on to the Minuteman Intercontinental Ballistic Missile (ICBM). Do you believe the Life Extension Program (LEP) for the W–76 warhead is on track to meet the operational requirements of the Trident II missile in an appropriate timeframe?

General KEHLER. To the best of my knowledge, the W–76 LEP is on track to meet operational requirements. If confirmed, in conjunction with the National Nuclear Security Administration, I will assess the status of the W–76 LEP, along with the other planned and ongoing nuclear weapons sustainment and life extension efforts, and will make recommendations for any changes, if necessary.

2. Senator INHOFE. General Kehler, do you believe the development of a replacement for the nuclear air-launched cruise missile (ALCM) is important?

General KEHLER. If confirmed, I will support and intend to advocate for modernization of all legs of the Triad of nuclear delivery vehicles. Regarding the ALCM, as stated in the November 2010 update to the section 1251 report to Congress, the Department intends to replace the current ALCM with the advanced long-range

standoff cruise missile, a plan I support. The Air Force will conduct an assessment of alternatives from approximately spring 2011 through fall 2013. If confirmed, this assessment will be important in my understanding of the capabilities to be provided by the advanced long-range standoff cruise missile.

3. Senator INHOFE. General Kehler, can the bomber leg of the triad remain viable without an ALCM replacement in the future?

General KEHLER. The types and specific capabilities of bomber-delivered weapons are key questions that must be addressed as we sustain and modernize the bomber leg of the nuclear Triad. As stated in the November 2010 update to the section 1251 report to Congress, the Department intends to replace the current ALCM with the advanced long-range standoff cruise missile, a plan I support. The Air Force will conduct an assessment of alternatives from approximately spring 2011 through fall 2013. If confirmed, this assessment will be important in my understanding of the capabilities to be provided by a replacement nuclear standoff weapon for the bomber leg of the Triad.

4. Senator INHOFE. General Kehler, what do you believe are the key factors driving the timelines for both a follow-on bomber and replacement ALCM?

General KEHLER. Service life and the ability of our bomber and ALCM capabilities to meet operational capability needs are the key factors that will drive timelines.

5. Senator INHOFE. General Kehler, when do you think we need to start examining options for a follow-on ICBM?

General KEHLER. Land-based ICBMs are an integral and enduring part of the Triad, and the 2010 Nuclear Posture Review (NPR) includes a commitment to begin an analysis of alternatives (AOA) in fiscal years 2011 and 2012. The Air Force is conducting sustainment programs to take the Minuteman III ICBM to 2030, as directed by Congress. The Air Force Capabilities Based Assessment (CBA) for an ICBM follow-on system is underway. The CBA and AOA findings will shape the plan and resource strategy to recapitalize our ICBM force beyond 2030. If confirmed, I look forward to helping to shape these discussions.

6. Senator INHOFE. General Kehler, how long does it take to design and develop a new ICBM, based on prior experience?

General KEHLER. There has been a significant amount of time and technological progress since the development of the Peacekeeper and Minuteman III ICBMs, as well as changes in the industrial base. The CBA and AOA will frame the scope of the task and timing for the potential design and development of an ICBM follow-on system, and the time it likely will take to deploy.

7. Senator INHOFE. General Kehler, specific to the Perry-Schlesinger Strategic Posture Commission, its report highlights the fact that "the triad of strategic delivery systems continues to have value. Each leg of the nuclear triad provides unique contributions to stability. As the overall force shrinks, their unique values become more prominent." What is your assessment on where the United States is today and where we are going with regards to modernization of our nuclear triad weapons and weapon systems?

General KEHLER. U.S. strategic forces—comprised of submarine-launched ballistic missiles (SLBMs), ICBMs and nuclear-capable heavy bombers—continue to underwrite deterrence of nuclear attack against the United States, our allies, and partners. Today's nuclear Triad provides the President with flexibility, survivability and responsiveness. I support modernization of all three legs of the Triad along with the associated command and control and ISR capabilities. This modernization must be backed by a safe, secure, effective stockpile. If confirmed, I will undertake a thorough assessment of the modernization of our nuclear Triad weapons and weapon systems and will be a strong advocate for needed sustainment and modernization requirements.

8. Senator INHOFE. General Kehler, what must be done to maintain our qualitative edge and nuclear deterrence capability?

General KEHLER. Maintaining a strong U.S. nuclear deterrent requires sustainment of a safe, secure, and effective arsenal. This requires modernization of both our strategic delivery vehicles and the nuclear weapons complex. Recent investments in both these areas, and commitments to maintain such funding, are prerequisites to sustaining our deterrent.

9. Senator INHOFE. General Kehler, what do you think is the impact on the unique value of each leg of the triad as our overall nuclear force shrinks?

General KEHLER. The 2010 NPR considered whether the nuclear Triad of SLBMs, ICBMs, and heavy bombers should be retained, and determined that it should. Retaining all three Triad legs best maintains strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities. Each leg of the Triad has advantages that warrant retaining all three legs at this stage of reductions:

- Strategic nuclear submarines 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.
- Bombers can be visibly deployed forward, as a signal in crisis to strengthen deterrence of potential adversaries and assurance of allies and partners.

The nuclear Triad has attributes that provide the President with multiple options for a variety of scenarios. A key value of the Triad lies with its flexibility for command and control of the force in a degraded environment, responsiveness to a changing world environment, and with the insurance it provides in the event of a technical failure of any one system or warhead type or breakout of another nation's deployed weapons. Each leg continues to contribute unique attributes and value to this overall effect as force levels go down.

CONVENTIONAL PROMPT GLOBAL STRIKE

10. Senator INHOFE. General Kehler, there has been little public discussion over prompt global strike, even though we all know that the New Strategic Arms Reduction Treaty (START) will potentially restrict our abilities and are a point of concern with the Russians. Though the recent Quadrennial Defense Review (QDR) recommended to "expand future long-range strike capabilities", I am uncertain as to what the Department of Defense (DOD) actually is pursuing. As I understand it, one leading candidate appears to be a rocket that launches a hypersonic glide vehicle that reaches its targets by flying both outside and inside the atmosphere, as opposed to taking a ballistic trajectory common to ICBMs. The Navy's conventional Trident modification also remains an option, though I don't know what level of support it has in DOD or Congress. What is the requirement for conventional prompt global strike?

General KEHLER. DOD is currently studying the appropriate mix of long-range strike capabilities, including heavy bombers as well as non-nuclear prompt global strike, in follow-on analysis to the 2010 QDR and the NPR. Along with these studies, the Department is developing requirements and investing in development and testing of prompt global strike capabilities. As these technologies mature, the Department will evaluate acquisition and deployment plans. If confirmed, I look forward to working with the Joint Requirement Oversight Council in the requirements development process.

11. Senator INHOFE. General Kehler, what role will conventional prompt global strike play in the U.S. strategic posture?

General KEHLER. The Department is developing requirements and investing in development and testing of prompt global strike capabilities in order to fully understand the potential role such non-nuclear systems could play in meeting deterrence and reassurance goals. As these technologies mature, the Department will evaluate acquisition and deployment plans. If confirmed, I look forward to becoming more involved in determining the role conventional prompt global strike will play in the U.S. strategic posture.

12. Senator INHOFE. General Kehler, what concepts appear to be the most promising and what is the timeline to develop and deploy?

General KEHLER. If confirmed, I look forward to better understanding potential conventional prompt global strike capability and associated concepts such as the Hypersonic Test Vehicle, the Conventional Strike Missile, and the Advanced Hypersonic Weapon Technology Experiment.

13. Senator INHOFE. General Kehler, how soon would you like to see such a capability fielded? Please discuss the pros and cons of each approach.

General KEHLER. If confirmed, I look forward to better understanding potential conventional prompt global strike capability, associated concepts, and which ones are most promising based on future technology demonstrations.

U.S. NUCLEAR DETERRENCE DOCTRINE AND TARGETING GUIDANCE

14. Senator INHOFE. General Kehler, will you pledge to inform Congress if the administration seeks to revise current nuclear deterrence requirements and nuclear targeting guidance?
General KEHLER. Yes.

15. Senator INHOFE. General Kehler, will you make yourself available for regular briefings if a review of current guidance is undertaken?
General KEHLER. Yes.

16. Senator INHOFE. General Kehler, do you agree it is important to determine deterrence requirements and the types of forces necessary to achieve those requirements before engaging with the Russians in another round of nuclear reductions?
General KEHLER. Yes.

17. Senator INHOFE. General Kehler, will you pledge to provide detailed briefings to Congress on any future analysis in support of a future arms control negotiation?
General KEHLER. Yes.

18. Senator INHOFE. General Kehler, what is your understanding of this administration's approach to nuclear deterrence? How might it differ from the approach taken in the 2001 NPR, which, according to an unclassified version of that document, describes overarching U.S. nuclear deterrence policy as the capability "to hold at risk what opponents value, including their instruments of political control and military power, and to deny opponents their war aims. The types of targets to be held at risk for deterrence purposes include leadership and military capabilities, particularly WMD, military command facilities and other centers of control and infrastructure that support military forces."
General KEHLER. The 2010 NPR outlines how "the United States will maintain a safe, secure, and effective arsenal, both to deter potential adversaries and to assure U.S. allies and other security partners that they can count on America's security commitments." If confirmed, I will assess this approach to nuclear deterrence, witting of previous approaches, and provide recommendations and make decisions, as appropriate.

19. Senator INHOFE. General Kehler, will you affirm publicly that this is the current U.S. deterrence policy?
General KEHLER. U.S. nuclear deterrence is only one component to the overall United States' deterrence policy which is outlined in a number of strategic documents such as the National Security Strategy and QDR.

20. Senator INHOFE. General Kehler, does this apply to China and the Russian Federation?
General KEHLER. The U.S. nuclear deterrence policy, as stated in the 2010 NPR, applies to China, the Russian Federation and any potential adversary that possesses or are seeking to possess nuclear weapons.

21. Senator INHOFE. General Kehler, will you notify Members of Congress who inquire if this changes?
General KEHLER. Yes. In coordination with the Secretary and the Chairman, I will respond to congressional inquiries regarding U.S. employment planning guidance consistent with executive branch policy regarding the release of such information.

22. Senator INHOFE. General Kehler, is it your understanding that U.S. Strategic Command's (STRATCOM) support for new START nuclear force levels is predicated upon the ability of U.S. forces to carry out nuclear targeting guidance as established by the prior administration?
General KEHLER. Yes. New START's lower strategic force levels are based on analysis conducted during the 2010 NPR which considered nuclear targeting guidance and concluded that stable deterrence could be maintained at lower strategic levels.
As General Chilton, the STRATCOM Commander, testified to Congress on July 20, 2010, "New START's flexible limits on deployed and nondeployed delivery platforms retain sufficient flexibility in managing our triad of deterrent forces to hedge against both tactical or geopolitical surprise."

23. Senator INHOFE. General Kehler, how would you characterize that targeting guidance? What types of targets must be held at risk? What targets do our potential adversaries (i.e. Russia and China, respectively) hold dear?

General KEHLER. If confirmed, I would appreciate the opportunity to discuss, in coordination with the Secretary and the Chairman, specifics of targeting guidance in a closed session.

24. Senator INHOFE. General Kehler, what types and numbers of strategic nuclear weapons (warheads and delivery vehicles) are necessary to carry out current targeting guidance? Will the guidance have to change to accommodate lower force levels?

General KEHLER. The baseline force structure provided in the May 2010 Section 1251 Report to Congress fully supports U.S. strategy and guidance, and would conform with the New START treaty limits. My understanding is that the Department does not require new Presidential guidance to accommodate the lower force levels under the New START treaty. If confirmed, I will review targeting guidance with the Secretary and the Chairman and provide recommendations for potential changes.

25. Senator INHOFE. General Kehler, would you be concerned if Russia began deploying large numbers of nuclear weapons capable of reaching the United States but not limited by the New START?

General KEHLER. Yes, I would be concerned about any nation that deploys large numbers of nuclear weapons capable of reaching the United States. If confirmed, my recommendations with regards to Russia would be informed by the 2010 NPR to maintain "a stable bilateral balance and avoiding dangerous nuclear competition."

26. Senator INHOFE. General Kehler, according to a paper on the 2001 NPR prepared by the National Institute for Public Policy, "[w]ith the United States at 1,700–2,200 Operationally Deployed Strategic Nuclear Warheads, China would take at least a decade to achieve numerical parity with the United States and U.S. leaders would have time to respond with a combination of diplomatic and force posture initiatives." How much lead time will we have at 1,550 warheads and 700 deployed delivery systems?

General KEHLER. The 2010 NPR states: China's nuclear arsenal remains much smaller than the arsenals of Russia and the United States. But the lack of transparency surrounding its nuclear programs—their pace and scope, as well as the strategy and doctrine guiding them—raises questions about China's future strategic intentions.

Numerical parity is but one issue with regards to China's nuclear force that needs close monitoring. If confirmed, I will work with the Intelligence Community to monitor China's nuclear force development and will make recommendations when appropriate.

27. Senator INHOFE. General Kehler, how much lead time do we need to respond to an effort by China to become a peer competitor of the United States?

General KEHLER. The 2010 NPR states, "the United States and China's Asian neighbors remain concerned about the pace and scope of China's current military modernization efforts, including its quantitative and qualitative modernization of its nuclear capabilities."

The United States' policy, as outlined in the NPR, of maintaining a stable, strategic relationship with China, is important as the United States responds to the multivariable aspects of China's nuclear capabilities. If confirmed, I will work with the Intelligence Community to monitor China's progress and make appropriate recommendations to sustain our deterrent force in a safe, secure, and effective posture.

28. Senator INHOFE. General Kehler, is it your understanding that it is U.S. policy that China not be allowed to become a peer competitor of the United States when it comes to nuclear forces?

General KEHLER. U.S. policy with regards to China and nuclear forces is outlined in the 2010 NPR.

The United States and China's Asian neighbors remain concerned about China's current military modernization efforts, including its qualitative and quantitative modernization of its nuclear arsenal. China's nuclear arsenal remains much smaller than the arsenals of Russia and the United States. But the lack of transparency surrounding its nuclear programs—their pace and scope, as well as the strategy and doctrine that guides them—raises questions about China's future strategic intentions.

NUCLEAR WEAPONS STOCKPILE

29. Senator INHOFE. General Kehler, early in his term at STRATCOM, General Chilton toured the National Nuclear Security Administration (NNSA) labs to get a direct perspective with his own eyes, so to speak, on the state of the nuclear weapons enterprise. Will you pledge to visit all of the laboratories and the plants at your earliest opportunity?

General KEHLER. Yes. If confirmed, I will visit the labs and other key locations throughout the nuclear weapons complex. Discussions with these highly capable members of the nuclear weapons enterprise will help me better understand the breadth and depth of their contributions to nuclear deterrence and the challenges they face.

30. Senator INHOFE. General Kehler, are you committed to robust efforts to reach out to Members of Congress, especially on the House and Senate Energy and Water Appropriations Subcommittees, to ensure funding of the 1251 plan as updated/revised?

General KEHLER. Yes. The 1251 plan is directly tied to sustaining a strong nuclear deterrent force.

31. Senator INHOFE. General Kehler, how important do you believe it is that the updated/revised 1251 plan be funded by the administration and Congress each year?

General KEHLER. The funding of the 1251 plan is important to sustaining a strong nuclear deterrent force.

32. Senator INHOFE. General Kehler, please elaborate on the role that STRATCOM plays in annually assessing the nuclear weapons stockpile.

General KEHLER. If confirmed, I will continue, in conjunction with the National Nuclear Security Administration, to conduct assessments, determine requirements and establish priorities for stockpile management. It is imperative to ensure unfailing excellence in the proper care and performance of nuclear weapons.

33. Senator INHOFE. General Kehler, will you continue to request the advice of respected scientists and other experts in preparing your annual letter to Congress?

General KEHLER. Yes. If confirmed I will seek their advice which is essential to understanding the complex nuclear field.

34. Senator INHOFE. General Kehler, will you provide your judgment about your confidence in the reliability assessments of the directors based on sound statistical methodology?

General KEHLER. Yes.

35. Senator INHOFE. General Kehler, do you agree that reductions in the nondeployed stockpile should be tied to a responsive nuclear weapons production capability?

General KEHLER. As stated in the 2010 NPR, implementation of the Stockpile Stewardship Program and investment in our nuclear infrastructure will allow the United States to shift away from retaining large numbers of nondeployed warheads as a hedge against technical or geopolitical surprise. If confirmed, I will conduct appropriate assessments of the nondeployed stockpile and our nuclear weapons production capability and make recommendations as needed.

36. Senator INHOFE. General Kehler, when will that capability exist?

General KEHLER. If confirmed, I will conduct an assessment of the nondeployed stockpile and the potential for a responsive production capability.

37. Senator INHOFE. General Kehler, should they also be kept as leverage to obtain future reductions from potential bilateral negotiations?

General KEHLER. If confirmed, I will look forward to participating in assessments of the nondeployed stockpile and its uses in any follow-on analysis regarding potential future reductions.

38. Senator INHOFE. General Kehler, do you support improvement of safety, security, and reliability in future weapons?

General KEHLER. Yes. I fully support improving the safety, security, and effectiveness of our nuclear stockpile.

39. Senator INHOFE. General Kehler, how can STRATCOM ensure that the Services and NNSA properly implement requirements for improved safety, security, and reliability?

General KEHLER. If confirmed, I will continue, in conjunction with the National Nuclear Security Administration, to conduct assessments, determine requirements, and establish priorities for stockpile management. It is imperative to ensure unfailing excellence in the proper safety, security, care, and performance of nuclear weapons.

40. Senator INHOFE. General Kehler, will you advocate using the replacement warhead option during future LEPs if so recommended by laboratory directors?

General KEHLER. I support the study of all options to ensure the safety, security, and effectiveness of the nuclear stockpile on a case-by-case basis. If confirmed, I will consult with the laboratory directors and take their recommendations under advisement with regard to nuclear weapons stockpile issues.

MISSILE DEFENSE

41. Senator INHOFE. General Kehler, in a response to Senator Begich during the hearing, you stated: " ... my responsibility is to help advocate for that [Ground-Based Midcourse Defense (GMD)] capability." Please explain why you believe the current GMD capability, consisting of 30 ground-based interceptors (GBI), is necessary. After further examining plans to sustain and modernization the GMD system, please provide your views as to whether current plans for the GMD program are sufficient to pace the threat and sustain the GMD capability until its expected end of service in 2032.

General KEHLER. The GMD Program exists to defend the United States against the threat of limited ballistic missile attack on the U.S. homeland. If confirmed, I will assess our missile defense force structure, including GMD capability, to ensure it keeps pace with anticipated threats, and will advocate for changes as appropriate.

42. Senator INHOFE. General Kehler, under current test plans, assuming no test failures, the Missile Defense Agency (MDA) will have six GBIs available for reliability flight testing from 2020 to 2032. Is this a sufficient number?

General KEHLER. If confirmed, I will work with the MDA on issues, such as GBI inventory for flight testing, to ensure GBIs meet operational needs.

43. Senator INHOFE. General Kehler, the administration is completing eight additional GBI silos in Fort Greely, AK, that could be used in an emergency. Please explain under what circumstances these additional silos might be utilized for operational missiles.

General KEHLER. If confirmed, I will assess our missile defense force structure, including additional silo use.

44. Senator INHOFE. General Kehler, do you feel that the current planned GBI inventory of 52 missiles is sufficient to accommodate continued developmental testing, stockpile reliability testing, and possible emergency deployment to Fort Greely?

General KEHLER. If confirmed, I will assess our missile defense force structure, including GBI inventory in light of testing, emergency deployments, and other operational needs.

45. Senator INHOFE. General Kehler, please confirm that you have seen administration plans to develop and deploy the two-stage GBI and associated assets to Europe, if needed.

General KEHLER. I am familiar with the June 1, 2010 Report to Congress from the Under Secretary of Defense for Policy on the "Continuation of Two-Stage Ground-Based Interceptor Development." If confirmed, I will assess any additional administration plans for Missile Defense assets in Europe.

[The nomination reference of Gen. Claude R. Kehler, USAF, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
September 15, 2010.

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

The following named officer for appointment in the U.S. Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be General.

Gen. Claude R. Kehler, 6600.

[The biographical sketch of Gen. Claude R. Kehler, USAF, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF GEN. CLAUDE R. KEHLER, USAF

Gen. Claude R. "Bob" Kehler is Commander, Air Force Space Command, Peterson Air Force Base, CO. He is responsible for organizing, equipping, training, and maintaining mission-ready space and cyberspace forces and capabilities for North American Aerospace Defense Command, U.S. Strategic Command and other combatant commands around the world. General Kehler oversees Air Force network operations; manages a global network of satellite command and control, communications, missile warning and space launch facilities; and is responsible for space system development and acquisition. He leads more than 46,000 professionals, assigned to 88 locations worldwide and deployed to an additional 35 global locations.

General Kehler entered the Air Force in 1975 as a distinguished graduate of the Air Force Reserve Officers' Training Corps program. He has commanded at the squadron, group and wing levels, and has a broad range of operational and command tours in Intercontinental Ballistic Missile (ICBM) operations, space launch, space operations, missile warning and space control. He commanded a Minuteman ICBM operations squadron at Whiteman Air Force Base (AFB), MO, and the Air Force's largest ICBM operations group at Malmstrom AFB, MT. He served as Deputy Director of Operations, Air Force Space Command; and commanded both the 30th Space Wing at Vandenberg AFB, CA, and the 21st Space Wing, Peterson AFB, CO. As Deputy Commander, U.S. Strategic Command, he helped provide the President and Secretary of Defense with a broad range of strategic capabilities and options for the joint warfighter through several diverse mission areas, including space operations, integrated missile defense, computer network operations and global strike. General Kehler also commanded America's ICBM force before its transition from Air Force Space Command to Air Force Global Strike Command in December 2009.

The general's staff assignments include wing-level planning and tours with the Air Staff, Strategic Air Command headquarters and Air Force Space Command. He was also assigned to the Secretary of the Air Force's Office of Legislative Liaison, where he was the point man on Capitol Hill for matters regarding the President's ICBM Modernization Program. As Director of the National Security Space Office, he integrated the activities of a number of space organizations on behalf of the Under Secretary of the Air Force and Director, National Reconnaissance Office.

Education:

1974 - Bachelor of Science degree in education, Pennsylvania State University, State College.

1980 - Distinguished graduate, Squadron Officer School, Maxwell AFB, AL.

1982 - Air Command and Staff College, by correspondence

1987 - Master of Science degree in public administration, University of Oklahoma, Norman.

1988 - Armed Forces Staff College, Norfolk, VA.

1992 - Air War College, by seminar.

1995 - Naval War College, Newport, RI.

1995 - Master of Arts degree in national security and strategic studies, Naval War College, Newport, RI.

1998 - Program for Executives, Carnegie-Mellon University, Pittsburgh, PA.
2002 - National Security Leadership Course, Maxwell School of Citizenship and Public Affairs, Syracuse University, NY.
2006 - Program for Senior Executives in National and International Security, John F. Kennedy School of Government, Harvard University, Cambridge, MA.

Assignments:

April 1975–June 1975, student, missile combat crew operational readiness training, Vandenberg AFB, CA.
June 1975–January 1981, missile combat crew member, instructor, senior evaluator, and Emergency War Order instructor, 341st Strategic Missile Wing, Malmstrom AFB, MT.
January 1981–April 1982, personnel staff officer, Air Staff Training Program, Headquarters U.S. Air Force, Washington, DC.
April 1982–January 1985, missile operations staff officer, Headquarters Strategic Air Command, Offutt AFB, NE.
January 1985–January 1988, resource planner, Directorate of Air Force Operations Plans, and Chief, Strategic Missile Branch, Secretary of the Air Force Office of Legislative Liaison, Headquarters U.S. Air Force, Washington, DC.
January 1988–June 1988, student, Armed Forces Staff College, Norfolk, VA.
July 1988–July 1991, nuclear employment and policy planner, Nuclear and Chemical Division, Joint Staff, the Pentagon, Washington, DC.
July 1991–July 1992, Commander, 508th Missile Squadron, Whiteman AFB, MO.
July 1992–February 1993, Deputy Commander, 351st Operations Group, Whiteman AFB, MO.
February 1993–August 1994, Commander, 341st Operations Group, Malmstrom AFB, MT.
August 1994–July 1995, student, Naval War College Newport, RI.
July 1995–August 1995, Inspector General, Headquarters Air Force Space Command, Peterson AFB, CO.
August 1995–June 1996, Deputy Director of Operations, Headquarters Air Force Space Command, Peterson AFB, CO.
June 1996–June 1998, Commander, 30th Space Wing, Vandenberg AFB, CA.
June 1998–September 1999, Chief, Space Superiority Division, and Chairman, Space Superiority and Nuclear Deterrence Panel, Office of the Deputy Chief of Staff for Plans and Programs, Headquarters U.S. Air Force, Washington, DC.
September 1999–August 2000, special assistant to the Director of Programs, Office of the Deputy Chief of Staff for Plans and Programs, Headquarters U.S. Air Force, Washington, DC.
August 2000–May 2002, Commander, 21st Space Wing, Peterson AFB, CO.
May 2002–May 2005, Director, National Security Space Integration, Office of the Under Secretary of the Air Force, Washington, DC.
May 2005–October 2007, Deputy Commander, U.S. Strategic Command, Offutt AFB, NE.
October 2007–present, Commander, Air Force Space Command, Peterson AFB, CO.

Summary of joint assignments:

July 1988–July 1991, nuclear employment and policy planner, Nuclear and Chemical Division, Joint Staff, the Pentagon, Washington, DC, as a major and lieutenant colonel.
May 2005–October 2007, Deputy Commander, U.S. Strategic Command, Offutt AFB, NE, as a lieutenant general.

Operational information:

Weapon systems: Minuteman II and Minuteman III, Defense Support Program
Launch systems: Titan II, Titan IV, and Delta II

Major awards and decorations:

Distinguished Service Medal
Defense Superior Service Medal
Legion of Merit with two oak leaf clusters
Defense Meritorious Service Medal
Meritorious Service Medal with three oak leaf clusters
Air Force Commendation Medal

Publications:

"Nuclear Armed Adversaries and the Joint Commander," Naval War College Review, Winter 1996.

Effective dates of promotion:

Second Lieutenant - April 10, 1975

First Lieutenant - April 10, 1977
Captain - April 10, 1979
Major - May 1, 1985
Lieutenant Colonel - June 1, 1989
Colonel - February 1, 1994
Brigadier General - July 1, 2000
Major General - August 1, 2003
Lieutenant General - June 1, 2005
General - October 12, 2007

[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. Claude R. Kehler, 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.)
Claude R. Kehler, C. Robert Kehler.

2. **Position to which nominated:**
Commander, U.S. Strategic Command.

3. **Date of nomination:**
September 15, 2010.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
April 7, 1952; Danville, PA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Marjorie E. Kehler (Maiden name: Kitner).

7. **Names and ages of children:**
Matthew S. Kehler, 28; Jared P. Kehler, 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 corpora-

tion, 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.

Association of Air Force Missileers
Air Force Association
American Institute of Aeronautics and Astronautics
Alumni Association, Pennsylvania State University
Alumni Association, Shamokin Area High School
Military Officers Association of America
AARP
Ancient Accepted Scottish Rite, 32nd Degree Masonic Order
Abraham C. Treichler Lodge 682, Masonic Order of PA
Izaak Walton League of America, Inc.

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.

Distinguished Alumni; Pennsylvania State University, 2010
General James V. Hartinger Military Space Achievement Award, 2009
Associate Fellow, American Institute of Aeronautics and Astronautics, 2008,

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

Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even if those views differ from the administration in power?

Yes.

[The nominee responded to Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

CLAUDE R. KEHLER, GENERAL, USAF.

This 8th day of June, 2010.

[The nomination of Gen. Claude R. Kehler, USAF, was reported to the Senate by Chairman Levin on December 3, 2010, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on December 10, 2010.]

[Prepared questions submitted to GEN Carter F. Ham, 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 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. No.

Question. If so, what areas do you believe might be appropriate to address in these modifications?

Answer. N/A

Question. Do you believe that the role of the combatant commanders under the Goldwater-Nichols legislation is appropriate and the policies and processes in existence allow that role to be fulfilled?

Answer. Yes.

Question. Do you see a need for any change in those roles, with regard to the resource allocation process or otherwise?

Answer. No.

DUTIES

Question. What is your understanding of the duties and functions of the Commander of U.S. Africa Command (AFRICOM)?

Answer. The Unified Command Plan specifies the responsibilities of AFRICOM. If confirmed as the commander of AFRICOM, I would be responsible for ensuring their accomplishment. In my view, the most important requirement is to detect, deter, and prevent attacks against the United States, its territories, possessions, and bases and to employ appropriate force to defend the Nation should deterrence fail. AFRICOM's responsibilities also reflect a new and evolving focus on building partner operational and institutional capacity at the country and regional levels and, where appropriate, supporting the efforts of other U.S. Government agencies in the area of responsibility (AOR).

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

Answer. In my 35 years of military service I have served in numerous positions that prepared me for this command. Four assignments, I think, have been key in my preparation to serve, if confirmed, as a combatant commander. From 2001–2003, I served on the staff at U.S. Central Command in Tampa then in Qatar. There I learned how combatant Commands interact with the Joint Staff, with the Office of the Secretary of Defense, the Services, and with the other combatant commands. In 2004–2005 I commanded Multinational Brigade-North in Mosul, Iraq where I gained valuable experience in how U.S. and other coalition forces can effectively operate within a sovereign nation and alongside host nation security forces. In 2007–2008, I served as Director for Operations, J3, on The Joint Staff, gaining a worldwide view of U.S. military operations and gaining a keen appreciation for the interagency process. Finally, in my current assignment as Commander of U.S. Army forces in Europe, I have a full understanding of Service Component Command responsibilities in support of a combatant command and have first-hand experience in the value of theater security cooperation efforts and in building partner capacity.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the Commander of AFRICOM?

Answer. Yes. I recognize that I do not yet have the necessary depth of understanding of the varied security challenges in Africa. I know that I will have to develop relationships with U.S. officials who share responsibilities for U.S. policies and activities in Africa and with key African leaders as well. I must gain a better understanding of the cultural, racial, ethnic, religious, linguistic, and regional diversity of the many peoples of Africa. If I am confirmed, I will begin a series of briefings with the AFRICOM staff, the Office of the Secretary of Defense, Department of State (DOS), the Intelligence Community, and others to better understand the challenges of the command and to prepare myself for this important duty.

Question. If confirmed, what duties and functions do you expect the Secretary of Defense would prescribe for you?

Answer. The specific responsibilities of AFRICOM are defined in The Unified Command Plan which is approved by the Secretary of Defense and the President. If confirmed, I would expect to have discussions with the Secretary of Defense to confirm priorities for the command and to focus my efforts on those areas that require immediate attention.

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, U.S. Africa Command to the following offices:

The Secretary of Defense.

Answer. Subject to direction from the President, the Commander, AFRICOM, performs duties under the authority, direction, and control of the Secretary of Defense. In addition, the Commander, AFRICOM, is responsible to the Secretary of Defense for the readiness of the command to carry out its missions.

Question. The Under Secretaries of Defense.

Answer. A direct command relationship between the Under Secretaries of Defense and the AFRICOM Commander does not exist. However, I anticipate that the AFRICOM Commander will regularly interact, coordinate and exchange information with the Under Secretaries of Defense on issues relating to AFRICOM affairs. The Commander should directly communicate with the Under Secretaries of Defense on a regular basis.

Question. The Assistant Secretaries of Defense.

Answer. There is not a direct command relationship between the Assistant Secretaries of Defense and the AFRICOM commander. The AFRICOM Commander and the Assistant Secretaries of Defense will work together on issues of mutual concern.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. There is not a direct command relationship between the Chairman of the Joint Chiefs of Staff and the AFRICOM Commander. The Chairman functions under the authority, direction and control of the National Command Authority (NCA). The Chairman will transmit communications between the NCA and the AFRICOM commander as well as oversee the activities of the commander as directed by the Secretary of Defense. As the principal military advisor to the President, the National Security Council, and the Secretary of Defense, the Chairman is a key conduit between a combatant commander, Interagency organizations and the service chiefs. The AFRICOM commander will keep the Chairman informed on significant issues regarding the AFRICOM AOR. The commander will directly communicate with the Chairman of the Joint Chiefs of Staff on a regular basis.

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

Answer. There is not a direct command relationship with the Vice Chairman of the Joint Chiefs of Staff. However, the AFRICOM commander will keep the Vice Chairman informed of all significant issues regarding the AFRICOM AOR. The Vice Chairman serves on several councils and boards whose decisions affect AFRICOM including the Joint Requirements Oversight Council, the Defense Acquisition Board, the Defense Advisory Working Group and the Senior Readiness Oversight Council. Interaction between the Commander, AFRICOM, and the Vice Chairman of the Joint Chiefs of Staff is important to ensure these boards and councils make informed choices on matters affecting the command. When so designated the Vice Chairman acts as chairman and performs the duties of the Chairman. When acting as Chairman, the Commander, AFRICOM, would regularly communicate and coordinate with the Vice Chairman of the Joint Chiefs of Staff.

Question. The Director of the Joint Staff.

Answer. There is no direct command relationship between the Director of the Joint Staff and the AFRICOM commander. The AFRICOM commander will work with the Director of the Joint Staff on issues related to AFRICOM.

Question. The Secretaries of the Military Departments.

Answer. There is no direct command relationship between the Secretaries of the Military Departments and the AFRICOM commander. The Secretaries of the Military Departments are responsible for all affairs of their respective departments including functions pertaining to the administration of and support to forces employed by AFRICOM. The secretaries fulfill their responsibilities by exercising administrative control through the Service Component Commands assigned to AFRICOM. In this manner, the Secretary of the Army is the executive agent for AFRICOM headquarters.

Question. The Service Chiefs.

Answer. There is no direct command relationship between the Service Chiefs and the AFRICOM commander. The Service Chiefs are responsible for ensuring the organization and readiness of each service branch and for advising the President. The Service Chiefs are also members of the Joint Chiefs of Staff and serve as military advisers to the President, National Security Council, the Homeland Security Council, and the Secretary of Defense. For matters affecting AFRICOM, I would anticipate regular communication between the Commander, AFRICOM, and the Service Chiefs. The Service Chiefs do not have operational command authority. The AFRICOM Commander will rely on the Service Chiefs to provide properly trained and equipped forces to accomplish missions in the AFRICOM AOR.

Question. The other geographic and functional combatant commanders.

Answer. Formal relationships between the AFRICOM commander and the other geographic and functional combatant commanders will derive from command authority established by title 10 U.S.C. section 164 and from the Secretary of Defense when such relationships are established by him during operational missions. Combatant commanders closely coordinate as necessary to accomplish all assigned missions. 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 respective U.S. Chiefs of Mission.

Answer. Each Ambassador serves the President directly as his personal representative for that country. If confirmed, I will ensure that all activities of the Combatant Command in each country are fully coordinated with the Chief of Mission, consistent with U.S. policy.

Question. The respective U.S. Senior Defense Officials/Defense Attachés (SDO/DATT).

Answer. There is a supervisory relationship between the AFRICOM Commander and the SDO/DATT. The U.S. SDO/DATT is formally evaluated by the AFRICOM commander. This relationship ensures the SDO/DATT maintains close coordination with AFRICOM on all matters involving U.S. military forces in the country. As the AFRICOM commander, I will maintain a close working relationship with the U.S. Senior Defense Official in each country in order to coordinate activities between the command and the respective country's military.

Question. The National Security Advisor and National Security Council.

Answer. There is no formal relationship between the National Security Advisor and AFRICOM, nor between the National Security Council and AFRICOM. I would expect that information or requests for information from the NSA and NSC would be passed thru the Chairman of the Joint Chiefs of Staff to the Commander, AFRICOM.

MAJOR CHALLENGES AND OPPORTUNITIES

Question. In your view, what are the major challenges and opportunities that would confront you if you are confirmed as the next Commander of AFRICOM?

Answer. There have been positive changes in the past decade as many African nations have taken steps to increase the stability and security of the continent. There have been improvements in regional cooperation across the continent. For example the Gulf of Guinea nations are working more closely together in the field of maritime security and there has been an increase in the cooperation and effectiveness of Regional Economic Communities. I think it is important to seek opportunities to build upon these positive steps.

There are also significant challenges in Africa that require sustained and significant attention. The emergence of transnational terrorist threats, piracy, narcotics, smuggling, and human trafficking create areas of instability which directly impact the quality of life of the population in those areas and affect U.S. national interests. I believe these problems are best addressed regionally.

Question. If confirmed, what plans do you have for addressing these challenges and opportunities?

Answer. As President Obama stated in his remarks in Ghana, "Africa's future is up to Africans." Addressing these problems will require the coordinated actions of AFRICOM, other U.S. Government organizations, multilateral organizations, and our African partners. If confirmed, I will continue the overall approach of assisting our partners in the region based on shared interests seeking African solutions to African problems. I will also closely review and assess AFRICOM's existing programs, policies and strategy before taking any actions.

U.S. OBJECTIVES IN AFRICA

Question. In his address in Ghana in July 2009, President Obama reaffirmed Africa's strategic importance to the United States and our national interests. He identified four priorities for the U.S. Government's engagement efforts: (1) supporting strong and sustainable democracies and good governance; (2) fostering sustained economic growth and development; (3) increasing access to quality health and education; and (4) helping to prevent, mitigate, and resolve armed conflict.

In your view, what is AFRICOM currently doing to advance each of these objectives?

Answer. AFRICOM plays a supporting role in all four. To support the first priority, AFRICOM works with the Nations of Africa to strengthen their security institutions including advancing civil authority over militaries. In order to achieve the

second priority, sustained economic growth and development, the other three priorities must be addressed. AFRICOM also conducts programs that address medical readiness issues of African forces which support broader U.S. health efforts and also fosters professional military education opportunities for our African partners. AFRICOMs efforts in support of the training of peacekeeping forces and assistance to on-going international peace efforts support the final priority. Ultimately, these efforts combined help maintain stability in Africa, which sets conditions that fosters achievement of sustained economic growth and development.

Question. If confirmed, what efforts do you hope to undertake during your time as the Commander of AFRICOM?

Answer. If confirmed, I plan to continue the process of integration and cooperation with other U.S. Government agencies that the command has focused on since its formation. I would seek to enhance and continue the programs and activities that build partner security capacity among African nations, the African Union (and its Regional Economic Communities), and its African Standby Force.

COUNTERTERRORISM PRIORITIES

Question. Violent extremism by transnational terrorist organizations is a major source of regional instability. In the last year, al Qaeda and terrorist groups in Africa appear to have strengthened their collaboration. Al Qaeda operatives are active in East Africa, while al Qaeda in the Lands of the Islamic Maghreb (AQIM) operates across the trans-Sahara region of Northern and Western Africa. The leaders of Somalia-based Al-Shabaab have publicly aligned themselves with al Qaeda, having issued public statements praising Osama Bin Ladin and linking Somalia to al Qaeda's global operations. Al-Shabaab also announced its support to al Qaeda in the Arabian Peninsula (AQAP) at the same time that AQAP activities increased in Yemen, separated from Somalia by the 20-mile wide Bab-el-Mandab Strait.

Within the AFRICOM AOR, what do you consider the highest counterterrorism priority?

Answer. I recognize that I do not have access to the full range of intelligence concerning threats and counter-terrorism activities in the AFRICOM AOR. Based on my current understanding, I believe AQIM and al Shabab represent the two highest counter-terrorism priorities in Africa.

Question. Given your current knowledge of AFRICOM programs, do you believe the Command's resources are aligned in a manner consistent with these counterterrorism priorities? If confirmed, do you plan to make any changes?

Answer. I believe the Command's focus is consistent with the intent and objectives defined by the President and the Secretary of Defense. If confirmed, I will assess current and future programs before making any changes.

AL QAEDA IN THE LANDS OF THE ISLAMIC MAGHREB

Question. What is your assessment of the threat posed by al Qaeda in the Lands of the Islamic Maghreb (AQIM)?

Answer. I recognize that I do not have access to the full range of intelligence concerning threats in the AFRICOM AOR. Based on my current understanding of the area, I believe AQIM is seeking to expand its operational reach and increase attacks within its current area of operations. AQIM at present is threatening to conduct attacks against government forces and installations and to conduct kidnappings for ransom of western citizens in Mali, Mauritania, and Niger. AQIM operations in vast, sparsely inhabited areas in the Sahel region also pose significant challenges to a coordinated state response.

Question. In your view, does AQIM pose a threat to U.S. and/or western interests outside of its immediate operational area (Mali, Mauritania, and Niger)?

Answer. Based on my current understanding of the area, yes. AQIM has threatened Western European nations, in particular France, with a campaign of terrorist violence based on attempts by the French administration to impose restrictions on traditional Muslim dress. AQIM is also hostile to recent attempts by the Italian Government to restrict immigration from North Africa and to detain and deport illegal immigrants living and working on the European continent.

Question. What is your assessment of Operation Enduring Freedom-Trans-Sahara (OEF–TS) and the Trans-Sahara Counterterrorism Partnership (TSCTP) program?

Answer. OEF–TS is the military component of a coordinated U.S. Government effort under TSCTP. Based on my current understanding, OEF–TS has been successful at building the capacity of northern Sahara and Sahel militaries through training, equipping, and advising programs and has brought about regional cooperation which has increase effectiveness.

Question. If confirmed, what changes, if any, do you intended to implement vis-á-vis OEF–TS and TSCTP?

Answer. If confirmed, I will assess the program prior to making any changes.

CONNECTION BETWEEN AL QAEDA AND AL SHABAB

Question. In your assessment, what, if any, connection exists between al Shabab and al Qaeda and its affiliated groups (e.g., al Qaeda in the Arabian Peninsula)?

Answer. I recognize that I do not have access to the full range of intelligence concerning any possible connection between these two entities. I am aware that al Shabab has claimed they have a relationship with al Qaeda. This terrorist group is one of the two major counterterrorism priorities in Africa. If confirmed, I will more thoroughly assess this area.

HORN OF AFRICA-REGIONAL SECURITY APPROACH

Question. Somalia is a collapsed state with a weak government unable to project either power or stability or to provide services to its people. Somalia is also a training and operations hub for al Shabab and al Qaeda violent extremists, pirates operating in the Indian Ocean and Arabian Peninsula, illicit traffickers of weapons, humans, and drugs, and remnants of the al Qaeda East Africa cell that was responsible for the destruction of our embassies in Dar es Salaam and Nairobi in August 1998. U.S. Central Command, according to public reports, is in the process of developing a multi-year $1.5 billion security forces assistance fund for Yemen. While the conditions in Yemen are different than Somalia, according to a July 2010 report to Congress from the State Department, the U.S. objectives in Somalia—eliminate the threat of violent extremists and enable the Transitional Federal Government (TFG) to provide basic services to all Somalis—are not dissimilar from Yemen. By nearly all accounts, neither AFRICOM nor the U.S. Government are currently resourced to accomplish these objectives.

Putting aside the ongoing DOD-State Department security assistance review, would you support or oppose a comparable security forces assistance fund dedicated to the Horn of Africa to combat the regional threat posed by Somalia?

Answer. If confirmed, I would review the current resources and programs in the Horn of Africa to determine the merit of establishing a similar security assistance fund for Somalia. If there is a requirement or need I will not hesitate to communicate it through my chain of command.

SOMALIA—THREAT TO THE HOMELAND

Question. A particularly concerning element of the threat emanating from Somalia is the reported increase in the number of resettled Somali refugees—many of whom carry western passports—returning home to Somalia to receive training from violent extremist elements operating in Somalia. The intentions of these individuals traveling to Somalia in most cases are unknown, but the threat they potentially pose to the homeland could be significant.

In your view, what is your assessment of the threat posed to the homeland by violent extremist elements operating in Somalia?

Answer. I recognize that I do not have access to the full range of intelligence concerning threats emerging from Somalia. Based on my current understanding of the area, I believe the al Qaeda organization as a whole is actively engaged in operational plotting against the United States. The organizations in Somalia appear to be one of the highest threats in the AFRICOM area of operations. If confirmed, I will assess this threat in depth.

Question. Given the nature of this threat, any effort to counter it requires interagency collaboration.

What you do believe to be the appropriate role of AFRICOM?

Answer. Interagency collaboration is vital. The appropriate role of AFRICOM is to support the U.S. policy decisions on how to address the Somalia situation. At present, this includes helping build the security capacity of nations contributing forces to African Union Mission in Somalia (AMISOM).

ENGAGEMENT WITH PUNTLAND AND SOMALILAND

Question. The State Department recently announced the intention of the U.S. Government to engage more actively with the Governments of Puntland and Somaliland with a view towards helping improve their capacity to provide services to their people and develop their economies.

What is your assessment of U.S. efforts to pursue an increased level of cooperation with Puntland and Somaliland?

Answer. I read comments from assistant Secretary of State for African Affairs, Johnnie Carson, who stated "We think that both of these parts of Somalia have been zones of relative political and civil stability, and we think they will, in fact, be a bulwark against extremism and radicalism that might emerge from the south." If confirmed, I would seek an opportunity to discuss with Secretary Carson and other senior policy-makers, how AFRICOM might support U.S. diplomatic and development assistance initiatives.

Question. In your view, should security assistance be a component of any engagement strategy with Somaliland and Puntland?

Answer. I believe that the security challenges in Somalia cannot be addressed solely through military assistance, but also require diplomatic and developmental engagement. U.S. Military assistance in Somalia is one small piece of a broader U.S. Government strategy for Somalia. If confirmed, I will review with other senior policymakers, how AFRICOM might support U.S. diplomatic and development assistance initiatives.

SUDAN

Question. Most observers of the current situation in Sudan have concluded that the January 2011 referendum will result in South Sudan seceding and violent conflict erupting along certain resource-rich portions of the undefined border.

In your view, what role, if any, should AFRICOM play in the months leading up to the January 2011 referendum vote?

Answer. The United States and international community are unified in support of the following principles: first, the referenda must be carried out on schedule and reflect the will of the people of the southern Sudan and, second, the results of the referenda must be recognized. The United States continues to be in close contact with the Government of Sudan, African leaders, and other members of the international community to ensure that these principles are upheld. AFRICOM's role is to support, as requested, the ongoing diplomatic initiatives to ensure a peaceful outcome.

Question. If confirmed, what approaches would you expect to explore in the event violent conflict erupts following the January 2011 referendum?

Answer. If confirmed, I would provide support as directed in support of U.S. Government policy. I would be particularly concerned about the potential for violence to spread across borders into neighboring countries.

U.S. SECURITY ASSISTANCE

Question. The funding pool available for security assistance and other military-to-military engagement activities devoted to the AFRICOM AOR is extremely small and tends to be allocated to specific countries.

What is your understanding of the role AFRICOM plays in developing U.S. security assistance (e.g., Section 1206, Foreign Military Financing, International Military Education and Training Assistance, Combatant Commander Initiative Fund, etc . . .)?

Answer. Security cooperation planning is done in close coordination with the DOS, Department of Defense (DOD), country teams and requesting nations. This coordination is essential as there are various sources of funding and approval chains. For example, 1206 funding is a dual approval process between the DOD and DOS with a congressional notification requirement. This coordination also ensures synchronization of programs between agencies.

Question. Section 1206 of the National Defense Authorization Act for Fiscal Year 2006, as amended, established a program that gives DOD, in coordination with the DOS, the authority to provide training, equipment, and supplies to foreign militaries to undertake counterterrorism or stability operations in which the U.S. Armed Forces participates.

What is your assessment of the Section 1206 program?

Answer. I believe 1206 funding is accomplishing the goals it was designed to achieve. Security cooperation activities are the foundation of our efforts to promote security, stability and partnership in Africa and elsewhere and ultimately support our National Security Strategy. In my current position as Commander U.S. Army Europe, 1206 funding allows for training that prepares our international security assistance force coalition allies in Europe to deploy to Afghanistan. Assisting our partners in developing professional militaries is a key factor in the stability of a nation.

Question. Given your understanding of the program, what changes, if any, would you recommend based on your knowledge of the requirements of our partners in the AFRICOM AOR?

Answer. If confirmed, I will assess the current programs before recommending changes.

SUPPORT TO UNITED NATIONS PEACEKEEPING MISSIONS IN AFRICA

Question. In testimony before the House Committee on Foreign Affairs on July 29, 2009, Ambassador Susan Rice, U.S. Ambassador to the United Nations (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." Admiral Mullen has said he views "U.N. peacekeeping operations to be extremely important and cost effective in comparison to unilateral operations" and that "the success of these operations is very much in our national interest."

In your view, should the United States increase the number of personnel it contributes in the form of staff positions and experts on mission positions to U.N. peacekeeping missions and other international peace operations?

Answer. If confirmed, I will examine the number and position of U.S. military personnel serving on U.N. missions in Africa. DOD personnel have broad experience in working in multinational environments and leading multinational forces. For this reason, U.S. forces would be valuable to U.N. peacekeeping missions which are composed of forces from various nations. The commitment of a few experts to lead or advise peacekeeping missions potentially precludes the need to deploy larger number of U.S. forces. I have personal experience on a U.N. peacekeeping mission having served for 6 months in the Former Yugoslav Republic of Macedonia. I do believe that U.S. military personnel can make a valuable contribution to U.N. missions, but each mission must be evaluated carefully.

Question. In your view, what are the advantages and disadvantages of contributing additional military personnel to U.N. operations in the form of staff positions and experts on mission positions?

Answer. The advantages are that these operations are a limited commitment in terms of number of forces and have a potential for high return on investment—few personnel in return for not having to deploy large numbers of U.S. forces. Additionally, U.S. forces bring expertise which could increase the effectiveness of the operation. The disadvantages are that currently, U.S. forces are deployed in large numbers and more commitments will stress the force. Also, peacekeeping staff and experts tend to be senior military personnel which are currently in short supply due to operational needs.

COUNTERNARCOTICS

Question. Illicit trafficking is a growing concern in Africa. West Africa is a node for Latin American drugs transiting to their primary destination in European markets. In addition, drugs originating in Asia are transported through South and East Africa on their way to Europe. The destabilizing influence of narcotics trafficking threatens to undermine stability in a number of countries in Africa and helps to expand the Latin American cartels' network throughout the region. Despite the increase in illicit trafficking across the African continent, AFRICOM has secured a limited amount of funding for its counternarcotics efforts.

What is your assessment of the current AFRICOM counternarcotics program?

Answer. If confirmed, I will review the role of AFRICOM and its interagency partners with respect to counternarcotics. I am aware that AFRICOM has a counternarcotics team that appraises the command of the broader national counternarcotics effort run by U.S. law enforcement agencies and helps develop defense contributions to those efforts.

Question. Based on your review of the current program, if confirmed, what changes, if any, are you interested in exploring?

Answer. If confirmed, I would assess the current program prior to recommending changes.

GLOBAL PEACE OPERATIONS INITIATIVE

Question. In 2004, the President announced the Global Peace Operations Initiative (GPOI). The goal of this State Department initiative was to train 75,000 peacekeepers, many of whom are from African partner nations. In 2009, the GPOI reached its original goal and is continuing to train additional peacekeepers and trainers. Funding from this program currently comprises the vast majority of U.S. security related assistance on the African continent, but AFRICOM plays a limited role in providing advice for prioritization and programming of these funds.

What is your understanding of the GPOI and African Contingency Operations Training Assistance (ACOTA) programs?

Answer. AFRICOMs contribution to the GPOI is the ACOTA program. ACOTA has been a successful program that our African partners greatly appreciate. Africans value "African solutions to African problems" which this program fosters. ACOTA-trained peacekeepers have done well in a number of peacekeeping operations.

Question. What is your understanding of AFRICOM's role vis-á-vis the GPOI and ACOTA?

Answer. AFRICOM has a vested interest in the success of ACOTA, as it helps build the capacity of African militaries to provide for their own security which support the U.S. Government goals for Africa.

Question. If confirmed, what steps, if any, would you expect to take relating to these two programs?

Answer. If confirmed, I will assess the program before recommending any changes.

INTELLIGENCE ISSUES

Question. Demand for intelligence, surveillance, and reconnaissance (ISR) capabilities of every kind has grown exponentially in recent years largely due to the enhanced situational awareness and targeting capabilities they bring to our commanders. Almost all of the geographic combatant commands have validated ISR requirements that are not being met.

What is your understanding of the support AFRICOM is currently receiving to respond to its ISR requirements?

Answer. ISR has improved our ability to better understand and develop the situation on the ground and assist our partners. With a finite number of assets available, the allocation of scarce assets must be weighed against our theater security priorities. If confirmed, I will assess the current ISR support and requirements before recommending changes.

Question. Do you believe the threat emanating from Somalia should garner additional resources from within DOD?

Answer. I believe the threat from Somalia is of great concern and should be a main focus of AFRICOM. If confirmed, I will closely examine this area.

Question. In December 2004, Congress passed the 2004 Intelligence Reform and Terrorism Prevention Act (IRTPA), which created the National Counterterrorism Center (NCTC) and charged it with conducting "strategic operational planning" to combat terrorist threats to U.S. interests at home and abroad. NCTC has taken the lead on developing the National Implementation Plan, a detailed, interagency plan for combating terrorism, which assigns roles and responsibilities to departments and agencies across the government.

What is your understanding of the role of NCTC with respect to AFRICOM?

Answer. My understanding is the NCTC leads our Nation's effort to combat terrorism at home and abroad by analyzing the threat, sharing that information with interagency partners, and integrating all instruments of national power to ensure unity of effort. The NCTC develops strategic guidance and national, interagency objectives and tasks on counter terrorism matters which AFRICOM and its interagency partners implement.

Question. How will AFRICOM's responsibilities for integrating military and civilian planning interface with NCTC's responsibility for integrating military and civilian planning?

Answer. I believe the correct approach would be to integrate the intelligence collected and made available by the NCTC in AFRICOM's planning efforts with its interagency partners. If confirmed, I will seek to ensure NCTC and AFRICOM stay closely linked.

Question. How are the specific agency roles and responsibilities outlined in the National Implementation Plan integrated with AFRICOM's efforts to bring stability to Africa?

Answer. AFRICOM routinely coordinates its plans with interagency partners which helps ensure agency roles and responsibilities are understood and respected. This coordination creates multi-faceted programs which address the root causes of instability that oftentimes are not areas military power alone can effectively address. African problems require a holistic approach that is best planned with all of our interagency and international partners to incorporate all the elements of national power.

Question. In late 2009, Major General Michael T. Flynn, USA, the Chief, J–2, International Security Force and U.S. Forces-Afghanistan, published an article that criticized the intelligence community broadly for focusing excessively on support for kinetic operations against adversary forces in Afghanistan and failing to devote suf-

ficient attention to the counterinsurgency strategy and its emphasis on population protection, tribal dynamics, cultural insight, the rule of law, and the like. Some observers contend that the national intelligence agencies focus their assistance to the Defense Department on special operators engaged in direct action operations. As a consequence, it is alleged, general purpose forces and special operations forces that are engaged in indirect activities, including foreign internal defense and population protection, receive less intelligence support. This focus on the human terrain and indirect activities would seem to have applications in the AFRICOM AOR.

Do you think that General Flynn's criticism was accurate and, if so, has this imbalance been corrected?

Answer. I generally agree with General Flynn's points. The intelligence community appears to be recognizing the need to broaden its approach to better understanding the environment and we are seeing some of this with the rebalancing of intelligence assets at all levels. The Intelligence Community needs to make an investment in the training base as well as dedicating analysts to developing regional expertise that includes an understanding of population problems. The intelligence community organizations and assigned analysts must understand the environment beyond just the enemy situation to tie together the problems that lead to instability and dissatisfaction of the population which when not addressed lead to conflict development.

Question. In your view, has the intelligence community devoted enough resources to provide policy makers and combatant commanders with the information on the cultural, social, political, and economic dynamics needed to formulate sound strategies for other critical regions, like Sudan and Somalia?

Answer. Major General Flynn highlights the need to better provide an emphasis on understanding these population related issues and focuses on U.S. intelligence support in Afghanistan. Africa has an even more diverse blend of tribes, cultures, religions, and environments, and is like no other theater. Much of Africa faces the potential of conflict. Other destabilizing threats such as crime, corruption, ethnic tensions, drought, disease, and political instability are too common throughout Africa. With the increased importance that we place on African countries, it is imperative that the proper emphasis be placed on understanding the complex environment of Africa. To accomplish this, DOD and other intelligence agencies will need to prioritize intelligence resources on Africa.

Question. Is collection and analysis on these subjects in these areas a tier one priority for the intelligence community or is it classified as lower-priority general background intelligence information?

Answer. At this time I do not have access to the full range and focus of AFRICOMs intelligence efforts. If confirmed, I will assess the intelligence focus of AFRICOM prior to making any changes.

COMBINED JOINT TASK FORCE-HORN OF AFRICA

Question. What is your understanding of the mission of Combined Joint Task Force-Horn of Africa (CJTF–HOA) and its relationship vis-á-vis AFRICOM?

Answer. CJTF–HOA conducts operations in the East Africa region to build partner nation capacity in order to promote regional security and stability, prevent conflict, and protect U.S. and coalition interests. CJTF–HOA is AFRICOM's only subordinate task force at the present time.

Question. How do its roles and responsibilities compare with AFRICOM's service component commands?

Answer. There is no overlap between the components and CJTF–HOA. CJTF–HOA is a task force with a specific mission of countering violent extremism. The Service components are the representatives of their Services in the force provider role.

Question. How does AFRICOM ensure that CJTF–HOA activities complement rather than conflict with activities being conducted by AFRICOM's Service components?

Answer. CJTF–HOA is a task force with a specific mission of countering violent extremism while the Service components are the representatives of their Services in the force provider role. There is no conflict between the two. There is frequent coordination at all levels between the component commands and CJTF–HOA to ensure synchronization of actions and to prevent over or under laps in activities.

MARITIME SECURITY

Question. Maritime security has proven to be a significant issue on the coasts of West and East Africa. In the west, northern migration to Europe and the Gulf of

Guinea are the challenges, and, in the east, pirating in the major shipping lanes and transporting of terrorists to and from the Middle East are the challenges.

What is your assessment of AFRICOM's ongoing maritime security initiatives?

Answer. If confirmed, I will assess these programs prior to making any recommendations. My understanding is that these programs have been successful; however their effects are long term and it will take time to see lasting results. Many African nations have very limited navies or coast guards to begin with, and building their capacity will require a commitment of time and resources.

Question. Very few African countries have the capacity to project naval forces beyond their coastal waters; as such the economic exclusion zones of many coastal African countries are exploited by a variety of international actors.

What opportunities, if any, do you see for expanded U.S. engagement on maritime security in the AFRICOM AOR?

Answer. This is already happening. The Africa Partnership Station (APS), for example, has completed five full deployments by U.S. ships along with deployments of ships from several European nations under the APS banner. Maritime Domain Awareness initiatives have been very successful. My current understanding is that on the whole, our African partners are very satisfied and have requested more support.

AIR ASSETS

Question. What is your understanding of AFRICOM's current airlift needs? Are they being met?

Answer. AFRICOM has significant airlift needs because of the lack of air infrastructure and vast size of the continent of Africa. Commercial air travel can be very difficult and the distances are long. Close coordination is conducted between AFRICOM and TRANSCOM to provide airlift support for passenger and logistical requirements.

Question. Given that the movement of African military personnel and equipment for crisis response and contingency operations remains largely reliant on international airlift support, what is the appropriate role of AFRICOM in supporting such efforts?

Answer. If U.S. policy decisions support the provision of airlift to help employ and sustain partners on peacekeeping missions, then it is entirely appropriate. I believe the long-term goal should be for the Africans to build their own airlift capacity over time and AFRICOM would have a role in any such efforts.

SUPPORT TO THE AFRICAN UNION

Question. In your view, what role, if any, should AFRICOM play in support of the African Union (AU) and its respective peacekeeping operations?

Answer. It is appropriate for AFRICOM to help build the security capacity of participating nations and regional organizations when those nations or organizations request our support.

Question. What role, if any, should AFRICOM play in support of the AU regional standby brigades?

Answer. It is appropriate for AFRICOM to help build the security capacity of participating nations and regional organizations when those nations or organizations request support.

Question. If confirmed, do you intend to explore any options for expanded engagement by AFRICOM with the AU?

Answer. Yes. AFRICOM has programs that are helping build the command and control and enabling capacities of the AU to sustain its own operations and lessen dependence on foreign assistance. In this regard, our activities are tremendous investments and the AU has been very appreciative. If confirmed, one of the first organizations I would visit would be the AU and the U.S. mission to the AU.

LORD'S RESISTANCE ARMY

Question. Despite pressure by the Ugandan People's Defense Forces, elements of the Lord's Resistance Army (LRA) continue to operate and commit atrocities against civilian populations in the Central African Republic, Democratic Republic of the Congo, and Southern Sudan. The LRA Disarmament and Northern Uganda Recovery Act (P.L. 111–172) requires the President to submit to Congress a strategy to support multilateral efforts to protect civilians from the LRA, to apprehend or remove LRA leader Joseph Kony from the battlefield, and to disarm and demobilize LRA fighters.

What role, if any, do you envisage AFRICOM playing in this strategy?

Answer. Based on my current knowledge, AFRICOM will play a supporting role to the efforts of DOS and other organizations. AFRICOM currently conducts training for the Ugandan Defense Forces and I would expect this to be a part of the strategy.

Question. In your view, what level of support would you consider appropriate to apprehend or remove Kony and his top commanders from the battlefield in the continued absence of a negotiated solution to the conflict?

Answer. I recognize that I do not have access to the full range of intelligence concerning the Lord's Resistance Army nor the full range of activities U.S. Africa Command with regard to the LRA. If confirmed, I will assess the situation to fully understand the implications of any actions.

PERSONNEL

Question. As of June 2010, AFRICOM reported that the command and its components had approximately 4,400 assigned forces and civilian personnel. Roughly 2,000 of these personnel were assigned to CJTF–HOA in Djibouti. With the exception of CJTF–HOA, AFRICOM's component commands do not have assigned forces and must request forces through the formal Joint Staff process.

Do you believe that AFRICOM has adequate assigned forces, or is a shortage of assigned forces likely to have an adverse impact on AFRICOM's ability to implement its mission?

Answer. There are advantages to having assigned forces; however, I have confidence in the current DOD global force management process to make forces available to combatant commanders.

Question. If you see an adverse impact on AFRICOM's mission stemming from a shortage of assigned personnel, what steps, if any, would you take if confirmed to address this problem?

Answer. If confirmed, I would use the current DOD force management process to request forces for AFRICOM missions. I believe that as forces committed to the CENTCOM AOR reduce over time, more forces will be available to meet other combatant command requirements.

NATIONAL GUARD STATE PARTNERSHIP PROGRAM

Question. In October 2010, the current commander of AFRICOM, General William "Kip" Ward, USA, stated "[t]hat [the State Partnership Program (SPP)] model also works in Africa: Sustained security engagement being conducted by young men and women who are combat-tested, proven veterans with energy, enthusiasm, wanting to contribute, making a difference and doing it on a continent where those who are the recipients of that association are thankful for it."

What is your understanding of the SPP and its effectiveness, not only with State National Guard organizations but also with nongovernment organizations?

Answer. In my current assignment as U.S. Army Europe commander, my experience with the SPP has been extremely positive. The relationships formed between National Guard members and a country's military creates the conditions for success in terms of continued events between the two forces. In Europe, the SPP has lead to combined Operational Mentor and Liaison Teams deployed to Afghanistan training Afghan security forces. The SPP also extends to the civilian sector enabling military to civilian and civilian to civilian events as well.

Question. Given AFRICOM's lack of assigned forces, do you see the SPP as a potential force multiplier for AFRICOM?

Answer. The SPP has enabled many events between the partners that would not have been possible without the SPP. I see the SPP as another resource to use in reaching our security cooperation goals.

NORTH ATLANTIC TREATY ORGANIZATION SUPPORT

Question. At the request of the African Union, the North Atlantic Treaty Organization (NATO) has provided support to the AU Mission in Sudan and assistance to the AU Mission in Somalia. It is also providing capacity-building support to the AU's long-term peacekeeping capabilities, in particular the African Standby Force, at the request of the AU. Through its assistance, NATO has developed a positive and promising level of cooperation with the African Union.

Do you see any specific opportunities for NATO to expand its support of international peacekeeping and stability efforts on the African continent?

Answer. Based on my current knowledge, I would not want to recommend any changes to current policy but, if confirmed, I would conduct a more thorough assessment of NATO missions in the AFRICOM AOR. AFRICOM and NATO work together in several areas—combating piracy in the waters off Africa and in NATO's

Mediterranean Dialogue countries. Together with other U.S. Government agency partners, AFRICOM closely coordinates efforts to ensure unity of effort. Where possible and when authorized, AFRICOM and NATO work together.

Question. If confirmed, do you intend to pursue expanded support from NATO?

Answer. If confirmed, I will assess current operations with NATO before recommending any changes.

Question. In your view, do China and the United States share common security objectives in the AFRICOM AOR?

Answer. China and the United States both stand to benefit from a more stable and secure Africa. The United States and China will continue to look for areas in which we can cooperate with one another in Africa.

Question. In your opinion, what effect has China's engagement with African militaries had on those militaries and on U.S. security interests?

Answer. If confirmed, I will assess the situation to fully understand the impact of China's engagement in Africa.

Question. Do you foresee China's growing energy demands affecting security developments in Africa?

Answer. If confirmed, I will assess the situation to fully understand the impact of China's energy demand on security policy.

SECURITY SECTOR REFORM

Question. In your view, what role should AFRICOM play in U.S. security sector reform efforts in Africa?

Answer. AFRICOM should play a supporting role to U.S. security sector reforms. Security sector reforms are complex involving, at times, rebuilding court systems, police forces, military forces, and the supporting government institutions. This requires an interagency approach and AFRICOM is best used in a supporting role focusing on building the defense sector.

Question. In your view, what are the advantages and disadvantages of using uniformed U.S. military personnel (rather than contractors) to support AFRICOM's efforts in this area?

Answer. I think there is an advantage in using U.S. uniformed personnel as they demonstrate on a daily basis the values we are trying to instill into military forces and are excellent trainers. U.S. military forces are also clearly the face of U.S. assistance. Using uniformed military also provides a model for African militaries to emulate and builds personal and professional relationships that last well beyond any training event. U.S. forces are currently in high demand and may be needed in other areas such as Afghanistan. When U.S. forces are unavailable, DOS contractors can and do provide valuable training for our African partners, but we pass up valuable opportunities to build stronger relationships between our militaries when we use contractors.

Question. In your view, are current security cooperation authorities sufficient for AFRICOM to play an effective role in U.S. security reform efforts in Africa?

Answer. There are separate authorities for DOD and DOS which make these efforts possible. If confirmed, I will assess the current authorities prior to making any recommendations.

SPECIAL OPERATIONS FORCES IN SUPPORT OF COUNTRY TEAMS

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.

What is your view of the potential value of these special operations personnel to AFRICOM and the country teams they are supporting?

Answer. I recognize that I do not have access to the full range of special operations activities in the AFRICOM AOR. My understanding is special operations personnel are valuable for the training they conduct focusing on counterterrorism in support of Operation Enduring Freedom-Trans Sahara. These forces are also valued since they are familiar with African cultures, speak the local language, and have specialized training. Although a small special operations team is able to make a significant positive impact, forces should be tailored to meet mission requirements.

Question. What role, if any, do you see for AFRICOM in ensuring that the goals of special operations personnel deployed to these countries are closely aligned with those of the Ambassadors they are working with?

Answer. The role for AFRICOM is to coordinate with the Ambassadors, country teams, and with higher headquarters in DOD to ensure special operation teams' activities are aligned with national and country team priorities.

INFORMATION OPERATIONS

Question. Operation Objective Voice (OOV) is AFRICOM's information operation effort to counter violent extremism to repudiate extremist ideologies. OOV employs a variety of messaging platforms, such as the African Web Initiative, to challenge the views of terrorist groups and provide a forum for the expression of alternative points of view. While Congress remains supportive of efforts to counter violent extremism, it remains concerned about the lack of measures of effectiveness of these programs.

What is your understanding of OOV and the current measures of performance and effectiveness?

Answer. My understanding is that OOV is a named Information Operation to harness and orient all information operations and influence related activities in theatre to counter violent extremist organization ideology. If confirmed, I will assess OOV to fully understand the program and the measures of performance and effectiveness.

Question. In your view, should AFRICOM be using the internet and other electronic forums to counter the message of violent extremists operating in its AOR?

Answer. I feel the use of the internet and other electronic forums to counter the message of extremists is appropriate. Extremists' current use of the internet is effectively bringing people to their cause and severely hindering peace and stability for various regions throughout the AOR. Just as we challenge extremists' ability to force their agenda on a population through physical actions, we must also challenge their ability to influence through electronic media.

Question. Al Qaeda and affiliated violent extremist groups work hard to appeal to local populations. In both the Horn of Africa and the Trans-Sahara, these efforts have allowed violent extremists to establish a safe haven, conduct operations, and expand their recruiting base. The composition and size of these groups permits them to make policy decisions very quickly.

Do you believe AFRICOM and other agencies within the U.S. Government are appropriately organized to respond effectively to the messaging and influence efforts of al Qaeda and other terrorist groups?

Answer. If confirmed, I will assess the organization of AFRICOM and its coordination with DOS and other government agencies to counter the influence of al Qaeda messaging.

Question. What do you believe is the appropriate role for Military Information Support Teams (MISTs) in these activities?

Answer. I believe an appropriate role for MISTs is to reinforce messages for a particular event or purpose. MISTs are one of AFRICOM's primary communication tools for countering violent extremism. While the lead department for combating terrorism remains the DOS, the problem of violent extremism requires a whole-of-government solution and one of DOD's contributions are its MISTs. These teams are charged to work closely with members of country teams, to gain Ambassador concurrence prior to conducting activities, and to vet all messages thru all participating organizations to preclude unintended effects. MISTs generally conduct activities to reduce recruitment and violence, thereby reducing the need for a kinetic U.S. military response and breaking the cycle of terrorism. My understanding is AFRICOM uses MIST teams for this purpose.

CIVIL AFFAIRS ACTIVITIES

Question. Civil affairs activities carried out by U.S. military personnel in partnership with host nation personnel play a role in developing infrastructure, supporting good governance and civil societies, and providing humanitarian assistance, including medical and veterinary services to needy populations. Civil Affairs activities are most effective when coordinated with other U.S. Government efforts, most notably those carried out by USAID.

If confirmed, how would you ensure Civil Affairs activities by U.S. military personnel are integrated into larger U.S. Government efforts within your AOR?

Answer. If confirmed, I will ensure that all Civil Affairs activities are vetted thru the country teams and with the USAID senior staff member on the AFRICOM staff to ensure all actions are properly synchronized and supporting.

Question. Military Information Support Operations can amplify the effect on Civil Affairs activities by promoting the efforts of the U.S. military and host nation.

If confirmed, how would you ensure Civil Affairs and Military Information Support Operations are adequately coordinated to achieve a maximum impact?

Answer. If confirmed, I will ensure that actions of Civil Affairs and information operations are synchronized with the country team and USAID. This is most effectively done by having all organizations involved participate during all stages of planning and execution of any given event.

SECTION 1208 FUNDING

Question. Section 1208 of the Ronald Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375), as amended, gave U.S. Special Operations Command the authority to provide 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. If confirmed, I will assess the special operations activities in the AFRICOM area to determine if this funding is adequate. My understanding is that this funding has been valuable in Iraq and Afghanistan for SOF force training to indigenous personnel as well as for collecting human intelligence in areas where U.S. personnel are unable to infiltrate.

Question. Do you believe this authority has been appropriately utilized in Africa?

Answer. If confirmed, I will assess the special operations activities and funding in the AFRICOM area to determine if 1208 funds have been appropriately used.

Question. If confirmed, how would you seek to have this authority used in Africa?

Answer. If confirmed, I will assess the special operations activities and funding in the AFRICOM area to determine if 1208 funds have been appropriately used.

EFFICIENCIES ISSUES

Question. In an effort to identify efficiencies and ensure better support for the warfighter in Afghanistan and Iraq, Secretary Gates has directed a DOD-wide review of all organizations and associated programs.

Given the Secretary's initiative, in your view, should AFRICOM continue to remain in existence?

Answer. If confirmed, I will continue General Ward's examination of and efforts to increase the efficiency of his command.

AFRICA HEALTH RELATED ISSUES

Question. Health issues are a significant concern in many African nations and the U.S. Government's engagement strategy in Africa includes an emphasis on health-related issues.

To what extent should the AFRICOM be involved in broader U.S. Government "health diplomacy" efforts in Africa?

Answer. AFRICOM should continue to participate in DOD health related efforts such as the HIV/AIDs program and MEDFLAG exercises. AFRICOM should also be invited to planning and coordination sessions for new initiatives sponsored by other government agencies to synchronize efforts.

Question. In your view, should AFRICOM's engagement strategy, perhaps more than other combatant command engagement strategies, include an emphasis on military health engagement?

Answer. Given the poverty, health issues, and lack of basic healthcare of some African nations, I believe that AFRICOM should focus more on military health engagement than other combatant commands. My understanding is African militaries have high rates of HIV infection which directly impacts their readiness and ability to participate in assigned missions.

Question. How much success has DOD had in efforts to counter AIDS in African militaries?

Answer. Based on my current knowledge, I believe DOD has had success in AIDS education and prevention in Africa. According to the U.N. AIDS office, the rate of infection in Africa has declined. I am aware that DOD is very active in AIDS prevention, education, and dissemination of AIDS anti-retroviral treatments with the goal of increasing the readiness of African Nations' military forces.

Question. If confirmed, how, if at all, would you like to see such efforts increased or programmatically altered?

Answer. If confirmed, I will assess the program before recommending changes.

Question. In your view, what should DOD's role be in the program relative to other elements of the U.S. Government?

Answer. DOD should be in a supporting role to other U.S. Government agencies.

TECHNOLOGY SUPPORT FOR AFRICOM MISSIONS

Question. The defense research and technology community has developed a number of capabilities that are potentially supportive of AFRICOM's missions—including vaccines to combat infectious diseases, language translation systems, and cultural modeling and simulation tools and war games.

What specific technology-based capabilities do you feel need to be developed or improved in order to best support AFRICOM's missions?

Answer. In our quest to develop "African systems for Africans" we must partner with national industries to jointly develop technology to meet their requirements. One area that could be examined is communication systems. AFRICOM has been working to develop a command and control computer system that could be used in African Union peacekeeping missions. A second area is de-mining operations. An inexpensive method of identifying mines would be beneficial to many areas of the continent. A third area would be the development of water purification methods as much of the water is untreated and can causes disease. The key to technologies is to keep them inexpensive and simple to use and maintain.

Question. If confirmed, how would you work with the defense research and acquisition community to ensure that they are aware of those needs and supportive of AFRICOM's missions?

Answer. AFRICOM has a robust relationship with the members of the community. I feel the best way is to leverage the research and acquisition community members assigned to the AFRICOM staff.

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, AFRICOM?

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR E. BENJAMIN NELSON

AFRICOM PERSONNEL REQUIREMENTS

1. Senator BEN NELSON. General Ham, your nomination to be the Commander of U.S. Africa Command (AFRICOM) puts you in a unique position in that you will be moving from U.S. Army Europe, a component command of U.S. European Command (EUCOM), where you have over 50,000 soldiers assigned under your command to AFRICOM, a geographic combatant command, where you will have no assigned forces. The lack of assigned forces will undoubtedly make completing the missions assigned to your command more difficult. Given your familiarity with the global force management system, do you think any changes should be made to the global force management process to accommodate geographic combatant commands like AFRICOM?

General HAM. I do not feel changes to the global force management process are required at present. My experience as the Director for Operations on The Joint Staff

leads me to have confidence that, based on the Secretary of Defense's established priorities, Combatant Commands have a systematic process through which their force requirements are addressed. There are advantages to having assigned forces, the primary one being predictable availability of forces to meet combatant command requirements. But, even forces assigned to geographic Combatant Commands are required to meet higher priority requirements. As an example, Army brigades assigned to EUCOM routinely deploy to Iraq or Afghanistan in support of U.S. Central Command requirements. I believe the global force management process is the best way to ensure the highest priority requirements are fulfilled first. I also think that as force requirements in the CENTCOM theater are reduced, more forces will become available in the global force pool to support AFRICOM's requirements. If confirmed, I will clearly articulate my force requirements to the Secretary of Defense and will, if those requirements cannot be fully met, convey to the Secretary of Defense the impact of such decisions.

2. Senator BEN NELSON. General Ham, do you think having assigned forces—both Special Operations Forces and general purpose forces—would enable AFRICOM to develop more quickly the cultural and language understanding required to operate effectively within the AFRICOM area of responsibility (AOR)? Please explain your answer.

General HAM. Developing language skills and cultural understanding are challenging tasks under any circumstance. I do not believe assigned forces are necessary to develop cultural and language skills, although assigned forces clearly have some advantages in developing these skills. Special operations forces are not routinely assigned to geographic combatant commands but are normally assigned to U.S. Special Operations Command. Many such forces are given a geographic area of focus (as an example, the U.S. Army's 3rd Special Forces Group focuses primarily on Africa, and maintains language, cultural and area-specific skill sets). For general purpose forces, allocating or apportioning forces to AFRICOM for planning purposes accomplishes many of the same objectives as having assigned forces in that the combatant commander has input into the training requirements of such units. In this way, general purpose forces could gain some degree of language capability and cultural understanding. Also, improved personnel management processes could ensure servicemembers with African area expertise are assigned to key policy and operational assignments (i.e. personnel having served in Combined Joint Task Force-Horn of Africa would be ideally suited to serve on the Joint Staff or the Office of the Secretary of Defense staff in positions dealing with African issues). Additionally, the long-term relationships that develop through the National Guard State Partnership Program (SPP) are another mechanism through which units may gain language skills and country-specific cultural awareness. If confirmed, I would seek to foster such relationships. It would also be my responsibility, if confirmed, to determine and direct the training priorities of AFRICOM's Service components.

3. Senator BEN NELSON. General Ham, you argued as Commander, U.S. Army Europe to retain assigned combat brigades as essential to your theater security force assistance and engagement missions. In your view, how are assigned forces essential in one theater and not in another?

General HAM. In my view, the requirements of U.S. military forces in Europe and Africa have some significant differences. Our activities in Europe are designed to ensure that the U.S. and our NATO allies can fight and operate together as required by Article V of the NATO Treaty, either in Europe or, as we do currently, in Afghanistan, or other out of area missions. Additionally, the United States has longstanding basing agreements, Status of Forces Agreements, and training area usage agreements with our European allies and partners. For these reasons it makes sense to have troops stationed in Europe. In Africa, our objectives and obligations are different. We have no treaty obligations. We do not seek to station significant forces on the continent of Africa, nor (other than Camp Lemonnier in Djibouti) desire any long-term basing. Our objective with regard to African militaries is to help African states build national and regional capability, but normally without significant U.S. military participation in military missions. In my opinion, this demands a different approach than what is appropriate in Europe. To me, the most important requirement is to identify the forces necessary for AFRICOM's missions and, through the global force management process, press hard to have those requirements met.

QUESTIONS SUBMITTED BY SENATOR MARK UDALL

DEVELOPMENT IN AFRICA

4. Senator UDALL. General Ham, one of AFRICOM's missions is to assist in helping to enhance the kinetic capabilities of African militaries through various assistance programs; another is to conduct or support actions and programs in conjunction with other U.S. Government agencies and other partners to reduce the possibility of intra- and inter-state conflict in Africa by enhancing the governance, human well-being, stability, and economic development of countries in Africa. With regard to the second mission, do you think you have the tools in terms of authorities, funding, and staffing to effectively carry out that mission, and do you think that your component commands are organized and resourced, and have the strategic orientation needed to adequately support that mission?

General HAM. The points you address in your question were highly influential in the concept for forming AFRICOM with significant interagency representation within the headquarters. Based on my experience as the Commander of U.S. Army Europe, I know that matching mission requirements with authorities and resources is a constant challenge. If confirmed, I fully expect to face the same, if not greater, challenges in AFRICOM due, at least in part, to the dual nature of the command's mission, as you cite in your question. In executing the second mission, AFRICOM uses a number of different authorities available to the Department of Defense (DOD) and Department of State such as Peacekeeping Operations Funds and also African Contingency Operations Training Assistance funds. Many of the key authorities for enhanced governance, human well-being, stability, and economic development are the domain of Department of State and USAID. AFRICOM has the advantage of interagency staff who understand their agencies' resource and authority processes. Concerning the Service component commands, through current planning and lessons learned from security force assistance operations, AFRICOM has identified the expertise required by the component commands to effectively execute missions. I recognize that I will, if confirmed, need to assess each headquarters to ascertain its capabilities and limitations based on current structure. I would seek first to better understand how the Navy and Marine Corps Service components meet the demands of serving as headquarters for two geographic combatant commands.

CHANGING GLOBAL SECURITY ENVIRONMENT

5. Senator UDALL. General Ham, do you think that changes in the structure, authority, focus, and resourcing of security assistance programs are needed in light of the changed global security environment? If so, what are some of the changes you would like to see?

General HAM. I believe that there could be improvements in coordination between U.S. Government organizations to better plan and conduct activities. The complexity of the environment has shown that simply cobbling together forces and personnel is cumbersome and ineffective. For this reason, I believe that as AFRICOM's interagency staff construct continues to mature and gain efficiency, it could become a model for other commands. There is also efficiency to be gained in streamlining the funding and authorities procedures to make a comprehensive, coordinated effort between different government organizations easier. An example success story of what is possible through combining authorities and funding is the African Partnership Station (APS), a multi-national engagement program operated by U.S. Naval Forces Africa. APS is largely funded with Navy Operations and Maintenance money. As of fiscal year 2011, this same money under the APS Program of Record is able to be used to conduct military-to-military type familiarization engagements, conduct exercises, and facilitate conferences with participating nations. Where actual training is needed, DOD and DOS have created the African Maritime Strategic Initiative, a program that makes use of title 22 Peacekeeping Operations funds. PKO funds by their nature enable sustained, persistent engagement—not only by DOD, and DOS, but all agencies participating in APS events. Through the APS program, AFRICOM, DOD, and DOS have made, and continue to make, tremendous progress toward improvements in the areas mentioned above. The overall outcome of these Interagency efforts will be more efficient planning and execution of programs that follow APS.

ENERGY DEVELOPMENT IN AFRICA

6. Senator UDALL. General Ham, DOD is making great strides in developing advanced energy systems like small-scale, deployable renewable energy systems and approaches to efficiency to minimize the need for an external energy logistics tail

in support of deployed forces, forward operating bases, and the like. Do you think there is a potential for a system of technical transfer of those technologies to the civil sectors in Africa to assist in off-the-grid energy development in Africa as a leapfrog approach to energy similar to the progress made in telecommunications to leapfrog over wired systems? If so, what do you see as the role of DOD and specifically of AFRICOM in the context of any such technology transfer program?

General HAM. This is the type of endeavor for which the interagency composition of AFRICOM is well-suited. Having the ability, within the same organization, to explore possibilities for non-military usage of military technologies (and vice versa) affords AFRICOM distinct advantages. If U.S. policy decisions allow such transfers to take place, partner nations would request them through the Department of State, who would coordinate the transfer. The AFRICOM role would be defined by the nature of the transfer. If confirmed, I would seek to have the AFRICOM staff, in conjunction with U.S. country teams, look for such opportunities.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

AFRICOM

7. Senator INHOFE. General Ham, I was extremely pleased when AFRICOM was created in February 2007. I am of the opinion that Africa remains a strategic interest to the United States. I continue to applaud the holistic approach AFRICOM has taken towards U.S. foreign policy in security, development, and the global fight on terrorism in Africa. I am Africa's and AFRICOM's biggest advocate in Congress; I have made 111 country visits to Africa and strongly support AFRICOM and its focus on working alongside Africans to help to build their ability in preparedness and response to security issues, humanitarian crises, and development in governance and economy. One of the critical components is our ability to build partnership capacity in Africa and is a key mandate for AFRICOM.

As well, I am impressed with the number of operations being conducted in and around the African continent to include combating the transit of extremists, counter-piracy, military-to-military engagements, and building maritime security capacity through the Africa Partnership Station (APS) program. However, I remain concerned that AFRICOM remains secondary to resourcing, manning, and equipping. Though I am glad that we are looking at where to place the headquarters, the determination and decision timeline needs to be improved along with the focus for resourcing. AFRICOM's Service components are currently spread throughout Europe and many of them are dual-hatted in support of EUCOM. However, the size of the AFRICOM AOR would encompass the entire land masses of the United States, China, India, Eastern Europe, most of Western Europe, and Japan. I am concerned about the resources allocated to AFRICOM. What are your thoughts on location of the current headquarters and future bases on the continent of Africa?

General HAM. I believe Stuttgart was the best choice for the start-up of the command as AFRICOM assumed the African portion of the former EUCOM mission. As I discussed with Secretary Gates, if confirmed, I will assess where the command's headquarters should be located based on the costs, benefits, and limitations of potential locations in Europe, in the United States, and on the African continent. While I do not believe large, permanent U.S. military bases in Africa is in our (or Africans') best interest, there are, and will likely in the future be, requirements for the use of temporary Forward Operating Sites. Concerning the Service component commands, I recognize that I will, if confirmed, need to assess each headquarters to ascertain its capabilities and limitations based on current structure. I would seek first to better understand how the Navy and Marine Corps Service components meet the demands of serving as headquarters for two geographic combatant commands.

8. Senator INHOFE. General Ham, what are your thoughts and concerns about the size of the AFRICOM AOR and resources currently assigned/allocated?

General HAM. Similar to most commanders, I could always use more resources. If confirmed, I will continually assess required missions and the resources available. If more resources are required, I will communicate that need through the Chairman of the Joint Chiefs of Staff to the Secretary of Defense. The sheer size and complexity of the AFRICOM's AOR will demand clear prioritization of effort and careful husbanding of resources, especially forces, monies, and time. If confirmed, part of my responsibility would be to ensure the command does not over-extend by trying to be all things to all concerned. It would fall to me, if confirmed, to ensure the command executes the highest priority missions to high standards and also to decide

which missions may have to be deferred or to be addressed as "economy of force" missions.

STATE PARTNERSHIP PROGRAM

9. Senator INHOFE. General Ham, I am a huge fan of the SPP. I see the National Guard's unique capacity building capabilities a tremendous asset in direct support of U.S. national security interests and objectives. Unfortunately, it is not a well-regulated or cohesive program in the sense that it is not nested within DOD's overall efforts for international engagement. I have been working with the National Guard Bureau as they develop an overall strategic plan for SPP that looks at the world today and where we should be engaging with SPP. I am happy that one of these areas is the continent of Africa which currently has only eight active partnership programs. Next year, I will be working with my fellow Members in the House and the Senate to ensure SPP is properly funded and has the authorities needed to engage with our friends and allies around the world. If confirmed, will you take a look at SPP in Africa and provide feedback to this committee on how to improve that program's effectiveness in AFRICOM's AOR?

General HAM. In my current assignment as U.S. Army Europe commander, my experience with the SPP program has been extremely positive. The relationships formed between National Guard members and a country's military create the conditions for long-term success and meaningful actions that truly build partner capacity. The SPP also extends to the civilian sector enabling military to civilian and civilian to civilian events as well. If confirmed, I will look for opportunities to expand the SPP to other nations in Africa. This is an area which I believe has great potential.

QUESTIONS SUBMITTED BY SENATOR ROGER F. WICKER

SUDAN

10. Senator WICKER. General Ham, with respect to Sudan, what is your assessment of the status of the Comprehensive Peace Agreement?

General HAM. The Comprehensive Peace Agreement is at a critical stage with the referendum election on independence for Southern Sudan set for early January. There is speculation there could be violence after the election as the President of Sudan has publicly stated he will not recognize a divided Sudan and the southern Sudanese are campaigning for independence. The African Union and other organizations are working to keep the election fair and to provide security at polling stations. There is also concern about the lack of post-referendum planning such as citizenship documents and nationality, natural resource management, currency, and assets. Based on my current knowledge of the situation, my assessment is the referendum is likely to occur as scheduled. I also believe that international support and diplomacy will be vital to ensure the results of the referendum are enacted fairly and without violence. If violence erupts, I would be most concerned about violence spreading outside the borders of Sudan to neighboring countries or a humanitarian crisis developing in southern Sudan. I did take note of the U.S. Special Envoy to Sudan's trip to Sudan to make a personal assessment. And, the recent agreement between North and South concerning security of the oilfields is a positive sign.

11. Senator WICKER. General Ham, how it will impact the upcoming referendum?

General HAM. I believe the referendum is likely to occur as planned. The registration of voters is ongoing and so far appears to be relatively orderly and free of widespread fraud.

12. Senator WICKER. General Ham, if confirmed, what can AFRICOM do to deter possible violent conflict in Sudan regarding these issues?

General HAM. A primary way AFRICOM can help deter conflict is by supporting and assisting with coordination of the efforts of the African Union and other African organizations to ensure Sudan is prepared for both the election and for post-referendum contingencies. The unique interagency composition of AFRICOM provides the opportunity to ensure all of the entities of the U.S. Government are synchronized and coordinated in their efforts with respect to Sudan. This would extend to interaction with nongovernmental and international organizations with interests in Sudan and neighboring regions.

13. Senator WICKER. General Ham, what security contingency plans should AFRICOM prepare as the 2011 Southern Sudan Independence Referendum approaches?

General HAM. I am aware that DOD planning efforts in support of U.S. Government policy determinations are in progress at this time. AFRICOM should prepare contingency plans based on the most likely and most dangerous outcomes. These could include noncombatant evacuation, humanitarian assistance, military options designed to deter increasing levels of conflict, and security force assistance operations to bring stability and security to the area. Other possible contingencies include assisting neighboring nations with displaced persons and assisting the United Nations and other regional or international PKO force contributors to perform their missions in Sudan by providing key enabling capabilities

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[The nomination reference of GEN Carter F. Ham, USA, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
September 15, 2010.

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

The following named officer for appointment in the U.S. Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be General.

GEN Carter F. Ham, USA, 9021.

[The résumé of GEN Carter F. Ham, USA, which was transmitted to the committee at the time the nomination was referred, follows:]

RÉSUMÉ OF SERVICE CAREER OF GEN CARTER F. HAM, USA

Source of commissioned service: ROTC.

Educational degrees:
John Carroll University - BA - Political Science
Naval War College - MA - National Security and Strategic Studies

Military schools attended:
Infantry Officer Basic Course
Armor Officer Advanced Course
U.S. Naval Command and Staff College
Air War College

Foreign languages:
None recorded.

Promotions:

	Date of Appointment
2LT	2 Jun 76
1LT	2 Jun 78
CPT	1 Aug 80
MAJ	1 Jun 87
LTC	1 Sep 92
COL	1 Apr 98
BG	1 Oct 03
MG	15 Dec 06
LTG	6 Aug 07
GEN	28 Aug 08

Assignments:

From	To	Assignment
Jun 76 ...	Aug 76	Training Officer, II Reserve Officer Training Corps Region, with duty at 4th Basic Combat Training Brigade, Fort Knox, KY
May 77 ..	Jan 78	Redeye Section Leader, Combat Support Company, 1st Battalion, 509th Infantry (Airborne Combat Team), U.S. Army Europe, Italy
Jan 78 ...	Dec 79	Rifle Platoon Leader, later Executive Officer, A Company, later S–3 (Air), later S–1 (Personnel), 2d Battalion, 22d Infantry, 4th Infantry Division, V Corps, U.S. Army Europe, Germany
Dec 79 ...	Jun 81	Commander, C Company, later S–3 (Operations), 2d Battalion, 22d Infantry, 8th Infantry Division, U.S. Army Europe, Germany
Jul 81	Feb 82	Student, Armor Officer Advanced Course, Fort Knox, KY
Feb 82 ...	Feb 84	Lima Area Commander, Columbus District Recruiting Command, Columbus, OH
Mar 84 ...	Sep 84	Detachment Commander, Forward Military Support Element, 1984 Summer Olympics, Los Angeles, CA
Sep 84 ...	Aug 86	Assistant Inspector General, National Training Center, Fort Irwin, CA
Aug 86 ...	Feb 87	S–3 (Air), 6th Battalion (Mechanized), 31st Infantry, National Training Center, Fort Irwin, CA
Feb 87 ...	May 89	S–3 (Operations), later Executive Officer, 1st Battalion (Mechanized), 52d Infantry, National Training Center, Fort Irwin, CA
Aug 89 ...	Jun 90	Student, Naval Command and Staff College, Newport, RI
Jun 90 ...	May 93	Light Infantry Branch Chief, later Chief, Doctrine Division, later Brigade Senior Advisor to Saudi Arabian National Guard and Operation Desert Storm, Saudi Arabia, later Executive Officer, U.S. Army Infantry School, Fort Benning, GA
Jun 93 ...	Jun 95	Commander, 1st Battalion, 6th Infantry, 3d Infantry Division, U.S. Army Europe and Seventh Army, Germany and Operation Able Sentry, Macedonia
Jun 95 ...	Jul 96	Senior Task Force Observer/Controller, Operations Group, Combat Maneuver Training Center, U.S. Army Europe and Seventh Army, Germany
Jul 96	Jun 97	Student, U.S. Air War College, Maxwell Air Force Base, AL
Jun 97 ...	Jul 99	Assistant Chief of Staff, G–3 (Operations), later Chief of Staff, 1st Infantry Division, U.S. Army Europe and Seventh Army, Germany
Jul 99	Jun 01	Commander, Infantry Training Support Brigade (29th Infantry Regiment), U.S. Army Infantry School, Fort Benning, GA
Jul 01	Aug 03	Deputy Director, J–8, U.S. Central Command, MacDill Air Force Base, FL
Aug 03 ...	Feb 05	Deputy Commanding General for Training and Readiness, I Corps and Fort Lewis, Fort Lewis, WA, to include duty as Commander, Multi-National Brigade Northwest Operation Iraqi Freedom, Iraq
Apr 05 ...	Jul 06	Deputy Director, Regional Operations, J–3, The Joint Staff, Washington, DC
Aug 06 ...	Jul 07	Commanding General, 1st Infantry Division and Fort Riley, Fort Riley, KS
Aug 07 ...	Aug 08	Director for Operations, J–3, The Joint Staff, Washington, DC
Aug 08 ...	Present	Commanding General, U.S. Army Europe and Seventh Army, Germany

Summary of joint assignments:

	Date	Grade
Deputy Director, J–8, U.S. Central Command, MacDill Air Force Base, FL	Jul 01–Aug 03	Colonel
Deputy Director, Regional Operations, J–3, The Joint Staff, Washington, DC	Apr 05–Jul 06	Brigadier General
Director for Operations, J–3, The Joint Staff, Washington, DC	Aug 07–Aug 08	Lieutenant General

Summary of operations assignments:

	Date	Grade
Light Infantry Branch Chief, later Chief, Doctrine Division, later Brigade Senior Advisor to Saudi Arabian National Guard and Operation Desert Storm, Saudi Arabia, later Executive Officer, U.S. Army Infantry School, Fort Benning, GA.	Jun 90–May 93	Major/Lieutenant Colonel
Commander, 1st Battalion, 6th Infantry, 3d Infantry Division, U.S. Army Europe and Seventh Army, Germany and Operation Able Sentry, Macedonia.	Jun 93–Jun 95	Lieutenant Colonel
Commander, Multi-National Brigade Northwest, Operation Iraqi Freedom, Iraq	Aug 04–Feb 05	Brigadier General

U.S. decorations and badges:
Distinguished Service Medal
Defense Superior Service Medal (with two Oak Leaf Clusters)
Legion of Merit (with Oak Leaf Cluster)
Bronze Star Medal
Meritorious Service Medal (with five Oak Leaf Clusters)
Joint Service Commendation Medal
Army Commendation Medal (with two Oak Leaf Clusters)
Army Achievement Medal (with two Oak Leaf Clusters)

Combat Action Badge
Expert Infantryman Badge
Parachutist Badge
Ranger Tab
Joint Chiefs of Staff Identification Badge

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by GEN Carter F. Ham, 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.)
Carter F. Ham.

2. **Position to which nominated:**
Commander, U.S. Africa Command.

3. **Date of nomination:**
September 15, 2010.

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:**
February 16, 1952; Portland, OR.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Christi Marie (Ignaut) Ham.

7. **Names and ages of children:**
Jennifer Marie Burns, 32.
Jonathan Carter Ham, 30.

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.

Association of the U.S. Army
Society of the First Division
Veterans of Foreign Wars
Harley Owners Group

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals 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.

ROTC Scholarship, 1974–1976
Eagle Scout, 1965
John Carroll University Alumni Medal, 2010

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

Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even if those views differ from the administration in power?

Yes.

[The nominee responded to Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

CARTER F. HAM.

This 18th day of June, 2010.

[The nomination of GEN Carter F. Ham, USA, was reported to the Senate by Chairman Levin on December 20, 2010, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on December 22, 2010.]

APPENDIX

COMMITTEE ON ARMED SERVICES QUESTIONNAIRE ON BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF CIVILIAN NOMINEES

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

2. **Position to which nominated:**

3. **Date of nomination:**

4. **Address:** (List current place of residence and office addresses.)

5. **Date and place of birth:**

6. **Marital Status:** (Include maiden name of wife or husband's name.)

7. **Names and ages of children:**

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

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

13. **Political affiliations and activities:**
(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

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

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

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

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

COMMITTEE ON ARMED SERVICES FORM

FINANCIAL AND OTHER INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Information furnished in Parts B through F will be retained in the committee's executive files and will not be made available to the public unless specifically directed by the committee.

Name:

PART B—FUTURE EMPLOYMENT RELATIONSHIPS

1. Will you sever all business connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?

2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.

3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization?

4. Has anybody made a commitment to employ your services in any capacity after you leave government service?

5. Is your spouse employed and, if so, where?

6. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?

PART C—POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients or customers.

2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

3. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

4. Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration and execution of law or public policy.

5. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Please provide a copy of any trust or other agreements.)

6. Do you agree to provide to the committee any written opinions provided by the General Counsel of the agency to which you are nominated and by the Attorney General's office concerning potential conflicts of interest or any legal impediments to your serving in this position?

PART D—LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

2. Have you ever been investigated, arrested, charged or held by any Federal, State, or other law enforcement authority for violation of any Federal, State, county or municipal law, regulation or ordinance, other than a minor traffic offense? If so, provide details.

3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.

4. Have you ever been convicted (including a plea of guilty or nolo contendere) of any criminal violation other than a minor traffic offense?

5. Please advise the committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

PART E—FOREIGN AFFILIATIONS

1. Have you or your spouse ever represented in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

2. If you or your spouse has ever been formally associated with a law, accounting, public relations firm or other service organization, have any of your or your spouse's associates represented, in any capacity, with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

3. During the past 10 years have you or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

4. Have you or your spouse ever registered under the Foreign Agents Registration Act? If so, please furnish details.

PART F—FINANCIAL DATA

All information requested under this heading must be provided for yourself, your spouse, and your dependents.

1. Describe the terms of any beneficial trust or blind trust of which you, your spouse, or your dependents may be a beneficiary. In the case of a blind trust, provide the name of the trustee(s) and a copy of the trust agreement.

2. Provide a description of any fiduciary responsibility or power of attorney which you hold for or on behalf of any other person.

3. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, executory contracts and other future benefits which you expect to derive from current or previous business relationships, professional services and firm memberships, employers, clients and customers.

4. Have you filed a Federal income tax return for each of the past 10 years? If not, please explain.

5. Have your taxes always been paid on time?

6. Were all your taxes, Federal, State, and local, current (filed and paid) as of the date of your nomination?

7. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

8. Have any tax liens, either Federal, State, or local, been filed against you or against any real property or personal property which you own either individually, jointly, or in partnership?

(The committee may require that copies of your Federal income tax returns be provided to the committee. These documents will be made available only to Senators and the staff designated by the Chairman. They will not be available for public inspection.)

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

_____.

This _____ day of _____, 20____.

COMMITTEE ON ARMED SERVICES QUESTIONNAIRE ON BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF CERTAIN SENIOR MILITARY NOMINEES

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES FOR CERTAIN SENIOR MILITARY POSITIONS

INSTRUCTIONS TO THE NOMINEE:

Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

If you have completed this form in connection with a prior military nomination, you may use the following procedure in lieu of submitting a new form. In your letter to the Chairman, add the following paragraph to the end:

> "I hereby incorporate by reference the information and commitments contained in the Senate Armed Services Committee form 'Biographical and Financial Information Requested of Nominees for Certain Senior Military Positions,' submitted to the Committee on [insert date or your prior form]. I agree that all such commitments apply to the position to which I have been nominated and that all such information is current except as follows: . . . ." [If any information on your prior form needs to be updated, please cite the part of the form and the question number and set forth the updated information in your letter to the Chairman.]

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

2. **Position to which nominated:**

3. **Date of nomination:**

4. **Address:** (List current place of residence and office addresses. Also include your office telephone number.)

5. **Date and place of birth:**

6. **Marital Status:** (Include name of husband or wife, including wife's maiden name.)

7. **Names and ages of children:**

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational or other institution.

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

11. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

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

13. **Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the Administration in power?

COMMITTEE ON ARMED SERVICES FORM

FINANCIAL AND OTHER INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Information furnished in Parts B through E will be retained in the committee's executive files and will not be made available to the public unless specifically directed by the committee.

Name:

PART B—FUTURE EMPLOYMENT RELATIONSHIPS

1. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your military service. If so, explain.

2. Has anybody made a commitment to employ your services in any capacity after you leave military service?

PART C—POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients or customers.

2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

3. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

4. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Please provide a copy of any trust or other agreements.)

5. Do you agree to provide to the committee any written opinions provided by the General Counsel of the agency to which you are nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position?

6. Is your spouse employed and, if so, where?

PART D—LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

2. Have you ever been investigated, arrested, charged or held by any Federal, State, or other law enforcement authority for violation of Federal, State, county or municipal law, regulation or ordinance, other than a minor traffic offense? If so, provide details.

3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceeding or litigation? If so, provide details.

4. Have you ever been convicted (including a plea of guilty or nolo contendere) of any criminal violation other than a minor traffic offense?

5. Please advise the committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

PART E—FOREIGN AFFILIATIONS

1. Have you or your spouse ever represented in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

2. If you or your spouse has ever been formally associated with a law, accounting, public relations firm or other service organization, have any of your or your spouse's associates represented, in any capacity, with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

3. During the past 10 years have you or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

4. Have you or your spouse ever registered under the Foreign Agents Registration Act? If so, please furnish details.

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

_____.

This _____ day of _____, 20____.