

**HEARING TO CONSIDER THE NOMINATIONS
OF THE HONORABLE JOHN M. McHUGH TO
BE SECRETARY OF THE ARMY; DR. JOSEPH
W. WESTPHAL TO BE THE UNDER SEC-
RETARY OF THE ARMY; AND JUAN M. GAR-
CIA III TO BE ASSISTANT SECRETARY OF
THE NAVY FOR MANPOWER AND RESERVE
AFFAIRS**

THURSDAY, JULY 30, 2009

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

The committee met, pursuant to notice, at 9:39 a.m., in room SD-106, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Reed, Akaka, E. Benjamin Nelson, Webb, McCaskill, Udall, Hagan, Begich, McCain, Inhofe, Chambliss, Thune, and Collins.

Also present: Senators Schumer, Collins, Cornyn, and Hutchison.

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

Majority staff members present: Jonathan D. Clark, professional staff member; Jessica L. Kingston, research assistant; Terence K. Laughlin, professional staff member; Gerald J. Leeling, counsel; Peter K. Levine, general counsel; and William K. Sutey, professional staff member.

Minority staff members present: Joseph W. Bowab, Republican staff director; Daniel A. Lerner, professional staff member; Lucian L. Niemeyer, professional staff member; Christopher J. Paul, professional staff member; and Richard F. Walsh, minority counsel.

Staff assistants present: Mary C. Holloway and Paul J. Hubbard.

Committee members' assistants present: Christopher Griffin and Todd M. Stein, assistants to Senator Lieberman; Carolyn A. Chuhta, assistant to Senator Reed; Nick Ikeda, assistant to Senator Akaka; 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 Young, assistant to Senator Begich; Brandon Andrews and Anthony J. Lazarski, assistants to Senator Inhofe; Lenwood Landrum and Sandra Luff, assistants to

Senator Sessions; Clyde A. Taylor IV, assistant to Senator Chambliss; Erskine W. Wells III, assistant to Senator Wicker; and Chip Kenneth, assistant to Senator Collins.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody.

The committee meets today to consider the nominations of Representative John McHugh to be Secretary of the Army, Dr. Joseph Westphal to be Under Secretary of the Army, and Juan Garcia III to be Assistant Secretary of the Navy for Manpower and Reserve Affairs.

Each of our nominees has a long history of public service. Congressman McHugh has represented the people of northern New York with great distinction for over 16 years, serving on the House Armed Services Committee, as well as chair and ranking member of the Military Personnel Subcommittee and most recently as the ranking member of the full committee.

Dr. Westphal has extensive experience in education and government, including service on the staff of the House Budget Committee, as a policy advisor at the Environmental Protection Agency, and as an Assistant Secretary of the Army for Civil Works.

Mr. Garcia has a lifelong association with the Navy as the son of a naval aviator and is one himself through his own 12 years of service. After leaving the Navy in 2004, Mr. Garcia has practiced law and from 2006 to last year served as a member of the Texas House of Representatives for the people of south Texas.

We welcome our nominees. We especially welcome their families to today's hearing. Senior military officials put in long hours every day. We appreciate the sacrifices that our nominees and their families are willing to make to serve our country. As is our tradition and our pleasure, we look forward to the introductions of family members by our nominees for those members who are with us today when the nominees make their opening statements.

If confirmed, Representative McHugh and Dr. Westphal will assume leadership of the Army at a difficult time. Over the last 7 years, the Army has risen to every challenge and inspired this Nation with its courage, commitment, and honor in the most dangerous and difficult circumstances. Nothing brings the people of the United States together, regardless of ideology or world views, more than the deep appreciation and support that we all share for America's troops and their families.

The many sacrifices, large and small, of soldiers and their families weigh upon all Americans, and we are reminded of that time and time again as in the President's announcement a few days ago that the Medal of Honor will be awarded posthumously and presented to the parents of Sergeant 1st Class Jared Monti for heroism above and beyond the call of duty at the cost of his own life in Afghanistan.

Leadership at every level from sergeants to Secretaries of soldiers and their families is an awesome responsibility, and the Nation's expectations of these nominees could not be higher.

If confirmed, Mr. Garcia will assume leadership of Navy personnel policies and programs at a challenging time. The Navy has halted its planned active duty end strength decreases and con-

tinues to struggle, as do all the Services, with the rising costs of personnel entitlements and military health care. The medical and dental readiness of Reserve personnel and the recruiting and retention of medical professionals remain persistent challenges. These are difficult issues that are going to require Mr. Garcia's personal and total attention.

We look forward to the testimony of our nominees and to learn more about their ideas on how to deal with the many issues that confront the Army and the Navy.

Senator McCain.

STATEMENT OF SENATOR JOHN MCCAIN

Senator MCCAIN. Well, thank you, Mr. Chairman, and I want to thank our colleagues, Senators Collins, Schumer, Hutchison, and Cornyn, here who are here on behalf of the nominees. I will make my remarks brief and look forward to hearing from them and the witnesses.

And I welcome them and their families, and I thank them for their willingness to serve in these positions of great responsibility at a critical time in our history. Congressman McHugh, Dr. Westphal and Mr. Garcia are all well qualified to serve in these positions of responsibility in the Departments of the Army and Navy.

I have known Congressman McHugh since 1993. I greatly admire his record of service to the people of northern New York and the military men and women in his district. 16 years on the Armed Services Committee makes Congressman McHugh uniquely qualified to understand the challenges the Army faces today.

I have to say, though, there is an aspect that I find troubling and that is a record of accepting campaign contributions from lobbyists like Paul Magliocchetti and his PMA lobbying firm from which Congressman McHugh accepted more than \$160,000.

The PMA lobbying group is under investigation by the FBI which raided Magliocchetti's office and home last March looking for evidence of campaign finance violations and illegal dealings with lawmakers. There is no doubt in my mind that there is a lot more to be learned about PMA and their lobbying activities and earmarks.

And I have no reason to believe that Congressman McHugh behaved improperly in any way, but it does create an appearance problem and one that I do not agree with. As I have said many, many times on the floor of the United States Senate this kind of earmarking breeds corruption which then lowers the opinion and reputation of the Congress of the United States. I do not view this as disqualifying Congressman McHugh. I think he is uniquely qualified, but it does blemish what otherwise is an exemplary record of public service.

With respect to the Department of the Army, I hope I speak for all members of the committee when I say I could not be prouder of the men and women who serve, and this Nation owes an enormous debt of gratitude to the Army which has carried the fight since 2001 and continue to do so today. I particularly want to express my concern for PFC Bowe Bergdahl and his family and note that he is in our thoughts and prayers.

Dr. Westphal, who is nominated for the position of Under Secretary of the Army, served as Assistant Secretary of the Army for

Civil Works and for a brief period in 2001 as acting Secretary of the Army. He brings a wealth of experience to this position.

Mr. Garcia is nominated to be the Assistant Secretary of the Navy for Manpower and Reserve Affairs. Coming from a Navy family with 13 years of active duty as a naval aviator and ongoing service in the Naval Reserve, he is extremely well qualified for this position.

I thank Dr. Westphal and Mr. Garcia and Congressman McHugh and their families for their willingness to serve.

Thank you, Mr. Chairman.

[The prepared statement of Senator McCain follows:]

[COMMITTEE INSERT]

Chairman LEVIN. Thank you.

Now, Senator Inhofe wanted to put a statement in the record at this point.

**STATEMENT OF HON. JAMES M. INHOFE, U.S. SENATOR FROM
THE STATE OF OKLAHOMA**

Senator INHOFE. Yes. Just one brief comment, Mr. Chairman. I want all three of our nominees to know that I have an EPW hearing where I am the ranking member and attendance is required at 10 o'clock. So I will not be here.

But I just want you to know that two of these nominees, Mr. Chairman, I know very well. I see Steve Buyer sitting next to John McHugh back there, and I used to sit between the two of them on the House Armed Services Committee and in those long, long meetings, got to know them very well. I am delighted. I am looking forward to working with Congressman McHugh.

And then something you do not know, but Joe Westphal was with Oklahoma State University for many years. I have known him for 20 years, and I am just delighted I will be working with him again. I wanted to make sure he gets confirmed in time to go to the opening game of OSU and Georgia, and that should be a lot of fun.

Thank you, Mr. Chairman.

[The prepared statement of Senator Inhofe follows:]

[COMMITTEE INSERT]

Chairman LEVIN. Thank you.

We are delighted we have got four of our colleagues here to make introductions this morning. They have taken time from their extraordinarily busy schedule these days to do this. I know our nominees are grateful and we are too that they will be here. Let me start with Senator Schumer who is going to introduce his fellow New Yorker, Representative McHugh.

**STATEMENT OF HON. CHARLES E. SCHUMER, U.S. SENATOR
FROM THE STATE OF NEW YORK**

Senator SCHUMER. Thank you, Mr. Chairman. I want to thank you, Ranking Member McCain, and all of my colleagues for the honor—and it is a true honor for me—to support the nomination of John McHugh as Secretary for the United States Army.

I want to welcome members of the McHugh family who I know are especially proud to be here today in support of this important nomination.

John McHugh is my friend, my colleague, a man of great integrity, an outstanding New Yorker, and a great American who exemplifies so many of the qualities that make the American people a great people and make America a great country.

He is a nominee who is more than qualified for the post of Secretary of the Army for many reasons, but there are three in particular: patriotism, service, and leadership. He is a nominee with stellar credentials and a commitment to our country that is unwavering. John's pride in his country is only matched by the pride of those such as myself who are delighted to call him a fellow New Yorker. And just to watch John with the troops at Fort Drum, which is in his congressional district, and of course, in New York—and we are so proud of the 10th Mountain and the men and women who serve—and to see how much they admire him and how much he cares for them is no better testament for why he deserves to be supported for this position.

John was born in Watertown, NY. He is one of Watertown High School's most famous graduates. He went on to graduate from Utica College in 1970, received a bachelors degree and then a masters at the Nelson A. Rockefeller Graduate School of Public Affairs at the State University of New York in Albany. He began his commitment to public service as a young man while serving as an assistant to Watertown's city manager, then served as an aide to one of the great State Senators from New York, Douglas Barclay, from 1977 to 1984, when he was elected as a successor, served as a member of the State Senate until his election to the House of Representatives in 1992. He would go on to be reelected eight times with no substantive opposition, even running unopposed in 2002.

Prior to his nomination, as this committee well knows, he served as the ranking member on the House Armed Services Committee and a senior member of the Oversight and Government Reform Committee, was also a member of the House

Permanent Select Committee on Intelligence from 2005 to 2007 where he worked diligently to ensure our Nation stayed on the cutting edge of global intelligence and counter-intelligence gathering.

While in Congress, as again the committee well knows, John became known as a champion of our men and women in uniform. He has demonstrated a steadfast commitment to keeping America's Army the best trained, the best equipped, and the best the world has ever seen. And I can personally attest as well, Mr. Chairman, having worked with him, what just a fine and decent human being he is. He is just a fine person. Whether we were working to develop the old Plattsburg Air Force Base, fighting to protect the Adirondacks from acid rain, establishing a new border station at Champlain, he was just diligent, put in every minute of time that was necessary. He was intelligent. He got the things done and he did it all with grace and a quiet ease that was always, always impressive.

And there is one accomplishment that I think truly sums up his commitment to both the military and the community that he serves and that was the creation of the Fort Drum regional health care planning organization. Fort Drum is one of the few military installations without its own hospital. John, recognizing that more needed to be done to protect our soldiers' health while staying at the

base, helped create a pilot program that created health care arrangements between the base and the local health centers. The program was so successful it was expanded, and now bases across the country have the opportunity to set up and take advantage of similar programs.

So I would like my entire statement to be read into the record, Mr. Chairman.

But I am just so proud that the President chose Congressman McHugh, so proud that he is willing to serve in this important post, and proud to be here in support of his nomination today.

[The prepared statement of Senator Schumer follows:]

[COMMITTEE INSERT]

Chairman LEVIN. Thank you very much, Senator Schumer.

We know that each of you have tough schedules. Each of you are free to leave if you want after your own introductions.

Senator Collins, you have got a fellow Mainer to introduce here?

**STATEMENT OF HON. SUSAN COLLINS, U.S. SENATOR FROM
THE STATE OF MAINE**

Senator COLLINS. Thank you, Mr. Chairman.

I do not think I have ever heard Senator Schumer speak so well of a Republican before in my life. [Laughter.]

It really was just an amazing tribute.

Senator SCHUMER. We all grow and evolve. [Laughter.]

Senator COLLINS. Mr. Chairman, it is a great privilege to appear before you today to introduce Dr. Joseph Westphal, the President's nominee to be the Under Secretary of the Army.

The people of Maine are proud of his strong ties to our State, and I am grateful for his remarkable career of service to our Nation.

The challenging and complex responsibilities of this position require a person with the expertise in manpower, personnel management, Reserve affairs, installations, environmental issues, weapons systems and equipment acquisition, communications, and financial management. It requires the ability to foster a spirit of cooperation with other branches of service within the Pentagon, with our international allies, and with Congress. Above all, this position requires an individual as dedicated to our soldiers as they are to serving our country.

Dr. Westphal is that person. He is a true renaissance man. In addition to being a scholar, a teacher, and an academic leader, he is a public servant with a distinguished career in such Departments as the Army, the Department of the Interior, and EPA. He has spent more than 10 years working in Congress on issues related to the environment, trade, and the economy.

We Mainers came to know Dr. Westphal during his tenure from 2002 until 2006 as the Chancellor of the University of Maine's system. He played a critical role in introducing the Department of Defense to scientific researchers in Maine and throughout the Northeast. This partnership has resulted in many advancements, including the development of a ballistic protection system for tents used by our troops in Iraq and Afghanistan. It is typical of Dr. Westphal that he saw this need for our troops and set out to develop the means of providing them with greater force protection.

Dr. Westphal's academic career includes a professorship of political science at the University of Maine, as well as 12 years on the faculty of Oklahoma State University, as Senator Inhofe noted. Most recently, he established the Environmental Studies program at The New School in New York City until he again answered the call to Government service as a member of President Obama's national security transition team.

Dr. Westphal's previous Government service is perhaps most relevant to this nomination and it has been exemplary. He served as Assistant Secretary of the Army for Civil Works, as the chairman indicated, from 1998 to 2001 and as acting Secretary of the Army for June and July of 2001. Prior to that, he was a senior policy advisor for water resources at the EPA and special assistant to the Secretary of the Interior. His congressional experience includes serving on the senior staff of the House Budget Committee, as special assistant to Senator Thad Cochran, and as executive director of the Congressional Sunbelt Caucus.

Dr. Westphal has received numerous awards during his academic and public career. These include the Decoration for Distinguished Civilian Service, the highest civilian award given by the Department of the Army.

The skills and experience Dr. Westphal brings to this position are matched only by his energy and commitment. Mr. Chairman, colleagues on the committee, it is indeed an honor to endorse the nomination of Dr. Joseph Westphal to be Under Secretary of the Army. Thank you, Mr. Chairman.

[The prepared statement of Senator Collins follows:]

[COMMITTEE INSERT]

Chairman LEVIN. Thank you very much, Senator Collins. The only important note that you missed was that he also is a Detroit Red Wings fan, and that means his nomination will be expedited, I can assure you. [Laughter.]

Senator Hutchison.

**STATEMENT OF HON. KAY BAILEY HUTCHISON, U.S. SENATOR
FROM THE STATE OF TEXAS**

Senator HUTCHISON. Thank you, Mr. Chairman. I am here to nominate someone that I know and think so highly of, Juan Garcia, to be the Assistant Secretary of the Navy for Manpower and Reserve Affairs.

Before I talk about Mr. Garcia, I did want to add my congratulations and also urge the support for my friend, John McHugh. I serve on the West Point Board of Visitors with Congressman McHugh and he has been so helpful and terrific on that board. And I know he will make a great Secretary of the Army.

Juan Garcia III. You have given most of his bio, but I met him when he was in the State legislature and did a wonderful job there. And I wanted to also add for the record that he is a graduate of UCLA and Harvard Law School and Harvard's Kennedy School of Government. He will introduce his family I know, but his wife Denise is also a fellow Harvard Law School classmate.

I think that he has such a great qualification for this job because of his clear love for the Navy, being a second generation to serve in the Navy in his family, and his brother, who is here, is active

duty Marines. And I just want to say that he has served, as you pointed out, for 12 years. He was in Patrol Squadron 47 out of Naval Air Station Barber's Point, Hawaii, completed deployments in the Persian Gulf and the western Pacific, U.S. Naval Forces Europe in London, England, and was part of Operation Allied Force during hostilities in Kosovo. So he really has the wide range of experience.

He also served as a White House fellow from 1999 to 2000, just a great honor and experience for him.

He left active duty in 2004 but continues to be in the Naval Reserve and is currently the commanding officer of Reserve Training Squadron 28 at Naval Air Station Corpus Christi.

So I know him. I know he is going to do a great job for our country, and I congratulate him on President Obama's selection and I urge his confirmation by this committee and by the Senate.

[The prepared statement of Senator Hutchison follows:]

[COMMITTEE INSERT]

Chairman LEVIN. Thank you very much, Senator Hutchison.
Senator Cornyn.

STATEMENT OF HON. JOHN CORNYN, U.S. SENATOR FROM THE STATE OF TEXAS

Senator CORNYN. Thank you, Mr. Chairman.

I join Senator Hutchison in introducing Juan Garcia to my Senate colleagues. As has been pointed out, he will serve in a key position at the Pentagon. The Assistant Secretary of Navy for Manpower and Reserve Affairs is an advocate for our sailors and marines deployed all over the globe, our citizen sailors in the Navy Reserve and all of their family members. These brave men and women have met every challenge that has been given to them. They are supporting two wars in Afghanistan and Iraq and they are in a position to respond to natural disasters and security crises all around the world. They are fulfilling their mission for which the United States Navy and the U.S. Marine Corps were founded, to protect all of us every day in every way. These heroes and their families help keep our country free and they deserve our full support. As Assistant Secretary, Juan Garcia will be responsible for ensuring that they receive that support.

I would note that Mr. Garcia hails from Corpus Christi, TX, where he still, although in the Reserves, apparently serves as a flight trainer at Corpus Christi Naval Air Station. I was delighted to meet all of his family, but particularly his father who is from Robstown, Texas where my mother was from, and when my dad returned from World War II, having served as a B-17 pilot and shot down and served 4 months in a POW camp, he came back to Corpus Christi Naval Air Station for flight training, met my mother, and they married. And I guess, as they say, the rest is history.

So I understand where Mr. Garcia is from, his outstanding record. He understands the life of a sailor and a citizen sailor. He flew more than 30 armed missions in the Persian Gulf. He supported Operation Allied Force in Kosovo, and today, as I noted, he is a member of the Naval Reserves.

I might also point out that he is a lawyer, but I trust the committee will not hold that against him.

Chairman LEVIN. You were doing well until that point, I got to tell you. [Laughter.]

Senator CORNYN. It is my pleasure to present to you Juan M. Garcia III of Corpus Christi, TX, and I heartily endorse his nomination and hope you will expeditiously approve his nomination in the committee and on the floor.

Thank you, Mr. Chairman.

[The prepared statement of Senator Cornyn follows:]

[COMMITTEE INSERT]

Chairman LEVIN. Senator Cornyn, thank you so much. I know how grateful the nominee is and his family for your words. That is a great story about your dad. Thanks for sharing that with us too.

All right. Let us call now on our nominees to come forward. Your statements will be made part of the record in their entirety. Representative McHugh, I think we will start with you for your opening statement.

**STATEMENT OF HON. JOHN M. McHUGH, NOMINEE TO BE
SECRETARY OF THE ARMY**

Mr. McHUGH. The Senate system is far more complex than the House system. Forgive me. I was not sure I was pushing the right button.

Chairman LEVIN. In more ways than one, I can assure you. [Laughter.]

Mr. McHUGH. Mr. Chairman, Senator McCain, distinguished members of the Armed Services Committee, first of all, most importantly, I want to note how excited, how humbled, and frankly, how honored I am to be here before you this morning. This committee has a weighty constitutional responsibility in consideration of these nominations, and having been in this Congress for some years now, I fully recognize the truly dozens of great Americans who have sat before you in the years since the creation of the positions of Secretaries of the military departments. Frankly, I am in awe that I may even deserve a moment of your time and consideration.

But as well, for all those that have passed before me, I would respectfully note there are few who have been in this moment in time who have held a greater and higher degree of respect and admiration and affection for this great committee. As Senator Schumer noted, for all of my 16 and a half years in the House of Representatives I have been privileged to serve on that body's Armed Services Committee, and I know from personal experience the tremendous concern and effort each of you puts forth each and every day in support of the brave men and women of our military who, along with their families—and that is important—who, along with their families, sacrifice so much to protect our freedoms and our liberties wherever and whenever that challenge might arise. I have been fortunate to work in your shadow in a similar cause.

I, of course, want to thank President Obama for the high honor and opportunity he has afforded me through this nomination, and whatever judgment this committee in its wisdom may render, his faith and trust move me to my core.

A special thanks to my Senator, my colleague, and I think it is fair to say my friend for being here with me. Senator Schumer,

New York's senior Senator, has been a leader in so many efforts for so many years on behalf of the public good, and I have been honored to know and work with him for some 2 decades. I deeply appreciate his introduction, his presence, and his gracious and kind words about my abilities.

I would also like to acknowledge, of course, the other presidential nominees on this panel with me this morning: Dr. Joe Westphal, nominated for Under Secretary of the Army, and Juan Garcia, as Assistant Secretary of the Navy for Manpower and Reserve Affairs. I congratulate them both for their selection and wish them well.

I would be remiss if I did not give special thanks to my family who, like good families everywhere, have lent me love, support, understanding, and in my case, not infrequently, some forgiveness in my 60-plus years of this world. The memory of my dad, departed from us for over 19 years, still inspires us and makes us smile. My brother, my best friend, Pat, his lovely bride Marti, their son and daughter, P.J. and Michaela, my nephew and my niece, and most of all, my mom who I have noted on previous occasions, after all these years, still finds ways each and every day to carry me forward. They are with me always and I know they are with me here today as well.

But for all the excitement of this moment, I want to assure this committee I appear here before you today with few delusions as to the difficulties that lie ahead. I believe I have a clear understanding of the serious and numerous challenges that face America's Army. As you all know so well, it is a force fatigued by some 8 years of uninterrupted combat now on two very dangerous fronts. They are strained by the frequency of constant deployments and stressed by the pressures levied against their families. Too often, far too often, they return home only to be disappointed by a network of support systems that, despite high intentions and constant effort, continue to fall short of the level of support they so richly deserve and each and every one of us so deeply desire.

There are no easy answers to these challenges, but answer we must. And I promise you, if confirmed, my first priority will be, along with this great committee, the Congress, the President of the United States, and of course, the Secretary of Defense, to engage in a constant search for the discovery and effective implementation of better ways.

If I may, just a few other challenges.

Balancing. The recognition that resources, ample in recent years through wartime supplementals, are likely to turn downward.

The requirement to make the hard and necessary choices to strike an equilibrium between prevailing in current conflicts and preparing for future challenges.

Secretary Gates put it very well. He said, quote, "We cannot afford to do everything and buy everything, but at the same time, we cannot afford defeat." That is a tough challenge, tough realities, but both can be met and overcome. But it will take a constant formulation of new thinking and new directions.

Success is also going to require a reinvention and reinvigoration of all of our Government resources. Expertise in our civilian agencies must be brought effectively to bear both to avoid and, where possible, hasten the end of conflict. "Soft power" in this town right

now is a fashionable phrase. But its fashion should not diminish the urgency of its application and the requirement that the Army, and indeed in my opinion, all the services do their part to facilitate the effective implementation of these nonkinetic tools.

In the end—and I know everyone on this committee agrees—it all comes back to people: the men and women who step forward and don the uniform of our Nation, the spouses, the children of those brave warriors who sacrifice so much, as well. Like all of you, I have visited our wounded warriors at home and abroad, and in each visit, I have been so struck how these heroes, facing pain and loss and uncertainty, ask one question. What else can I do to serve? We can ask no less of ourselves. How can we succeed in repaying even a partial measure of the devotion they render to all of us each and every day?

If in your wisdom I am confirmed, that will be the key motivation I awake to each and every day.

Thank you, Mr. Chairman, Senator McCain. I look forward to your questions.

[The prepared statement of Mr. McHugh follows:]

Chairman LEVIN. Thank you, Representative McHugh.

Dr. Westphal?

**STATEMENT OF DR. JOSEPH W. WESTPHAL, NOMINEE TO BE
UNDER SECRETARY OF THE ARMY**

Dr. WESTPHAL. Thank you, Mr. Chairman, Senator McCain, distinguished members of the Armed Services Committee. It is a great honor for me as well to be here and to be nominated by President Obama to be the Under Secretary of the Army.

I am also very grateful for the confidence and support of Secretary Gates.

As Senator Collins and the chairman noted in my resume, I spent a good deal of my life in academia, and in that part of my life, I spent almost all of it studying the Congress. It is because of that that I am very humbled to come once again before this committee seeking your confirmation. And I thank the chairman and Senator McCain for their very kind introductions.

It is not only an honor and a privilege to have a professional relationship with my two Senators from Maine but also to call them my friends. I am very grateful for the support they have given me and the kind and wonderful introduction that Senator Collins gave today. Her tireless efforts on behalf of the citizens of Maine and all Americans have made myself and my family and all of us who are part of that great State very, very proud.

I want to thank Senator Collins for her most gracious introduction, but more importantly, for her steadfast support of the men and women in uniform. She has just been a great advocate for ensuring that the needs of our troops are considered and met.

In knowing her personally, I got to meet her family, in particular her dad and her mom. Her mom Pat was a former chairman of the board of trustees of the University of Maine, not while I was there, but prior to my coming on board, and she certainly knew the university very well. And her dad was a World War II veteran who fought in the Battle of the Bulge, and to my knowledge, he was decorated with the Purple Heart and the Bronze Star. And I got

to meet her dad and spend quite a bit of time with him, and I am very honored to have known him. I am sure he is extremely proud of his daughter today.

With me today is my wife, Linda Westphal. We have been married 41 years. She and I have raised a family, raised four children, James, Heather, Amy, and Lindsey. Unfortunately, they could not be here today because of family commitments and work responsibilities. But three of our four kids are married and have blessed us with six grandchildren. My family knows how demanding these jobs can be on the individual and the family, and thus, their support and patience and love have only helped to strengthen our family bond and to give me the opportunity to serve my country through public service.

I also wish to cite the contribution to our Nation of my wife's dad, Wilbur McMaster, now deceased. He was a soldier who served in the Pacific during World War II. For me, he always truly represented that group of men and women that have come to be known as the "greatest generation." Senator Collins' dad would be one of those individuals.

I hope that my mother-in-law Mary is watching this hearing and her love and support are very important to me as well.

I am honored to be here today also alongside a great public servant, Congressman John McHugh, who is deeply committed to the task ahead, should you choose to confirm him. Congressman McHugh is a good friend, and if we are confirmed, I look forward to working with him and supporting his efforts in leading the Army towards a more sustainable future.

If confirmed, I pledge to work closely with you, your staffs, to truly partner with the other services, with the Office of the Secretary of Defense in what I believe ought to be a fervent and urgent effort to sustain the best Army in the world and ensure our National security needs are met.

I believe one of the most important responsibilities I will have, if confirmed, will be to support the Secretary of the Army in meeting the needs of our soldiers and their families. And Congressman McHugh eloquently expressed that important priority. I pledge to the President, to the Secretary of Defense, to this committee, to the Congress that I will work hard and to the best of my ability to meet that commitment.

And I thank all of you for your consideration of my nomination. Thank you, Mr. Chairman.

[The prepared statement of Dr. Westphal follows:]

Chairman LEVIN. Thank you very much, Dr. Westphal.

Mr. Garcia?

STATEMENT OF JUAN M. GARCIA III, NOMINEE TO BE ASSISTANT SECRETARY OF THE NAVY FOR MANPOWER AND RESERVE AFFAIRS

Mr. GARCIA. Thank you, Chairman Levin, Senator McCain, and members of the committee. I am grateful to be here before you. I am honored that Senators Hutchison and Cornyn made time in their full schedules to be here and also honored to share a panel with my distinguished fellow nominees, Congressman McHugh and Dr. Westphal.

Thank you for the opportunity to introduce my family. My incredible wife Denise packed up our minivan and filled it with kids and drove up from Corpus Christi this week. Our four kids are here, the twin boys, Jack and Luke; our little girl, Calista Rose; and our youngest Lex.

My parents, retired Navy captain Juan and Pat Garcia, are here, and my sister and brother-in-law, Marine Lieutenant Colonel Rob and Gabriela Scott and their beautiful kids are here. They are stationed here in town at the Pentagon and graciously have been incredibly supportive of this effort, and in fact, the entire family is crashed out at their full house right now. Thank you all.

On behalf of myself and my family, I want to thank the President for this moment, an impossible-to-imagine opportunity to be considered by the United States Senate for a post helping to shape and manage the world's finest sea service, the United States Navy and Marine Corps team. It is a moment that could be traced back to my first conscious memory as a small boy, 36 years ago, attending the homecoming ceremony for the POWs at NAS Lemoore in 1973. It winds through unforgettable moments for an oldest son growing up in base housing with mom squeezing my hand as that official Navy sedan slowly pulled into our cul-de-sac, praying under her breath that it did not stop at our house, knowing that it brought bad news.

The route here ran though a tiger cruise aboard the aircraft carrier USS *Constellation* a few years later when I joined my naval aviator father for a week at sea and knew then that I wanted to be like him and his shipmates. What I could not have known then was that I would get to return the favor 25 years later, hosting him aboard the same carrier.

It traced it through the gentle tutelage of my Marine Corps drill instructor, Staff Sergeant Mike Sinot, who will never know the full impact he had on me. And this moment could not have happened without a dozen chief petty officers along the way who did their job and taught a junior officer what it means to take care of the troops.

Mr. Chairman, today's Navy and Marine Corps face a threat spectrum that spans from downing a spent satellite 60 miles above the surface to the centuries' old scourge of piracy. American families entrust their sons and daughters to this organization, believing that the Nation will provide the finest training, best equipment, fair compensation, care for their wounds, both visible and non-visible, and a quality of life for their dependents in exchange for their sacrifice. I can think of no more humbling an honor than to assist in meeting that commitment.

I thank you for your consideration and look forward to your questions.

[The prepared statement of Mr. Garcia follows:]

Chairman LEVIN. Thank you very much, Mr. Garcia, and thank you all for sharing a bit of your family history with us. It helps to humanize and personalize these hearings, and it is very important for us and those who are listening that you do that.

There are standard questions that we ask of all nominees, and I am going to ask you the same questions.

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

Mr. MCHUGH. Yes.
 Dr. WESTPHAL. Yes.
 Mr. GARCIA. Yes.

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

Mr. MCHUGH. No.
 Dr. WESTPHAL. No.
 Mr. GARCIA. No.

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

Mr. MCHUGH. Yes.
 Dr. WESTPHAL. Yes.
 Mr. GARCIA. Yes.

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

Mr. MCHUGH. Yes.
 Dr. WESTPHAL. Yes.
 Mr. GARCIA. Yes.

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

Mr. MCHUGH. Yes.
 Dr. WESTPHAL. Yes.
 Mr. GARCIA. Yes.

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

Mr. MCHUGH. Yes.
 Dr. WESTPHAL. Yes.
 Mr. GARCIA. Yes.

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

Mr. MCHUGH. Yes.
 Dr. WESTPHAL. Yes.
 Mr. GARCIA. Yes.

Chairman LEVIN. We have a number of Senators here this morning. So let us start with a 7-minute round.

Congressman McHugh, let me start with you on the question of Army modernization. As you know, we have recently passed an important bill in terms of trying to reform the way we acquire items for the military. The bill is a major reform initiated here but fully supported by the House, signed by the President. Implementation of that is, however, critically important. We can write laws, as you well know, with good intent and with strong words, but when it comes to implementation, that is critical.

Give us your thoughts about implementation of that acquisition reform bill.

Mr. MCHUGH. First of all, Senator, as I said in the meeting that Senator McCain, you, Senator Levin, Congressman Ike Skelton and I attended, I thank the two of you and this committee, this body,

for taking the leadership in that effort. And you called the House to arms, and I think it made a huge difference.

But you are absolutely right. The bill is an important step, but the implementation is absolutely essential. And if we do not follow through with the fullest extent of the force of the law, then all of us have wasted our time.

I think the biggest challenge, with respect to that particular piece of legislation, is the designation of some 20,000 new contract officers. We probably—not probably. We went far to the extreme in cutting down the number of professionals within the military who could oversee those activities. This bill recognizes it. But I think as well it puts a rationalization and divorces those who have a stake in the system going forward from those who have an absolute responsibility to make a decision as to whether it should pass to the next milestone and the next step.

I can pledge to you, having had a little bit to do with that development on the House side, that this is the highest priority for me.

I think the challenge that also lies ahead, as you know, Senators, that this represents only about 20 percent of all the acquisition programs before the United States military. The major weapons acquisitions are certainly a huge part of the problem. A lot of money. But we have got 80 percent still lying out there, and in my discussions with Congressman Skelton, Chairman Skelton, and others who were involved in this is that the Congress fully intends to take up that other 80 percent. Whether I am confirmed or not, I would certainly, as an American citizen, encourage you to do that, and if I am confirmed, I promise to you as Army Secretary that I stand ready to work with you and make sure that we try to close that gap as well. Too much money out there, too many wasted dollars, too many dollars potentially to be saved that could be spent far better on those men and women who have so many needs that still exist.

Chairman LEVIN. Congressman, the Secretary recently announced that there is going to be a temporary growth in Army end strength of up to 22,000 soldiers. Do you have an understanding of the pace and plan to implement that increase in end strength?

Mr. MCHUGH. I really do not, Senator.

Chairman LEVIN. That is fine. If you do not, that is fair enough. We do not expect you to know a lot of the answers to some of these questions because you have not had an opportunity to be there to do that.

One of the issues that we face is the problem of mental health for our troops, particularly for our soldiers in the theater. I am wondering, based on the findings of the Army's Mental Health Advisory Team studies in the Iraqi theater, whether or not you are able to share with us now any plans to increase mental health resources available to our troops not just on their return, but also in theater?

Mr. MCHUGH. Well, as you know, Senator, there has been a major effort to try to make a more robust effort on the troops who were forward deployed. I think the Army is in the right direction on that, but clearly, if you look at the feedback studies, we have a long way to go. If I may, this was not exactly to your question, but if you look at the suicide rates within the Army in recent

months, the latest figure, about 87 for this year, we have an enormous challenge whether it is amongst the deployed or those who are back home.

So that is something that any Army Secretary would have a solemn responsibility to try to fine tune, and if we have gaps in the training capabilities, a lack of understanding amongst the officer corps who are entrusted with that forward-deployed sensitivity, then we have to do a better job. It is unacceptable to have brave men and women who commit so much on the battlefield come home and, at the end of the day, take their own lives.

Chairman LEVIN. The growth in the number of suicides has been a real significant concern of this committee and all of its members. It is important that you get right into that issue as soon as you are confirmed.

Relative to the role of women in the military, if confirmed as Secretary of the Army, will you support assignment policies that will permit women to continue to serve in all positions and specialties in which they currently serve, number one, but also will you review positions that are currently closed to female soldiers to determine whether female soldiers should be permitted to serve in additional positions?

Mr. MCHUGH. Thank you for that question, Senator, because there has been a lot of confusion and misinformation on that particular issue. As I think the legislative record shows, I strongly, strongly support the existing position and policy, and that policy has been in place since 1994, put into place by Secretary Aspen. I have learned through my 10 visits to Iraq, my 4 to Afghanistan and to other combat theaters that the basic fact is women in uniform today are not just invaluable, they are irreplaceable. And I have absolutely no evidence, nor have I ever had any evidence before me that would suggest that the policy, as in effect since 1994, is not working.

If someone shows me something to the contrary, I would certainly share that with the Secretary of Defense, the President, and of course, the oversight committees in the House and the Senate, but from everything I know at this moment this is a policy particularly on the irregular warfare battlefield that is working.

Chairman LEVIN. And in terms of additional possibilities, will you take a look at that as well?

Mr. MCHUGH. The current policy, as I understand it, as issued under Secretary Aspen, is to continuously search for MOS's that can be opened, and I support that and would certainly continue it.

Chairman LEVIN. Thank you.

Senator McCain.

Senator MCCAIN. Well, thank you, Mr. Chairman. Again, congratulations to the nominees. I am hopeful and I know the chairman will do everything to perhaps get these nominations confirmed before the August recess. Is that correct?

Chairman LEVIN. That is our goal. Absolutely.

Senator MCCAIN. That is our goal? And I thank you all for serving.

Congressman McHugh, I just want to follow up a second on the suicide issue. It is my understanding that 30 percent of these suicides have occurred with service members who have never been de-

ployed. So then it is hard to place the responsibility simply on long deployments or frequent deployments.

What kind of analysis are we conducting to try to figure out what it is? I am sure there are multiple causes, but also does it go back to recruiting?

Mr. MCHUGH. That is an important question, Senator. When you and I had a chance to talk about this, I quoted the 30 percent. Actually I was a little bit conservative. For the Army, it is 32.8 percent. Nearly a third of these suicides have never deployed.

Now, that should help us to understand that the normal stressors that we focus upon, including OPS and PERSTEMPO were important, but as I mentioned to you, sir, I do not want to lose the fact that for a third of these brave men and women, something else occurred. And I think we have to take a very calculated look at the programs that we are putting into place. Do they, in fact, respond to that reality? And I have no reason to think they do or they do not, but it is a search that has to be undertaken.

And the other question, as you noted, Senator, what else is happening? Is it a diminution of the standards that somehow we are recruiting people who are perhaps possessing a proclivity for that? I just do not know.

I think the Army took a positive step. They have engaged in a longitudinal study with the Institute of Mental Health to try to understand that. That is a 5-year study. We cannot wait 5 years. I do not pretend to have the answers right now. There are 20-some programs the Army has put into place to combat this issue. I think we have to take a cold, hard look and monitor the progress of those programs very carefully and be as adept and flexible as we expect these brave men and women to be on the battlefield.

Senator MCCAIN. Well, I thank you for your commitment, and obviously all members of the committee and all Americans are deeply concerned about what seems to be a continued increase in these tragedies.

As we discussed in my office, Congressman, I understand that PMA's political action committee, employees, and clients contributed over \$160,000, which placed you at number 16 on the list of all PMA beneficiaries in Congress.

Did you ever seek an earmark for the PMA lobbying group or a PMA client corporation in exchange for any political contribution or anything else of value that was given to you directly or indirectly?

Mr. MCHUGH. Absolutely not.

Senator MCCAIN. As of today, have you returned any of the political contributions you received from PMA, its PAC, or its employees or clients?

Mr. MCHUGH. I did not, but what I did do, Senator, was ask my accountant to go through. There were questions about phantom donors, and I want to make sure we were not in receipt of any of those funds. And I gave the standing order. Obviously, I will never use my campaign funds for personal gain. Again, that should there ever be a question as to the veracity of those contributions, they be, if not returned, I would rather give them, frankly, to a charity.

Senator MCCAIN. Thank you for that, Congressman.

According to a report, Citizens Against Government Waste, since 2008, you have sought earmarks for 52 projects totaling \$97.3 mil-

lion, and you and I went through some of them before. Here is my question. How do you answer a Congressman or a staffer that calls you and says, I want you to spend money on this earmark or I want you to support this earmark? How do you reconcile that?

Because I am absolutely convinced that earmarks—and the PMA Group is a classic example. There are continued stories in the media about the corruption that has been bred by this earmarking process which I think is absolutely unacceptable. And I have fought it for many years, and I will never give up the fight until the day that I leave the United States Senate.

So how do you answer when one of these appropriators calls you up and says, hey, I want an earmark for X?

Mr. MCHUGH. The honest answer is I do not know because, quite frankly, in my 16 years I have never had a Congressman call and ask me to support an earmark. I am not an appropriator. I am an authorizer and, of course, that is an important part of the process, as this committee knows.

Senator, as I mentioned to you in our previous conversation, I deeply admire the many causes that you have taken up. I mentioned as well I was one of 44 Republicans in the House of Representatives out of more than 218 to support McCain-Feingold. It did not make my leadership happy, but it made me feel good because I felt it was the right thing to do.

I have tried to live up in all of my requests to the formal standards placed by the House. I have argued for higher standards, but I have tried to do the best job I could to provide projects that benefited my district and equally benefitted the military.

But, Senator, I understand your passion and I even admire it. No matter what the judgment of this committee, I can tell I will never receive another earmark.

Senator MCCAIN. I thank you, Congressman McHugh. And let me just say again, one of the reasons why I raise this issue at this time is not in any way to diminish my respect and appreciation for your service. I raise it in the context of an attempt that I think is going on now, led by the President and strongly led also by the Secretary of Defense, that we stop some of this. I noted that the House Appropriations Committee just passed legislation filled with projects that, one, have no justification, strongly opposed by the President and the Secretary of Defense, and are clearly unneeded and unnecessary, including the presidential helicopter, and the list goes on and on.

So I guess my point is that I think that we are either going to change and give the American people the defense capabilities and care for the men and women in the military, which is our obligation, or we are going to continue, as Secretary Gates calls it, an unsustainable path of earmarking and unnecessary and wasteful spending.

So I only bring this to your attention in the context that I think there is going to be a big fight, and I am proud of the President who has threatened vetoes on several issues. So I know that you will join this fight to give the taxpayers the best "bang for their buck."

Again, I strongly support your nomination and I appreciate your dedicated service in the Congress of the United States.

Finally, Mr. Chairman, could I just ask Mr. Garcia? You come from a military family. You have served in the military. So you have a good understanding of what these multi-deployments and absences from home and family is like. Could you just share a little bit of that with us, with the committee, please?

Mr. GARCIA. Well, Senator, thank you for your question. I know you also have been on both sides of a deployment, both as a dependant and as the deployer.

Like folks are doing all over the country right now, my last deployment aboard Constellation, I left my wife with three kids under 3 years old. That is a story that is being echoed across our country right now. The Army particularly I think is bearing an exceptionally heavy load with their extended deployments.

Ensuring that we have the proper programs and efforts in place to take care of those dependents when you are gone, that housing is adequate, that when they are PCS'd when they move, children can transfer appropriately between schools, that credits get transferred, all those little things that you do not have time to think about when you are in a tent or on a carrier or in a submarine, I think would fall under the purview of the Assistant Secretary for Manpower and Reserve Affairs. If confirmed, I look forward to ensuring we have got the optimum programs in place.

Senator MCCAIN. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCain.

Senator Reed.

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

I want to welcome the nominees and just say I think the President has chosen very wisely. I had the privilege to work with Congressman McHugh on many issues and Dr. Westphal as a former official in the Department of the Army and comes back with great insights and great experience. And Mr. Garcia, thank you for your service and look forward to your service in the Department of the Navy.

Congressman McHugh, one of the traditions of the service is a respect for the individual's demonstration of their faith, which is very important. Essentially that is why we have a chaplain corps. But part of that is ensuring that there is not an attitude preferential to one denomination versus another, preferential to one set of beliefs to another, consistent with the Constitution.

I wonder if you have any comments on that.

Mr. MCHUGH. Well, thank you, Senator, and thank you for your kind comments.

My understanding is every chaplain who goes into the service has a prime directive, and that is in those instances where it is far likely that there are multi-denominational attendees, the chaplain must be sensitive to the nature of that assemblage, and therefore, do everything necessary to keep away from proselytizing but give a general blessing, whether that is a deployment ceremony or some other variant. It does allow them, of course, in their regular duties on a Sunday, if it is a Catholic chaplain, providing mass or the Shabbat services in temple for Jews or in the mosque for Muslims. But when you have a general assemblage, they must be sensitive

and not make comments that would be offensive to others in that assemblage.

I cannot imagine our ever changing that. Certainly in my opinion any chaplain who does not adhere to that needs to be admonished and instructed as to their primary responsibility.

Senator REED. I agree with you. I have found also, too, that the chaplains play a very critical role in informally counseling soldiers not in any sort of denominational way but as a source of information for the commanders, as a source of support for troops, and it is a very important role.

Mr. MCHUGH. Yes, sir.

Senator REED. We have all talked about this, but it is, as Mr. Garcia pointed out, particularly acute for the Army. The operational tempo has been exhausting over the last several years. Can you comment on the effect this has had on retention of mid-grade officers, captains, majors, and the NCO's, which from my perspective are probably the real heart and soul of the force?

Mr. MCHUGH. I have two answers. The answer I will give to you first is the answer I had as a 16-year member of the House Armed Services Committee and 12 years on the Personnel Subcommittee. It just seems to me at a minimum intuitively that particularly in an economy that values the kinds of intellect and experience that those mid-grade officers have, that the OPS and PERSTEMPO has a tremendous effect on encouraging them to leave the service. Certainly the numbers would suggest there is something afoot. We are about 3,000 short in those middle cadres. It is such an acute problem that the Army does not estimate it will be able to begin to catch up until about 2014 or 2015.

The second answer is what I understand, what I was told as a member of the Personnel Subcommittee, the Army believes that the retention is not the issue in those gaps, that the problem is the growth of the Army has left that gap.

There is probably accuracy and veracity on both sides, and I have not been in a position to be briefed, but the bottom line remains the same. We have a huge challenge in that cadre of officers that we have to make sure we can make up. As you know, Senator, these are the people who instill the values, who instill the training, who instill all those things that we view as so important in the formulation of the military, and we have got to work hard to close that 3,000-officer shortfall.

Senator REED. Thank you, Congressman.

Dr. Westphal, what do you presume is going to be one of your key focal points as the Under Secretary of the Army?

Dr. WESTPHAL. Thank you, Senator.

Obviously, the Under Secretary works to implement or works at the direction of the Secretary of the Army, and with the new responsibilities, as the chief management officer, which this committee rendered back in 2008 in the defense authorization bill, there is an additional broad responsibility to manage all the business operations of the Department.

Within that framework, I think what is very important—and Senator Levin's, the chairman's, comments earlier about the acquisition issue—a key area of focus would have to be business transformation. There is the Defense Transformation Agency created by

the law that you passed. The Army has a Business Transformation Office which it needs to vigorously stand up, and then integrate that business transformation process into all the elements that you have discussed here today, that Congressman McHugh has been talking about in a way that we can address those issues both from a fiscal standpoint as well as a planning and execution standpoint.

Senator REED. Thank you very much, Dr. Westphal.

Mr. Garcia, again, thank you for your service.

Mr. GARCIA. And you for yours, Senator.

Senator REED. Well, thank you very much.

You are going to be in a situation where you have to recruit, you have to retain also. The OPTEMPO of the Navy is also quite compelling. Can you comment about some of your thoughts about your challenge of recruitment for the Navy?

Mr. GARCIA. Sure, Senator, although I think it is a very different story than the challenges the Army is facing right now. With the Navy that has downsized some 40,000 sailors over the last 7 years, in some ways we have the opposite problem. You have got arguably one of the most selective, difficult-to-access navies that we have had right now. And the Marines, who even at the height of this long war, never failed to meet a recruiting goal, have now met and perhaps exceeded their end strength.

I think it is important, though, that as the economy begins its up-tick that we all hope will come sooner rather than later, that we not let our guard down on the recruiting front. It takes time to build up a recruiting effort to build those affinity groups and those relationships. In stressed monetary times, I think it is important that we not cut back too far despite the fact that our goals for the moment seemed to have been met.

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

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Reed.

Senator Chambliss.

Senator CHAMBLISS. Thank you, Mr. Chairman.

Mr. Chairman, before I make my comments and ask questions, I would like to recognize the service and sacrifice of Lieutenant Colonel Ray Rivas, a wounded service member who suffered a traumatic brain injury in Iraq and who testified before the Subcommittee on Personnel, chaired by Senator Nelson and on which I serve, recently about the care and support of wounded warriors. I mention this because staff has just advised me that Lieutenant Colonel Rivas died last week as a result of an apparent suicide in San Antonio, Texas.

Our committee recommended, and last week the Senate adopted, legislation to further improve care and effectiveness of support for our wounded warriors and their families. And Mr. Chairman, certainly our thoughts and our prayers are with the family of Lieutenant Colonel Ray Rivas.

Chairman LEVIN. Thank you, Senator Chambliss, for mentioning that.

Senator CHAMBLISS. Mr. Chairman, I congratulate all three of our nominees who are here today, particularly my longtime dear friend, Congressman John McHugh, with whom I had the privilege of serving in the House. I was the vice chairman of MWR for 4

years while he was chairman, and I know firsthand, John, about your devotion and your care for our men and women in uniform. And I could not be prouder and more pleased with a nomination coming from the President than to have you nominated as Secretary of the Army.

As you and I have discussed over the past 24 hours, for the past 20 years, the States of Alabama, Georgia, and Florida have been involved in discussions, negotiations, and significant litigation related to the Apalachicola-Chattahoochee-Flint and the Alabama, Coosa, and Tallapoosa River Basins, which are under the jurisdiction of the Army Corps of Engineers. The current water control manuals for the ACF and the ACT river basins are based on figures that are in excess of 50 years old.

The recent court decision that came out just a couple of weeks ago really chastised the Corps for their failure to update those manuals over the years with the increased and divergence of use of those river basins.

In 2007, Secretary Geren made a correct and courageous decision politically to update the water manuals, and I would simply like to ask you, even though I know you do not have a lot of background on this, but I want to make sure that you continue to pursue the updating of these water manuals so that final disposition of this disagreement can be made.

Mr. MCHUGH. First of all, Senator, thank you for your kind comments. The House's loss was the Senate's gain when you made the trip across the Rotunda.

You are right. I do not have a lot of information. I had the opportunity, as you know, to sit down with you and Senator Isakson. 20 years is a long time to be going back and forth.

I am going to, if I may, take a pass for the moment because I understand there is a court decision that you shared with me and I have not had a chance to look at it. I am aware that Secretary Geren felt that the court decision, if not compelled, certainly encouraged greatly the redevelopment of the water manuals, and I know that is going forward. I need to take a look at that. Without having an update, it seems to be a reasonable thing to do, but there is just such a complexity there that I am concerned.

What I do know, just as a member of the human race, is you have got three vital interests there, three States, and what I would unquestionably say to you is I would make every effort to engage the Corps to try to provide whatever assistance, encouragement is necessary to bring about a resolution in a way that serves everyone's interests equitably. I suspect it is probably not going to be possible to create everybody's nirvana, but anytime you have got a lawsuit for 20 years that has not been resolved, although I dropped out of law school after 10 days, that kind of raises my antenna that we have got a tough issue. But I want to work with you. I started out in local and State government, and I know the importance of that, and I sure know the importance of water.

Senator CHAMBLISS. Fair enough.

You and I, along with Senator Isakson, discussed yesterday the issue of Fort Stewart and specifically the great financial risk that the local community assumed to a large degree at the Army's urging in expectation of an additional brigade coming to Fort Stewart.

As we advised you, the community put up approximately \$450 million in preparation for this brigade coming, and I am sure you can understand the enormous impact the announcement that the brigade is not coming has had on this small community in southeast Georgia. I know you can appreciate it because of your comments in representing communities around Fort Drum when a similar action was taken by the Army in previous years.

I simply want to get your assurance again on the record that you will address this issue as soon as you are confirmed and take whatever measures possible to fill the gap left by the 46th BCT not coming in order to help alleviate the financial distress. And I just found out yesterday that Secretary Geren will be at Fort Stewart on next Monday. So that is the type of high profile issue it is now, and I simply want to make sure that is going to continue.

Mr. MCHUGH. Well, I am hopeful Pete Geren solves it in his visit on Monday. [Laughter.]

But assuming he may come a bit short—as you noted, Senator, I have seen how the Army and, I suspect, other services where an expected expansion is going to take place understandably come in and try to encourage the community to make commitments. In my case, fortunately, those troops arrived and the commitment that was made, the investments that were made were utilized, and I think it was a win-win situation.

I do believe, from what I know at this point, that Secretary Gates probably made the right decision in holding at 45 because of the vagaries of cross-leveling and the desire to have 45 robust totally filled-out brigades versus 48 that needed all kinds of help. But the downside of that are those three communities that are left holding the bag of hundreds and hundreds of millions of dollars.

Senator, I cannot promise you that I can effect a positive outcome for you, but I can promise you I will look into this and press it as hard as I possibly can. This comes from my personal experience, and I absolutely understand the dilemma, as I recognize it, to be a very small, not particularly wealthy community is in.

Senator CHAMBLISS. Well, if Secretary Geren does not solve it on Monday, I will be calling you Tuesday.

Mr. Chairman, I thank you. And I would simply say to our other two nominees congratulations on your nomination. We look forward to a speedy confirmation.

Dr. Westphal, when I see you in Stillwater in September, please encourage your Oklahoma State Cowboys to be kind and gentle hosts to my Bulldogs. Thank you.

Chairman LEVIN. Thank you, Senator Chambliss.

Senator Akaka.

Senator AKAKA. Thank you, Mr. Chairman. Aloha to the esteemed nominees and your family and friends who have joined us today.

Gentlemen, first, I want to thank each of you for your service to our country. I am heartened to know that you are answering a call to start another chapter in your lives dedicated to public service.

Mr. McHugh, I enjoyed our visit the other day, and your entire career has been dedicated to public service. You have an outstanding track record supporting our troops and their families dur-

ing your service in the House, and should you be confirmed, I have no doubt that our Army will be under outstanding leadership.

Dr. Westphal and Mr. Garcia, your diverse experiences and outstanding educational backgrounds are very, very impressive. If confirmed, you will all face many difficult issues in your new positions. However, with your outstanding experiences and qualifications, I am confident that you will be able to handle the challenges before you.

Mr. McHugh, you have had the opportunity to view and shape the Army from the House Armed Services Committee for those many years, and I trust you have also received briefings and held discussions with the current Army leadership. As you prepare for this position, I would be interested to know what you believe would be the toughest challenges as Secretary of the Army.

Mr. McHUGH. Well, it is always the one you do not know about that rises up and catches you, Senator. But as I look ahead, I think our first responsibility and therefore our most important challenge is what we owe the men and women in uniform and their families. A number of your colleagues have spoken about the operations and personnel tempo, the dwell times that are one-to-one, deploying for a year, coming back to a dwell for a year. The reality is much of that year is spent in retraining for the next deployment. So it is kind of an illusionary figure to begin with.

The Army has adopted a program and a plan to get there. Secretary Gates' temporary wartime supplemental of 22,000 will help. This committee and Senator Lieberman, I think, took the right step. I know there is a ways to go with respect to the conference committee, and it is probably not my place to editorialize, but I wish this committee the best on that particular provision in the conference committee with my House colleagues. And those should help as well.

But it is a fragile equation. If Iraq that for the moment is going positively—I know Secretary Gates and General Odierno talked about a modest acceleration of the planned drawdown. That would help tremendously. That extension of dwell times to a one-to-two and hopefully over a period working to a one-to-three for the Active and a one-to-four and then ultimately a one-to-five dwell for the Reserve is critical to that.

But that is only part of the equation. We have set up a good number, a very robust number of support programs for the families, for the men and women in uniform. We have got to make sure that the families are not overwhelmed by that, they understand them, they trust them, they will access them. I am not sure that is true. I am not sure it is true in the suicide programs. I am not sure it is true in the variety of other personnel challenges we face.

The other problem, number two, is the challenge of resetting the equipment, making sure, as we redeploy out of Iraq, withdraw the equipment out of there, we are getting the right platforms, the right support to our troops in Afghanistan as we begin to build up there, and at the same time, ensuring that we are modernizing. The Army has always been challenged in an affordable modernization program, and we have got to do a better job there as well.

So those are probably the cream that rises to the top, but you know there is a whole lot of important layers below that. This is

a military and particularly an Army that is challenged on many fronts.

Senator AKAKA. Thank you very much for your leadership.

Dr. Westphal, during your time with the administration's transition team for national security working defense matters, I believe that you had a chance to study our Army up closely. I am interested in hearing your thoughts on the things you found the Army to be doing well and what needs improvement.

Dr. WESTPHAL. Thank you, Senator.

To begin with, I think the Army was beginning to really recognize many of the issues that have been raised by members of this committee in this hearing, not only recognize them but begin to address those issues. Now, they are not resolved. They are complicated matters that require a fully integrated Army team working on these issues, and during a transition, you do not have that full Army team. You have people leaving the administration. You have people coming in and slow movement. You have essentially almost a lame duck kind of organization transitioning through there.

And then, of course, the Congress was and this committee was working and giving signals to the Army that things needed to be corrected. Whether it is on the acquisition side or the manpower side, there were things that needed to be addressed. And you did that in legislation soon after the President took office.

So I think the Army is cognizant of the issues that you have raised. I think that what is needed is a consistent and collaborative effort to address it between a secretariat that is strong and enabling to both the civilian workforce and to the Army staff. I think we have an excellent Army staff, experienced Army staff. I think what we need to do is also strengthen the secretariat and bring about a team that can then take these business decisions that have to be made and integrate them to connect with the operational side.

The other thing that we looked in the transition, of course, and were trying to alert the President-elect to was the fact that you have a changing environment out there, that you have a very unstable political environment around the world, and that the Department is beginning to do a QDR or was in the process of doing the QDR at the time. There are a number of other uncertainties out there, and what kind of planning and fiscal constraints are there going to be as we face these challenges into the future. And I think we are facing them now, and I think the Army is moving ahead to try to address them.

They are, of course, waiting now for a team to come in and help push it along further, which is what many of you have insinuated in your questions is what you are looking for.

So I think the Army is addressing these issues, are cognizant of them, but there is a lot of work to be done on all of these fronts.

Senator AKAKA. Well, thank you very much.

Mr. Chairman, I know my time has expired, but I had a question that I will submit to Mr. Garcia. It has to do with diversification of leadership in the Navy, but I will submit that as a question. I mentioned diversification because I know you and your family did spend some time in Hawaii and wanted to hear about your feelings about that.

Mr. GARCIA. I look forward to it, Senator.

Senator AKAKA. Thank you.

Chairman LEVIN. Thank you, Senator Akaka.

Senator Collins.

Senator COLLINS. Thank you, Mr. Chairman.

Mr. McHugh, let me say how delighted I am with your appointment. We have had the opportunity to work together, along with Senator Hutchison, on the Board of Visitors for West Point. I know how deeply you care about the well-being of our soldiers.

I believe that when we were meeting yesterday, you told me that the 10th Mountain Division was the most deployed unit. I want to associate myself with the concerns that all of us have expressed about the stress of repeated deployments.

I had not heard the tragic news that Senator Chambliss shared with us today, but it indicates that we have so far to go in meeting the mental health needs of our troops and of their families who are often under stress also. I know from our conversation that you are committed to that, and I was pleased to hear you endorse an increase in the size of the Army, which is the ultimate answer.

I am concerned about press reports that indicate that the Pentagon has been given an assumption of a zero real growth in the budget for next fiscal year. In addition, I am told that Secretary Gates has tasked the services with coming up with some \$60 billion worth of cuts.

It seems to me that the defense budget should reflect our military needs and requirements and be informed by the Quadrennial Defense Review, the QDR, which is underway now.

What are your views on how the budget should be put together and what should drive the levels?

Mr. MCHUGH. Senator, again, speaking as a member of the Armed Services Committee, I agree with you.

One of the—I do not want to say frustrating, but one of the interesting aspects of being a nominee is that once the President indicates his intention to nominate you, I resigned from the Armed Services Committee. So I knew less. There is the very important dictate of not an assumption of confirmation. So people talk to you less. So I am not as smart as I used to be, and that is probably not reassuring to many people, including myself. So I do not have a lot of information.

My initial reaction, when reading the press reports about the assumptions in the programming budget instructions, was that that is probably not an unwise thing to do. I place it under the rubric—and this is a hope. It is not based on knowledge. I place it under the rubric of hope for the best and plan for the worst. I suspect, without having any conversation with the Secretary of Defense that he felt it was important to try to task all the Services to find as much waste, as much duplication, as many savings as is possible. So whatever the eventual budget line may take, they have an arsenal of possible savings they can revert to. That may or may not be accurate, but that was my hoped-for reading of it.

I think it is fair to say that any Secretary wants more money rather than less, but at the end of the day, having read title 10, the President and the Secretary of Defense, in concert with the Budget Office, CBO, are going to tell you what your budget targets

are and you have to fit within there. So I think it is probably a factor of wise planning, but I may well, if I am confirmed, be instructed differently when I get there.

Senator COLLINS. Well, I do hope that you will share with this committee, assuming your confirmation, what you believe the true needs are for our Army. I do not think any of us wants to see the Army or any of our services shortchanged in order to meet budget goals. You, to me, have an obligation to tell us what you need and what the military requirements are, and then it is our job to try to find the money.

It is certainly appropriate for there to be a review of all programs to determine their necessity, to eliminate wasteful or nonperforming programs, but that should be an ongoing process that is different from having to meet an artificial budget number.

Mr. MCHUGH. Senator, I agree, and as I know you are aware, the law does not just allow, it requires the military officials and others to come and give their honest personal opinion. If I were to be confirmed, I would absolutely insist upon that within the military and Army officer corps. We all have to live within the Office of Management and Budget's directives, but that does not in any way obviate the prerogatives of this Congress, this committee in their role. I have sat in far too many committee hearings and heard things that were perhaps not as accurate as I would liked. That would not be a policy I would endorse.

Senator COLLINS. Thank you.

I want to talk to you about the National Guard. As you know, the National Guard has also suffered from repeated deployments. We put a lot of strain on our guard and Reserve, their families, their employers.

An issue that the Guard members have brought to me, in addition to the repeated deployments, is the state of their readiness when they come back home. When they are deployed, they are provided with all the equipment that they need, but frequently that equipment is left in Iraq or Afghanistan. And I can understand the rationale for that.

But what happens then is the Guard members come back home and they no longer have the equipment that they need. This is a problem that I am hearing increasingly about from the Maine National Guard.

Are you aware of this problem and the decreased readiness of our guard units that results?

Mr. MCHUGH. I am, Senator. It is not just the Guard, frankly. It is Service-wide, Army-wide, and the Reserve and guard units individually are facing the same problem. The Army is attempting to try to resource as best they can.

As I am certain you agree, the primary objective is to make sure that once troops arrive in a combat theater, be it Iraq or Afghanistan, that they are provided with everything they need. In fact, in most instances, they have equipment choices and a menu that is more than they would need on any particular mission, but they can shape and tailor.

The problem is upon redeployment that the Guard, the Reserve, and much of the active components do not have those at-home base units particularly for training that they would like. The Army is

working hard to try to rebalance that. The guard is a good news/bad news; the Reserve is a good news/bad news. When all of these hostilities started just prior to 2001, the average unit in the Reserve component had about 30 to 35 percent of their deemed required equipment. There has been a substantial investment in the ensuing years. It is now 60 to 65 percent. That is a doubling, obviously. That is good progress. But it also mathematically shows you you have a ways to go. So it is hard to begin to resource a challenge that has been in existence really since post-World War II when you are in active combat.

The force generation model, the reset model called R4GEN that is applying against both the active and the RC is intended to provide some time to do retrofitting and resetting of equipment in a more reasonable calendar framework and also, of course, give those troops a little bit more time at home should help. But that is a work in progress, and it is certainly something we have to take a close look at.

Senator COLLINS. Thank you. I realize my time has expired.

Let me just mention to you, as I did yesterday, the Maine military authority in northern Maine does cost-effective work in refurbishing HMMWV's and other vehicles. It consistently performs this work at a lower cost than the Army's own depots. And I hope you will look at that as an area where you could achieve savings for the Army by having more work directed to that unit which provides high-quality, low-cost work for the Army.

Mr. MCHUGH. I appreciated our conversations, Senator. As another, for the moment at least, Member of Congress who represents largely rural areas, I promise you we will take a careful look at it.

Senator COLLINS. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Collins.

Senator Ben Nelson.

Senator BEN NELSON. Thank you, Mr. Chairman, and thank you, gentlemen, for your service, and to your families, we appreciate the sacrifices involved in public service both past and present, as well as future.

Mr. McHugh, we have had quite a bit of discussion this morning about the importance of mental health care for our troops, the rising rate of suicides, the challenge of the mental stress with re-deployments and in the case of nondeployments as well.

Our subcommittee has had a number of hearings and the tragic loss of Lieutenant Colonel Rivas is just one of the continuing challenges we have. It saddens us all that we are experiencing the loss that we are experiencing in so many cases to our military, to those who have departed, as well as to their families.

Do you have any thoughts about what you might do as you take—you mentioned about looking to 20 programs that are in place. Is there something in particular that would rise to—in your former position as chairman of the Personnel Subcommittee and serving on that, is there any one thing in particular that would stick out to you that we might consider doing?

Mr. MCHUGH. I really do not have an answer for that. Senator, as you alluded to, it is something we have been looking at. I wish this were an overnight phenomenon, but as you recognize, it is

something we have been dealing with for some time. I think if there were an obvious answer, we would have struck upon it.

One of the more important aspects of this—and it is true whether you are trying to combat sexual harassment or other problems and that is to have a cultural change. Right now, my impression is there is a two-part problem. The problem of the soldier, sailor, marine who believes if he or she seeks out help, if they are feeling depressed, if they are having thoughts of harming themselves, that somehow that makes them weak, somehow that makes them unfit for duty. And on the other side, I am just not sure that those men and women in uniform who serve with those people have the knowledge or the awareness to recognize a problem and to help.

I think the Army started off well—and this is something that Senator Akaka and I had a chance to talk about—with the ACE program. It is called “Ask, Care, and Escort.” And every soldier is given a wallet-sized laminated card to talk about this, to recognize the signs when your buddy may be having bad thoughts or challenges, not just to recognize it, but as the “C” says, to care enough to ask about it, perhaps in extreme circumstances, to take away an item they may be threatening to hurt themselves with, and then to escort, to take them to some care provider.

We have to make sure this is not just something on a piece of paper. It is not something we hand out on that card. I just praise the card. I think it is a good thing, but it has got to be instilled in the culture just as the unacceptability of sexual harassment and assault.

The best answer to this is this 5-year longitudinal study, but what is frustrating about that is right now 89 suicides this year in the United States Army. We really do not have 5 years. We have to make sure that the things we are doing are as effective as possible and people feel comfortable that when they are troubled, it is okay to say I need help.

Senator BEN NELSON. And the increase in the number of potential mental health providers within the military I think is going to help as well, but the challenge is to create that cadre of mental health providers. I know the military has stepped forward on that, and I hope that you will proceed further with those efforts.

Mr. MCHUGH. If I may, Senator, Pete Geren, who is frankly kind of a hero of mine and he is a good friend, sat before this committee 2 years ago and made a pledge to hire 200 new mental health counselors and providers. They have worked like the dickens to try to meet that. They are about halfway there. It is not unlike the challenge of bringing medical specialists into the military. You have to rely not on the money aspect and any other reason, but you need to identify the people who want to make a difference and volunteer. That is a work in progress, a lot of progress being made, but we have to continue. Absolutely true.

Senator BEN NELSON. Well, I appreciate your pledge to continue that effort because it is so critical.

The troop increase in Afghanistan has, obviously, been the direct result of our commitment to making sure that we improve the military presence but get the results in missions that we are after in Afghanistan. For a long time, with respect to Iraq, I pushed for some metrics or benchmarks to establish, first of all, what the mis-

sion or missions are and a way of measuring progress towards those. In Afghanistan, we have—on the authorization legislation, we have put in place the request for establishment of measures of progress which would help us, as objectively as we possibly can, measure how we are doing towards those projects.

I have written letters to both Secretary Clinton and Secretary Gates urging them to develop a series of those progress measures. I have been informed that they are working toward that, and I would hope that you would find that to be something that could be helpful to you in your position as well. I think the American people want to know as much as they can about what our overall mission is and what the sub-missions may be. Instead of doing as we did with Iraq—we are winning, we are losing, we are going sideways—we are in a better position to say we are 70 percent toward that goal, we are 40 percent, or here is what else we need to do to achieve it.

Do you have any thoughts about that?

Mr. MCHUGH. My thought is I am about to get myself in trouble.

Senator BEN NELSON. Well, I do not want to get you into trouble.

Mr. MCHUGH. As a Member of Congress, a Member of the House of Representatives, I wrote the first bill in the House to create a series of measured benchmarks for Iraq. I happen to believe that it is not unreasonable to have a set of indices by which you can judge where you are, what has happened. I happen to believe as well the other side of that coin is it is pretty important to let those, in this case the Afghans, previously the Iraqis, know what we expect of them.

Senator BEN NELSON. Absolutely.

Mr. MCHUGH. But what challenges me about the process though, Senator, is that it becomes a means by which we utilize the measurements to do the wrong thing and to make bad decisions. But certainly if I were to be confirmed, if confronted with a set of benchmarks, I would tell you I have a history of understanding those and working with them, and if it is the dictate of this Congress and the President and signed into law that kind of measurement indices, I would do everything I can to provide you the most accurate information possible.

Senator BEN NELSON. Well, I appreciate that very much.

On a lighter note, I was relieved that you did not get asked or try to repeat the names of the water plans and problems down in that southeastern part of our country.

Mr. MCHUGH. Hoochee something.

Senator BEN NELSON. Something like that. [Laughter.]

Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. It was an amazing statement, was it not?

Anyway, thank you, Senator Nelson.

Senator Webb.

Senator WEBB. Thank you, Mr. Chairman. First, Mr. Chairman, I would offer a comment about the preparation that Dr. Westphal has made for this position. He went to college in New York, Oklahoma, which made Senator Inhofe pretty happy, Missouri, which is going to be very good news to Senator McCaskill, and he spent a career in Maine, which obviously pleased Senator Collins. Before

the hearing began, he came up and told me he had gone to high school in Virginia, but not only had he gone to high school in Virginia, he had gone with Senator Udall's cousin, Senator Tom Udall, which just took out three States. If he can come up with having spent a summer in Nebraska, he has pretty well run the table I would say.

Chairman LEVIN. Do not forget the Red Wings.

Senator WEBB. That is right. He also mentioned he was a Detroit Red Wings fan. So he pretty well ran the table this morning.

Mr. Garcia, I would like to start with you, first, by saying how much I appreciated the fact that you mentioned growing up in the military. I did as well, as you know. There was one period in my life where my father was deployed or stationed in places where the family could not join him for 3 and a half years. I have often remarked, as someone who grew up in that environment and also had to watch a son and a son-in-law deployed to combat, it is probably harder being a family member either with a father or a spouse deployed or having a child deployed. It is harder doing that than it is being deployed, I think, in terms of a lot of the emotions that it brings to people. So it is a great understanding that you bring to your position.

I would like to ask you about this recent debate over standards at the Naval Academy as a result of diversity goals. We all feel very strongly that, as much as possible, our military should represent America, but we also, all of us I think, feel very strongly that that should occur with demonstrable standards of fairness. This has been quite a debate over the past month or so. Are you familiar with this?

Mr. GARCIA. I am familiar with the piece, sir.

Senator WEBB. Have you seen any of the actual data that is floating around?

Mr. GARCIA. I cannot say I can speak definitively on the data. I am familiar with the debate and saw the original piece and would say this, Senator, that like yourself, my brother-in-law, who is here behind me, is an academy grad. Obviously, that institution has over the past century provided an elite, extremely rigorous, challenging, unique education and an inflow into our officer ranks both on the Navy and the Marine side, and anything that would diminish that status is something we have to guard against.

I would also concur with you that we are at our best, we are at our strongest when we draw from all over the country.

Senator WEBB. I think in general, particularly in places like the service academies, but in general for every slot that is given to one person, it is arguably taken away from someone else. There are only so many people who can go to the Naval Academy. There are only so many people who can get into different kinds of schools, mid-level schools, and these sorts of things. So I would just ask that you help us sort out this debate. We want to be able to stand in front of the American people and say that we have been fair on these issues.

Mr. GARCIA. I would just respond in this way, Senator. At a time when having met those recruiting goals, downsized our Navy and Marines and now being able to be more selective than ever before,

I commit to you that we will—that if confirmed, I will do everything I can to ensure that we solve that puzzle.

Senator WEBB. I appreciate your saying that, although we have not downsized the Marines, to my knowledge.

Mr. GARCIA. Excuse me. I meant met the recruiting goals early. That would be a better way of saying it.

Senator WEBB. Thank you. Thank you for that comment.

Congressman McHugh, when you were the chair of the House Personnel Subcommittee in 2005, you introduced an amendment that would, in the language that we have been given in my office, have banned Army women from forward support companies at a time when nearly 20,000 of them were actually already deployed in those billets. It got strong push-back from the uniformed military. DOD non-concurred at the time. You offered a substitute amendment similarly.

I do not want to go back and rehash that, but as Senator Levin mentioned, there were some questions on this. I appreciate your commitments to Senator Levin with respect to wanting to take a look at where it works and where it does not work.

We have got a lot of confusion out in the military today. There was an 2007 RAND study taking a look at this issue that found that there were situations where people would believe that they were complying with DOD policy, but it could be a contradiction with Army policy on some of these standards.

And I would like to offer, if I may, a suggested formula that I used when I was Secretary of the Navy because I had raised similar issues. My strongest objections early on were the interference of the political process into the day-to-day decisions that should have been left to the military on issues like this. And I had questions raised on two confirmation hearings about my views on women in combat.

When I became Secretary of the Navy, I decided that the best way to do this was to go to the active duty military and have them report up to the political process rather than having the political process tell the military what to do. I convened a panel of 28 senior officers and NCOs, and 14 of them were male, 14 of them were female. I sent them to installations around the world. And instead of having them report back to me, I had them report to the warfare chiefs, in this case, submarine, air, and surface, and then to the Chief of Naval Operations. And then I had essentially the uniformed military report to the political process about how they thought this should look.

And we opened up more billets in the Navy to women than any previous Secretary of the Navy had ever opened, but we did it with the military speaking to the political process. And I would venture that now, after these many years of deployments, that it could be the time for the Army to do something similar.

Mr. MCHUGH. I appreciate that, Senator. That is an interesting take. As you alluded, I tried to explain to Senator Levin that amendment was—I had to offer it because I was the subcommittee chairman, but it was not my amendment. It was the full committee chairman. The walk-back amendments were mine.

I frankly do not have any information before me now that would suggest that the current policy in place since '94 should be

changed, but clearly, this should be a bottom-up exercise, should it come to that. I am not aware that Secretary of Defense Gates is engaged in a reevaluation. My understanding—and it is not based on any direct conversations with him—is that he feels—and for the moment, I would concur—the current policy is working.

But clearly, that would be a very effective way because my interest would be in making sure the most, rather than the least MOS's are open to women. That is based on, as I mentioned to the chairman, the 10 visits to Iraq I have had. They are doing an irreplaceable job. So if should come to that, I appreciate the suggestion and I would certainly pass that—

Senator WEBB. Well, you would have that jurisdiction as Secretary of the Army without having to be directed by the Secretary of Defense, which is essentially what I did when I was Secretary of the Navy. I would just encourage you to think about this because the process now has been tested. From all indications that we have had in our office, there is some confusion in terms of whether policies are actually being met with the realities of where women are. This is probably best addressed systemically rather than anecdotally. I would encourage you to look at it.

Thank you, Mr. Chairman.

Mr. MCHUGH. Thank you, Senator.

Chairman LEVIN. Thank you, Senator Webb.

Senator Udall.

Senator UDALL. Thank you, Mr. Chairman. Good morning. I want to thank all three panelists for taking the time to be here with us today. I have some very serious questions I want to direct to Congressman McHugh.

But I cannot help myself, Mr. Garcia. I have memories of my own family's time here in Washington. I have five brothers and sisters. My cousin, Senator Tom Udall, had five brothers and sisters. And I see your children and their cousins sitting here. It brings a smile to my face. Wonderful families.

Congressman McHugh, you and I served in the House together on the Armed Services Committee, and I learned a great deal from your leadership and from your focus on the welfare of our soldiers and our marines, our airmen, and our sailors. We have had a lot of conversation here this morning about what has been happening with our soldiers when they deploy home.

I represent the best State in the Nation. There is no question about that. And one of the best communities in the Nation, Colorado Springs. There has been a large level of concern raised recently tied to a series of articles that the Colorado Springs Gazette has written. And I would like to ask you, first, if you would commit to me to reading those articles about our servicemen and the acts that they have been committing in the community of Colorado Springs.

Mr. MCHUGH. I will, Senator. I became aware of those articles last night, and I promise you I will review them carefully.

Senator UDALL. They are sobering. They are concerning. They are horrifying, and they also point to the mission we have been discussing here today, which is how do we take care of our soldiers when they return from theater.

I would like to ask you about ways that the Army might think outside the box in addressing this looming set of challenges. Beyond building a requirement for uniform mental health providers into the budget, are there other ways that the Army might move forward? For example, how about a new category of mental health providers like physicians' assistants? I would turn to you for your thoughts.

Mr. MCHUGH. Well, generically—and again, because I have not had the opportunity to be briefed on exactly what is happening internally in the Army and would not unless I were confirmed—I think we have to explore all possible opportunities and all possible paths of remedy.

I do understand, with respect to the situation that you mentioned in Colorado, there is a pilot project, KTAP project, that I am pretty confident you are aware of that is being established in three other facilities. Right now, the ASAP program, the alcohol and substance abuse program, is intended to encourage people to kind of self-identify, come in, receive assistance, but one of the challenges about that is it does require commander notification of that self-referral. The project, as I understand it at Fort Lewis and two other facilities, will waive that reporting requirement.

It may be—and I cannot make a promise here, Senator. I know you appreciate and understand that, but it may be, particularly given the news reports that I have understood have come out of the EPICON study that have found, for example, more than 80 percent of those who committed violent acts at Fort Carson, in fact, less than 50 percent of them sought any kind of care and treatment. Perhaps inclusion in that KTAP study would be appropriate.

I do not know the details. I do not want to make you a promise I cannot keep, but I do promise you that if I am confirmed, we would certainly take a look at that.

Senator UDALL. You anticipated my question. What I hear you saying is you will look into it, and that is what I was going to ask you to do—

Mr. MCHUGH. Absolutely.

Senator UDALL. —because I think it would be very effective.

If I might, let me turn to two other matters. I think you are aware of the Pinion Canyon maneuver site discussion that has been occurring in Colorado. I would like to ask you, if you are confirmed, can you commit that if the Army considers going ahead with the expansion, you would only proceed on the basis of willing sellers or leasing arrangements and would not use eminent domain.

Mr. MCHUGH. Well, again, under the rubric of not wanting to make a promise I cannot keep, I will tell you as someone who represents the Adirondacks Park, the largest publicly held park in the Lower 48, I have a healthy distrust for the process of eminent domain. We always want to try to work toward willing sellers.

I think part of the Army's problem—and again, I am answering as a Congressman—when it came to Pinion Canyon is they did not do as effective of a job as I think you and others and myself included would have liked in terms of engaging the community, trying to work for a positive outcome, having cooperative negotiations. And that has to be the first path. And if there is an opportunity

to resurrect Pinion Canyon, I would certainly stand ready to work with you to try to search for that willing seller, that cooperative agreement because that is always the best way to go. The Army should want—should want—happy, good, positive neighbors, and you do not get that by going in and condemning property.

Senator UDALL. Thank you for that. Yes, I would note that previous leaders in the Department of the Army have made it clear that eminent domain would not be used and they would pursue, if this moved forward, willing sellers or lease arrangements.

I said I wanted to make two additional points. I want to make a third one very briefly, which is to acknowledge the service of Major General Graham at Fort Carson who has been a real leader on this mental health front. I think he has the talent and insight and a personal set of stories that we ought to continue to utilize. I wanted to acknowledge General Graham in that regard.

Let me end on this note, and you do not need to respond, Congressman. But I think I would like to believe that Congress comes up with new laws to address new or abiding challenges and that Congress repeals laws that do not make sense in the context in which they now operate. They are antiquated or they no longer reflect the reality of our society.

I believe don't ask/don't tell is a failed policy. It is a good example of a law that Congress should repeal. I do not believe it will be easy to do, but it needs to be done. I believe this discriminatory policy undermines the strength of our military and the basic fairness of the principles on which our great Nation is founded. And I look forward to working with you and with others at DOD to accomplish the full repeal of don't ask/don't tell. And I look forward to working with you after you are confirmed. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Udall.

Senator Hagan.

Senator HAGAN. Thank you, Mr. Chairman.

To our men, Congressman McHugh, Dr. Westphal, and Mr. Garcia, I congratulate you on your nominations from our President, and I wish you the best of luck. I feel very good about you. And I also want to welcome all of your family members here. It has already been a long morning, and they look, some of them, kind of tired. But it is great that you are all here.

Representative McHugh and Dr. Westphal, I just wanted to talk a little bit about the wounded warriors. Representative McHugh, your opening comments spoke about your concern of the wounded warriors and your obvious commitment to them.

Several weeks ago, I attended the Wounded Warrior Parade at the Pentagon, and it was a most inspirational moment for me. It was an opportunity to speak to these individuals and really gain a sense of the healing challenges that they face.

Following the parade—there were five Senators that morning—we met with the Chief of Staff of the Army, General Casey, and the Director of the Army Staff, Lieutenant General Huntoon. And then last month, my staff met with the commander of the Warrior Transition Command, Brigadier General Cheek.

I know that when our soldiers are injured—and I am pleased to know that the Army immediately assesses each soldier in order to

devise a tailored, individual development plan for them, whether it is reintegration back to their combatant units, reclassification of their active duty status in order to learn a new Army specialty, or transition to civilian life. We have actually had several wounded warriors come and talk to us about that.

But I think it is encouraging that many of the former wounded warriors are a part of the warrior transition unit as mentors.

And I am also pleased that the Army plans on developing an electronic integrated system to track the progress of the wounded warriors.

One area that has caught my attention is the disciplinary process, and according to General Cheek, the soldier perceptions vary on acceptable conduct while healing and transitioning. And he recommended that the Army draft policy guidance to clarify the Army expectations of the warriors in transition.

With that background, a couple of questions are, how do you plan on institutionalizing an Army directive aimed at clarifying the expectations of our warriors in transition? And how do you envision working with General Casey to develop programs of instruction for the incoming warrior transition unit company commanders and the 1st sergeants? And do you plan on incorporating lessons learned regarding the wounded warrior care? Representative McHugh?

Mr. MCHUGH. I was interested to hear you say that because in my visits to the transition units, whether it is at Fort Drum in my district or in other places, in the sessions we had, where we asked the officers to leave, one of the major complaints was, gee, this guy does not have to do this and I have got to do that. And it seems to fit into the observation you just made. I guess one of the shortcomings you can assess against me is that I just assumed those were personal gripes that occur.

If General Cheek says there is a lack of uniformity in direction and instruction with respect to the anticipated and, in fact, demand behavior amongst the cadre of wounded warriors, then we have to got to fix that. It would seem to me, as I understood you to say, Senator, General Cheek suggested sort of directive, that makes a reasonable way forward. Obviously, I cannot commit to that, but certainly amongst all the other problems we are facing, that would seem to be one of the more basic and should and could be accommodated.

The training issue is one that, if not more problematic, is certainly more fundamental. I had the opportunity to work with Dr. Vic Snyder who served for a time as the ranking member and ultimately as the chairman of the Personnel Subcommittee in our House, a good man from Arkansas. We helped formulate a part of what became the Wounded Warrior Care Program. And we were very proud of it and thought everything was going in the right direction.

But as I noted earlier in talking about suicide prevention and other things, the paperwork is just the first start. The warrior transition units—we have got some 36 of them in this country. And everybody goes in with the best intentions, but in spite of that and in spite of a good approach that this House, this committee, and the HASC and others helped formulate, there still are gaps in the

uniformity and effectiveness of implementation. We have got to do a better job there.

It starts with training, Senator, as you suggested. I have been advised—and it is certainly something I want to make sure is, indeed, happening—that the Wounded Warrior Care Program is beginning to develop and instill curricula at both the battalion and the brigade level to make sure everybody from officer down to our 1st sergeants are instructed as to the mission of the wounded warrior units and also what the care standards are and what the expectations are.

On paper, that sounds good. That is all I know at this point, but I promise you that is something certainly we not only need but will follow up on, if confirmed.

Senator HAGAN. Well, I know you are sincere in your commitment to this.

Dr. Westphal?

Dr. WESTPHAL. Senator, I would agree with everything that the Congressman said.

I just had one additional dimension that actually came up yesterday in a conversation I had with an individual in the Army in the manpower/reserve affairs piece where he was just bringing me up to date on some information. And we were talking about some of the—I was asking him about the issues that the Secretary and the Army will need to face or think about into the future, consistent with the idea that we are still going to be deployed heavily in Afghanistan and still in Iraq.

One of the things he said was we are learning slowly but do not have conclusions about head trauma, for example. We are now beginning to identify studies and have real experts, neurologists and other experts in these areas, begin to understand the full effects of what happens to soldiers when they come back and have been close to some type of an explosion.

So I went further and asked, well, are you looking at behavioral aspects as opposed to simply physiological, neurological issues, and he said, yes, we are concerned about how this is altering behavior, how it is affecting behavior, how it is affecting performance as they are in the reset period.

So I would just add that to the Congressman's point, that this is an area we need to really focus on because there are more and more of those kinds of injuries faced by our soldiers and there are a lot of unknowns there.

I think as Congressman McHugh mentioned a little bit earlier in his comments, we are given timelines in our briefings. Well, the Army is doing a study. This will take 5 years to do it, and there are not 5 years. I mean, these issues have to be addressed now. So I would agree with the comments of the Congressman that we have to focus on this more aggressively.

Senator HAGAN. Thank you, gentlemen. I see that my time has expired. Thank you.

Mr. MCHUGH. Thank you, Senator.

Chairman LEVIN. Thank you, Senator Hagan.

Senator McCaskill.

Senator MCCASKILL. Thank you, Mr. Chairman. And thank you to all of you for your service.

Representative McHugh, I have been visiting with the dairy farmers in my State, and it is a rough time. And we wrangled over the postal bill yesterday. So I know that as you face new challenges, at least you can push some of those aside and realize they are no longer on your plate.

Dr. Westphal, I am going to give you a free pass this morning because I am a political science major from the University of Missouri. So you, obviously, are brilliant since you got your doctorate from the University of Missouri in political science. What year did you get your doctorate?

Dr. WESTPHAL. 1980 is when I finished my Ph.D.

Senator MCCASKILL. So you are certainly familiar with David Luthold and Dr. Casey and Tilliman, all of the professors that have some responsibility for me sitting here.

Dr. WESTPHAL. I took classes from all those, Senator.

Senator MCCASKILL. Absolutely. It is a great school and it is great that you are coming back into the service of your country in this regard.

Let me first begin with you, Congressman McHugh, and ask you. No one has, so far, asked you about your view on don't ask/don't tell in the military. I think it is important that we get that on the record at this juncture.

Mr. MCHUGH. Thank you for the question. By the way, I am a political science major too.

Senator MCCASKILL. That counts. Unfortunately you are not a Tiger, though.

Mr. MCHUGH. I gave it a shot.

It is a serious issue and it is an issue that has not been before me as a Member of Congress since 1993. The reality is the President has made very clear—and I have not had a chance and I have not talked to the President directly, but I have talked to high officials in the administration, and I have no doubt the President is going to press forward with his intent to change that policy. To whatever degree remains to be seen. I think he would like a full reversal.

It is also without question that Secretary Gates has begun a process of what he describes as softening that policy. Whatever that may mean remains to be seen.

My view, as Secretary of the Army, if confirmed, would be to do the most effective job I could garnering the military input and information that I think any Secretary and any President would like as they go forward in finalizing the determination. That is how I described my envisioned role to the administration. They seemed content with that.

But having said that, two other factors. Whatever the decision of the President and the Secretary of Defense, it would be my responsibility, if confirmed, or any service Secretary's responsibility thereafter to do the best job he or she could to come before this committee, the HASC, whichever other relevant committees may be afoot to best describe and as most effectively to describe the reasons, the rationale, and the justification for whatever policy evolves. That is the responsibility of a service Secretary, as I see it, under title 10.

And at the end of the day, I think it is worth noting, of course, this is a policy embedded in law, and there will be no overturning of it without the agreement of this Congress, the House, the Senate, and of course, the President.

Senator McCASKILL. Thank you.

Further, I know that you worked on Government oversight in the House, I have been very engaged with the help and assistance of this committee and the staff and certainly the chairman on contracting issues.

There is a heartbreaking case of Rocky Baragona, a lieutenant colonel, who was killed in a HMMWV accident in 2003 in Iraq. He was hit by a Kuwaiti company that is a contractor for the United States. His HMMWV was struck by a truck driven by a Kuwaiti company called Kuwait and Gulf Link Transport. The Army found that this company was negligent in his death, and his family brought suit against this company and got a default judgment against this company. And then they hired lawyers, came into the United States, and claimed that we had no jurisdiction over them, no in personam jurisdiction over them, and they ultimately prevailed in court. Now, that is the first part of the story.

The second part of the story is that there have been allegations of human trafficking on the part of this company.

After they have come in and hired lawyers and defeated this family in their effort to get compensation for their son's death, they are now in line for more contracts. They were put up for possible debarment on September 22nd, 2006, and as we speak, they are seeking, through some successor companies and the original company, \$1.5 billion in contracts right now, including such things as food service and transport and all kinds of things.

You know, there is something terribly wrong with this picture, that a company we would hire would negligently take the life of one of our soldiers and we go back to business as usual. I have sponsored a law that will give in personam jurisdiction in Federal court over all U.S. contractors in civil and criminal actions. And I would like your view on the Rocky Baragona case and the inability of the military to cut off contractors who are bad actors. I mean, at a minimum, I would like us to get to the point we quit paying them bonuses—I mean, we are still paying performance bonuses to companies who have hurt our troops—much less giving them successor contracts. And I would like your view of the Rocky Baragona legislation, and if you think personal jurisdiction over any contractor that we hire through the United States Government should lie in the United States.

Mr. MCHUGH. Senator, as I am sure you will appreciate, I really cannot comment on the particulars of the case. Certainly as you describe it here this morning, something would appear to be very wrong. I would promise you, if I were confirmed, I would look at it carefully and get back to you and try to discuss it with you further.

I know the Secretary of Defense has begun to assemble a task force on contracting. It does not just apply to this issue but, in fact, applies to the issue of guard contractors, all kinds of contracting arrangements across the board as to what their legal obligations and responsibilities are.

My opinion has always been that if, indeed, we are going to contract with individuals, we ought to think very carefully about making them subject and under the jurisdiction of the laws of the United States. I understand that is a non-lawyer's opinion and that it is far more complex than that. But in terms of my sympathies, my sympathies certainly lean toward yours. But I just cannot comment on the particulars, but I promise you I would be happy—not happy—I would be obligated to look at it and to pursue it with you further at the appropriate time.

Senator MCCASKILL. That would be terrific. I think it is very important that we have accountability in every aspect of what we do as it relates to taking care of the men and women who are stepping across the line for us. And if somebody we are hiring runs over one of them with a truck, they ought to be held accountable. It is just pretty simple I think. Just good, old Midwest common sense tells me that is not the right outcome.

So I look forward to you looking into it and I look forward to working all of you in your new capacities. And God bless you for your service. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCaskill, for your typical boring in on a very important question that really needs to be addressed.

I just have a few additional questions for a second round.

First of all, Dr. Westphal, I think you made reference to the fact that you will be the Chief Management Officer, if you are confirmed, to the Department of the Army. In fact, you will be the first Chief Management Officer. We established that position in 2007 out of frustration with the inability of the military departments to modernize their business systems and processes. We chose to have the Under Secretary serve concurrently as Chief Management Officer because no other official in the Department of the Army, other than the Secretary, sits at a high enough level to cut across stovepipes and implement comprehensive change.

Will that be a top priority of yours, and how would you balance your duties as Chief Management Officer with your other duties as Under Secretary?

Dr. WESTPHAL. Thank you, Senator.

It certainly would be a top priority. I cannot tell you specifically because we have not talked about it, but if confirmed, I would immediately meet with the Secretary of the Army and discuss how to move forward into the job not only of the CMO but also the other responsibilities of the Under Secretary that he would wish to assign to me.

Having said that, I am a big believer, because I have seen this in other places where I have worked, that the business processes are critically important to the success of the operation. We have a huge bureaucracy. We have great challenges today and into the future financially and fiscally for the Army. The operational OPTEMPO is continuing to stay either steady state or even growing. We do not know what the QDR is going to tell us. We do not what General McChrystal is going to suggest in terms of the future requirements in Afghanistan. We do not know what other COCOM commanders are going to require.

So with all that uncertainty, I think we absolutely have to re-shape this business process and redesign it and transform it, as you have indicated, Mr. Chairman, in your efforts to do that across the Department almost immediately. We have to really focus on that. And I think the Army recognizes that.

Chairman LEVIN. It has been a longstanding frustration and problem. We have tried various ways, over literally the decades I think now, to correct it. Will you just keep in close touch with this committee on your efforts in this area?

Dr. WESTPHAL. Yes, sir. In fact, I had said to myself—I had made a mental note to myself—that if confirmed, one of the first things that I would like to do is to meet with the majority and minority staff of the committee to get a sense of what you have been thinking about this and what your interpretations are of what you wanted to accomplish in this law so that I make sure I understand that because I am sure you will be asking me in the future.

Chairman LEVIN. Yes, we will be. And we would welcome that initiative on your part.

Mr. Garcia, in response to the advance policy questions, you identified as a major challenge continuing efforts towards active component/reserve component integration and continuum of service. The Navy has taken the lead on this issue in recent years by pushing forward a sabbatical program, which Congress authorized on a pilot basis last year. This would allow sailors to leave active duty for a period of time to pursue family and career objectives and then return to active duty to continue their careers where they left off.

We have been told that this generation of young service members may forgo the traditional military career, 20 years on active duty, followed by retirement, and instead opt to serve some years on active, transfer to the Reserve components or out of the military altogether, then come back to active duty both to serve the individuals' needs and, obviously, to serve the needs of the Navy.

Is it too early to know how this pilot program is working, or do we have some evidence?

Mr. GARCIA. I think it is, quite honestly, Senator, a little too early. My understanding at least is the selectees for the first round for the pilot program that you just described have just recently been notified, and what they have found—what is early enough to say—we can say at this point—is that bulk of them were not what you described as what was envisioned, that is, folks taking a non-traditional path to military service.

My understanding is at this point in this first round, folks took an opportunity to devote full-time care to an injured one, a parent, grandparent. And I think what is early enough to say is that, unfortunately, when those tragedies pop up in life, they do not align themselves with a schedule board at the Bureau of Personnel in Millington.

But if confirmed, as soon as that data does come back—I think it is an intriguing program. I think it is an interesting idea and possibly, as you said, a way to bring more young people who might not have considered the traditional 20-year path into our Nation's service.

Chairman LEVIN. You were asked, I believe, by Senator Webb about the diversity issue at the academies. You indicated that you were going to try to sort that issue out, as you put it, I believe, as soon as you can address it.

I would urge that as you approach that issue and to do your sorting out that what you do is include in that process an amicus brief which retired military officers signed in an affirmative action case in the Supreme Court that I joined and a few Members of Congress joined in support of the diversity efforts in the military. That amicus brief pointed out the extremely positive effects that that effort had right after the Vietnam War. It is an important history.

I urge you to read the brief to gain, if you already have not, an understanding of what the lack of diversity produced and how the effort to promote it really made a major positive difference in our military and frankly for the country as well. The military has led in this area in many ways. So I would urge that you take a look at that amicus brief as part of your reach-out. That effort to reach out for diversity really was an historic effort on the part of the military with great benefits.

Mr. GARCIA. I remember the brief, Senator, and I will revisit it. Chairman LEVIN. All right.

Congressman McHugh, in answer to, I believe, Senator Webb's question about the amendments on women in particular roles, you indicated that yours was the walk-back amendments. And I just want to make it clear for the record. I am not so sure everyone caught that, but I think it is important here historically that as you indicated, the amendment that was referred to in subcommittee was done as an accommodation to the chairman of the full committee, but that the correction of that, the undoing of that, the reversal of that was something that you led and that that was "walked back."

Mr. MCHUGH. That was my intended interpretation of the phrase, yes, sir.

Chairman LEVIN. Thank you.

Well, there are no other questions that I have. I would only say this to you, Mr. Garcia, and I guess I will single you out for this because of the number of children that you have here and you have got, as well, I think a niece, maybe two nieces here as well. Is that correct? And one nephew?

Mr. GARCIA. Three nieces and a nephew.

Chairman LEVIN. Three nieces and a nephew all here, but your children and your nieces and nephew have really done an extraordinary job of trying to look attentive to the best of their ability. I want to give them a lot of credit. They do a lot of good when they come here. I hope some day they will recognize that they were a big help to their father and their uncle sitting behind him. And I know how proud you are of them, but it is important to all of us that have families that they do stand behind you because you will need that kind of support. But they did yeoman's service here for their father and uncle this morning, and we commend them on it. We will not heap praise on the adults. They do not need it.

At any rate, we ought to add this to the list of stress on the military, the stress we put on kids who try to look interested for 2 hours at these confirmation hearings.

Mr. GARCIA. Thank you for saying that, Senator.

Chairman LEVIN. We thank you all for your service, your continued service. We look forward to your speedy confirmations and we stand adjourned.

[Whereupon, at 12:06 p.m., the committee adjourned.]