

**TO CONSIDER THE NOMINATIONS OF MR. MICHAEL D. LUMPKIN TO BE ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT; HONORABLE JAMIE M. MORIN TO BE DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION (CAPE), DEPARTMENT OF DEFENSE; AND HONORABLE JO ANN ROONEY TO BE UNDER SECRETARY OF THE NAVY**

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**THURSDAY, OCTOBER 10, 2013**

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

The committee met, pursuant to notice, at 9:37 a.m. in room SD-G50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Reed, Nelson, Hagan, Gillibrand, Blumenthal, Donnelly, Kaine, King, McCain, and Ayotte.

Committee staff members present: Peter K. Levine, staff director; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Jonathan D. Clark, counsel; Creighton Greene, professional staff member; Michael J. Kuiken, professional staff member; Gerald J. Leeling, general counsel; Jason W. Maroney, counsel; Mariah K. McNamara, special assistant to the staff director; William G.P. Monahan, counsel; Michael J. Noblet, professional staff member; Roy F. Phillips, professional staff member; and William K. Sutey, professional staff member.

Minority staff members present: Adam J. Barker, professional staff member; Steven M. Barney, minority counsel; William S. Castle, minority general counsel; Allen M. Edwards, professional staff member; Thomas W. Goffus, professional staff member; Anthony J. Lazarski, professional staff member; Daniel A. Lerner, professional staff member; Natalie M. Nicolas, Minority Staff assistant; and Lucian L. Niemeyer, professional staff member.

Staff assistants present: John L. Principato and Brendan J. Sawyer.

Committee members' assistants present: Carolyn A. Chuhta, assistant to Senator Reed; Christopher M. Cannon, assistant to Senator Hagan; Mara L. Boggs, assistant to Senator Manchin; Chad R.

Kreikemeier, assistant to Senator Shaheen; Moran Banai and Brooke Jamison, assistants to Senator Gillibrand; Ethan A. Saxon, assistant to Senator Blumenthal; David J. Park, assistant to Senator Donnelly; Mary A. Naylor, assistant to Senator Kaine; Stephen M. Smith, assistant to Senator King; Paul C. Hutton IV, assistant to Senator McCain; Lenwood A. Landrum, assistant to Senator Sessions; Todd P. Harmer, assistant to Senator Chambliss; Bradley L. Bowman, assistant to Senator Ayotte; and Craig R. Abele and Marissa Prianti, assistants to Senator Graham.

**OPENING STATEMENT OF HON. CARL LEVIN, U.S. SENATOR  
FROM MICHIGAN**

Chairman LEVIN. Good morning, everybody.

The committee meets this morning to consider the nominations of Jamie Morin to be Director of Cost Assessment and Program Evaluation, Michael Lumpkin to be the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, and Jo Ann Rooney to be Under Secretary of the Navy.

Before we proceed, we all wish our colleague, Jim Inhofe, well. He is doing well. I spoke to him shortly after his operation. It was quite amazing actually. He sounded in great shape. He was raring to go, and it was not too many hours after his operation. So we all look forward to his rejoining us today. In the meantime, we have our former ranking member with us again. We are delighted that Senator McCain is able to fill in for him.

We welcome our witnesses and their families. We extend our gratitude to the family members who support our nominees through the long hours, the countless demands of their careers in public service. And we all recognize the essential role that families play. Without support, our nominees and the people who hold these offices just simply cannot succeed. And our witnesses, during their opening statements, should feel free to introduce family members or others who are here to support them.

We are delighted to welcome Senator John Hoeven. John, there you are. And you will be introducing Mr. Morin in a few moments following Senator McCain's remarks.

The positions to which our witnesses have been nominated are some of the most demanding in the Department of Defense.

The Director of Cost Assessment and Program Evaluation provides independent analytic advice to the Secretary and Deputy Secretary of Defense on issues spanning the entire defense landscape. In some ways this is an unenviable role as a truly independent cost estimating director will never be popular in the Department, but he will make our acquisition system stronger and more precise by forcing the Department to take a hard look at current requirements and highlighting those that are unrealistic.

Mr. Morin, we are pleased to note, is a Michigan native, by the way. We are very proud of you and that qualification alone, as far as I am concerned, would be enough for your confirmation, but you are also well qualified for this undertaking because you have served as Assistant Secretary of the Air Force for Financial Management and Comptroller and as the Senior Defense Analyst for the Senate Budget Committee prior to that.

The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, or Assistant Secretary ASD(SOLIC), has one of the most demanding and diverse portfolios in the Department. And if confirmed, Mr. Lumpkin will have policy responsibility for Department of Defense efforts in many critical areas, including counterterrorism, counternarcotics, stability operations, building partner capacity, counterthreat finance, and transnational criminal organizations.

Fortunately, Mr. Lumpkin is no stranger to these issues, having served previously as Principal Deputy ASD(SOLIC), and the committee looks forward to hearing how he would balance the various responsibilities that he would have.

The Under Secretary of the Navy serves as the Deputy and Principal assistant to the Secretary of the Navy and is responsible for the day-to-day management of the Department. And if confirmed, Dr. Rooney will be tasked to lead and manage the Navy's Senior Executive Service and undertake the role of Chief Management Officer for the Navy charged with improving departmental business practices in support of its warfighting mission. This vital management function is made all the more essential by the austere budget environment that we currently face.

Dr. Rooney will surely draw on her experience in the private sector as a former university president and financial attorney, as well as draw on her time as the Principal Deputy Under Secretary of Defense for Personnel and Readiness.

All of our nominees are well qualified for the positions to which they have been nominated. We look forward to their testimony.

Senator McCain?

#### **STATEMENT OF SENATOR JOHN MCCAIN**

Senator MCCAIN. Thank you, Mr. Chairman. I echo your sentiment and hope for the speedy recovery of Jim Inhofe. He says he feels like an Olympian, and I do not doubt it. We wish him well and hope to have him back here soon, which I am told will be very soon, and we certainly look forward to his continued energetic and informed participation as ranking member of this committee.

I welcome the families and thank Senator Hoeven for his testimony on behalf of Dr. Morin. That may bring his nomination into doubt in my mind. [Laughter.]

But if confirmed, these nominees will enter a Department of Defense in the midst of great difficulty, caused in large part by the failure of Congress to address budget sequestration or authorize and appropriate in a timely and predictable way, but also by systemic departmental shortcomings which contribute to a "culture of inefficiency" that is robbing warfighters of reliable equipment and absolutely failing the taxpayers.

Mr. Lumpkin, if confirmed as assistant Secretary of Defense for Special Operations and Low Intensity Conflict, you will be asked to set policies and practices for our Special Operations Forces. As we draw down conventional forces in Afghanistan, the worldwide demand for special operations remains high. Threats to American interests and international stability persist and grow.

In Syria, whole Bashar Assad placates the international community with overtures about destroying stocks of chemical weapons,

his country fractures, threatening our friends and allies in the region.

Iran's new figurehead, President Hassan Rouhani, has commenced a charm offensive that does nothing to change the fact that the Ayatollah's regime continues to destabilize the Middle East, support terrorist organizations that have killed Americans, espoused the destruction of Israel, oppressed its own people, developed ballistic missiles, and assists Assad in the slaughter of more than 110,000 Syrians.

All the while, our forces continue to distinguish themselves prosecuting operations against terrorists throughout the world.

We as a Government have been, as Secretary Bob Gates articulated so well, utterly unable to predict what future threats we may face and what forces we will need to respond to them. We will look to you to ensure that our asymmetric military capabilities remain strong.

Unfortunately, some of the most serious risks to the institution of the Department of Defense and, by extension, our national security are right here in Government. Congress has provided the Government with precious little certainty about future funding, which has caused untold amounts of scrapped planning, administrative double work, and waste. The sequester, an embodiment of a divestiture of moral courage, has created budgetary instability that is causing well-performing programs to be cut, program officials to be furloughed, and readiness accounts to be plundered, all of which undermine any attempts to properly husband taxpayer dollars.

In the midst of these across-the-board reductions, Congress and the White House have pushed the Government into a partial shutdown, replete with examples of how we are failing our troops and our constituents.

But the Department of Defense's own difficulty in efficiently and effectively managing large programs and business processes have also contributed to the position it finds itself in. After more than a decade of profligate spending and lax internal oversight, senior defense leaders must now impel cultural change throughout the Department regarding procurement practices, financial improvement, and business transformation.

Dr. Rooney, if confirmed, as Under Secretary of the Navy, you will be charged with executing the full scope of the Department of the Navy's business activities, a requirement akin to being the chief operating officer at a Fortune 500 company. You would be responsible for changing a Navy culture that permits inefficient buying of goods and services and management of resources. The Gerald R. Ford aircraft carrier and the littoral combat ship are only the most recent examples of programs that have been undertaken without regard for affordability or what our combatant commanders and service members actually need. The Navy faces severe management challenges that require, perhaps more so than ever, world-class skill and judgment of those in management. We are keen to know what about your background qualifies you to manage such an organization at a time when the Navy not only needs established leadership but demonstrated results.

Dr. Morin, in this era of declining budgetary resources, the need for independent, unbiased, and auditable cost assessments of cur-

rent and future programs is paramount. We simply cannot afford to pour treasure into programs that under-perform, deliver unreliable capability, or for which we are unable to determine lifecycle costs. If confirmed as Director of Cost Assessment and Program Evaluation, one of your most important functions will be to provide accurate cost and schedule analysis of major defense acquisition programs. This analysis is vital since cost estimates prepared by the services for major weapons systems have historically proved inaccurate.

You are well aware that this committee created the position you have been nominated to fill, and I believe CAPE has demonstrated some success in driving cost-consciousness into the services. But as budgets continue to shrink and entrenched interests fight even harder for resources, your job will be more difficult than your predecessors. I look forward to hearing how you attempt to accomplish your charter.

Mr. Chairman, I thank you for convening this hearing. The Department of Defense desperately needs strong leadership, and I hope to leave today confident that our witnesses will provide it.

Chairman LEVIN. Thank you so much, Senator McCain.

Senator Hoeven, we are really delighted to have you here today, and we know that you have got the kind of schedule that we all have. And so we are going to call on you first for your introduction, and then you are free to leave.

**STATEMENT OF HON. JOHN HOEVEN, U.S. SENATOR FROM THE STATE OF NORTH DAKOTA**

Senator HOEVEN. Thank you, Mr. Chairman. It is good to be with you, also the former ranking member, Senator McCain.

And like both of you and all of our colleagues, I want to extend my best wishes for a full and speedy recovery to Ranking Member Senator Inhofe. And from what I have heard, the doctor said he will have two or three times as much energy as he had before the bypass surgery. So that is bad news for his staff. I am telling you right now.[Laughter.]

Chairman LEVIN. As though we did not have enough problems before his surgery.

Senator HOEVEN. Yes, because he went full speed before.

But it is an honor to have this opportunity to make a few comments and to introduce and to recommend very strongly to you Dr. Jamie Morin. And so if I could take a few minutes to do that, I would appreciate it very much.

I am here to strongly support the nomination of Dr. Jamie Morin to be the second Director of Cost Assessment and Program Evaluation (CAPE) for the Department of Defense. I know that you and your staffs know Jamie from his work over the last 4 years as Air Force Comptroller, and before that, you know him from his 6 years working for our friend and former colleague, Senator Kent Conrad, as the senior defense analyst on the Budget Committee. And I think it goes without saying that he is very highly regarded in this chamber.

The Director of CAPE—and Senator McCain made, I think, some comments that are absolutely right on the mark in regard to CAPE. But the Director of CAPE is a critical person in the Pen-

tagon. He or she needs to be clearly independent, needs to be a strong analyst, a leader, and above all, needs to be fair. And I think that goes exactly to what Senator McCain was talking about in terms of understanding both costs and lifecycle capabilities for our weapons systems.

I have had the pleasure of working with Jamie for almost the entire 10 years he has been working in Washington, including most of my tenure as Governor of North Dakota. Although he has never worked for me, there have been many times that I have relied on his absolutely well-informed and first-rate advice.

Based on my experience, I think he has exactly those attributes that we need in CAPE, attributes like independence, fairness, and skill in leading analysis and, Mr. Chairman, as you have said, at such a critical time for our armed services. Truly we need somebody with his skill and background to provide people with your skill and background with the information that you need to make these important decisions.

He is an excellent match for Secretary Hagel's needs in these very challenging times. His past experiences provide him with the best possible preparation to become the CAPE Director. Based on his experience in Congress, Jamie understands that it is vital for the Department of Defense to estimate costs as accurately as possible. The time he spent as Comptroller of the Air Force only reinforces the large fiscal challenges facing the Defense Department and the critical need to make the right choices now to preserve and enhance our armed services for the coming years. That is the perspective we need in a CAPE Director.

As I was thinking through this introduction today, I spoke with Senator Conrad, and he emphasized that Jamie has exceptionally good judgment that will serve him very, very well in this position. In fact, he told me that Jamie developed his great interest in the military as a youngster because he used to sit and read the encyclopedias, something I know that Senator McCain did extensively as well. And in reading the entire encyclopedia set, the thing that really grabbed his interest was military power, air power, aviation, military equipment, and that has been a passion of his ever since. Who better, with that kind of interest and passion, to be the leader at CAPE?

From my personal experience, I would note that I have heard over and over from our military leadership about the great work Jamie has done for our Air Force, and I have witnessed it firsthand. He has kept a strategic perspective and a calm head in today's very turbulent times, and I can attest that Jamie has provided excellent, unbiased information and assessment to me whenever I have asked him about Air Force programs.

Not surprisingly, Jamie has also got a very strong academic background, a Ph.D. from Yale, a master's degree in public policy from the London School of Economics, and a bachelor's degree in the foreign service studies from Georgetown.

Outside of Government, he has worked as a strategist and analyst and an economist. Our country needs able people to volunteer for public service, and our military needs the support of dedicated civilians like Jamie. And I am very glad to see that he has been nominated for this important position, and I am very confident that

this committee will see more great contributions from him in the years to come. And it is my hope that this committee can act quickly on his nomination and that we can move with similar speed on the Senate floor so that the Defense Department can benefit from his expertise as soon as possible in this very critical time.

One other personal note that I will mention in closing is that I can remember about 8 years ago during the BRAC process, Jamie was extremely involved in that very difficult and arduous process putting together incredible amounts of information not only for Senator Conrad. At that time, I was Governor and we were working with BRAC. It was, needless to say, a difficult, challenging environment, one that required a tremendous amount of information, intelligence, somebody that knew what was going on and could work well with many different people in many different capacities. I would have to say that Dr. Morin went 24/7 for I do not know how long, but at the very same time, his son Liam, who is here today, was born. And I think that just reflects on the kind of dedication that this individual has for our country and for our armed forces. And isn't that just exactly what we want in the people that work at the Department of Defense in these very, very important positions, so important not just for our armed services but for our country?

Thank you so much, Mr. Chairman and acting Ranking Member Senator McCain. Thank you so much for this opportunity to provide some comments.

Chairman LEVIN. Well, thank you very much, Senator.

Senator MCCAIN. Mr. Chairman, that might be one of the longest introductions of a witness—[Laughter.]

But I loved every word of it. Thank you.

Chairman LEVIN. Senator Hoeven, your reference to Senator McCain reading the encyclopedia will be placed in the classified portion of this record. [Laughter.]

Thanks so much.

We will now ask our—well, I think first we will call on our witnesses. No. We are going to ask our standard questions at this time. I think all three of you know that because of our legislative and oversight responsibilities, we must be confident that we are going to receive testimony, briefings, and other communications and information that are accurate, prompt, straight from the shoulder. So let me ask you all the following questions.

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

Mr. LUMPKIN. Yes.

Dr. MORIN. Yes.

Dr. ROONEY. Yes.

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

Mr. LUMPKIN. No.

Dr. MORIN. No.

Dr. ROONEY. No.

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

Mr. LUMPKIN. Yes.

Dr. MORIN. Yes.

Dr. ROONEY. Yes.

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

Mr. LUMPKIN. Yes.

Dr. MORIN. Yes.

Dr. ROONEY. Yes.

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

Mr. LUMPKIN. Yes.

Dr. MORIN. Yes.

Dr. ROONEY. Yes.

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

Mr. LUMPKIN. Yes.

Dr. MORIN. Yes.

Dr. ROONEY. 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. LUMPKIN. Yes.

Dr. MORIN. Yes.

Dr. ROONEY. Yes.

Chairman LEVIN. Okay, thank you very much, and we will start with Dr. Morin.

**STATEMENT OF HON. JAMIE M. MORIN TO BE DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION, DEPARTMENT OF DEFENSE**

Dr. MORIN. Chairman Levin, Senators, it is a delight to come before this committee again today as a nominee of President Obama, in this case for Director of Cost Assessment and Program Evaluation. Thank you for the opportunity to appear before a committee that continues to make a real difference for our Nation and our men and women in uniform.

I, of course, want to join each of you in wishing a very speedy recovery to Ranking Member Inhofe and we all look forward to seeing him back.

It was a real honor to be nominated by the President to be just the second Director of Cost Assessment and Program Evaluation, to have the chance to support Secretary Hagel in these very challenging and interesting times. If this committee and the Senate consent, I will certainly be privileged to serve in that position and to continue the progress that has been made to institutionalize CAPE and to implement the recommendations of the Weapons Systems Acquisition Reform Act that occurred under Christine Fox's leadership as the first as the first director.

CAPE is a remarkable organization really that builds on the history of two incredibly important groups in the Department of Defense that have done great work over many years. The systems analysts, who started out life as Secretary McNamara's whiz kids and

became sort of the respected and sometimes feared gurus of program analysis and evaluation, have I think been recognized widely as the best analytic team in Government. It would be a privilege to lead them. The hard-core number crunchers in cost assessment are also world-class and sometimes the first in DOD to see problems with our major programs and a crucial check on what can be undue optimism in starting and carrying out our acquisition programs.

I have had the pleasure of working over the last 4 years closely with both of those teams, and again, it is humbling to be asked to be the leader of such an impressive group of dedicated public servants.

I appreciated very much Senator Hoeven's generous introduction, maybe too generous of an introduction. It was a pleasure getting to know him and Senator Conrad during my tenure working for the Budget Committee and, by extension, the great people of the State of North Dakota. I think team North Dakota was always a very tight-knit group, and I appreciate that tight-knit group coming forward to introduce me here. Even as a proud Michigander that never lived in the State, I am honored to have a second State to call my home.

I do think my time observing those two leaders, Senator Hoeven and Senator Conrad, I got to see them in action quite a bit, and despite the fact they did not always agree on specific positions or policies, they managed to get a remarkable amount done for their State and for the Nation. I think that should be an example to all of us about how we can partner to do better to serve this Nation and to serve the men and women who take an oath to defend us and our Constitution.

I wanted to take just one moment to introduce some family members here today, if I may. My wife Megan sitting behind me here has been just a wonderful partner throughout my time in public service. She is making her own distinguished contributions to this Nation. She and my son Liam, sitting next to her, returned just a year ago from a 2-year Foreign Service assignment in Ethiopia.

Chairman LEVIN. Your son we are talking about? A 2-year assignment.

Dr. MORIN. He is a distinguished diplomat. [Laughter.]

He has got cocktail party stories too. [Laughter.]

They did great work there and they did it despite the fact that Meg had to carry a lot of weight without an accompanying spouse. And they have put up with my unpredictable schedule both in the Senate and at the Pentagon.

I am also deeply grateful that my parents, Bridget and Michael Morin, were able to come out from Michigan to be with us here today, as well as a number of other family and friends to support me in this hearing, including my brother-in-law, Rick Baker.

Mr. Chairman, I will just close briefly by saying this committee has vested very serious responsibilities in the Director of CAPE. They are going to require first-class analysis. They are going to require very much an independent attitude to the problems that come before me. As a scholar of the defense budget process and now after 4 years in the Pentagon, I know that, if confirmed, my

job will be to support the Secretary of Defense in developing a program and a budget in a time of extraordinary uncertainty.

The most helpful thing that could come to the Department of Defense right now would be greater certainty and ability to planning. Planning in the face of this level of uncertainty is extraordinarily difficult. But if I am confirmed, you can have confidence that I will continue to provide the top leadership of the Department of Defense and this Congress with independent, responsive, analytically rigorous advice on the toughest issues facing our military and our Nation.

Again, my thanks to the President and to Secretary Hagel for their confidence, and I look forward to the committee's questions. Thank you.

[The prepared statement of Dr. Morin follows:]

Chairman LEVIN. Thank you so much.

We will now go to Mr. Lumpkin.

**STATEMENT OF MICHAEL D. LUMPKIN TO BE ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT**

Mr. LUMPKIN. Thank you, Mr. Chairman, Senator McCain, members of the committee. It is a privilege to appear before you this morning. I appreciate the opportunity to answer any questions you may have regarding my nomination as assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

I wish to thank President Obama, Secretary Hagel, and Under Secretary Miller for their support of my nomination.

I would like to thank my family and friends whose continued support through the years has been essential.

Also, I would be remiss if I did not thank the soldiers, sailors, airmen, marines, and their families with whom I have had the honor to serve during my career in the special operations community. Their selfless commitment to our Nation and to each other is a testament to the strength of our military community and to our Nation. If confirmed, it will be my deepest honor to serve.

The mission of the Special Operations and Low Intensity Conflict Secretariat, or SOLIC for shorthand, is critical to national defense. Succeeding at the tip of the spear requires intensive training, state-of-the-art equipment, speed, agility, and also important is the decisive so-called soft skills such a problem-solving, relationship-building, and collaboration. I believe my operational and policy background as Principal Deputy assistant Secretary of Defense for SOLIC and as Special assistant to the Secretary of Defense, in conjunction with my career as a U.S. Navy SEAL in both wartime and peace, has prepared me for this nomination. Additionally, my work in the private sector has equipped me with executive level management capabilities that are required to be successful in today's constrained fiscal environment.

If confirmed, I look forward to working with this committee and the Congress as a whole to address the National security challenges we face in order to keep America safe, secure, and prosperous. I will make every effort to live up to the confidence that has been placed in me.

I am grateful for your consideration, and I look forward to your questions. Thank you very much.

[The prepared statement of Mr. Lumpkin follows:]

Chairman LEVIN. Thank you, Mr. Lumpkin.

Dr. Rooney?

**STATEMENT OF HON. JO ANN ROONEY TO BE UNDER  
SECRETARY OF THE NAVY**

Dr. ROONEY. Good morning. Thank you, Chairman Levin, Senator McCain, other members of the committee. And I also join in wishing a continued speedy recovery for Senator Inhofe.

I would also like to thank Secretary Mabus and Secretary Hagel for their support, as well as President Obama for the confidence he has shown by placing my name into nomination to be the next Under Secretary of the Navy.

This opportunity is both a privilege and an honor, but it is also very humbling. If confirmed, I will work tirelessly to ensure that I live up to what is an enormous amount of trust that will be placed in me.

I would like to take a moment to recognize some very important people in my life who have traveled from Florida, Massachusetts, and Pennsylvania to be with me here this morning. My mom, Patricia Rooney, is with me today and I want to introduce her and offer her my heartfelt and special thank you. It is because of her support and that of my late dad John that I am with you today. My dad, an Army veteran, and my mom, a retired public school elementary teacher, taught me that anything is possible, I must embrace opportunities and challenges, and that I should always strive to leave an organization and the people in it better for my efforts.

I am also so fortunate to have several other special people in my life here today. My dearest friend of over 30 years and sister of the heart, Linda Pitsorni, along with her daughter Veronica, a freshman in college, are here. Veronica, along with her sister Alessia, who is completing a semester abroad and here in spirit, are in so many ways my nieces.

Father Jim Rafferty, a very dear friend and extended family member, is someone with whom I have logged many nautical miles sailing the waters throughout New England and the East Coast.

And a retired teacher and John Danes, a retired engineer from NASA, traveled with mom from Florida to lend their support.

And finally, Ann McGill and Teresa Bacola, also retired public school teachers, have been special friends for many years.

Thank you all for being here.

Particularly in the next few years, the role of Under Secretary of the Navy will require a breadth of experience and perspective to support many key priorities, including the number one asset, our people, sailors, marines, civilians, and their families. We must assure they are supported and we acknowledge their service and sacrifices through our actions; that we maintain operational readiness for today's requirements, as well as those into the future, even in an era of fiscal uncertainty; that the shipbuilding and industrial base are strengthened, supporting a fleet that is affordable and sustainable for the long term; that the acquisition process is efficient, effective, and maintains the highest level of integrity and ac-

countability. Being good stewards of taxpayer dollars is particularly critical given the fiscal realities we face now and into the future.

I have had the privilege of serving under and learning from both Secretary Gates and Secretary Panetta. The experiences from my service in Personnel and Readiness, addressing many difficult issues, as well as the opportunities I have had to work side by side with senior military and civilian leadership in the development of the strategic plan and supporting budgets are invaluable. My work as a university president, business executive, and board member for numerous nonprofit and for-profit organizations, along with my educational background, provide me with the range of experiences and perspectives to bring to this role, if confirmed. Along with the dedicated team of men and women in the Department of the Navy, I am confident that this breadth and depth of experience to think strategically, foster innovation, improve effectiveness, enhance accountability, and address changes both in the fiscal and operational environments will support the priorities of people, platforms, power, and partnerships.

My goal, if confirmed, is to ensure that the decisions made and the plans executed over the next few years further support the Navy and Marine Corps for missions now and into the future, retaining our place as the world's most capable and most versatile expeditionary fighting force.

In closing, I would like to thank all the members of the committee for their time and consideration both during this hearing and in our previous conversations. If confirmed, I pledge to work diligently and give my best efforts to serve the men and women and their families who are all part of the Department of the Navy.

I am sure I speak not only for myself but also for many others in extending my appreciation and gratitude to all of our sailors and marines for their selfless service. We are all so very, very proud of you and cannot thank you and your families enough for all of your sacrifices.

Thank you.

[The prepared statement of Dr. Rooney follows:]

Chairman LEVIN. We are going to start with an 8-minute round this morning. Let me start with you, Secretary Morin, a question on sequestration.

Tell us what you expect the impact of sequestration and the Secretary's directive to reduce staffing by 20 percent is going to have on the organization and staffing of the office of the Director of CAPE.

Dr. MORIN. Mr. Chairman, it is very clear to me that the Secretary's direction to make a roughly 20 percent reduction in headquarters budgets to include substantial reductions in all of the human resource sources that we use to do the Department's mission will have an effect on CAPE if we do not do a good job of structuring and managing the organization in order to apply the incredibly talented staff to the top priorities of the Department. As I understand it, the current leadership of CAPE has worked with former Secretary Donnelly, who was charged by the Deputy Secretary of Defense with leading the Office of the Secretary of Defense staffing review to lay out some options.

I have not been briefed in detail on those options, but I will certainly approach that problem, if confirmed, in the same way that I have approached the need as Assistant Secretary of the Air Force to make some very significant reductions in the size of my own organization there by looking at the business processes we follow and the practices that we use in order to find ways to prioritize and to take out wasted effort. That is hard in a smaller organization like CAPE, but I think we can make it happen.

Chairman LEVIN. We, a few years ago, passed the Weapons Systems Acquisition Reform Act, and I am wondering if you are familiar with it.

Dr. MORIN. Yes, sir.

Chairman LEVIN. Do you know whether it has achieved some benefits yet already? It is still fairly young, but can you tell us what your knowledge is about that?

Dr. MORIN. Senator, I have seen enormous progress inside the Department of Defense over the last 4 years. I had the privilege of sitting on the Senate floor actually as a number of the debates on the Weapons Systems Acquisition Reform Act were taking part. And I was struck when I arrived in the Department of Defense by the degree to which the unification of the cost assessment and the program evaluation shops into CAPE had made a difference.

Senator McCain spoke at the outset about the degree to which we need the military services to be rigorous about cost estimates, and I have tracked that data, in fact, with regard to the Air Force and have found that over the last 4 years, the range between independent cost estimates out of CAPE and the Air Force service cost positions coming out of the Air Force Cost Analysis Agency have narrowed significantly. It is a limited number of observations, so you cannot do a lot of great statistics—

Chairman LEVIN. I think it would be helpful, when you get there, that you write that up for us because we are interested in tracking what the impacts of our legislation have been.

Dr. MORIN. Absolutely.

Chairman LEVIN. Let me ask you, Mr. Lumpkin, about the authorization for the use of military force, the 2001 authorization, and whether you believe that the current legal authorities, including that authorization for the use of military force, the AUMF, enabled the Department to carry out counterterrorism operations and activities at the level that you believe is necessary and appropriate.

Mr. LUMPKIN. Thank you, Mr. Chairman.

The Department's position is that the AUMF meets the needs to be able to do what needs to be done in the ongoing counterterrorism efforts.

Chairman LEVIN. Is your position the same or is it different or do you not have a position?

Mr. LUMPKIN. No, no. The position—I agree with it.

Chairman LEVIN. Now, do you share the views of Secretary Panetta and John Brennan that many of the counterterrorism operations conducted by the United States today could better be carried out under Title 10 Department of Defense authorities?

Mr. LUMPKIN. I think that Title 10 provides a lot of—it is the preferred way to do things when we can, and I think we should

strive to make title 10 the principal method of conducting these operations.

Chairman LEVIN. Now, earlier this year, the office of ASD SOLIC completed a report on authorities used by the special operations forces to engage with partner nation security forces and said, among other things, that, quote, the existing patchwork of authorities taken together is inflexible and incoherent. Do you believe that there are gaps in the current engagement authorities?

Mr. LUMPKIN. Mr. Chairman, I think there are probably some gaps in seams, and if confirmed, I would look to identify what those would be and to work with this committee in order to rectify that.

Chairman LEVIN. All right. Would you do that promptly, please, when you are confirmed?

Mr. LUMPKIN. If confirmed, yes, sir.

Chairman LEVIN. Thank you.

And let me ask you now, Dr. Rooney. What does your understanding of the impact that the shutdown is having on the Department of the Navy, including the morale of military, civilians, and contractors serving there with the department.

Dr. ROONEY. Yes, sir. The impact has been significant in all areas, and let me break that down a little bit more. In terms of the military and the readiness and, frankly, the morale, it is the uncertainty of the ability to have repair work done and the work done to support them, the programs that support the families, which impacts the readiness directly. So that uncertainty, along with the cost, is a concern there.

The civilian workforce. Particularly on top of the budget uncertainties, the known caps and furloughs that have occurred, we are starting to lose some of the most senior people in the Department and also we know that there have been continuing challenges to staff up in the areas of experienced acquisition people, program managers, medical, and that will continue to be exacerbated.

And in terms of the contractor workforce, any work stoppages or anything that would slow down the production will go right to that industrial base and jeopardize our ability to keep those contractors engaged and keep those people employed and moving to conclusion of the program.

So, frankly, it is across all three levels, sir.

Chairman LEVIN. Thank you.

Now, Dr. Rooney, your experience as President of Mount Ida College and Spalding University and your experience as the Principal Deputy Under Secretary of Defense for Personnel and Readiness and acting Under Secretary of Defense for Personnel and Readiness give you a unique experience on the issue of sexual assaults involving young women and young men in the military, as well as in colleges and in universities. Does the military have an advantage over colleges and universities in preventing and responding to sexual assaults?

Dr. ROONEY. You are correct, sir, and I share everyone's concern that sexual assault in the military and elsewhere in the colleges and universities is a significant issue.

The advantage, if you can call it that, that the military has is several-fold.

One, the ability to get data across the services is an opportunity that is unique. Colleges and universities do not have that ability to look across every college and university and gather that data in a central area. So there is the ability to get good information going in.

Also, there is a different structure of command and control and oversight that commanders have in military installations that, frankly, university presidents, deans of students, and others do not have.

However, I think on the other hand, there are lessons to be learned from both. I think that while the military is in a position to get good information, influence through our command structure, there is the opportunity to look out to especially colleges and universities and see what they have done in the area of alcohol and substance abuse programs, which we know are critical factors that often are tied to issues of sexual assaults. What programs have worked in those settings to educate students, to develop bystander programs, and all of these, the military has already incorporated in terms of training programs and bystander awareness. But I think that ongoing awareness, frankly, can help both sides really go after a problem that is very, very significant.

Chairman LEVIN. And just to conclude, you made reference to the commander. Does the role of the commander give the military and should it give the military a special capability of dealing with sexual assaults?

Dr. ROONEY. It should for a number of reasons. The commander has a number of tools that they can use not just judicial but also non-judicial type of punishment and tools. The commander is also very responsible and must be held accountable for the command climate, what is actually going on, what are the attitudes and the behaviors of the people around him or her in command. So, yes, in fact it does create a significant tool and ability to influence.

Chairman LEVIN. Thank you very much.

Senator McCain?

Senator MCCAIN. Thank you, Mr. Chairman.

In other words, Dr. Rooney, do you support the commander's role in disposing of UCMJ violations, including the case of sexual assault?

Dr. ROONEY. Yes, I believe the commanders do need to be in that chain, sir.

Senator MCCAIN. In your response to written committee questions, you said you did not have enough information to say whether the Navy will meet its legal obligation to meet the financial audit deadlines for 2014 and 2017. What is your opinion today?

Dr. ROONEY. I still, sir, do not at this point have the detailed information. I know that they have a number—

Senator MCCAIN. Until you find out, then I will not be supporting your nomination. I want an answer whether the Navy can meet its legal obligations. And if you do not know the answer, then you are not qualified for the job yet.

Dr. Rooney, last month, the GAO provided an analysis of the personnel strength, and the GAO said the Navy, quote, could not provide how many civilians it has as of July 2013 because, according to Navy officials, there is a problem with its information system.

So we are telling the taxpayers we do not even know how many civilian employees we have?

Dr. ROONEY. Sir, I am familiar with that GAO report, but data I have seen and even the input that the Navy has had into the contractor analysis has been significant, and I have not seen a direct evidence of their inability to count. But if confirmed, I would clearly make sure that that system is in place because the human resource and being able to understand not only our civilians but our contractors is critical.

Senator MCCAIN. And I think our taxpayers ought to at least know how many employees the Department of the Navy has.

The littoral combat ship. The General Accountability Office recently criticized the program as being over budget, behind schedule, deficient in proven capabilities needed by the warfighter. The report concluded—and I quote from the GAO—the apparent disconnect between the LCS acquisition strategy and the needs of the end users suggested that a pause is needed. Do you agree with that conclusion?

Dr. ROONEY. Sir, I am familiar with the recommendations. I think that, as you know, the LCS had several mission-driven platforms to it. I know there has been some controversy in it. But I am also aware that every Chief of Naval Operations since Admiral Vernon Clark have supported the program because it provides the capability that they need, and chief among that is forward presence. However, I also share the concern that the acquisition must be based on very stringent requirements going forward.

Senator MCCAIN. Well, I hope you will answer the question, and that is, do you believe a pause is needed as recommended by the GAO?

Dr. ROONEY. The concern with a pause at that point was any gains that have now been achieved, particularly in the production with the unit cost—and at this point, that cost curve since the GAO report has continued to go down, but if that program is slowed down, those efficiencies in the building will also suffer and again those costs will go up.

Senator MCCAIN. Mr. Lumpkin, your response to a request from this committee for an assessment of al Qaeda was, quote, as the President said, the remaining operatives in al Qaeda—we now confront a less capable but still lethal threat from geographically diversified groups affiliated with al Qaeda. Do you stand by that statement? “Less capable”?

Mr. LUMPKIN. I do in the sense of the core al Qaeda in itself.

Senator MCCAIN. I am not asking about core al Qaeda. I have heard that dodge a number of times. Do you believe that al Qaeda is more capable or less capable today than they were 5 years ago, whether it is the core or not? I am talking about al Qaeda.

Mr. LUMPKIN. I would argue less capable to attack the homeland directly, but U.S. interests—it still has the capability to hit U.S. interests abroad.

Senator MCCAIN. Al Qaeda is gathering strength in the ungoverned regions of northern and eastern Syria. The Washington Post reports that fewer than 1,000 Syrian rebels have been trained. Do you think the training cited by the Washington Post is capable of altering any balance of power in Syria?

Mr. LUMPKIN. As it sits right now, I do not see a significant balance changing based on that.

Senator MCCAIN. And do you believe that the surge was a success in Iraq?

Mr. LUMPKIN. I do believe the surge was successful in Iraq.

Senator MCCAIN. And did you support it at the time?

Mr. LUMPKIN. I did.

Senator MCCAIN. On al Qaeda again, is it true that al Qaeda in Iraq has now grown into a larger organization called the Islamic State of Iraq and al Sham or ISIS, which now enjoys a safe haven in the area encompassing parts of Iraq and Syria?

Mr. LUMPKIN. That is my understanding, yes, sir.

Senator MCCAIN. They operate active terrorist training camps in Iraq and Syria?

Mr. LUMPKIN. That is my understanding.

Senator MCCAIN. Is it correct that the ISIS senior leaders are believed to be in Syria?

Mr. LUMPKIN. I do not have an answer to that one, to be honest with you, sir.

Senator MCCAIN. Do you believe that situation might have been different if we had left behind a residual force in Iraq than it is today?

Mr. LUMPKIN. I think the preference would have been to have a residual force, absolutely. As we look as an exit strategy in Afghanistan, the benefit of a residual force is absolutely there.

Senator MCCAIN. And that is not coming along very well in Afghanistan.

Mr. LUMPKIN. There are challenges, yes, sir.

Senator MCCAIN. Do you think maybe Mr. Karzai is looking at what happened in Iraq and what is happening in Syria and what is happening all over the Middle East and maybe drawing the appropriate lessons from that?

Mr. LUMPKIN. Senator, I cannot speculate to what President Karzai is thinking or his motivation.

Senator MCCAIN. I see.

And you do believe, though, that we should leave a residual force behind in Afghanistan.

Mr. LUMPKIN. I do.

Senator MCCAIN. And do you have an estimate of the size of that force that should be left behind?

Mr. LUMPKIN. I do not. I would have to do some analysis, and candidly, Senator, I have not dug into that. If confirmed, I would be happy to look at that with the rest of the Department.

Senator MCCAIN. Well, maybe you can look at it before you are confirmed.

I have no more questions, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

Senator Reed?

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

Dr. Rooney, could you talk about the issue of readiness in the Navy and your perspective as you prepare to assume these responsibilities?

Dr. ROONEY. Yes, sir. And I believe Admiral Greenert is certainly on the record as saying that there is definite concern of readiness

among the Navy at this point and, particularly under the current budget and uncertainty of the budget, some risks going forward to the overall readiness. And that remains a concern. Being able to get equipment repaired on time and be able to get people deployed on those ships is a concern if it slows down. The training. Training budgets have been greatly affected, and frankly at this point, we are sacrificing potentially some long-term readiness in order to meet short-term needs, and that is a grave concern to everyone in the Department.

Senator REED. Another issue that you will have to face in your particular responsibilities, in your managerial responsibilities is the shipbuilding program which is related to readiness, obviously, but has a longer term typically. With respect to shipbuilding, any of your comments the decisions you might have to make going forward, given the budget constraints?

Dr. ROONEY. Yes, sir, and it is not only the budget constraints, but it is also based on some of the historical facts and the cost challenges and issues that I know this committee has looked at and other committees have looked at and raised a concern. It points to the necessity for any of our shipbuilding programs to make sure that we have got the appropriate requirements initially, that we are engaging industry earlier on in the process so that we get better cost estimates and better cost controls. And we build in a process to make sure that what is being built is meeting requirements so that, more importantly, those requirements continue to meet the needs outlined by the warfighters.

Senator REED. One of the issues that Senator McCain brought up and I think very correctly as the ranking member of the Seapower Committee is the *Ford* carrier program, the significant cost increases on the first ship to be built and additional cost added in as complications arose. And we are on the point of negotiating a second ship.

Can you comment specifically about—and that might be just emblematic of the overall challenges, as he alluded to of managing better the resources you have. Given a \$580-plus billion budget, most Americans believe there are ways through management that some money can be saved. That is not the silver bullet, but I think one of the major things you are going to have to do is manage better the resources you have, whatever they are.

Dr. ROONEY. I agree, Senator, and if confirmed, will certainly do that and definitely build on the lessons from the past, particularly in that case of what was learned from that first one before any second contract or actually start a construction on a CVN-79 is started.

Senator REED. Mr. Morin, recently the Pentagon Inspector General released a report on the F-35 and the construction particularly in the Lockheed Martin facility at Fort Worth suggesting that the attention to detail necessary and just the dedication to the task was not only inadequate but it was costing the program millions of dollars in avoidable costs. And the company indicated that information might be out of date, that changes have been made. But one of your key challenges will be not just this program but many other programs. But can you comment on that report? And you had quite a bit interest, I think, on the Budget Committee also.

Dr. MORIN. Yes, sir. So I have looked at the Inspector General's report in brief, although I have not seen the detailed analysis of the contractor and the program office's response to it yet. Based on my reading of that report, though, it appears that the ISO-9001 quality control processes 2-3 years ago were deficient. I understand, based on the program office's response and the Department of Defense's response to the Inspector General's analysis, that a great deal of actions have been taken to close those specific deficiencies and that the program office is using the report as a tool to identify the continued deficiencies that need to be closed out, which is exactly what I would expect them to be doing. I view IG and GAO reports as a tool for the public to have visibility but also a tool for the management of the Department to identify problems and rectify them.

Senator REED. There are many different ways you have deal with the issue, and it goes to some of the questions I raised with Dr. Rooney.

But two are having contracts in which the contractor has skin in the game, as well as the Government—and I think we are moving that way from a cost-plus to cost-share—and also provisions in the contract where there are, indeed, penalties if good practice is not adhered to.

The other aspect is having the people who monitor these contracts, Department of Defense personnel or contractors, but hopefully Department of Defense personnel, who really on a day-to-day basis are there with their feet on the ground making sure that everyone is working hard.

Do you have any comments on those two dimensions?

Dr. MORIN. Absolutely, Senator. I will start by noting just given recent experience that furloughing all of those personnel does not contribute to a mission accomplishment, and that it is unfortunate that we were in that position. It will set back numerous programs.

There has been a great deal of effort over the last 4 years by both Under Secretary Hale and former Under Secretary, now Deputy Secretary Carter and Under Secretary Kendall in working their two respective parts of the acquisition process, contract audit and contract management, to ensure that we are providing better incentives and that we are holding people to account. Those workforces have grown as part of the acquisition improvement efforts, although of course with the department-wide reductions in staffing, a lot of planned growth is now not going to occur.

But I have seen what I think is real improvement in the Department's acquisition performance over the last 4 years, some of which is clearly attributable to the Weapons Systems Acquisition Reform Act and some of which I believe is attributable to an aggressive management effort. But it is clear there is much more work to be done.

Senator REED. Thank you.

Mr. Lumpkin, first, thank you for your dedicated service in the United States Navy to the Nation.

Mr. LUMPKIN. Thank you.

Senator REED. Thank you very much.

SOCOM is scheduled to increase its force structure of about 65,000 to 71,000 because of the enhanced missions and, indeed, the

worldwide global missions that you are going to undertake. Do you see any obstacles to achieving that force level and maintaining the extraordinary quality of the force?

Mr. LUMPKIN. Thank you, Senator. Actually I do. One of our challenges, of course, is the QDR in 2006. What it did is basically scoped the size of the operational force, and it saw a glide slope of growth. And QDR 2010 showed that there are enabling requirements of those forces of ISR and things to support the force. Sequester is putting some of those gains the program of the QDRs in jeopardy to achieve the growth of the force the way we had originally programmed in those two QDRs.

Senator REED. Well, thank you very much.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Reed.

Senator Ayotte?

Senator AYOTTE. Thank you, Mr. Chairman.

I want to thank all of you for being here today.

Dr. Rooney, I want to congratulate you on your nomination for this position. And you and I have had a chance to meet previously when you came to New Hampshire and was able to learn about our deployment cycle support program and what we are doing in New Hampshire to help those who are returning from the war and particularly our Guard and Reserve members who go back to a civilian type setting. So I wanted to get your impression of whether that is a program that, given your new position, you would take some of those experiences as a model of what we might be able to do in other States.

Dr. ROONEY. Senator, thank you. And the short answer on that is yes for a number of reasons. First of all, it is critical that the programs that we put in place and whether those are personnel programs or acquisition programs, that we have some accountability and measures and we use those things that are working. So anytime that there is a working model that we can show has effective results, that is not only good for the individuals but, frankly, it gets us to the point of use of resources. And we have got to be very critical when we have programs in place that we cannot have outcomes. So to use the models such as the one—and I thank you for that time in New Hampshire.

Senator AYOTTE. I thank you.

Dr. ROONEY. I learned a great deal, and it is exactly that type of thing. And if confirmed, one of the key areas that I will spend time on is looking even outside of the Department to the industries, whether it is—you know, I have worked both in the financial industry, health care, education—and see if there are some models for both people, as well as acquisitions, that we could use those best practices.

Senator AYOTTE. Great.

And also now in the position that you are nominated for, one of the important roles you have in the Navy is maintaining our attack submarine fleet. And, of course, the Portsmouth Naval Shipyard plays a key role as one of our four public shipyards in doing that.

So I am going to ask you—Senator Shaheen and I, who both serve on the committee, obviously feel very strongly about particularly the workforce at the shipyard, the skills they have, the ap-

prenticeship program we have in place. I am very worried about the impact that the furloughs have had on the civilian workforce, and obviously the uncertainty because of the Government shutdown. So I look forward to working with you to maintain that tremendous workforce.

And then I am going to invite you to come to New Hampshire again, on behalf of Senator Shaheen and I, to come to the Portsmouth Naval Shipyard to see the excellent work. Oh, I forgot Senator King. How could I forget Senator King? It is technically in Maine. [Laughter.]

Yes. Most importantly, I see Senator King here, and I know how much pride he takes in the Portsmouth Naval Shipyard too. And we would love to have you come up—jointly the three of us on the committee and I am sure Senator Collins would as well with the years spent on this committee—to our shipyard. So that is the invitation that I am extending in your new role to come to New Hampshire again and then see the work that is being done here by a very talented workforce.

Dr. ROONEY. Thank you, Senator. And if confirmed, I will certainly take all of you up on that and do share personally, but also I know the Department shares the concern about losing the key civilians, losing the expertise. And it is not easy then, if you do lose it, to try to gain that back. And in the period of uncertainty we are now, that remains a very, very critical, critical concern going forward.

Senator AYOTTE. Great. Thank you, Dr. Rooney.

Mr. Lumpkin, let me just say thank you so much for your distinguished service to our country.

And I want to commend the special forces and the Intelligence Community and the administration for the recent capture of al-Libi. That was tremendous work, obviously important raids that were recently done in Somalia and Libya. How important is the capture of someone like al-Libi with regard to our fight against al-Qaeda? Is he a pretty significant player?

Mr. LUMPKIN. He is, and we will know more as the intelligence is gathered after his capture and we will find out how significant he really was and has been.

Senator AYOTTE. We certainly know that he has had prior associations with Osama bin Laden and also with Zawahiri. Is that right?

Mr. LUMPKIN. That is my understanding, yes.

Senator AYOTTE. And in terms of the intelligence gathering, how important is it that we have the opportunity to gather intelligence from someone like al-Libi to find out what knowledge he has about al-Qaeda and obviously any of the associates or members of al-Qaeda?

Mr. LUMPKIN. I think it is absolutely crucial. Whenever we can capture somebody of that stature, the intelligence we can and will gain is significant that can lead to future operations that ultimately save American lives.

Senator AYOTTE. Let's assume we do not know, obviously, what this individual knows, but given his, as I understand it, decades of involvement in al-Qaeda, that it is important in terms of the inter-

rogation. Do you think that we should put a timeline on that interrogation?

Mr. LUMPKIN. I am always hesitant on timelines.

Senator AYOTTE. And why is that?

Mr. LUMPKIN. Because as things flow, you do not know necessarily what you are going to get and you do not want to be up against a clock. Candidly, in my current capacity at the Department, I was not involved in the planning or have not been debriefed on the operations that happened over the past weekend. So on these particular operations, I can provide no granularity or fidelity. I am sorry.

Senator AYOTTE. But in terms of a timeline, you would agree with me that it is best to take as much time as you need to interrogate someone that may have valuable information to shed light on al Qaeda and perhaps prevent future attacks.

Mr. LUMPKIN. From an operational standpoint, that is the preferred methodology, yes.

Senator AYOTTE. Well, I thank you very much, and I appreciate the question that Senator Reed asked about the impact on SOCOM of sequester. And obviously, I think the role of SOCOM has become even more important. So I look forward to working with you in your new position.

I would also like to ask Secretary Morin where are we on the audit with regard to the Air Force and how do you see us meeting those timelines for a statement of budgetary resources and then moving forward from there?

Dr. MORIN. Senator, the Air Force is continuing to press forward aggressively on the 2014 and 2017 audit readiness timelines. Candidly we lost progress last year due to a 6-month contract protest that took our independent public accountant advisors out of work. So that was unfortunately timed, and we have resolved it now. We have a contract awarded and IPAs, public accountants, on site helping us with certain tasks.

We have made some continued progress in identifying the actions we need to take in the near term with our existing legacy IT systems, our legacy financial systems in order to give ourselves the best chance at meeting that 2014 deadline. As I have testified to this committee and subcommittees before, that is not a sustainable long-term approach, and we will not have our objective future financial systems fully fielded by the 2014 deadline. So there is some risk in the 2014 deadline. Pressing aggressively on the 2014 deadline for the budgetary resources, though, has helped us significantly reduce the risk on that 2017 deadline for full audit readiness.

Senator AYOTTE. And I know my time is up, but would you agree with me that this is a very important thing for us to get done?

Dr. MORIN. Absolutely. It has been certainly a core focus area of mine over the last 4 years and the Department as a whole. Secretary Panetta, during his tenure, put just enormous attention on this issue based, in part, on the feedback he received from members of this committee about how crucial it was. And we saw really significant progress that is now continuing under Secretary Hagel's leadership. The American taxpayer has a right to expect that the Department will be good stewards of the taxpayer resources, that

we will get the most combat capability out of each dollar. Part of giving them that confidence is getting to audit readiness and getting to that clean audit opinion. It is an enormous enterprise and it is a challenging undertaking, but it is crucial.

Senator AYOTTE. I want to thank all of you. Appreciate it.

Chairman LEVIN. Senator Nelson?

Senator NELSON. Dr. Rooney—first of all, thanks to all of you for your public service.

Please pay attention as you look at the issue of sexual assault, that it is not just an issue for DOD with regard to the military, but also in the contractors. This Senator had found, back during the Iraq War, quite a few examples of sexual assault among contractors of where nothing was done. The most recent examples we have seen in the actual active duty military personnel, but there were a number of issues when I chaired a hearing on this back in the Iraq War where it was completely swept under the rug with regard to contractors.

Now, I think we, as a result of that, got the U.S. attorneys sensitized to this so that they would start their investigations and prosecutions. But since the contractors were basically overseen by the DOD, this problem surfaced first there and then we see it later in all of the discussion. So please keep that in mind.

And Mr. Lumpkin, the attention rightly is being given to the special operations forces, as it should be, as we meet the new threat of a new type of enemy. What is the relationship that you will have in your position as a civilian in DOD with our Special Operations Forces and Admiral McRaven in the Special Operations Command?

Mr. LUMPKIN. Thank you, Senator.

The relationship between the ASD SOLIC and the Commander of SOCOM—it is a civilian oversight and it is a service secretary-like relationship, and this is overseeing the operations and budgetary and acquisition programs within U.S. Special Operations Command.

Senator NELSON. Well, that is pretty key, and of course, it is going to be these kind of raids that we are going to hear in the future as we are meeting this new kind of enemy and we have to find them. Of necessity, that is going to be the special operations working with their counterparts in some of the civilian agencies.

Mr. LUMPKIN. Yes, sir.

Senator NELSON. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Nelson.

Senator Blumenthal?

Senator BLUMENTHAL. Thank you, Mr. Chairman.

I thank each of you for your service in both civilian and military roles and your willingness and your families' willingness to take on this new responsibility.

Let me begin, Mr. Morin—by the way, I understand your wife is a native of Connecticut which, for me as for the chairman, is more than ample reason to support your confirmation.

Chairman LEVIN. You got two votes so far. [Laughter.]

Senator BLUMENTHAL. Well, I would vote to confirm your wife, not you necessarily. [Laughter.]

I want to thank her for her service in Ethiopia as well.

I am sure you are familiar with the M-17 helicopters that the United States taxpayers are funding to buy from Russia. Rosoboronexport is selling those helicopters to Afghanistan for purchases with United States funds. And the Department of Defense, evidently, is continuing with the policy of making use of the exception that we made in the last NDAA for the purchase of those helicopters. I strongly disagree that those purchases should continue. I think they should stop. The Afghans cannot use them because they do not have people trained to fly them or to maintain them, and if we buy helicopters for the Afghanistan Army, they should be United States helicopters.

So could you give me an update on the review, and would you agree and can you commit that you will undertake a review of those purchases before they are made?

Dr. MORIN. Senator, if I am confirmed in the position, I will certainly look forward to working with my teammates in the acquisition enterprise and the policy community that have come to the judgments about that program so far to ensure you get full answers to any questions on it.

Senator BLUMENTHAL. Well, I would like to press you a little bit. I would like to know that you will undertake a review of those purchases and come back to the committee and to me with your view as to whether or not they are, in fact, justified under that national security exception.

Dr. MORIN. Sir, I can personally take a look at it. I think the legal judgments on the National security exception are not typically made in the cost assessment and program evaluation sphere, but I am happy to make a commitment to you to look at it. I will be, of course, relying on others in the Department with the specific expertise on the policies, though.

Senator BLUMENTHAL. Thank you.

Ms. Rooney, I have been informed that as of this morning, Naval Superintendent Vice Admiral Mike Miller has referred for general court martial two of the three midshipmen who have been potentially charged with sexual assault or other improper activities in connection with the alleged wrongdoing involving Midshipman Bush, the assault on her that has been alleged.

I am sure you are familiar with the process that took place, the Article 32 proceeding. As a lawyer and also as someone who knows the military system, would you agree with me that the current Article 32 procedures really need complete revision and change?

Dr. ROONEY. Sir, I would definitely agree with you that the Article 32 process needs significant revision in regards to the issues for two reasons, both in terms of ensuring that we do not discourage future reports or future victims to come forward and also to ensure that we maintain that balance between both the victim and accused and also the necessary privacy in these matters. So I absolutely agree that Article 32 does need to be reformed.

Senator BLUMENTHAL. I strongly support an alternative to the current command structure complete charge or complete responsibility for the charging process. I believe it ought to be taken out of the command structure and that it ought to be the responsibility of a separate trained, experienced prosecutorial office, which is contrary to the view that you have expressed here. I respect that view,

and obviously it has substantial support from other members of this committee. The proposal I support has been advanced by Senator Gillibrand.

But is the problem with the current Article 32 process not reflective of some of the deficiencies and weaknesses in the current system more fundamentally as a whole?

Dr. ROONEY. Sir, I would think that the Article 32 by itself is something that can be reformed very quickly.

In terms of the overall process, I am aware that there has been a panel convened to look at independently this entire process. And I would look forward to seeing what they saw in terms of that process, any weaknesses that they identified, as well as any strengths, and based on that, then make a very informed decision going forward and ensure that as we correct the system and as we create greater support and attack this problem quite bluntly that we are doing it in a manner that we are aware of all of the implications and ramifications. So I remain open and really would look forward, if confirmed, to that panel report and working with this committee to really solve this problem.

Senator BLUMENTHAL. And working with the committee to solve the problem in terms of considering additional measures besides the Article 32 reform and perhaps besides the revisions that have been suggested so far by the committee in the NDAA.

Dr. ROONEY. Absolutely. I think what we need to do is definitely be open to look at what does work, as I mentioned to Senator Ayotte, to really step back and see what types of measures can we put in place and how can we assure that what is changed—that we are able to track that and make sure we are getting the results that we need, that there is the accountability in there. And as a result, yes, I would definitely be willing to work with this committee, if confirmed, and find a solution.

Senator BLUMENTHAL. I welcome your willingness to work with the committee and your openness to additional ideas. I think the more the public understands about the differences between the civilian and the military system and the more we understand, the more support there will be for ending the kind of really abusive and intolerable questioning that took place in the Article 32 proceeding involving this midshipman case and probably countless other cases where victims of sexual assaults, survivors are subject to this kind of interrogation without counsel, without support, without advocacy. And I hope that you will take a very active interest in the sexual assault problem and in encouraging and emboldening additional reporting, which is necessary for the kind of data, the full and complete and accurate data, that you suggested is very important in these cases.

Thank you, Mr. Chairman. My time has expired.

Chairman LEVIN. Thank you, Senator Blumenthal.

Senator Donnelly?

Senator DONNELLY. Thank you, Mr. Chairman.

And to all of you, thank you for your service to the country, and to the families, thank you for coming up here today and being with your loved one.

Mr. Lumpkin, in your questions that we had asked you and information that you had given us, you talked about SOCOM's ability

to conduct rapid evaluations of technology and the emerging off-the-shelf technologies as well.

Being from Indiana, I wanted to invite you. In Dr. Rooney's continuing travel log going to New Hampshire and Maine—we talked about you going to Indiana as well to see Crane Naval Warfare Center. Mr. Lumpkin, I think that would be a great spot for you to come by to see. The work that is done there is the very cutting technology work that SOCOM uses for much of the operations. And I just wanted to invite you to come by and see the place where much of what you are fighting force will be using is made, is put together, and for you to be able to sit down and tell them what else you might need.

Mr. LUMPKIN. Thank you, Senator. In my previous assignment within SOLIC, when I was the Principal Deputy, I did have a chance to visit Crane and to see the amazing work that is being done there on behalf of the special operations community. And you have my commitment, if confirmed, that I will make a trip out to Crane in short order.

Senator DONNELLY. Thank you very much.

And, Dr. Rooney, this year's NDAA will require DOD to provide a report outlining the effectiveness of computer-based testing in the identification of individuals at risk of suicide. As you know, we lost more active duty young men and women to suicide than in combat last year. You have great academic experience. We would value your input into this report, and I ask that in the role as Under Secretary of the Navy, that you keep an open mind to recommendations as to how to turn this around, how to put this in a better place, how to have each of our service men and women come home safe at the end of their service.

Dr. ROONEY. Sir, if confirmed, I would definitely pledge to do that. As you said, it is a problem for which there is no single solution, but it is one that we have to continue to work and find better ways, obviously, to support our men and women because those numbers are not acceptable.

Senator DONNELLY. Doctor, you saw or I presume you saw the series of articles in the papers here regarding the pretrial testimony of the young midshipman and the incident there. What it brings to mind is who would ever report sexual assault again, to follow up on my colleague, Senator Blumenthal? Who would ever report that that happened to them if they knew that kind of treatment awaited them by making that report and trying to protect their dignity?

Dr. ROONEY. Sir, you absolutely hit upon the reason why my response was, if confirmed—but I know the Department is already looking at it—how to in a very short order, reform at least Article 32 so that we do not do exactly what you are suggesting, which is discourage other people from coming forward. The only way that this issue will be changed, we will be able to attack this issue, the climate will be changed is in fact people come forward, they feel comfortable coming forward, they are protected coming forward, and we are able to continue to successfully prosecute and hold people accountable for it. That is a critical aspect of solving this issue.

Senator DONNELLY. You know, we have taken an extraordinary interest in this because it is an extraordinary problem. One of my

colleagues in past hearings mentioned that if they had a daughter, they would not recommend to them at this time that they go into the service. I cannot think of a more damning indictment than that. And so we are going to make this right, work nonstop to make this right. And I know we have your commitment, if you are confirmed, to make sure that that happens as well. There have to be significant changes made because for that young man or woman—it could be either—to undergo hours and hours, whether it was 23, 24, or 25, 30, without their own counsel, without their ability to be treated with a certain dignity, something is very, very wrong with the way the process is handled now.

Dr. ROONEY. I agree, Senator, and I will reiterate my pledge, if confirmed, to work tirelessly on this issue, but also work directly with this committee and others, so together we are able to move forward and address the many issues surrounding this.

Senator DONNELLY. Secretary Morin, the active versus Reserve makeup that we have, the CAPE report, similar things. I had mentioned to you in a meeting we had about how they tried to close down the A-10 base in Fort Wayne, Indiana. At a time when they were delivering the same services that could be delivered by active duty, the Reserve was doing it at 28 cents on the dollar. We have to look to ways to fund our military better, to lessen the pain of sequestration, but we also have to save money where we can and where it makes sense.

So I want your commitment that you are going to take a look at this and try to make decisions not based on this group or that group but where the numbers fall, where it is right for our Nation, and where it is right for our fighting force moving forward that there be no protection of one group or the other in this process, but that we make the decisions that make the most sense.

Dr. MORIN. Senator, you have that commitment from me. This is exactly the sort of issue where independent, unbiased, rigorous analysis is critical. As you know, the specific cost factors associated with any particular force element depend on a number of assumptions about how you are going to use it, when you are going to use it, and how intensely you will use it. But it is clear, as the Department grapples with significant reductions in our top line budget, that we need to optimize across the total force.

Senator DONNELLY. And then just primarily for Dr. Rooney and yourself but, Mr. Lumpkin, if you would like to chime in on this too. I am getting a little short on time.

I met recently with some Navy folks who said that within a certain number of years looking forward, two-thirds of the funds that go to the Navy every year for operations would be for personnel costs, health costs, similar things. So, in effect, what you have is a health and personnel plan with a couple of ships in the water as well. How do we change that destiny?

Dr. ROONEY. The numbers you cite, based on information that I have seen, are accurate, that the personnel costs are quickly escalating to the point where they are not sustainable because they are, in fact, taking away not only from short-term but long-term investments. And it comes down to making sure that we are understanding what is driving those costs and having the difficult decisions based, as you indicated, on analysis, on facts, and on an un-

derstanding of where we can make adjustments in those budgets so that we can have sustainability and having those very difficult conversations.

I had seen that information when I was Personnel and Readiness. It was something that we were tracking very, very closely. And while our people are our number one asset, it cannot be at the expense of a balance in terms of total force and the necessary equipment.

So we would have to very closely look at it and, frankly, be very open and honest and work with this committee and having those discussions about where those levers are that we can actually pull and understanding what the ramifications are not only in just one budget cycle year, but quite frankly going forward.

Senator DONNELLY. Thank you. I am out of time.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you.

With the understanding, I hope, of my colleagues, just on the Article 32 to embellish just for one moment. Would you agree, Dr. Rooney, that we got to look at Article 32 in addition to the sexual assault victim who is put through a especially wringer on Article 32, but that it is broader than that in terms of the way Article 32 is used in general? Would you agree with that?

Dr. ROONEY. Yes, sir, I absolutely would. If I implied differently—

Chairman LEVIN. No, no. You did not. You did not imply anything at all. I just think it is important, while we were on that subject, that we—anyway, I think it clarifies it.

Senator Kaine is next.

I have two general questions that I would like to ask, and maybe with Dr. Rooney to begin, if you could each respond.

The first deals with planning. You know, I guess my service on the committee, though brief, has made me more and more aware that good planning is at the core of so much of our military success, whether it is planning about a battlefield operation or a special operation or planning about a weapons system acquisition. And I am increasingly disturbed about the budgetary uncertainty and how that messes up planning in each of your corners of the world and how it takes the planning expertise, and instead of having that expertise devoted toward proactive missions and responsibilities, the planning expertise kind of gets diverted toward, well, we do not know what the budget will be and so we have to run all these scenarios because of the uncertainty of the budget operation.

I would just like you to each talk about sort of how you see the budgetary uncertainty, sequester, shutdown, et cetera affecting planning functions in your current capacities.

Dr. ROONEY. Well, sir, I will speak to, if confirmed, the issues that I am aware of that Navy would face, and they are several-fold.

Senator McCain had asked if I felt that I could state emphatically whether in fact Navy would have audit readiness by 2014, and I said I did not have the information to make that determination. And part of that is because with the inability to make sure that there is the appropriate hiring to fill those slots—and those have been difficult to fill—as you indicated, with the uncertainty in budgets and how to make last-minute adjustments and not be

working towards a strategy but frankly moving towards a budget role, moving people off of the planning, that has exacerbated that issue.

So in order to do good planning, you have to start with a good base whether that is understanding your inventory, whether that is understanding your people. And as we continue with not only the fiscal uncertainty but also the uncertainty with our people and being able to allow them that opportunity to sit back and think on a time horizon that is longer term with certainty, we are going to continue to have an ever-increasing problem with planning, not a decreasing problem.

Dr. MORIN. Senator, I would just add that one of the key reasons that our Department of Defense is the envy of the world and our military establishment is the envy of the world is the really robust planning, programming, budgeting, execution process that we use. I have been approached in my job as Air Force Comptroller by senior officials from other nations, ministries of defense saying we would love if you would have people come over and educate us as to how the Air Force, how the DOD does this long-range plan.

The Cost Assessment and Program Evaluation organization is the keeper of what is called the fiscal yearDP, the future years defense plan, the database of the programmatic decisions that the Department is making for that 5-year time horizon. And I can tell you very directly that the rigor and intelligence that needs to be put into making those choices sensibly is enormously demanding. The process of simultaneously doing that sort of planning at multiple budget levels, while you do not know what your previous year's jumping off point is—so right now, we are in the midst of 2015 to 2019 planning horizon with absolutely no idea what we are going to be doing in 2014, if and when we end the shutdown and get to start executing 2014—that is enormously difficult. And I think the instability really puts at risk that entire well-articulated, effective set of institutions that strive to squeeze that maximum amount of combat capability out of each taxpayer dollar. It is doing enormous and untold damage to the institution.

Mr. LUMPKIN. Thank you for the question, Senator, because I think this one is absolutely key, especially with regard to the special operations community. Special operations cannot be massed produced. It is not one of those things that you can just turn it on and off like a light switch. It takes time and there is a significant process that goes into making a special operator who tends to be more seasoned, older, more experienced than what we see in the general purpose forces.

So the plans that we had developed in QDR 2006, which I had mentioned earlier, about growing the force and then those enablers that were identified in the 2010 QDR—we are just now seeing a lot of those operationally hit into our units that we can deploy and use in the future. And to shrink and scale that back, there is what we call the “flash to bang.” There is a delay to get those people on the front lines. So if we retract from where we are at right now, it takes a long time to turn it back on. So the uncertainty causes significant problems with force management and overall readiness as we go into the future, especially in these uncertain times.

Senator Kaine. Let me just extend the discussion. I want to talk just about morale of your people. Last week I was asked and I was honored to be asked to give someone the oath of office for a promotion in the Air Force from major to colonel. It was an exciting thing, but it happened 2 days after the individual had been furloughed from his job as a DOD civilian. He was an Air Force veteran C-17 pilot but now working as a civilian in the Pentagon. And he gave a couple of comments with friends and family gathered around on a day that should have been a day of just unalloyed pride and happiness. It kind of had a worm in the apple there because of the furlough.

And he said something that really kind of struck everybody. He said we hear a lot of talk about American exceptionalism. I was furloughed earlier this year because I am serving my country, and there was a sequester, and I have just been furloughed a second time because I am serving my country and there is a shutdown. I am not feeling that we are that exceptional right now. And it really struck me as there has just got to be significant morale effects of all this uncertainty, wondering whether the political leadership is behind you or not. That has got to have a short-term morale effect and a long-term as well. Do I want to stay and do this? Do I want to keep making the sacrifice?

Again, maybe starting with Mr. Lumpkin and working back across, if you would each explain how you see this affecting the folks that you are working with.

Mr. Lumpkin. And I will talk on two different fronts with regard to morale. Within the special operations community—we will talk about that first—we have some highly energetic men and women who want to do great. They want to serve this Nation. And when they see the uncertainty of the future, they are wondering. It is hard for me to speak—I cannot speak for everybody, but there is apprehension about what does the future hold and what is my perceived value.

Now, if you look in the civilian workforce, which I am surrounded by at the Pentagon as well now, the furloughs took their toll on morale. The shutdown has even been greater. The certainty of what is ahead is not there, of where is this going to end and what is it going to look like in the future and where do they fit in. And I have real concerns about the morale of both our armed forces and the Federal workers based on the current climate.

Senator Kaine. Mr. Chairman, my time has expired, but could the other two witnesses briefly respond?

Chairman Levin. Sure, please.

Senator Kaine. Thank you.

Dr. Morin. Senator Kaine, the impacts have been very serious. I spent a couple hours yesterday walking through and talking with members of the really impressive staff that supports me in my current job as Air Force Comptroller, a staff that makes me look good and makes the Air Force very effective and efficient. And it is a group I rely on enormously, about two-thirds civilian and a third military.

Both parts of that community are under enormous strain. What we have asked the military folks to do in a time of successions of civilian furloughs and the uncertainty we have asked our civilians

to take on is heartbreaking, and it is deeply disruptive. People are holding together well and they are pulling together as a team. I saw that now that a large portion of our workforce has been recalled, and there were actually people in the office. But it has been one blow after another, and we are asking a lot of our mid-level supervisors to keep their teams focused in the face of all of that.

Again, it is very hard to quantify the effect that it will have. I am sure we will see more retirements of highly valued performers. We have seen that across the Air Force already. I am sure we will see people seeking greener pastures. And the American public needs dedicated public servants willing to come into Government and put up with some of the unique challenges working there for the purpose of the mission. If we keep giving them this level of uncertainty, this level of personal pain, we may lose them, and we will not know that damage until we have seen it and we will deeply regret it then.

Senator KAINE. Dr. Rooney?

Dr. ROONEY. Sir, it is interesting. I bring a slightly different perspective than my two colleagues because I have been out of the Department for just over a year. And looking at the difference between when I left the Department where people were working tirelessly long hours, but as Secretary Morin said, some of the best people that make all the senior leadership look good, to go back now and see the angst, the uncertainty, key people discussing that they think it is time to be able to move on because the uncertainty is affecting them not only in the work arena but home has been absolutely heartbreaking to see. These are critical people.

And if I could just look at the Navy, of the roughly 200,000 civilians in the Department of the Navy, over half of those people are engineers, acquisition specialists, scientists, technology. And over 50 percent are veterans. And I have heard the same thing. Retired colonels, who would be exactly the kind of people you want on your team, saying I would go to private industry because I just cannot face that uncertainty, really creates not only the problem now, but it is a problem that I do not think we even will see the results of for years to come, and at that point it is going to be virtually impossible recover.

Senator KAINE. Thank you, Mr. Chair.

Chairman LEVIN. Thank you very much, Senator Kaine.

Now a 100 percent Mainer, Senator King.

Senator KING. I could say that New Hampshire is technically a State, but I would not say that. [Laughter.]

Especially not with Senator Ayotte here.

I want to associate myself with Senator Kaine's questions. I am infuriated that we are in this situation. And we are now seeing the fruits of—I do not know—25 or 30 years of disparaging Government employment, bureaucrats and that kind of talk.

Senator Levin and I went to the Middle East this summer, and people have asked me about my reaction to that trip. And there are lots of policy reactions, but the most overwhelming reaction that I have told my friends of that trip was the amazing quality of the young people that we have working for this country, whether it is in the intelligence community, the military, the State Department. They are wonderful people who are idealistic and trying to serve

their country, and we are treating them shabbily. These are people who have not had a raise in 3 years. They have been furloughed. They have now been furloughed again.

It is beyond my comprehension why we are not doing better on solving the problems. I mean, the most serious

threat to national security right now is the U.S. Congress, and it is shocking that we cannot do this. And I understand maybe some are talking about something and we may postpone these deadlines for another month or so, but that we cannot do better by our people is terrible. And I think part of it is this sort of public repeating of this disparagement of public servants, and it includes teachers, by the way, I mean, some of our most important public servants. And it is shameful.

And so I am sorry. That is not a question because you have all answered the question.

I do, Dr. Rooney, want to follow up. As I understand it, one of the big problems with the projection of costs, which is moving toward two-thirds being personnel, is health care costs. Is that in fact the case?

Dr. ROONEY. Yes, sir, it absolutely is.

Senator KING. Well, that points up the fact that—and there are two ways to deal with those health care costs. One is for the Government to sort of shift those costs to somebody else. I believe the more important role that we have is to try to figure out how to lower those costs for everyone, not just for the Government or for Social Security or for Medicare, but for the entire society.

I am worried about the shipbuilding program. We have got a 30-year shipbuilding plan supposedly to go to 306 ships, but we are not going to make it during much of that 30 years. And if we do not replace sequestration and get this budget situation in order, is that not going to be one of the casualties?

Dr. ROONEY. Yes, sir, absolutely. In fact, I think the CNO came in front of this group or Members of Congress and started to outline the immediate impacts of shipbuilding that would be extended, useful lives of equipment hopefully being extended, early decommissioning of potential ships because it just comes down to an affordability and choices. And again, any of these impacts that we are talking about have, of course, a short-term impact, but I do not think we are taking the time to recognize the long-term implications of that not only for the immediate readiness of our forces and our ability to defend around the world, but also from the industrial base and the shipbuilding skills necessary to move it forward. He was very clear, I believe, in outlining.

Senator KING. As you know, in the State of Maine, we have two naval facilities, the Brunswick Naval Shipyard and a civilian facility in the Portsmouth Naval Shipyard. I can tell you once those welders go somewhere else, you cannot get them back. That is not something that you can turn off and on. It is a capacity that we are losing, and people are going to look back in 10 years—Congress is very good at making problems and then looking back 10 years later or 5 years later and blaming other people for creating the problems. And we are going to look back and say what happened, why did we not have a ship available to go to the Gulf or whatever it was.

Mr. Lumpkin, to change the subject rather dramatically, I think September 11th was the first battle of World War III, and I think we are in a fundamentally different military situation and you are right in the middle of it. And the question I want to ask—and it is a question I asked the day before yesterday in the Intelligence Committee—is how do we rethink our strategy for dealing with worldwide terrorism which seems to be spreading and multiplying. We now have groups we never heard of a few years ago, al Shabaab and al Nusra and these other groups associated with al Qaeda. The strategy of trying to kill these people one at a time is like dealing with the Hydra. You cut off one head and two grow back.

Talk to me about a broader strategy for dealing with worldwide terrorism because it is going to be with us, and I just do not know if we are going to be able to afford to or will be able to effectively cut it off by strikes and raids.

Mr. LUMPKIN. Well, thank you, sir.

I think you are absolutely correct. We are not going to be able to kill our way to victory in the sense of one at a time and getting one “eaches” work forward. I think the key is, through building partner capacity, we need to reduce areas where there are security vacuums for groups like al Qaeda or al Shabaab to exist and to flourish. So I think the key for us, as we build our strategy moving forward, is to make sure we focus on those security reforms that we can help in other nations through building partner capacity to remove the environment that fosters such behaviors that al Qaeda has. And if confirmed, I will do my part to shape that strategy.

Senator KING. The implication of what you just said—part of that leads logically to Afghanistan and 10 or 12 years of occupation in order to do that. I hope you are not suggesting we need to occupy Somalia, Mali, Lebanon, you name it.

Mr. LUMPKIN. No, I am not. I am not advocating nation building in a sense. I am talking about building a capacity with selected partners who can bring security to where there are security vacuums. And this is not a one-size-fits-all. Rather, it has to be a tailored approach based on the specific region and/or country in question.

If you look at the in securities we had in Colombia back in the 1980s and 1990s, I mean it has been a concerted, sustained effort. But I would argue that we have made significant progress with Colombians as partners to make that a much more stable and vibrant economy and allowed more of a secure situation for the populace and the people of that area, subsequently reducing the flow of narcotics and creating stability within the region.

Senator KING. So one of the answers would be to study that situation and figure out how to replicate it.

Mr. LUMPKIN. I think it is a good case study to look at.

Senator KING. Mr. Morin, you are in an incredibly job because I hate to tell you this, but I do not think there is going to be a lot more money. Nobody is going to wake up tomorrow morning and say, gee, I want to pay more taxes so we can spend more money. I hope the sequester is not going to stay with us, but certainly limits are going to stay with us. And you have to be rigorously objective, it seems to me. And you are in one of the most important jobs

in the Department of Defense in my view because you are going to be dealing with constrained resources from the day you walk through the door.

Dr. MORIN. Yes, sir.

Senator KING. There was not a question there.

But I think acquisition costs—you know, the taxpayers just are not going to tolerate it. You did not have the pleasure of Senator McCain, I do not think, talking to you about the F-35, but you probably will before it is all over and it is not going to be fun, I can tell you.

Thank you very much. Thanks to all of you for your service.

Chairman LEVIN. Thank you, Senator King.

Senator Hagan?

Senator HAGAN. Thank you, Mr. Chairman.

And I echo Senator King's comments and that is, we thank all of you for your service. Thank you very much for your past service and your current.

Mr. Lumpkin, I want to build on Senator Nelson's question. As you know, Title 10 states that the principal duty of the ASD SOLIC is the overall supervision, including oversight of policy and resources of our special operations activities. In other words, the ASD SOLIC is to provide civilian oversight of acquisition, budget, and related matters for the Special Operations Command. In recent years, these responsibilities have competed with current operations for the main attention of the ASD SOLIC.

If confirmed, will you make oversight of SOCOM a top priority?

Mr. LUMPKIN. Thank you, Senator.

Absolutely. Being in SOLIC when budgets were increasing, the opportunity presented itself to focus, I am sure, on operations. As we are in this fiscally constrained environment, civilian oversight of U.S. Special Operations Command and the major force program 11 funding line is absolutely key and paramount.

Senator HAGAN. And how will you be different than in the past?

Mr. LUMPKIN. I think it is about time. For me this is one of those issues, if confirmed, I will put significant time, effort, and resources against making sure we can do the proper oversight for U.S. Special Operations Command.

Senator HAGAN. Thank you.

Mr. Lumpkin, again. The Commander of our U.S. Special Operations, Admiral McRaven, has publicly highlighted the contributions that women have made to our special operations missions, including serving as members of the cultural support teams, military information support teams, civil military support elements, and in other roles. The Department earlier this year eliminated its so-called ground combat exclusion policy and will open all positions to service by women by 2016, unless excepted. The Department continues to study occupational standards required of all of our military specialties, and I expect this effort will eventually open up thousands of new positions to women, possibly including many in special ops.

And I also want to note that we just lost one female cultural support member who was killed in the IEDs this past week with the three other service members. So we certainly have women not only

being a part of these teams, but certainly giving the ultimate sacrifice as part of this effort.

Mr. Lumpkin, what is your understanding of the current role of women in supporting our special operations missions, and if confirmed, what criteria would you use in assessing whether our special operations units should remain closed to service by women?

Mr. LUMPKIN. Thank you for that question.

Women are ever-present in the special operations community. When I commanded a team, I had numerous women who were within the structure of that team. So I think that the special operations community has been very open to having women within its ranks.

I do know that Admiral McRaven have been charged to do a study, and his results are due, I think, by January of 2016 on where the community is and where the assimilation of women throughout the ranks within special operations. If confirmed, I will work with Admiral McRaven to make sure that U.S. Special Operations Command does a complete and comprehensive study to make the best recommendation forward.

Senator HAGAN. The study is not due until January 2016. So it is another 2-plus years?

Mr. LUMPKIN. My understanding is that that is when the recommendations or exclusions need to be submitted. But I can take that for you and confirm that date.

[The information referred to follows:]

[COMMITTEE INSERT

Senator HAGAN. It seems like that is a long time for a study. Okay. Thank you.

Dr. Rooney, in the current budgetary environment, there are significant pressures facing the broader Department of Defense—of our science and technology community. There are two significant challenges that I am sure you are aware of, given your last position. The first is the decreasing ability to recruit and retain our best scientists and engineers that obviously are being drawn into other competitive and lucrative sectors. The second is the decreasing ability to revitalize, much less maintain the infrastructure of the DOD's laboratories and our warfare centers to the standards being set in academic and private sector facilities.

If confirmed, what would you do specifically working with the assistant Secretaries of the Navy for Research, Development, and Acquisition, Manpower and Reserve Affairs, and Installations and Environment to really ensure that the Navy's S&T enterprise can hire, can retain the best and the brightest scientists and engineers to work in a world-class environment that allows them to develop the next generation of capabilities for our future sailors and marines?

You know, it really concerns me greatly that, one, our education system is not up to the speed it needs to be from a STEM background and a STEM education, our K-12 and our universities. We typically lose our girls in the middle school going into these engineering and math and science programs, but also the fact that there is such a competitive environment for these limited numbers of individuals. And we certainly want to be sure we have the best

and the brightest within DOD to be sure that we can compete on a global basis in this area.

Dr. ROONEY. Senator, I agree that it has been a problem in the past. In order to attract, as well as retain, because I think this is a two-pronged problem, we have to make sure that we have an environment in which these individuals can work, that they are supported in their creativity, that they have the tools that they need to work on new designs and the opportunities to do that, all of the areas of STEM. And there have been STEM programs within the Department.

The problem comes in that we are in a competitive environment, and frankly the uncertainty of the last few years, the budgets, the lack of being able to have raises or have some of the tools that are available in private industry are only making this challenge even greater. It is very difficult to recruit. And as I mentioned, over half of the Department of the Navy civilians fit in many of the categories you described. And it is very difficult not only attracting newer and our younger and maybe our very creative different thinkers, but retaining when we are putting people on furloughs. And we have got challenges with hiring, and we have had little or no raises through the years.

We cannot compete with private industry, similar concerns that, frankly, I faced in higher education where you were trying to attract the best of the scientists and medical people to be not only researchers but your teachers, and you had to provide that level of environment and really show that you not only were willing to engage but that you valued the service. And I think we have some basic foundational work to do in order to be an attractive place long-term for these individuals.

Senator HAGAN. Can you give me any recommendations that you think you might be sharing with us in the near future I hope?

Dr. ROONEY. I was going to say if confirmed, I absolutely will dive deeper into our specific programs, look at the types of things, particularly since I have been away from the Department for a year, that we have been trying to do, look at the data of who have we lost. Have they been our most senior people? Have we not recruited? And that way tailor those tools. This is not a case of saying just throw money at it. There are specific things. So I would welcome—

Senator HAGAN. Do you know what the retention is?

Dr. ROONEY. I do not, Senator, at this point, but if confirmed, I would definitely—I started off as an engineer in college, and I was encouraged in math and science. So I know the challenge. And I challenge that young woman back there, who is the freshman in college, to do the same.

Senator HAGAN. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Hagan.

Senator Gillibrand?

Senator GILLIBRAND. Thank you, Mr. Chairman.

I would like to direct my questions to the Honorable Jo Ann Rooney.

I understand earlier in your testimony Senator McCain asked you your views on sexual assault in the military, and your stated

opinion was that you would like the decisionmaking about whether to go to trial to be done within the chain of command.

I have looked at your written statement, and I am extremely troubled by what you said. The question is: In your view what would the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted? Your answer is: A judge advocate outside the chain of command will be looking at a case through a different lens than a military commander. I believe the impact would be decisions based on evidence rather than the interest in preserving good order and discipline. I believe this will result in fewer prosecutions and therefore defeat the problem that I understand it seeks to address.

You are an attorney. Correct? Under what world would you recommend the decision about whether a serious crime, meaning a conviction could mean more than a year or more, should not be based on the evidence?

Dr. ROONEY. That statement meant that someone outside the chain of command—and often as an attorney, you are bound by the rules of evidence as to whether you will take a case forward for any prosecution. A commander also must look at evidence, and the implication was not that the commander would not, but a commander also has some additional tools that they could use that are non-judicial punishment in order to be able to address that command climate and change the attitudes towards it. That is what that statement—

Senator GILLIBRAND. Well, under our proposed legislation, Article 15, non-judicial punishment, is retained by all commanders, as are all crimes of mission. I am highly concerned that you believe there should be any context or that decision should not be based solely on evidence about whether you try a case.

Members of the military still retain civil liberties. They still have basic rights of justice, and if you are trying to tip the scales in favor of a defendant or in favor of a victim, that is also inappropriate. You want cases going forward that have evidence that merit a prosecution. You want nothing else because if you drive cases forward because you feel like it or because you do not like the perpetrator or do not like the accused or really like the victim, you are using bias. Bias is not effective in making a prosecutorial decision. You should have an objective review based only on the evidence because we do not want a justice system that favors victims. We do not want a justice system that favors defendants. We want an objective justice system that provides justice for an accused for a perpetrator who is going to be reviewed fairly and for a victim who is looking for a fair shot. You need an objective justice system.

And I do not believe that the chain of command should be using the threat of prosecution as a cudgel or a tool to manipulate or determine how their troops will behave. They have other means to do that. They are the ones solely responsible for command climate, solely responsible for good order and discipline. But that decision point, that legal decision point, should be made solely on the basis of evidence.

Do you believe a commander should base that decision on something other than evidence about whether to go to trial for a serious crime?

Dr. ROONEY. No, ma'am. As I just said, they must look at the evidence, of course. That is key to it. And they have legal teams around them that can help them understand those. But they also have other tools and other ways to impact what is clearly an issue that also goes to command climate and also goes to changing a culture. We have got to be able to hold that commander accountable.

Senator GILLIBRAND. Those tools remain within the commander's purview entirely. That commander is solely responsible for good order and discipline. That commander is solely responsible for command climate. Those responsibilities will never change. What we are urging is that the legal decision that requires training, legal training, prosecutorial discretion, prosecutorial judgment, and an objective review and a review that does not entail knowing the perpetrator and knowing the victim, having preconceived notions of whether women should be in the armed services, having preconceived notions about whether you can serve if you are from the LGBT community.

So have you reviewed this legislation, this proposed change?

Dr. ROONEY. Yes, I am aware of the legislation, and I am also aware of the panel that has been put together to have an independent assessment, be able to outline both the challenges and the implications going forward. And as I mentioned to Senator Blumenthal, I would remain very open to the information that comes out of that group in order that, if confirmed, I would work with this committee and Congress to move forward on a sustainable and true solution going forward.

Senator GILLIBRAND. When Dick Cheney was the Secretary of Defense some 20-odd years ago, he said there was zero tolerance for sexual assault in the military. Since that time, there have been dozens of reports. Have you reviewed those reports and recommendations? Do we really need another report and recommendation to finally protect victims within the armed services?

Dr. ROONEY. I believe that what that panel's job is to do is to really take the time now not just to make a report, but to outline just so all of us are basing any conversations and decisions and best paths forward on an independent assessment. And it is not, from my understanding, designed to either slow this process down or come to a foregone conclusion. And that is why seeing what that group did and working together on a common solution is something, if confirmed, I would be very open to doing.

Senator GILLIBRAND. I have seen boxes of reports, boxes, over 25 years on the same issue.

Are you familiar with what the DACOWITS panel is?

Dr. ROONEY. Yes, I am.

Senator GILLIBRAND. Do you understand that they have just issued a report recommending this change?

Dr. ROONEY. Yes, I am.

Senator GILLIBRAND. And what do you think the value of that recommendation is since the sole responsibility of the DACOWITS panel is to recommend to Secretary Hagel ideas about how to protect and preserve and to maintain a strong armed services with regard to women in particular?

Dr. ROONEY. I believe that they have fulfilled their role to make that recommendation going forward. I also know that based on

what I have seen in the history of our military, that they have been using the existing command structure and using a commander's ability to influence climate and control have been very successful in making some very significant changes, whether it was integrating the forces on down to the recent implementation of don't ask/don't tell. So there is also support for how that command structure can be part of and, frankly, drive significant cultural change.

Senator GILLIBRAND. Do you remember what the response was from our commanders when we tried to repeal "don't ask/don't tell," when we tried to integrate women into the Services, when we tried to integrate the services with African Americans? Do you remember what their response was?

Dr. ROONEY. Not word for word.

Senator GILLIBRAND. You cannot possibly do this because it will undermine good order and discipline.

Do you know what their response was when we had a hearing on sexual assault in the military and we suggested that Article 60 should be removed, the authority to overturn a jury verdict? Do you know what the response was? From the commanders that testified, it was you cannot possibly do this because it will undermine good order and discipline.

The day after Secretary Hagel recommends that Article 60 authority is no longer necessary, the commanders said that is fine. It is a vestige of pre-World War I. Of course, we can implement that.

I think this is the same excuse we have heard over and over again. And to have the DACOWITS panel, who has been investigating these issues for 20 years, to make a recommendation to the Secretary of Defense that not only should you take the decision-making for all serious crimes out of the chain of command, but you should give that decision-making to trained military prosecutors as a way to create a more objective system so justice is possible is a recommendation I think you should take seriously.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Gillibrand.

We are going to have a brief second round.

Following up on Senator Gillibrand's questions, you have been a university president. Is that correct?

Dr. ROONEY. Yes, sir, I have.

Chairman LEVIN. And you have had situations where you have had sexual assaults and have had to deal with civilian prosecutors and what their attitude is towards prosecuting sexual assaults. Is that correct?

Dr. ROONEY. Unfortunately, sir, yes, I have.

Chairman LEVIN. And what has been that experience?

Dr. ROONEY. It has actually been mixed. It has not been an unwillingness of prosecutors to take on cases, but if they felt they did not have very strong evidence going forward, they were unwilling, frankly, to move those forward. And I do not mean to imply that that is all prosecutors. I am just narrowing that down to my experience in two different university settings. So it really was not a tool we were able to use to actually impact what was happening on the campuses.

Chairman LEVIN. Because of the reluctance of civilian prosecutors in difficult cases to proceed.

Dr. ROONEY. Yes, and for the victims to feel that nothing was going to happen at that level. So it was not something that they used as a way to feel confident that moving forward, something would be done. So it continues to remain a vexing challenge.

Chairman LEVIN. In the civilian world.

Dr. ROONEY. Yes, sir.

Chairman LEVIN. A commander does not have that same kind of reluctance in tough cases. He can proceed or she can proceed because it needs to be prosecuted in their judgment. Is that correct?

Dr. ROONEY. Well, that is it. And if there is not the ability to take it forward on a prosecution, again there are other ways to be able to make sure that that climate is changed and victims are protected and that no tolerance for that type of behavior is reinforced. And it is the commander's job.

Chairman LEVIN. And are you familiar with the decision which was made relative to race that we were going to get rid of racism in the military? Commanders were ordered and because they are commanders and in a chain of command, that they in fact implemented finally a policy against racism and prejudice in the military with some real success, as a matter of fact. Are you familiar with that?

Dr. ROONEY. Yes, sir. In fact, that was one of the examples that I mentioned, that as well as the most recent one that I have had the most direct experience with.

Chairman LEVIN. And are you familiar with the "don't ask/don't tell" situation where, although we had commanders, in fact, top commanders right here, urging us not to do it, that we did it anyway, and that they then directed their commanders to implement the repeal of "don't ask/don't tell" and end discrimination against gay people in the military? And they have done it with real success because of the power of the commanders.

Dr. ROONEY. Yes, sir, I am very familiar with that, in fact, was very much involved during my tenure in the Department with that initiative.

Chairman LEVIN. Let me ask Mr. Lumpkin this question. You have testified that from an operational point of view, it is helpful that an interrogation not have a fixed deadline. And in your view is it also important that an interrogation comply with the requirements of common article 3 of the Geneva Conventions and that the detainee or detainees not be subject to cruel, inhuman, or degrading treatment at any time?

Mr. LUMPKIN. Absolutely, sir.

Chairman LEVIN. Okay. Senator Kaine?

Senator KAINE. I have just one question, Mr. Chair, for Mr. Lumpkin.

Mr. Lumpkin, as we are pursuing a troop drawdown in Afghanistan, the special forces have been deeply instrumental in training efforts of Afghan security around special operations and others. What is your current assessment of Afghan readiness and force effectiveness in preparation for 2014 and beyond?

Mr. LUMPKIN. Significant strides have been made during the past decade of building the Afghan capability. We are going to make use of the remainder of the known time we have because there is always further progress that can be made. So I think one of the rea-

sons why we would want to keep some sort of force there is to continue that partnership to make sure we can continue to work with them post-2014, if possible.

Senator Kaine. Thank you, Mr. Chair.

Chairman LEVIN. Thank you very much, Senator Kaine.

Senator King?

Senator KING. Dr. Rooney, just another follow-up on this question. I find this question of chain of command and sexual assault a very difficult one. I have decided to come down on the side of not making that change.

One of the things that convinced me was I want the commander to feel responsible for this issue. Is that a legitimate way of thinking about this?

Dr. ROONEY. Yes, sir, it absolutely is. I know in particular in the Navy, the commander's ability and the result of their command and control and command climate is a critical piece that is considered for any promotion or any future command. So that is absolutely true. There are many ways to hold that commander accountable. And as I said, that is their job.

Senator KING. I am sure you are aware, but in the National Defense Authorization Bill that has been reported out of this committee, there are numerous changes in the law in regard to this problem. The one that is not made is the one that we have been discussing about taking the decision out of the chain of command, but there are many other changes to strengthen the military.

On the other hand, you are bearing the brunt of this because you are here today for the Navy. This is clearly a Department of Defense issue. But Senator Gillibrand's point is well taken, that this has been a problem for a long time and at some point, this committee and the Congress is going to say enough is enough and we are going to make much more dramatic changes. So I hope that as you are working with the naval commanders, that you will make it clear that this really does require a culture change and it has got to start right away because time is running out on patience for this problem to be resolved.

Dr. ROONEY. Yes, sir. All of our collective patience should be challenged on this to get a solution that works and that we can prove that works moving forward.

Senator KING. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Dr. Rooney, in terms of the experience you have had with the Department at large, you have been, as I understand it, the Principal Deputy Under Secretary of Defense for Personnel and Readiness and the acting Under Secretary of Defense for Personnel and Readiness, I gather at the same time. Is that correct?

Dr. ROONEY. Yes, sir, it is.

Chairman LEVIN. For how long a period was it?

Dr. ROONEY. The overlap was for a period of—

Chairman LEVIN. No, not the overlap, but together how long?

Dr. ROONEY. Oh, together? Just under 2 years.

Chairman LEVIN. Dr. Rooney, you were asked a question by Senator McCain and you committed to get an answer for the record about the audit schedule I believe for the Navy.

Dr. ROONEY. Yes, sir.

Chairman LEVIN. Okay, and that was a very important question, an appropriate question. If you can promptly get us that answer for the record as to whether that audit schedule for 2014 and 2017 I believe. You did not know the answer here as to whether it is on schedule, but if you could promptly find out as much as you can and then give us your opinion the best you can as to whether or not it is on schedule and do that for the record, it would be very helpful in terms of proceeding with this.

[The information referred to follows:]

[COMMITTEE INSERT]

Dr. ROONEY. Yes, sir.

Senator KING. That is another area where patience is wearing thing.

Chairman LEVIN. Where patience has not worn thin this morning is Liam. You have really been a big help to your dad because you have sat there now for I do not know many hours looking interested in every single question that was asked, and you have been a big help to your dad. I want to commend you. I know how proud your parents are of you and your grandparents sitting here are of you. I have six grandchildren, one of whom is a boy just about your age. I know he would be just as patient and supporting as you have been. So I do not want to compare it in any way.

But thank you to all of the people who have come with our nominees today. We thank you and I know they thank you for your support. We thank our nominees.

And we will stand adjourned and hope we can proceed with these nominations very expeditiously. Thank you all.

[Whereupon, at 11:53 a.m., the committee adjourned.]