

Advance Questions for Mr. J. Dorrance Smith
Nominee for Assistant Secretary of Defense for Public Affairs

Defense Reforms

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

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

No. I agree with the emphasis in the Goldwater-Nichols Act on jointness and the establishment of unified and specified combatant commanders. The effectiveness of joint operations has been clearly demonstrated in OIF and OEF, and I witnessed it myself while working with the Coalition Provisional Authority in Iraq. I strongly support continued and increased efforts to improve the jointness of our military forces.

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

N/A

Relationships

If confirmed, what would your working relationship be with:

The Secretary of Defense

I anticipate having daily interaction with the Secretary in order to remain abreast of his insights, priorities, and decisions. I will offer him my counsel on the full range of issues facing the department from a communication perspective. I will assist the Secretary in fulfilling the department's communications responsibilities to the Congress, the general public, and – as importantly – within the department to civilian and military personnel.

The Deputy Secretary of Defense

If confirmed, I anticipate my relationship with the Deputy Secretary will be much the same as my relationship with the Secretary of Defense.

The Under Secretaries of Defense

My role—and the role of the entire Department of Defense Public Affairs team—would be to provide communications counsel to all levels in the department. Clearly, the Under Secretaries play a critical role as they are developing many of the policies that need to be shared with a variety of audiences, to include Congress.

The Assistant Secretary of Defense for Legislative Affairs

I know this department takes its obligation to keep Congress fully informed very seriously. If confirmed, I'll work very closely with Assistant Secretary Stanley on our communication obligations and efforts. It is critical we assist Secretary Rumsfeld in keeping Congress informed of important national security and defense-related matters.

The DOD General Counsel

If confirmed, I anticipate regular interaction to ensure that our communication activities are consistent with regulation and statute. Also, the global war on terror imposes a responsibility upon us to communicate to the Congress and the broader public the many unique legal aspects of this conflict.

The Service Secretaries

The service secretaries have a most important role in the department's internal communications responsibilities. They also interact regularly with members of Congress and their staffs. If confirmed, I would work closely with them, and in close consultation with public affairs chiefs, to help them discharge this responsibility and to help ensure consistency and proper frequency of message.

The Joint Chiefs of Staff

As with the service secretaries, if confirmed, I would expect to work with the Chiefs to help communicate with our forces. In addition, I would look forward to working with the Chiefs to assist them in communicating the department's message to the Congress and the public, as appropriate.

Senior Uniformed Officers Responsible for Public Affairs, including the Army's Chief of Public Affairs, Navy's Chief of Information; Marine Corps' Director of Public Affairs; and Air Force's Director of Public Affairs

If confirmed, I anticipate frequent interaction with the senior Public Affairs professionals from the services. Together, we will work to find the best ways to gather facts and communicate information about the wide variety of programs and issues affecting the department and services.

Pentagon Press Corps

I understand the importance of establishing a strong working relationship with the Pentagon Press corps. If confirmed I will work hard to ensure this relationship is based on mutual trust, fairness and respect..

Duties

DoD Directive 5122.5 describes the responsibilities and functions of the Assistant Secretary of Defense for Public Affairs (ASD (PA)).

What is your understanding of the duties and functions of the ASD (PA)?

I understand the responsibilities of the position as outlined in the directive. In this position, if confirmed, I would serve as the principal staff assistant and advisor to the Secretary and Deputy Secretary of Defense for DoD news media relations, public information, internal information, community relations, public affairs and visual information training, and audiovisual matters.

Assuming you are confirmed, what changes, if any, in the duties and functions of ASD (PA) do you expect that the Secretary of Defense would prescribe for you?

I do not anticipate changes in the duties and functions of the position as described in the directive.

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

My 22 years as a television network news producer and working journalist provides me with a comprehensive understanding of just how important it is to communicate fairly, accurately, and regularly with the American people, the Department of Defense, and the armed forces.

As a communications professional, I've developed a keen sensitivity to the importance of interaction and engagement with the media-- understanding the importance of being transparent, accurate, and credible.

Finally, my service as the Senior Media Adviser with the Coalition Provisional Authority in Iraq has given me a breadth and depth of exposure to the men and women in uniform that should help in my responsibilities to communicate the department's priorities both here in the United States and abroad.

Major Challenges

In your view, what are the major challenges confronting the next ASD (PA)?

We must continue to communicate on a global and around-the-clock basis, internally, to the Congress, and to the public, the President's priorities in the global war on terror and the lessons of 9/11. We must meet the challenge of communicating the U.S. goals, objectives, and activities in Afghanistan and Iraq, as those newly liberated countries continue their transition to sovereignty and self-rule.

The significant U.S. military presence in both countries rightly focuses attention on U.S. and coalition activities, and the department has the responsibility, together with other departments and agencies of government, to properly communicate those activities.

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

If confirmed, I expect to build upon the work being done to communicate across the range of issues described above. The department conducts an aggressive program of communications and public outreach, and that must continue and evolve to match our changing circumstances. To better understand this I would travel to the region to analyze first hand the current communications challenges in the same manner as I did in 2003.

I also intend, if confirmed, to place particular emphasis upon internal communications. I view our forces, their families, and the career civil servants who support them as crucial to the success of the department.

Responsibilities

Department of Defense Directive 5122.5 provides that the ASD (PA) shall “ensure a free flow of news and information to the news media, the general public, the internal audiences of the Department of Defense, and the other applicable for a, limited only by national security constraints...and valid statutory mandates or exemptions.”

What guidelines would you use, if confirmed, to determine what information can and cannot be released to the news media and the public?

The Department publishes Principles of Information, which are included as an enclosure to DoD Directive 5122.5. If confirmed, I would work to ensure that judgments we make regarding the dissemination of information are based upon the principles outlined.

If confirmed, how would you attempt to ensure that media representatives are given maximum access to ongoing military operations in Iraq and Afghanistan in order to be able to provide fair and accurate reporting?

I would encourage news media to take full advantage of the embedding opportunities that exist. There is no substitute for that type of reporting—from the areas of operations where America's

sons and daughters are serving freedom's cause...and also where our friends and allies are working to support security and stability in Iraq and Afghanistan. I would develop a comprehensive communications strategy designed to facilitate the coverage and maximize access for the media who face severe coverage obstacles in a war zone.

Aside from restrictions related to classified and sensitive-source materials, if confirmed, what restrictions, if any, would you apply in approving material prepared for release by DOD officials?

As a general matter, the first principle of information is that it is "DoD policy to make available timely and accurate information so that the public, the Congress, and the news media may assess and understand the facts about national security and defense strategy."

There will be times when judgment is applied to a particular piece or class of information that warrants additional consideration on the basis of source, sensitivity of ongoing operations, the need to verify facts, and other factors. Judgments of this nature must be applied all the time, but the principle remains the same: accurate and fast.

Principles of Information and Privacy Interests

Under the Principles of Information included in DOD Directive 5122.5, it is stated that "information shall be withheld when disclosure would adversely affect national, security, threaten the safety or privacy of U. S. Government personnel or their families, violate the privacy of the citizens of the United States, or be contrary to law." The Privacy Act is one of the laws that controls access to information in government systems of records, however, it is unclear about what standards the Department applies in determining what information would violate citizens' privacy and should be withheld.

What other standards, legal or otherwise, should be applied by the Department in determining what information relating to individuals who are involved in newsworthy incidents shall be made available to the public?

These types of assessments and decisions often require the involvement of the department's Office of General Counsel. There's not a simple answer, because facts and circumstances dictate the response. A legal assessment is likely required. However, I know the department leadership believes in maximum disclosure, minimum delay consistent with privacy and security considerations.

Under what circumstances, if any, do you believe the Privacy Act would justify withholding from public disclosure information regarding actions taken by senior DOD officials in their official capacity?

The Department of Defense is interested in protecting the privacy of individuals consistent with U.S. law, to include DoD civilians, military members, and contractors. However, the Freedom

of Information Act offers a vehicle by which information can be requested relating to official actions of DoD personnel. The department tries to strike the right balance between an individual's right to privacy and the public's right to know. Again, this often requires a legal assessment.

Under what circumstances, if any, do you believe the Privacy Act would justify withholding information from Congress?

If confirmed, my focus would be on being responsive to Congress and the public. In those instances where I felt federal statute or government directives are limiting my ability to do so, I would consult with department legal authorities for an assessment and guidance.

Current News *Early Bird*

The ASD (PA) has responsibility for overseeing the operation of the online news clipping service known as the *Early Bird*. DOD officials have reportedly ordered that news magazine stories not be reprinted, that certain unclassified reports citing lessons learned from combat operations in Iraq be excluded, and have acknowledged that the *Early Bird* has an "agenda-setting capacity."

What guidance or instructions, if any, do you believe should be implemented about which new articles should and should not be included in the *Early Bird*?

Items should be timely and relevant to the overall policies and activities of the Department of Defense. The *Early Bird* should not attempt to be a full compilation of all defense-related newspaper reporting, but rather to present a representative sampling.

Do you think that the *Early Bird* should purposefully be used to focus attention on certain issues and divert attention from others?

No. It should provide defense leadership with an impartial monitor of the day's defense-related newspaper news and opinion.

What policy would you follow, if confirmed, in providing news analysis and in determining which news media reports should be included in the *Early Bird*?

These services are first and foremost management tools to assist the senior leadership of the department discharge their responsibilities. If confirmed, I expect to emphasize the importance that these tools focus on timely, fact-based information. I would also look to ensure that such information that is not otherwise widely or readily available be included.

There are broad guidelines established to ensure that these products include timely, accurate information, but judgment is applied at various levels within the OASD(PA) to ensure the products are useful to senior decision-makers in the department.

Stars and Stripes

***Stars and Stripes* is an independent news organization, but it is also authorized and funded in part by DOD. In the past, representatives of the Society of Professional Journalists have asserted that OSD and the American Forces Information Service (AFIS) have attempted to improperly use command influence in shaping the editorial content of the *Stars and Stripes* newspapers and web site.**

In your opinion, what is the appropriate journalistic role of the *Stars and Stripes* newspapers and internet-based outlets within the Department of Defense?

The Stars and Stripes is an important vehicle to help provide broad-based news and information to our forces. I believe the paper has a particular responsibility to focus on forward-deployed forces that do not have good access to other sources of news and information. While I was serving in Iraq I aided Stars and Stripes to help increase their distribution in Iraq.

I am unaware of any attempts in OSD to shape the editorial content of the Stars and Stripes nor would I support any attempts to do so.

What is your understanding of the role and responsibilities of the ASD (PA) and the Director of AFIS with regard to the operation of and reporting in the *Stars and Stripes* newspapers?

The Director of AFIS has certain management oversight responsibility for Stars and Stripes, and the ASD(PA) exercises authority, direction, and control over the Director of AFIS. If confirmed, I would help ensure that the paper operates within its budget and provides quality news and information to our forces, with principal focus on those forces forward deployed who do not have access to a wide variety of other news and information sources.

What is your understanding of the most significant changes in the operations of the *Stars and Stripes* brought about by the findings and recommendations of the Transformation Working Group in 2003?

The shift in Germany from running its own printing operation to contracting it out. Greater mobility to match the more mobile military, including increased use of technology such as digital printers, printing press that can be moved to different locations, and shifting resources and assets quickly. Consolidating resources to reduce redundancies. Closer attention to efficiencies, such as cutting newsprint waste and measuring returns more closely. Primary emphasis on serving deployed troops, especially in the Middle East.

The governing directive for *Stars and Stripes* newspapers and business operations is DoD Directive 5122.11.

What aspects of DoD Directive 5122.11, if any, require change?

If confirmed, I will undertake to review the directive to determine if any changes are required. It is my understanding that the operations of the Stars and Stripes as envisioned in the directive, to be managed as two papers under the European and the Pacific Command Commanders, have been combined into a single paper under the Office of the ASD(PA). That reorganization is not reflected in the current DoD Directive, which pre-dates the reorganization.

There may be other areas requiring review and possible updating of the DoD Directive. For example, we may seek methods to allow Stars and Stripes to deliver content worldwide. The current directive limits the focus to personnel overseas. Stars and Stripes often contains important military information and it is worth considering whether there is a way to expand the service to forces stationed within the United States.

I am mindful of the potential sensitivities of this notion, but those sensitivities should be balanced against the objective of communicating our forces and their families as broadly and effectively as possible, and also the prospects for increased efficiencies and reduced operating costs for the paper. With more and more Stateside units deployed overseas, families, friends and those left behind have a greater desire than ever for the information Stars and Stripes provides about the troops stationed abroad.

We might also consider how the paper is funded, especially in contingency locations. The directive puts the responsibility of supplying the paper on the Combatant Commands. This may or may not be the optimal solution but it bears some review to ensure that we have chosen the best approach to ensure the broadest distribution of the paper to forward deployed forces.

Stars and Stripes Ombudsman

The *Stars and Stripes* Ombudsman serves as an independent advocate for the First Amendment rights of the paper's reporters and staff, as well as an intermediary between the staff, the Defense Department, the military commands and the readers.

Do you support the assignment of an independent Ombudsman for *Stars and Stripes*?

I do.

What guidance would you provide, if confirmed, with regard to the role, responsibilities and functions of the *Stars and Stripes* Ombudsman?

If confirmed, I will work with the Stars and Stripes Ombudsman. I would expect to depend upon

him to provide advice and counsel on the proper functioning of the paper as we seek to ensure it fulfills its role as a provider of news and information to our forces, particularly those forward deployed with less access to other sources of news and information.

Stars and Stripes Funding

Rising costs of producing a newspaper, competition with the internet and commercial news sources, and budgetary pressures to cut costs have raised questions about the level of support that the Department and military commanders throughout the chain of command should give to *Stars and Stripes*.

In your opinion, what efficiencies, if any, regarding business operations, operating expenses, sources of income, and DOD guidance regarding command sponsorship of need to be implemented to achieve more effective and efficient operations.

I have not made a detailed study of the matter. The transformation working group made several recommendations in these areas that may be helpful. There are a number of areas in which efficiencies can be explored, including the use of technology to reduce production and distribution costs, potential distribution partnerships with other distributors, increased advertising opportunities, reduced operating expenses by ceasing unnecessary or marginal operations, revenue generation through printing and production services, and other possible and appropriate business opportunities.

In my view, the management of the paper should aggressively seek every possible efficiency and revenue source prior to contemplating an increase in appropriated funds.

Press Coverage of Combat Operations

During Operations Enduring Freedom and Iraqi Freedom, representatives of the press were embedded in operational units in order to provide front line coverage.

What is your assessment of the practice of embedding reporters in Operation Iraqi Freedom?

My impression is embedding is a very successful program. It has provided the public an opportunity to receive much better insight into the skill, courage, and professionalism of our armed forces than may otherwise have been possible had the embedding program not existed. It also gave a large number of journalists a much better understanding of the same thing, and that can only help to ensure more accurate defense-related journalism in the future.

It was also win-win for the media and military----it increased levels of understanding between both of these professions and ensured accurate and timely information about military operations

to the public.

Safety of Journalists in Iraq

The Committee to Protect Journalists (CPJ) asserted in September 2005 that U. S. forces in Iraq have routinely detained reporters and photojournalists in Iraq for prolonged periods without justification. The CPJ has also expressed concern about dangers to journalists in Iraq as a result of checkpoint procedures currently in use. In response to a request by the Chairman of the Senate Armed Services Committee, Secretary Rumsfeld and General George Casey, USA, the Commander of the Multi-National Force -Iraq, stated they would take the concerns of the CPJ under consideration.

What is your understanding of the status of the review by Secretary Rumsfeld and General Casey?

I'm told this review is on-going...it has yet to be completed. I do know the concerns of the Committee to Protect Journalists have been taken seriously. I believe everyone understands the danger posed in an environment where insurgents and terrorists have been a persistent threat. If confirmed, I will continue the work being done to address this issue.

If confirmed, what role, if any, would you expect to play in addressing the concerns of the CPJ and other media sources about policies affecting journalists in Iraq and Afghanistan?

I am very aware and sensitive to the challenges the media face in a war zone. I will travel to the area and analyze what current steps can be taken to facilitate their ability to cover the story. I did a similar analysis in 2003 which led to credentialing both US and International media and the creation of the International Filing Center. The current situation on the ground has changed and I am committed to finding solutions to their current problems.

Freedom of Information Act

If confirmed, what would your role and responsibilities be with regard to the Freedom of Information Act?

If confirmed, I would do my part to ensure that information sought under the act be released – as appropriate based upon classification or other factions contemplated in the act – as expeditiously and completely as possible.

If confirmed, what responsibilities would you have under the Privacy Act and how would you fulfill those responsibilities?

Public officials across government have an obligation to respect and protect the privacy of

individuals. The need to provide information to the public quickly and accurately in accordance with the principles of information must always take into account with the importance we must attach to not invading the privacy of individuals as a result of disclosing that information.

If confirmed, I will work to ensure that the department's communications and public affairs personnel understand their obligations and that training is available to ensure that.

American Forces Radio and Television Service

DOD Regulation 5120.20-R includes in the mission of the American Forces Radio and Television Service a responsibility "(t)o provide U.S. military members, DOD civilians, and their families stationed outside the Continental United States and at sea with the same type and quality of American radio and television news, information, sports, and entertainment that would be available to them if they were in the CONUS." In describing policy for political programming, this regulation states "All AFRTS political programming shall be characterized by its fairness and balance."

What is your understanding of the term "political programming" as used in DOD Regulation 5120.20-R?

"Political Programming" is programming on radio and television that primarily provides a discourse of the political issues of the day. I understand that the AFRTS policy is to provide a balance and diversity of political programming (e.g. provide all nationally broadcast political debates)..

What is your understanding of the process and procedures used to select political programming broadcast on the AFRTS network?

AFRTS is responsible to select programming, political as well as all others, which represents a cross-section of popular American radio and television, tailored toward the AFRTS worldwide audience. Schedules on AFRTS emulate stateside programming practices, and programs are aired in accordance with network broadcast standards and national acceptance (e.g. ratings and nationwide carriage).

If confirmed, how will you ensure that the requirement for fairness and balance in political programming is fulfilled?

I would review the current program schedule to ensure that it complies with DOD regulations for "fairness and balance" in political programming. I have extensive experience in political programming and I have always been committed to providing audiences with a broad range of divergent and credible opinion and discourse.

American Forces Information Service

American Forces Information Service (AFIS) produces news, feature articles, and TV reports on all aspects of military life. These products focus on what senior defense leaders are saying on all aspects of military life. News and feature articles are uploaded throughout the day, seven days a week. TV news reports are available daily on the Web and are broadcast on the Pentagon Channel.

What long term goals should the Department support for AFIS?

As noted earlier in my responses, internal communications is crucial to the department's success.

If confirmed, the Secretary of Defense, under the authority in Title 10, will task me to oversee and manage the American Forces Information Service. With this organization, I will be better able to support and manage my department-wide responsibilities.

With ever-tightening budgets and increasing missions, this Defense Field Activity is authorized by Congress to provide the department with economies of scale. This will be accomplished by providing, as a common service, support to not only the immediate requirements of the Secretary of Defense but also those of the entire department.

The American Forces Information Service has proven in the past to be instrumental in initiating new methods, practices and technologies, and as the world grows smaller, I will continue to rely on this organization to remain out front so that we may be better prepared to serve the needs of the department.

If confirmed, would you support expanding or increasing AFIS services under the FY 2005 future years defense plan?

If confirmed, I will examine the capabilities we have to provide news and information to our military at home and overseas and, balancing that against other priorities within my area of responsibility, do what I can to ensure we are doing the best we can in this important area of internal communications.

Information is fragile and it must be a priority to ensure we work to deliver it accurately and on time to our personnel. I believe there is much we can do to expand services to meet this challenge.

As I have said, my desire is to build upon the present and, if confirmed, I will use the American Forces Information Service as the architect and engineer to design and build the future. If you confirm me, our strategy will be to actively incorporate the consolidations and relocations that have been started by the BRAC 05 process. These improvements and this growth will take several years of constant nurturing to reach fruition. Until we reach that end, I don't foresee

further expansion of the DoD Field Activity.

Congressional Oversight

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

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

Yes

Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Assistant Secretary of Defense for Public Affairs?

Yes

Do you agree to ensure that testimony, briefings and other communications of information are provided to this Committee and its staff and other appropriate Committees?

Yes