

**NOMINATIONS OF MR. MICHAEL D. LUMPKIN
TO BE ASSISTANT SECRETARY OF DEFENSE
FOR SPECIAL OPERATIONS AND LOW IN-
TENSITY CONFLICT; HON. JAMIE M. MORIN
TO BE DIRECTOR OF COST ASSESSMENT
AND PROGRAM EVALUATION (CAPE), DE-
PARTMENT OF DEFENSE; AND HON. JO ANN
ROONEY TO BE UNDER SECRETARY OF THE
NAVY**

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 SENATOR CARL LEVIN, CHAIRMAN

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 (CAPE), Michael Lumpkin to be the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD(SO/LIC)), 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. We all look forward to his rejoining us soon. 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. We all recognize the essential role that families play. Without support, our nominees and the people who hold these offices just simply cannot succeed. 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. 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 (DOD).

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 (ASD(SO/LIC)) has one of the most demand-

ing and diverse portfolios in the Department. If confirmed, Mr. Lumpkin will have policy responsibility for DOD 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(SO/LIC), 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. 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.]

If confirmed, these nominees will enter DOD 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, 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 DOD and, by extension, our national security are right here in our 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 taxpayers' dollars.

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

But DOD'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 (LCS) are only the most recent examples of programs that have been undertaken without regard for affordability or what our combatant commanders and servicemembers 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 current 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. DOD desperately needs strong leadership, and I hope to leave today confident that our witnesses will provide it.

I'd like to submit a statement on behalf of Senator Inhofe.

Chairman LEVIN. Thank you so much, Senator McCain. The statement will be entered into the record.

[The prepared statement of Senator Inhofe follows:]

PREPARED STATEMENT BY SENATOR JAMES M. INHOFE

Thank you, Mr. Chairman. I join you in welcoming our witnesses today and thank them and their families for their willingness to serve our great Nation.

Mr. Lumpkin, this administration has repeatedly downplayed the threat from al Qaeda and its terrorist affiliates to our national security. Just the other week before the United Nations General Assembly, the President made a statement that I found deeply troubling. He stated that "The world is more stable than it was 5 years ago." I couldn't disagree more. Over the last decade, the number of countries al Qaeda and its affiliates operate from has increased dramatically. Rising chaos throughout the Middle East and Africa is allowing al Qaeda and other terrorist groups to regain their balance and expand their spheres of control. From newfound safe havens, these groups remain determined to plan and launch attacks against the United States and our interests. Despite premature claims by this administration about the demise of al Qaeda and its affiliates, it's increasingly clear that the threat from these groups isn't declining, it's evolving. As such, we must remain vigilant and on the offensive. Underpinning these efforts must be a comprehensive strategy to combat what are increasingly global terrorist networks. We cannot simply kill our way to victory. We must attack their safe havens by empowering regional partners through sustained security assistance and engagement and we must enhance our efforts to disrupt the illicit financial networks that fund their operations. I look forward to hearing your assessment of our current efforts and how you believe we can improve their effectiveness.

Dr. Rooney, if confirmed you will be the second-highest ranking civilian in the Navy and will serve as the Navy's Chief Management Officer. In this capacity, you will be responsible for the overall performance of the Navy's business operations. To be candid, I am concerned by your lack of experience with the Navy and apparent lack of qualifications for this position. I look forward to hearing why you feel you are qualified for this position and the right person to help lead the Navy as it confronts unprecedented budget uncertainty, declining readiness, and mounting strategic instability.

Mr. Morin, if confirmed as the Director of the Cost Assessment and Program Evaluation, you will be responsible for providing the Secretary of Defense with unbiased analysis and cost and schedule assessments for the entire defense program. To date, this program has been plagued by cost overruns and schedule delays, withholding important capabilities from the battlefield. A significant contributing factor to these problems has been a lack of accountability throughout the acquisition process. Without accountability, our ability to provide the best possible equipment for our men and women in uniform on budget and on schedule will be severely undermined. As Director, you will play a vital role in informing the decisions of the acquisition community by conducting upfront risk assessments and feasibility studies to ensure we maximize each of our increasingly scarce acquisition dollars. I believe your time as Comptroller of the Air Force will serve you well in as you take on these challenges.

Again, I thank our nominees for being with the committee today and look forward to their testimony.

Chairman LEVIN. Senator Hoeven, we are really delighted to have you here today, and we know that you have the kind of schedule that we all have. 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.

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. 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. 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.

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. 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 CAPE for DOD. 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. 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 Pentagon. He or she needs to be clearly independent, needs to be a strong analyst, a leader, and above all, needs to be fair. 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 DOD 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. 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 also has 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, an 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. 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. 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 base realignment and closure (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. I think that just reflects on the kind of dedication that this individual has for our country and for our Armed Forces. Isn't that just exactly what we want in

the people that work at DOD 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. 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.

First, 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. 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. 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. Thank you very much. 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 director.

CAPE is a remarkable organization really that builds on the history of two incredibly important groups in DOD that have done great work over many years. The systems analysts, who started out life as Secretary McNamara's whiz kids and became 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 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. 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 DOD right now would be greater certainty and ability to plan. 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 DOD 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.

Chairman LEVIN. Thank you so much.

We will now go to Mr. Lumpkin.

STATEMENT OF MR. 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 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 as problem-solving, relationship-building, and collaboration. I believe my operational and policy background as Principal Deputy Assistant Secretary of Defense for SO/LIC 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 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.

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. 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 ele-

mentary 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.

A retired teacher, John Danes, a retired engineer from the National Aeronautics and Space Administration, traveled with mom from Florida to lend their support.

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 accountability. 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 needed 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 proud of you and cannot thank you and your families enough for all of your sacrifices.

Thank you.

Chairman LEVIN. We are going to start with an 8-minute round this morning. Let me start with you, Secretary Morin, with 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 Michael Donely, 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 DOD 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. I was struck when I arrived in DOD 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 (AUMF), the 2001 authorization, and whether you believe that the current legal authorities, including that 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. I agree with it.

Chairman LEVIN. Now, do you share the views of Secretary Panetta and Central Intelligence Agency Director 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 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(SO/LIC) completed a report on authorities used by the special operations forces to engage with partner nation security forces and said, among other things, that, "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.

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. 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 personnel, and that will continue to be exacerbated.

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.

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. 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 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. 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. 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 Uniform Code of Military Justice 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. If you do not know the answer, then you are not qualified for the job yet.

[The information referred to follows:]

Dr. ROONEY. Based on the Department's currently favorable risk assessment of the remaining efforts, today I am cautiously optimistic that the Navy will achieve the fiscal year 2014 mandate. A brief summary Department of the Navy's progress toward achieving audit readiness on its Statement of Budgetary Activity (SBA) by the end of fiscal year 2014:

- The Marine Corps' portion of this statement has been under audit for several annual cycles, and has made great strides towards obtaining a favorable opinion.
- In addition to the Marine Corps effort, the Navy has asserted audit readiness on seven SBA-related business areas. These areas include: E-2D Advanced Hawkeye Major Defense Acquisition Program (MDAP), Appropriations Received, Civilian Pay, Transportation of People (TOP), Reimbursable Work Orders (RWO), Military Pay, and Fund Balance with Treasury (FBWT). Of these seven, four (E-2D MDAP, Appropriations Received, Civilian Pay, TOP) received favorable opinions after independent examinations were completed on them.
- Exams on two more of these SBA-related areas (RWO, Military Pay) are currently underway, and the Navy expects the third examination (FBWT) to commence soon.
- Three remaining business areas (Contract/Vendor Pay, Requisitioning, and Financial Statement Compilation/Reporting) comprising the SBA are on schedule to be asserted in fiscal year 2014.

Senator MCCAIN. Dr. Rooney, last month, the Government Accountability Office (GAO) provided an analysis of the personnel strength, and the GAO said the Navy, "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." 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 re-

source and being able to understand not only our civilians but our contractors is critical.

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

The LCS. The GAO 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 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 (CNO) 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. 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, “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. Do you believe that the surge was a success in Iraq?

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

Senator MCCAIN. 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. 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.

You do believe, though, that we should leave a residual force behind in Afghanistan?

Mr. LUMPKIN. I do.

Senator MCCAIN. 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. Maybe you can look at it before you are confirmed.

[The information referred to follows:]

Mr. LUMPKIN. Our core goal—to defeat al Qaeda and prevent its return to Afghanistan and Pakistan—remains unchanged. Over the past 4 years, due to the dedication and sacrifices of our forces, our coalition partners, and the Afghan security forces, I have been encouraged by the progress made toward our goal and believe this progress can continue beyond 2014.

The executive branch is reviewing options for the size of our contribution to the post-2014 North Atlantic Treaty Organization (NATO) mission, as well as a limited U.S. counterterrorism mission, and that decision will be based on a number of factors, including:

- Conclusion of a U.S.-Afghan Bilateral Security Agreement and the NATO Status of Forces Agreement;
- Progress toward our core goal of disrupting, dismantling, and defeating al Qaeda and preventing its return to Afghanistan and Pakistan;
- Continued progress and development of the Afghan National Security Force;
- A peaceful Afghan political transition centered on the elections in April 2014;
- The potential for peace talks between the Afghan Government and the Taliban.

If confirmed, one of my priorities would be to confer with our operational commanders to get their views of the situation at hand. I would then work with colleagues to provide my recommendations and participate in this review process to help senior leaders continue to make informed decisions that protects U.S. interests in Afghanistan and the region.

Senator MCCAIN. 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. 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. 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 comments on 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 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. 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 Subcommittee is the *Ford* carrier program, the significant cost increases on the first ship to be built and additional cost added in as complications arose. 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 construction on a CVN-79 is started.

Senator REED. Dr. Morin, recently the Pentagon Inspector General (IG) 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. 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? You had quite a bit of interest, I think, on the Budget Committee also.

Dr. MORIN. Yes, sir. 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 DOD'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, DOD personnel or contractors, but hopefully DOD 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.

U.S. Special Operations Command (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 Quadrennial Defense Review (QDR) in 2006. What it did is basically scoped the size of the operational force, and it saw a glide slope of growth. The QDR 2010 showed that there are enabling requirements of those forces of intelligence, surveillance, and reconnaissance 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. 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. 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. 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. 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. 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. We have to be very critical when we have programs in place that we cannot have outcomes. To use the models such as the one there—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. If confirmed, one of the key areas that I will spend time on is looking even outside of the Department to the industries. I

have worked 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.

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. Of course, the Portsmouth Naval Shipyard plays a key role as one of our four public shipyards in doing that.

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 apprenticeship 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. I look forward to working with you to maintain that tremendous workforce.

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. 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. 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. 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. It is not easy then, if you do lose it, to try to gain that back. 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.

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 al Zawahiri. Is that right?

Mr. LUMPKIN. That is my understanding, yes.

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

Mr. LUMPKIN. I am always hesitant on timelines.

Senator AYOTTE. 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. 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. I thank you very much, and I appreciate the question that Senator Reed asked about the impact on SOCOM of sequester. Obviously, I think the role of SOCOM has become even more important. 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 (IPA) 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 information technology (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. 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. 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. 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. I appreciate it.

Chairman LEVIN. Senator Nelson?

Senator NELSON. First of all, thanks to all of you for your public service.

Dr. Rooney, 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 DOD, this problem surfaced first there and then we see it later in all of the discussion. Please keep that in mind.

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 SOCOM?

Mr. LUMPKIN. Thank you, Senator.

The relationship between the ASD(SO/LIC) 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 SOCOM.

Senator NELSON. 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, Dr. 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 have 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 U.S. taxpayers are funding to buy from Russia. Rosoboronexport is selling those helicopters to Afghanistan for purchases with U.S. funds. DOD, evidently, is continuing with the policy of making use of the exception that we made in the last National Defense Authorization Act (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 U.S. helicopters.

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. 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.

Dr. 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. I absolutely agree that Article 32 does need to be reformed.

Senator BLUMENTHAL. I strongly support an alternative to the current command structure, 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. 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. 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. 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. 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, and without advocacy. 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.

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-edge technology work that SOCOM uses for much of the operations. I just wanted to invite you to come by and see the place where much of what our 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 SO/LIC, 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. You have my commitment, if confirmed, that I will make a trip out to Crane in short order.

Senator DONNELLY. Thank you very much.

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. 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. 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. We are going to make this right, work nonstop to make this right. 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 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, IN. 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.

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. 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. 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. 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. 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 understanding 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 in Personnel and Readiness. It was something that we were tracking very, very closely. 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.

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 have to look at Article 32 in addition to the sexual assault victim who is put through a 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, anyway, I think it clarifies it.

Senator Kaine is next.

Senator KAINE. 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. 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. 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, 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 how you see the budgetary uncertainty, sequester, shutdown, et cetera affecting planning functions in your current capacities.

Dr. ROONEY. 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. 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.

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. 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 DOD is the envy of the world and our military establishment is the envy of the world is the really robust planning, programming, budgeting, and 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 DOD does this long-range plan.

The Cost Assessment and Program Evaluation organization is the keeper of what is called the Future Years Defense Plan, the database of the programmatic decisions that the Department is making for that 5-year time horizon. 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. 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.

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. 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. If we retract from where we are at right now, it takes a long time to turn it back on. 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 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. 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.

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. It really struck me as there has to be significant morale effects of all this uncertainty, wondering whether the political leadership is behind you or not. That has 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. 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. When they see the uncertainty of the future, they are wondering. 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. 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. 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. 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. 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.

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. Over 50 percent are veterans. 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. Chairman.

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. 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. 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, or 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. 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. I think part of it is this public repeating of this disparagement of public servants, and it includes teachers, by the way, I mean, some of our most important public servants. It is shameful.

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. That points up the fact that—and there are two ways to deal with those health care costs. One is for the Government to 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 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. 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. 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 that.

Senator KING. 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.

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 11 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. 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. 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. 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. 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. 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, 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. 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. Dr. Morin, you are in an incredible 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. You have to be rigorously objective, it seems to me. You are in one of the most important jobs in DOD

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—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.

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. Title 10 states that the principal duty of the ASD(SO/LIC) is the overall supervision, including oversight of policy and resources of our special operations activities. In other words, the ASD(SO/LIC) is to provide civilian oversight of acquisition, budget, and related matters for SOCOM. In recent years, these responsibilities have competed with current operations for the main attention of the ASD(SO/LIC).

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

Mr. LUMPKIN. Thank you, Senator.

Absolutely. Being in SO/LIC 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 SOCOM and the major force program 11 funding line is absolutely key and paramount.

Senator HAGAN. 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 SOCOM.

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 operations.

I also want to note that we just lost one female cultural support member who was killed in the improvised explosive device attack this past week with the three other servicemembers. 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 con-

firmed, 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. 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 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 SOCOM does a complete and comprehensive study to make the best recommendation forward.

Senator HAGAN. The study is not due until January 2016. 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:]

The study on occupational standards is expected to be completed by July 2015. As I understand, the goal is to implement the findings by January 2016.

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 DOD—of our science and technology (S&T) 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?

It really concerns me greatly that our education system is not up to the speed it needs to be from a science, technology, engineering, and math (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. 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 en-

vironment 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. 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. As I mentioned, over half of the Department of the Navy civilians fit in many of the categories you described. 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. We have 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. 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? That way we can tailor those tools. This is not a case of saying just throw money at it. There are specific things.

Senator HAGAN. Do you know what the retention is?

Dr. ROONEY. I do not, Senator, at this point, but if confirmed, I would definitely look into it. I started off as an engineer in college, and I was encouraged in math and science. I know the challenge. 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. 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.

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. 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 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. 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 lesbian, gay, bisexual, and transgender community.

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. 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 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. It is not, from my understanding, designed to either slow this process down or come to a foregone conclusion. 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 Defense Advisory Committee on Women in the Services (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. 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 the re-

peal of Don't Ask/Don't Tell. 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. 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 decisionmaking for all serious crimes out of the chain of command, but you should give that decisionmaking 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. 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. 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. 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. 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. It was not something that they used as a way to feel confident that moving forward, something would be done. 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. That is it. 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. It is the commander's job.

Chairman LEVIN. 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. 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? 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. 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. Chairman, 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. I think one of the reasons 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. Chairman.

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. That is absolutely true. There are many ways to hold that commander accountable. 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 DOD 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 Congress is going to say enough is enough and we are going to make much more dramatic changes. 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 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.

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. I do not want to compare it in any way.

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.

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.]

[Prepared questions submitted to Mr. Michael D. Lumpkin by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

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

Do you see the need for modifications of any Goldwater-Nichols Act or special operations reform provisions? If so, what areas do you believe might be appropriate to address in these modifications?

Answer. No. The Goldwater-Nichols Act and current special operations authorities have served the Department and our Nation well and enhanced the Department's capabilities to respond when required. If confirmed, I will make proposals for modifications if and when required.

DUTIES

Question. Section 138(b)(4) of title 10, U.S.C., describes the duties and roles of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict (ASD(SO/LIC)).

What is your understanding of the duties and functions of the ASD(SO/LIC)?

Answer. The ASD(SO/LIC) is the principal civilian advisor to the Secretary of Defense on special operations and low intensity conflict matters. The ASD(SO/LIC) has overall supervision (to include oversight of policy and resources) of special operations and low-intensity conflict activities which encompass policies pertaining to Department of Defense special operations' capabilities and authorities, counternarcotic efforts and resources, humanitarian assistance and disaster relief, strategies for building partner capacity, and stability operations in accordance with the Under Secretary of Defense for Policy's priorities and guidance.

Question. What Department of Defense (DOD) activities are currently encompassed by the Department's definition of special operations and low-intensity conflict?

Answer. Special operations and low intensity conflict activities, as defined section 167 of title 10 U.S.C., include direct action, strategic reconnaissance, unconventional

warfare, foreign internal defense, civil affairs, psychological operations, counterterrorism, humanitarian assistance, theater search and rescue, and such other activities as may be specified by the President or Secretary of Defense.

Question. If confirmed, what changes, if any, in the duties and functions of ASD(SO/LIC) do you expect that the Secretary of Defense would prescribe for you?

Answer. At present, I do not expect the Secretary of Defense would make any changes to the duties and functions assigned of ASD(SO/LIC).

Question. In your view, are the duties set forth in section 138(b)(4) of title 10, U.S.C., up to date, or should changes be considered?

Answer. Yes, I believe the duties of the ASD(SO/LIC) as prescribed in section 138(b)(4) of title 10 continue to remain relevant and provide the ASD(SO/LIC) appropriate and clear authority to serve as the principal civilian advisor to the Secretary of Defense on special operations and low intensity conflict matters. I do not believe any changes are needed at this time.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the ASD(SO/LIC)?

Answer. Not at present, but if confirmed I would make an assessment of this and provide recommendations as needed to improve my oversight of Special Operations.

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. I believe I am uniquely qualified for this position because of my broad background in all aspects of the SO/LIC portfolio.

I have been directly involved in the arena of special operations since the 1980's when I began a career as a naval officer and U.S. Navy SEAL. During my time on active duty, I served throughout the world in places such as Afghanistan, Colombia, El Salvador, the Horn of Africa, and Iraq. As a U.S. Navy SEAL, I held every leadership position from Platoon Commander to Team Commanding Officer. During my time in uniform, I garnered significant experience in counternarcotics, counterterrorism, counterinsurgency, and security sector assistance.

After my military service, in addition to serving in other Federal departments, I served as Principal Deputy Assistant Secretary of Defense for Special Operations and Low Intensity Conflict and Acting ASD(SO/LIC).

Additionally, I have a strong management background and served in the principal leadership positions of Chief Executive Officer and Director in the private sector.

RELATIONSHIPS

Question. In carrying out your duties, how will you work with the following:

The Secretary of Defense.

Answer. If confirmed, I will perform my duties as the principal advisor to the Secretary of Defense on all special operations, assisting the Secretary in the development and employment of Special Operations Forces (SOF) to achieve U.S. national security objectives. I will engage the Secretary on U.S. counterterrorism strategy and operations, offer policy guidance and oversight of international efforts to combat narcotics trafficking and transnational organized crime, and inform the Secretary regarding the Department's support to peacekeeping, humanitarian assistance, and stability operations across the globe.

Question. The Deputy Secretary of Defense.

Answer. If confirmed, I will keep the Deputy Secretary informed as well as provide advice and support on current and future special operations activities, capabilities, plans, and authorities, ongoing and projected counterterrorism efforts and priorities, and the development and employment of stability operations, counternarcotic programs, and peacekeeping efforts.

Question. The Under Secretary of Defense for Policy.

Answer. If confirmed, I will work very closely supporting the Under Secretary of Defense for Policy. I will keep the Under Secretary informed as well as provide advice and support on current and future special operations activities, capabilities, plans, and authorities, ongoing and projected counterterrorism efforts and priorities, and the development and employment of stability operations, counternarcotics programs, and peacekeeping efforts.

Question. The Under Secretary of Defense for Intelligence.

Answer. Special operations and intelligence are mutually supporting, so, if confirmed, I will continue to foster the close working relationship with the Under Secretary of Defense for Intelligence.

Question. The Assistant Secretary of Defense for International Security Affairs, the Assistant Secretary of Defense for Asian and Pacific Security Affairs, and the

Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs.

Answer. If confirmed, I expect to work closely with the regional Assistant Secretaries of Defense in the Office of the Under Secretary of Defense for Policy, providing advice regarding special operations and stability operations that are ongoing or in the planning stage. We would also work together on policies to build partner capacity, counternarcotics, and combat global threats. I would also anticipate working very closely with the Assistant Secretary of Defense for Global Security Affairs on our counterproliferation and cyber policy efforts.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. If confirmed, I plan to maintain a close working relationship with the Chairman, the Chiefs, and the Chairman's staff. Effective policy and resource oversight of special operations to include successful implementation of our counterterrorism strategies requires continued close coordination and collaboration with the Chairman of the Joint Chiefs of Staff, the Chiefs of Staff, and the Chairman's staff.

Question. The Service Secretaries and Service Chiefs.

Answer. If confirmed, I will work with the Military Department Secretaries and Service Chiefs to ensure that the requirements to organize, train, and equip personnel and units that enable or support Special Operations Forces are met and maintained. I would also work with them to ensure adequate resourcing of Service-common requirements and infrastructure for Special Operations Forces.

Question. The Geographic Combatant Commanders.

Answer. The geographic combatant commands are at the forefront of the global fight against terrorists and violent extremists. They are responsible for maintaining a forward posture to deter and dissuade adversaries and assure and build the capabilities of our allies. If confirmed, I will work closely with the geographic combatant commands in all of these areas.

Question. Commander, U.S. Special Operations Command.

Answer. The Commander, U.S. Special Operations Command (SOCOM) and the ASD(SO/LIC) have a close relationship in defining and meeting the needs of our Special Operations Forces. If confirmed, I am committed to maximizing that relationship in order to fulfill my responsibilities in accordance with the ASD(SO/LIC)'s statutory requirement to oversee the policy and resources for special operations activities.

Question. The Commanders of the Service Special Operations Commands.

Answer. If confirmed, I will work closely with the Service special operations commands to ensure they have the policies and resources needed to develop and provide the capabilities needed by the Commander, SOCOM, and the regional combatant commanders.

Question. Chief, National Guard Bureau.

Answer. If confirmed, I will work closely with the Chief, National Guard Bureau, to ensure they have the policies and resources needed to develop and provide the capabilities supporting the priorities of our geographic combatant commands.

Question. The Director of National Intelligence.

Answer. As mentioned above, special operations and intelligence are mutually supporting. If confirmed, I will work closely to support the Director of National Intelligence and his subordinates ensuring both parties are appropriately engaged and informed on items of shared national security interest.

Question. The Director of Central Intelligence.

Answer. Again, special operations and intelligence are mutually supporting. If confirmed, I will work closely to support the Director of Central Intelligence and his subordinates ensuring close, continuing collaboration on items of shared national security interests.

Question. The Director, National Counter Terrorism Center.

Answer. SOF activities are central to counterterrorism; the NCTC helps ensure coordination of all U.S. Government counterterrorism activities. If confirmed, I will maintain ASD(SO/LIC)'s role as the primary Office of the Secretary of Defense's interface on SOF and counterterrorism matters.

MAJOR CHALLENGES AND PRIORITIES

Question. In your view, what are the major challenges confronting the ASD(SO/LIC)?

Answer. With growing fiscal constraints in the Department, it will be a challenge to protect our vital defense capabilities. ASD(SO/LIC) must continue to ensure SOF has the adequate resources, training, and equipment as well as authorities to execute and support U.S. counterterrorism strategies as an essential component of our U.S. national security policies. As the Department rebalances efforts and resources

toward the Asia Pacific region coupled with the approaching draw down of forces in Afghanistan, ASD(SO/LIC) must continue to shape policies and provide expertise on all special operations and Department of Defense (DOD) support to peacekeeping, humanitarian assistance and stability operations across the globe. Terrorism remains a persistent threat to our national security, and while al Qaeda core has been degraded, the evolving threat of al Qaeda-affiliated networks endures. Many of these terrorist networks that directly threaten American interests are not confined to the geographic boundaries of any one country; therefore, it is vital that the Department remain focused on denying al Qaeda and its affiliate's their transnational safe havens.

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

Answer. If confirmed, I will work within the Department and the interagency to ensure that programs key to effective counter terrorism operations are properly supported. While ASD(SO/LIC) will remain the focal point for coordinating the Department's strategic counterterrorism guidance, I would engage my counterparts across the interagency to implement effective programs building our partner's capacity and thereby advancing mutual security interests. I will balance my effort to ensure the Department remains capable of supporting peacekeeping, humanitarian, and stability operations across the globe.

Question. If confirmed, how would you seek to balance responsibilities for operational issues within your portfolio with the "Service Secretary-like" responsibilities for Special Operations Forces?

Answer. Balance is very important as we enter into a resource constrained environment. Ensuring that our SOF retains their qualitative advantage into the future and that they and their families are taken care of is a top priority. To achieve this, SOF must be properly resourced to include having the best equipment and training available, and a well-educated force. If confirmed as ASD(SO/LIC), I will make every effort to assert the ASD(SO/LIC) role in the resourcing process. This would include participation in SOCOM's Commander's Roundtable which is the SOCOM resource decision forum. Through constant collaboration with the senior leadership at SOCOM, we would ensure that Major Force Program (MFP) 11 funds are used to maintain a strong and ready force. I would also work closely with the Services to ensure that service common support is identified and provided.

Question. If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the ASD(SO/LIC)?

Answer. If confirmed, my broad priorities would be to ensure our Nation continues to have the world's premier special operations capabilities to win the current fight against al Qaeda and its affiliates, while shaping the force for future operations in a very uncertain global security environment. Drivers of success—namely the operational readiness of the force, the care of our people, and sustainment of resources will be among the key issues I will address.

CIVILIAN OVERSIGHT OF THE U.S. SPECIAL OPERATIONS COMMAND

Question. The legislation creating the U.S. Special Operations Command (SOCOM) assigned extraordinary authority to the commander to conduct some of the functions of both a military service and a unified combatant command.

Which civilian officials in the DOD exercise civilian oversight of the "service-like" authorities of the Commander, SOCOM?

Answer. Per title 10, U.S.C. § 138 and DOD Directive 5111.10 (in accordance with Under Secretary of Defense for Policy priorities and guidance), the ASD(SO/LIC) is the principal civilian oversight for all special operations activities. Other DOD civilian officials also exercise oversight in some capacity:

- Under Secretary of Defense for Intelligence (USD(I)) coordinates on intelligence issues
- Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) coordinates on acquisition issues
- Under Secretary of Defense for Personnel and Readiness (USD(P&R)) coordinates on personnel policies such as SOF-unique incentives and readiness issues
- Under Secretary of Defense for Comptroller (USD(C)) coordinates on SOF budget and year-of-execution program issues
- Military Department Secretaries coordinate on SOF manpower issues
- Director, OSD/Cost Assessment Program Evaluation (CAPE), coordinates on SOF Program development and issues

Question. In your view, what organizational relationship should exist between the ASD(SO/LIC) and the Commander, SOCOM?

Answer. ASD(SO/LIC) provides civilian oversight of all special operations matters as required by title 10, U.S.C. § 138. As such, the ASD(SO/LIC) provides Service Secretary-like oversight of special operations policy and resource matters and advice to implement Secretary of Defense and Under Secretary of Defense for Policy priorities. The relationship with the Commander, SOCOM should be collaborative and cooperative to develop the best possible special operations forces and employ them effectively. Ultimately, the ASD(SO/LIC) represents the Secretary of Defense and provides recommendations regarding special operations that are in the best interest of the Department.

Question. What should be the role of the ASD(SO/LIC) in preparation and review of Major Force Program (MFP) 11 and SOCOM's Program Objective Memorandum (POM)?

Answer. The ASD(SO/LIC) provides policy oversight for the preparation and justification of the Special Operations Forces' program and budget. Ensuring that the SOCOM POM is aligned with national priorities and in support of the national defense strategy is key. The ASD(SO/LIC) currently attends the SOCOM Commanders' Roundtable—the SOCOM resource decision forum—to help ensure the POM is aligned to the Department's guidance. During program reviews, the ASD(SO/LIC) works closely with the Deputy Secretary of Defense and the Director, CAPE, to resolve issues across the Department. If confirmed, I will work closely with all parties to ensure our Nation sustains a ready, capable Special Operations Force, prepared to meet the fiscal, operational, and global challenges we face today and into the future.

Question. What is the appropriate role of the ASD(SO/LIC) in the research and development and procurement functions of SOCOM?

Answer. The appropriate role of ASD(SO/LIC) is to provide policy oversight in resolving special operations acquisition issues. As the lead Office of the Secretary of Defense official for SOF acquisition matters, the ASD(SO/LIC) represents SOF acquisition interests within DOD and before Congress. The responsibilities and relationships between the ASD(SO/LIC) and the Commander, SOCOM are defined and described in a Memorandum of Agreement between the ASD and Commander, SOCOM. The ASD directs and provides policy oversight to technology development programs that address priority mission areas to meet other departmental, inter-agency, and international capability needs.

Question. What is the appropriate role of the ASD(SO/LIC) in the operational planning of missions that involve special operations forces, whether the supported command is SOCOM, a geographic combatant command, or another department or agency of the U.S. Government?

Answer. The ASD(SO/LIC) serves as the principal advisor to the Under Secretary of Defense for Policy and the Secretary of Defense for all aspects of employment, deployment, and oversight of special operations and counterterrorism capabilities. The ASD(SO/LIC) provides policy oversight of SOCOM's mission planning and geographic combatant commanders' employment of SOF to ensure compliance with law and DOD priorities. The ASD(SO/LIC) coordinates deployment authorities and plans involving SOF within DOD and with interagency partners as required.

IMPACT OF SEQUESTRATION

Question. The President's budget request and the fiscal year 2014 spending bills for the Department of Defense considered by Congress to date assume an agreement that would avoid sequestration for fiscal year 2014. In the absence of such an agreement, the Department of Defense will face a second year of sequestration and an across-the-board reduction of approximately \$52 billion.

What are your views on the impact sequestration is having on the readiness of special operations forces and how would those impacts be exacerbated if sequestration continues in fiscal year 2014 and beyond?

Answer. Sequestration has a negative effect on readiness across the Department. If confirmed, I will work closely with Congress, the DOD Comptroller, and SOCOM to assess the particular impact of sequestration on SOF, particularly to ensure we can sustain the right level of capability, capacity, and readiness across the Future Years Defense Program, aligned to current strategy and available resources.

SPECIAL OPERATIONS COMMAND ACQUISITION AUTHORITIES

Question. SOCOM is unique within the DOD as the only unified command with acquisition authorities and funding. Further, the Commander of SOCOM is the only uniformed commander with a subordinate senior acquisition executive.

If confirmed, how would you ensure SOCOM requirements are adequately vetted and balanced against available resources before moving forward with an acquisition program?

Answer. The ASD(SO/LIC) is closely involved in all facets of the SOCOM Planning, Programming, Budgeting, and Execution system, providing oversight of these matters. Other forums used by the ASD(SO/LIC) include: the USD(AT&L) Acquisition Review of Department Systems, the SOCOM Commanders' Roundtable, the SOCOM Integrated Concept Team Reviews, and SOCOM Budget and Acquisition Reviews. Additionally, through the annual DOD Program Budget Review process, the ASD(SO/LIC) is able to ensure that SOCOM's priorities and resource allocation are in alignment with the Department's strategic and policy imperatives.

Question. What role can SOCOM's development and acquisition activities play in broader service and DOD efforts?

Answer. SOCOM can continue to serve as an incubator for developing new equipment and capabilities that initially are for special operations-specific needs but often transition to the General Purpose Force. Noteworthy is SOCOM's ability to conduct rapid evaluations of technology, systems, and concepts of operations, and the ability to integrate emerging off-the-shelf technologies.

Question. If confirmed, how would you ensure that special operations capabilities and requirements are integrated into overall DOD research, development and acquisition programs?

Answer. If confirmed, I would continue to support the regularly-convened SOCOM-led "Acquisition Summits" with OSD, drawing together SOCOM, USD(AT&L), and the Service Acquisition Executives where all elements discuss acquisition issues of common interest.

Question. If confirmed, how would you ensure sufficient resources are dedicated to the development of special operations-unique platforms, when required?

Answer. ASD(SO/LIC) is closely involved and integrated with SOCOM's planning, resourcing, and execution. Additionally, the ASD(SO/LIC) attends the SOCOM Commanders' Roundtable quarterly meetings, which allows the ASD to maintain awareness of matters of concern and import to SOCOM and its subordinate commands. Finally, ASD(SO/LIC) representatives sit on the SOCOM Special Operations Requirements Board to ensure SOF requirements are ready for funding. If confirmed, I will advocate for steady and predictable resourcing of SOCOM and oversee the investment strategy. If confirmed, I will also provide advice and support to the Under Secretary of Defense for Policy as he sits on critical resource decisionmaking bodies.

Question. If confirmed, what metrics will you use to determine the effectiveness of SOCOM technology development investments and whether SOCOM is investing sufficient resources in these efforts?

Answer. SOCOM has created a series of technology roadmaps that are effective in identifying promising solutions to meet operational requirements. These roadmaps have quantifiable metrics (e.g., cost, schedule, performance, and technology readiness) embedded in them and allow the ASD(SO/LIC) to oversee and monitor progress and identify obstacles that may require Department-level involvement.

Question. If confirmed, how will you ensure that SOCOM has an acquisition workforce with the skills, qualifications, and experience needed to develop and manage its acquisition and research and development programs?

Answer. If confirmed, I would support SOCOM's efforts to manage the SOF acquisition workforce, which is similar to the process used by the Service Acquisition Executives. SOCOM's acquisition workforce experts are professionally trained and certified, and have substantial experience in the SOF-unique processes needed to meet the equipping needs of SOF. I would also support SOCOM's efforts with USD(AT&L) to expand its organic acquisition workforce, as well as to create a unique identifier for SOF acquisition positions.

SPECIAL OPERATIONS PERSONNEL MANAGEMENT

Question. Some have argued that the Commander of SOCOM should have greater influence on special operations personnel management issues including assignment, promotion, compensation, and retention of special operations forces. One proposal would modify section 167 of title 10, U.S.C., to change the role of the SOCOM Commander from "monitoring" the readiness of special operations personnel to "coordinating" with the Services on personnel and manpower management policies that directly affect Special Operations Forces.

What is your view of this proposal?

Answer. Personnel policies and management are arguably the most effective tool for incentivizing characteristics and culture in an organization. Currently, Commander, SOCOM, provides input to Service personnel policies that effect SOF, but

has no direct influence or control over the assignment, promotion, or command selection of SOF personnel. Changing section 167 of title 10, U.S.C., to reflect the word “coordinating” rather than “monitoring” would give SOCOM more influence over Service personnel policies that affect SOF accessions, assignments, compensation, promotions, professional development, readiness, retention, and training. However, I believe that additional coordination and study should be done within the Department to fully understand the impact of this proposal.

SIZE OF SPECIAL OPERATIONS FORCES

Question. The previous two Quadrennial Defense Reviews (QDR) have mandated significant growth in our Special Operations Forces and enablers that directly support their operations.

Do you believe QDR-directed growth in the size of Special Operations Forces can and should be maintained in light of current fiscal challenges?

What do you believe would be the impact on the ability of Special Operations Forces to meet global requirements if QDR-directed growth is not realized? What if special operations end strength is reduced below current levels?

Answer. I believe the uncertain security environment necessitates a review of our SOF force structure, balanced against our strategy and resources, during each QDR and program review. If confirmed, I will work closely with colleagues in DOD and with the SOCOM Commander to ensure our Nation has a ready, capable Special Operations Force to address current and future threats.

SPECIAL OPERATIONS MISSIONS

Question. In recent years, Special Operations Forces have taken on an expanded role in a number of areas important to countering violent extremist organizations, including those related to information and military intelligence operations. Some have advocated significant changes to SOCOM's title 10 missions to make them better reflect the activities Special Operations Forces are carrying out around the world.

What current missions, if any, do you believe can and should be divested by SOCOM, and why?

Answer. I fully support the 2010 QDR's strategic shift toward expanding general purpose forces' capabilities and capacity for irregular threats. However, I believe that SOF must maintain a very robust capability to train, equip, and advise foreign security forces as part of ensuring SOF capability to conduct operations in politically sensitive environments, ensuring access for other SOF activities, and ensuring the ability to train, equip, and advise either Special Operations Forces or irregular forces. At this time, I do not advocate significant changes to SOCOM's title 10 missions. If confirmed, I will make recommendations of any mission divestitures if and when required.

Question. Are there any additional missions that you believe SOCOM should assume, and, if so, what are they and why do you advocate adding them?

Answer. No. If confirmed, I will make recommendations of any additional missions for SOF if and when required.

COMBATTING TERRORISM

Question. The National Strategy for Counterterrorism highlights the need to maintain pressure on al Qaeda's core while building the capacity of partners to confront mutual threats. The strategy also underscores the need to augment efforts to counter threats from al Qaeda-linked threats “that continue to emerge from beyond its core safe haven in South Asia.” The President signed new Policy Guidance on Counterterrorism on May 22, 2013, that established a framework governing the use of force against terrorists.

How do you view DOD's role under the National Strategy for Counterterrorism?

Answer. The President's National Strategy for Counterterrorism maintains the focus on pressuring al Qaeda's core while emphasizing the need to build foreign partnerships and capacity and to strengthen our resilience. Overarching goals are to protect the American people, Homeland, and interests; disrupt, degrade, dismantle, and defeat al Qaeda; prevent terrorists from acquiring or using weapons of mass destruction; eliminate safe havens; build enduring counterterrorism partnerships; degrade links between al Qaeda and its affiliates and adherents; counter al Qaeda's ideology; and deprive terrorists of their financial support and other enablers.

The U.S. Government remains engaged in a multi-departmental, multinational effort. DOD continues to undertake activities to support this strategy including training, advising, and assisting partner security forces; supporting intelligence collection

on al Qaeda; conducting information operations against al Qaeda; and, when appropriate, capturing or killing al Qaeda operatives. However, DOD is also committed to enabling its intelligence and law enforcement partners, both in the United States and overseas, in their efforts to counter this threat.

Question. What is your understanding of the impact of the President's guidance for the use of force in counterterrorism operations outside the United States and areas of active hostilities on DOD's role within the U.S. Government's counterterrorism strategy?

Answer. The President's guidance formalizes and strengthens the administration's rigorous process for reviewing and approving operations to capture or employ lethal force against terrorist targets outside the United States and outside areas of active hostilities. By establishing a clear set of criteria that must be met before lethal action may be taken, the guidance will help focus DOD's planning and preparation for these operations. If confirmed, I will make a formal assessment of the impact of the new guidance and provide my best advice to the Secretary and the President to ensure we're doing everything we can to protect our Nation from terrorist attacks.

Question. Will DOD see its role increase or decrease as a result of the President's counterterrorism guidance?

Answer. The guidance establishes standards and procedures that are either already in place or will be transitioned over time. As such, I do not anticipate a significant change in the Department's role. If confirmed, I intend to ensure we conduct counterterrorism operations lawfully, and in accordance with this policy.

Question. If the role increases, what, if any, are the commensurate increases in capabilities or capacities that are required?

Answer. If there is an increase in our role, if confirmed, I will work closely with colleagues to ensure our department has the requisite capabilities to execute our counterterrorism responsibilities in accordance with the policy.

Question. Will DOD require any new authorities?

Answer. At this time, it is my understanding the Department of Defense does not require any new authorities to carry out our counterterrorism responsibilities.

Question. Are there steps DOD should take to better coordinate its efforts to combat terrorism with those of other Federal departments and agencies?

Answer. I believe the Department of Defense routine coordination with other Federal departments and agencies adequately addresses its efforts to combat terrorist networks and threats to American interests.

Question. What do you view as the role of DOD in countering al Qaeda and affiliated groups in cyberspace?

Answer. It is important that DOD retain the resources and expertise to counter al Qaeda's propaganda and recruitment efforts in cyberspace, in order to effectively complement the State department's primacy of communications outside of combat zones.

THE 2001 AUTHORIZATION FOR USE OF MILITARY FORCE

Question. What is your understanding of the scope and duration of the 2001 Authorization for Use of Military Force (AUMF)?

Answer. The AUMF was enacted by Congress on September 18, 2001 (Public Law 107-40), and it provides "that the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons." The AUMF remains law; it has not been amended or repealed.

Question. What factors govern Department of Defense determinations as to where the use of force is authorized, and against whom, pursuant to the AUMF?

Answer. Outside of Afghanistan, without touching on matters that may be classified, I would note that targeting decisions are made based on careful, fact-intensive assessments, and review, in order to identify those individuals and groups that are appropriately targetable. This review continues up the chain of command through the four-star combatant commander and to the Secretary of Defense.

Question. Do you believe that current legal authorities, including the AUMF, enable the Department to carry out counterterrorism operations and activities at the level that you believe to be necessary and appropriate?

Answer. Yes, I believe that DOD's current legal authorities, including the AUMF and the President's constitutional authority as Commander in Chief and Chief Executive, are necessary and appropriate.

SPECIAL OPERATIONS AUTHORITIES

Question. Reportedly, the Commander of SOCOM has sought more control over the deployment and utilization of Special Operations Forces. For example, the Secretary of Defense modified policy guidance for the combatant commands earlier this year that gave SOCOM, for the first time, responsibility for resourcing, organizing, and providing guidance to the Theater Special Operations Commands of the geographic combatant commanders (GCC) and Special Operations Forces assigned to them. It has been reported that the Commander of SOCOM is also seeking new authorities that would allow him to more rapidly move special operations forces between geographic combatant commands.

Please provide your assessment of whether such changes are appropriate and can be made without conflicting with civilian control of the military, infringing upon authorities provided to the geographic combatant commanders, or raising concerns with the State Department.

Answer. On February 11, 2013, the Secretary of Defense approved an update to the Forces For Unified Commands Memorandum for Fiscal Year 2013 that assigns all Special Operations Forces to Commander, SOCOM. This improved command relationship gives Commander, SOCOM, the flexibility to meet geographic combatant commander requirements with sustained, persistent SOF capabilities and capacities more effectively in order to accomplish regional objectives in support of national strategic end states. GCCs continue to exercise operational control of Special Operations Forces once deployed into a GCC area of responsibility.

INTELLIGENCE OPERATIONS

Question. In your view, how are intelligence operations carried out by special operations personnel different from those carried out by others in the Intelligence Community?

Answer. In my view, SOF intelligence operations are complementary and mutually supporting to those carried out by the Intelligence Community (IC). These operations comply with the policies and regulations guiding DOD and interagency activities.

Question. If confirmed, how would you ensure intelligence activities carried out by Special Operations Forces are coordinated adequately with other activities carried out by those in the Intelligence Community?

Answer. I believe that interagency collaboration is the most important contributing factor to many of SOF's achievements. If confirmed, I will oversee, maintain, and build upon the important relationships SOCOM has developed with the Federal intelligence and law enforcement agencies.

Question. What is your understanding and assessment of the authorities and agreements which are in place to allow U.S. military personnel to carry out missions under the authorities contained in title 50, U.S.C.?

Answer. The Secretary of Defense has authority under title 10 and title 50, U.S.C. to conduct operations vital to our national defense. DOD activities conducted under title 50 support intelligence collection for the Department as well as for the Nation. U.S. military personnel are employed across the spectrum of tactical to strategic operations in support of these requirements.

INFORMATION OPERATIONS

Question. The Government Accountability Office reports that DOD has "spent hundreds of millions of dollars each year" to support its information operations outreach activities. Many of these programs are in support of operations in Afghanistan, but Military Information Support Teams (MISTs) from SOCOM also deploy to U.S. embassies in countries of particular interest around the globe to bolster the efforts of the Department of State and the U.S. Agency for International Development. Further, the geographic combatant commands are increasingly moving into this operational space.

What are your views on DOD's military information support operations and influence programs and their integration into overall U.S. foreign policy objectives?

Answer. I believe the Department of Defense must be able to influence foreign audiences in environments susceptible to the messages of U.S. adversaries. Military Information Support Teams (MIST) are trained in developing culturally appropriate messages to counter hostile information and propaganda, as well as assisting with building the capacity of partner nations to conduct these activities themselves.

Question. What is the role of DOD versus the Intelligence Community and the State Department?

Answer. The Department of Defense, like all Departments and agencies of the executive branch, takes its lead from the President, and relies heavily on the Department of State, in re-enforcing the Nation's message. I understand that Department of Defense influence activities, including those conducted by MISTs, are coordinated closely with the Embassies in the areas where they operate, both inside and outside of areas of conflict, and at times can support common efforts of other agencies. Chiefs of Mission must concur on all MIST deployments. MIST activities are fully coordinated with the U.S. country team to ensure message consistency and maintain State Department leadership in presenting the face of the U.S. overseas.

Question. How do you believe the success of these programs should be measured, especially in light of the constrained budget environment?

Answer. I understand the Department has taken significant steps to address congressional concerns related to policy oversight, budgeting, and effectiveness of information support operations and influence programs. These programs remain a special interest item for Congress, and as such must continue to be carefully managed and overseen. If confirmed, I intend to continue to be responsive to Congress on this matter, as well as to continue the Department's efforts to improve coordination of our information activities across the interagency.

CIVIL AFFAIRS OPERATIONS

Question. Civil Affairs activities carried out by U.S. Special Operations Forces in partnership with host nation personnel play an important role in developing infrastructure, supporting good governance and civil societies, and providing humanitarian assistance, including medical and veterinary services to needy populations.

In your view, does SOCOM have sufficient personnel and resources to conduct the range of Civil Affairs missions required for today's operations?

Answer. If confirmed, I will review the Civil Affairs (CA) force structure and work with the Joint Staff, the Services, and the combatant commands to determine any shortfalls and how best to address them.

Question. Civil Affairs activities are most effective when coordinated with other U.S. Government efforts, most notably those carried out by U.S. Agency for International Development.

If confirmed, how would you ensure Civil Affairs activities by special operations personnel are integrated into larger U.S. Government efforts?

Answer. If confirmed, I will meet regularly with my interagency counterparts in order to harmonize U.S. Government CA efforts as required.

Question. Military Information Support Operations (MISO) can have an amplifying effect on Civil Affairs activities by actively promoting the efforts of the U.S. military and host nation and by communicating truthful messages to counter the spread of violent extremist ideology among vulnerable populations.

If confirmed, how would you ensure Civil Affairs and Military Information Support Operations are adequately coordinated to achieve a maximum impact?

Answer. If confirmed, I would support SOCOM in its role as a joint proponent over both CA and MISO. This will enable unity of effort and the coordinated execution of CA and MISO. CA and MISO force representation at the operational and strategic levels will also remain critical in achieving a coordinated impact. At the tactical and operational level, (e.g. country teams at the U.S. Embassies where CA and MISO are working), this is accomplished as a matter of course. CA and MISO personnel receive similar training and understand that their specialties are mutually supporting.

RENDER SAFE PROFICIENCY

Question. The proliferation of weapons of mass destruction is a growing and especially concerning threat to our Nation. Countering this threat through actions taken to locate, seize, destroy or capture, recover and render such weapons safe is a core activity of SOCOM.

If confirmed, how would you ensure render-safe capabilities are adequately maintained by special operations units who may currently be heavily engaged in Afghanistan and elsewhere?

Answer. The National Strategy for Counterterrorism highlights the danger of nuclear terrorism as being the single greatest threat to global security. If confirmed, I will work closely with SOCOM and Assistant Secretary of Defense for Global Security Affairs on this important issue. I will carefully monitor and assess the impact of our operational tempo on DOD's render safe capabilities and ensure that these capabilities are maintained.

Question. Do you believe additional render-safe capabilities are needed within SOCOM?

Answer. Not at this time, I believe SOCOM has the capabilities now to accomplish its render-safe mission.

SUPPORTED COMBATANT COMMAND

Question. Under certain circumstances and subject to direction by the President or Secretary of Defense, SOCOM may operate as a supported combatant command.

In your view, under what circumstances should SOCOM conduct operations as a supported combatant command?

Answer. As authorized by section 167 of title 10, U.S.C., the President or the Secretary of Defense may direct SOCOM Commander to exercise command of selected special operations missions, which may involve highly sensitive targets and circumstances. The Secretary of Defense has also designated SOCOM as the supported combatant command for planning and synchronizing global operations against terrorist networks.

TRAINING CAPABILITY

Question. What capabilities do you consider most important for effective training of special operations personnel?

Answer. The human component of SOCOM is where its strength lies and to develop our special operations personnel we must be willing to invest the necessary time and resources in advanced, realistic training. Specialized individual training, including language proficiency and development of technical skills, together with a robust joint and international exercise program, is a proven recipe for building and sustaining our cutting-edge capabilities. These are best achieved through SOF-based authorities, such as the Joint Combined Exchange Training programs, as well as other exercise programs administered by the Combatant Commands and the Chairman of the Joint Chiefs of Staff.

Question. What improvements are necessary, in your view, to enhance training for special operations personnel?

Answer. Despite steady growth in SOCOM since 2001, operational demands continue to stress the force. As we continue to transition in Afghanistan, we need to establish a sustainable rotation model for SOF that allows for deliberate training cycles for individual and unit level training in between operational deployments.

Question. What are the most significant challenges in achieving effective training of special operations personnel?

Answer. SOF are deployed at an extremely high rate around the world. Deploying persistently and for long durations results in significant experience for special operations personnel, but in many cases a focused mission may result in the atrophy of other skill sets. For example, aircrews may conduct repetitive air-land missions on a long deployment, but may not conduct a specific airdrop mission due to deployment constraints. SOCOM's development of a SOF force generation model is intended to ensure there is enough time to train in the deployment cycles to maintain proficiency in core SOF capabilities. Additionally, since most SOF missions require non-SOF support, time must be added to work closely with Service counterparts supporting SOF.

Question. What, if any, training benefits accrue to U.S. Special Operations Forces from training foreign military personnel?

Answer. SOF gain significant training benefit from training foreign personnel. These training benefits include: enhanced language proficiency, cultural awareness, real world experience conducting foreign internal defense and unconventional warfare. These activities help expose SOF to new tactics, techniques, and procedures while also encouraging the development of communication and intelligence-sharing mechanisms that enable CT operations. Training foreign military units helps build trusting relationships and fosters familiarization that in return enables our SOF to work in foreign countries with greater success and confidence.

Question. To what extent, in your view, is it appropriate for the United States to rely upon contractors for training foreign military personnel? What do you see as the primary risks and advantages in such contractor training?

Answer. SOF cannot be replaced by contractors. However, in some instances utilizing contractors may make sense and could be a viable course of action, particularly if there's a requirement for a certain technical skill not resident in our force. For example, there may not be a SOF aviator trained on a certain aircraft that is essential to a partner nation's mobility fleet. In these cases, a contract solution might be the best option to ensure an important mission is still conducted. Contractors can also fill a gap in cases when U.S. foreign policy restrictions do not permit deployment of U.S. military personnel. Contractors can also help provide logistics, administrative support, and technical/computer expertise which in turn free special

operations personnel for more SOF-unique training opportunities and operational missions. DOD is obligated to maintain strong oversight over contractors, and contractors are not permitted to represent the U.S. Government.

LANGUAGE AND CULTURAL AWARENESS CAPABILITIES

Question. Deployed special operations personnel remain heavily concentrated in the Central Command theater of operations, including many who have been deployed outside of their regional area of expertise.

Are you concerned that the language and cultural skills among special operations forces have been degraded because of repeated deployments outside their regional area of expertise?

Answer. Yes. For more than a decade, 80 percent of all SOF deployments have been to the U.S. Central Command (CENTCOM) area of operations. This has taken a toll on the language, regional expertise, and cultural awareness capabilities of those units deployed outside their aligned regions. SOCOM has made great strides to correct this imbalance, and I expect the trend towards greater regional alignment to continue as we move towards a transition in Afghanistan.

Question. If so and if confirmed, what, if anything, would you do to ensure these unique skills are adequately maintained?

Answer. I support SOCOM's initiative to implement higher requirements for language capability as well as to improve the training processes for its components. If confirmed, I would seek to continue to pursue several key policy issues in close coordination with SOCOM, including: native/heritage recruiting, valuing language and regional capabilities in selections and promotions, and language testing and incentives. I will also strongly encourage the continued alignment of SOF with regional areas of focus, consistent with our national strategies and aligned to the threat.

CAPABILITIES OF SPECIAL OPERATIONS AND GENERAL PURPOSE FORCES

Question. The 2010 QDR called for increased counterinsurgency, counterterrorism, and security force assistance capabilities within the general purpose forces (GPF). The Defense Strategic Guidance (DSG) of 2011 did not modify this policy. However, the Strategic Capabilities and Management Review (SCMR) released this year identifies a range of general purpose force reductions that would likely result in little or no significant or consistent capability for these missions.

What is your assessment of the QDR, DSG, and SCMR with regard to the mix of responsibilities assigned to general purpose and special operations forces, particularly with respect to security force assistance and building partner military capabilities?

Answer. I understand the Services are increasingly improving their capabilities to conduct these operations, including the Army's development of regionally-aligned forces and the Marine Corps deployment of a Special Purpose Marine Air Ground Task Force for Crisis Response (MAGTF-CR). In many cases, SOF and the GPF are working side-by-side to build the military capability and capacities of our partners around the world. I expect this trend to continue, despite budget cutbacks, given the importance our strategy places on helping our partners and allies develop assume greater responsibility for security abroad.

Question. Do you believe that our GPF need to become more like Special Operations Forces in mission areas that are critical to countering violent extremists?

Answer. The partnership between general purpose and Special Operations Forces is strong. The extensive combat employment of both forces in shared battle spaces has increased the need to coordinate our operations closely. This has resulted in a sharing of tactics, techniques, and procedures between SOF and GPF that has helped to increase the Services' capabilities to execute counterinsurgency and combating terrorism operations. The Services can continue to complement SOF's capabilities by providing those combat enablers that are not organic to SOF units or that are not available in adequate quantities. These combat enablers, including intelligence and combat service support, are vital to the success of SOF, especially in today's complex operating environment.

Question. Are there certain mission areas that should be reserved for Special Operations Forces only?

Answer. Yes. Although the Joint force has evolved significantly since 2001, and SOF and GPF are highly interoperable, they are not interchangeable. Special operations and low intensity conflict activities, as defined in title 10, U.S.C., section 167, include direct action, strategic reconnaissance, unconventional warfare, foreign internal defense, civil affairs, psychological operations, counterterrorism, humanitarian assistance, theater search and rescue, and such other activities as may be specified by the President or Secretary of Defense. SOCOM focus should remain in

these defined areas of experience and expertise while integrating Service enablers as appropriate.

SPECIAL OPERATIONS ENABLING CAPABILITIES

Question. While SOCOM maintains organic enabling capabilities to support short duration missions, most special operations missions require supporting capabilities provided by the Services to be successful.

What do you believe are the greatest shortages in enabling capabilities facing Special Operations Forces?

In your view, how should the responsibility for providing supporting capabilities for special operations missions be divided between SOCOM and the Services?

What in your view are the critical supporting capabilities in each of the Services that must be preserved to minimize risk to special operations missions today and into the future?

Answer. Shortages of enabling capabilities for SOF are often similar to the shortage of high-demand enablers that challenge the rest of the deployed forces (e.g., intelligence, explosive ordnance disposal, communications, medical, security).

SOCOM's organic enabling capabilities are those that provide SOF the ability to self-sustain for short durations while maintaining the agility to deploy forces quickly in support of the combatant commanders. Longer-term support of Special Operations Forces, by doctrine, and except under special circumstances, becomes the responsibility of each Service's theater logistic command and control structure and are critical to the success of SOF.

SECTION 1208 OPERATIONS

Question. Section 1208 of the Ronald Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375), as amended by subsequent legislation, authorizes the provision of support (including training, funding, and equipment) to regular forces, irregular forces, and individuals supporting or facilitating military operations by U.S. Special Operations Forces to combat terrorism.

What is your assessment of this authority?

Answer. Section 1208 authority has been a very effective tool for U.S. Special Operations Forces to leverage and enable willing partners to conduct operations to combat terrorism. Combatant commanders strongly support 1208 programs. Given the changing global threat environment, I anticipate that the need for these programs will continue to grow.

AL QAEDA

Question. What is your assessment of the threat posed by al Qaeda and its associated forces to the U.S. Homeland, U.S. interests overseas, and western interests more broadly? Which affiliates are of most concern?

Answer. The pressure exerted by the United States and its partners has isolated the core of al Qaeda. As the President has said, the remaining operatives in the al Qaeda core spend more time thinking about their own safety than plotting against us. But we now confront a less capable, but still lethal threat from geographically diversified groups affiliated with al Qaeda. The most well-known of these groups is al Qaeda in the Arabian Peninsula (AQAP), which continues to plot against the United States. Increasingly, however, new groups of loosely affiliated extremists have also emerged, but the threat they pose to the United States is more localized.

The upheaval in North Africa and the Middle East has contributed to a permissive environment for such extremist networks to exploit. Unlike the al Qaeda core in Afghanistan and Pakistan, or even AQAP, these groups are most focused on the countries and regions where they are based. They work together through existing familial and tribal networks and focus on acting locally, as we saw in Benghazi and the BP oil facility in Algeria attacks. As we strive to work with our partners in the region, we see the political changes ushered in by the Arab Spring present challenges as well; although many of the governments in the region are friendly to our interests, they struggle to exert a monopoly of force within their own borders.

AFGHANISTAN

Question. What is your assessment of the current situation in Afghanistan? What are the weaknesses and shortcomings in the current effort to combat terrorism and insurgency in Afghanistan?

Answer. I am cautiously optimistic that we are going to accomplish our objectives in Afghanistan prior to completion of the transition. The International Security Assistance Force (ISAF) and its Afghan partners have made important security gains

over the past 12 years, reversing violence trends in much of the country, and beginning the process of transition to the Afghan Government. The Afghan National Security Forces (ANSF), particularly the Afghan CT Forces such as the Afghan SOF and Special Police Units (who fall under the MOI) have been integral to this success. These units are demonstrating substantial growth in quantity, quality, and operational effectiveness. The Afghan Special Operations Forces and it's the Special Police Units have demonstrated particular competence, and are well regarded within the country.

We must remain cautious, however, as U.S. and allied forces begin to retrograde in 2014. Al Qaeda's safe havens in Northeast Afghanistan and the limited capacity of the Afghan Government remain the biggest threats to consolidating security gains to enable an enduring, stable Afghanistan that can prevent terrorist groups from using these areas to launch attacks against the U.S. Homeland. Additionally, the threat of attacks against U.S. interests within Afghanistan is likely to increase as U.S. and allied direct support to security decreases; this is a threat against which our personnel in-country must remain vigilant. Nevertheless, this partnered campaign has provided increased security and stability for the Afghan population, and the United States continues to build upon this success.

Question. Special Operations Forces in Afghanistan depend on general purpose forces for many enabling capabilities, including intelligence, surveillance and reconnaissance (ISR); logistics; and medical evacuation. Admiral McRaven, Commander of SOCOM, has said "I have no doubt that special operations will be the last to leave Afghanistan" and has predicted that the requirement for Special Operations Forces may increase as general purpose forces continue to be drawn down.

If confirmed, how would you ensure adequate enabling capabilities for Special Operations Forces as general purpose forces continue to draw down in Afghanistan?

Answer. I have not yet reviewed the mission planning and analysis to form a view regarding the appropriate number of U.S., coalition, and Afghan troops necessary to fulfill key missions including force protection. I do believe that sufficient forces should be provided to do the job assigned to them, while protecting themselves. If confirmed, I will seek to ensure that all Special Operations Forces are supported by sufficient enablers, informed by military advice from the Joint Staff and the Commander, CENTCOM.

Question. In April 2012, the United States and Afghanistan signed a Memorandum of Understanding (MOU) on the "Afghanization" of direct action counterterrorism missions in Afghanistan—reflecting the shared intention of having Afghan security forces in the lead in the conduct of such operations with U.S. forces in a support role.

What is the status of efforts to put Afghan Special Operations Forces in the lead for such operations and why do you believe such a transition is important?

Answer. In my view, both unilateral and partnered direct actions are an essential and highly effective element of our strategy to defeat al Qaeda and those that enable it in Afghanistan. Wherever possible, we should strive to maintain a reasonable degree of freedom of action within our post 2014 force structure that will allow us to achieve our objective of preventing terrorists from using Afghanistan as a sanctuary from which to attack the U.S. Homeland.

I understand that Afghanistan's highly-trained Special Operations Forces are steadily growing, and that Afghans currently play a key role in coordinating and partnering in the vast majority of these operations. Of course, direct action operations must continue to be conducted with due respect for cultural sensitivities and great care for the prevention of civilian casualties. Ultimately, the goal must be to ensure that Afghan and international forces have the capabilities and authorities necessary to achieve the transition to a post-2014 structure, while also being mindful of the goal to increase Afghan ownership throughout the transition process.

Question. The Village Stability Operations (VSO) and Afghan Local Police (ALP) programs—both U.S. Special Operations missions—have been consistently praised by U.S. military leaders as critical elements of the counterinsurgency strategy in Afghanistan.

What are your views on the value of these programs and do you believe they should be part of the long-term strategy in Afghanistan (i.e. post-2014)?

Answer. Village Stability Operations (VSO) are a critical component of the International Security and Assistance Force's (ISAF) campaign plan. VSO uses Afghan and ISAF special operations forces embedded in the community full-time to help improve security, governance, and development in more remote areas of Afghanistan where the Afghan National Security Force and ISAF have a limited presence. I understand that, since its inception, VSO has greatly expanded Afghan Government influence in key rural areas and has enabled small-scale infrastructure develop-

ment. Across Afghanistan, increasing numbers of local communities are requesting to participate in this program.

The ALP, the armed local security program associated with VSO and established by President Karzai, has reportedly expanded to more than 8,000 members. ALP are empowering local communities and have proven to be a significant threat to the Taliban by denying them safe-haven, and ultimately creating the conditions for long-term stability.

PAKISTAN

Question. What in your view are the key U.S. strategic interests with regard to Pakistan?

Answer. I believe the United States and Pakistan share common interests in long-term regional stability; which includes disrupting, dismantling, and defeating al Qaeda, a durable political settlement in Afghanistan, and the safety and security of the Indian Ocean.

The National Strategy for Counterterrorism is clear in stating that the United States will only achieve the strategic defeat of al Qaeda through a sustained partnership with Pakistan. In my view, the military-to-military relationship is an important part of this partnership as it facilitates mutually beneficial counterterrorism goals. U.S. military assistance to Pakistan has helped the Pakistan Military (PAKMIL) achieve success in its counterinsurgency efforts. Despite recent setbacks in this relationship, it is important that we continue to engage our PAKMIL counterparts to reestablish and rebuild the relationship and continue achieving these successes.

Question. Does the United States have a strategic interest in enhancing military-to-military relations with Pakistan? Why or why not?

Answer. The National Strategy for Counterterrorism is clear in stating that the United States will only achieve the strategic defeat of al Qaeda through a sustained partnership with Pakistan. U.S. military assistance to Pakistan has helped the PAKMIL achieve a level success in its counterinsurgency efforts. I support efforts to increase military-to-military relations in support of counterterrorism efforts with Pakistan, as feasible.

Question. If so, what steps would you recommend, if confirmed, for enhancing the military-to-military relationship between the United States and Pakistan?

Answer. I understand unit-level relationships are strong, and I believe we should be making every attempt to ensure that our tactical and operational level leaders are able to maintain these ties however possible.

Question. What is your assessment of Pakistan's cooperation with the United States in counterterrorism operations against militant extremist groups located in Pakistan?

Answer. The internal domestic counterterrorism concerns of Pakistan are significant. I understand our current counterterrorism cooperation is good and we continue to improve the level and quality of this cooperation.

Question. In your view, how will the continued availability of safe haven for various terrorist organizations within the tribal areas of Pakistan impact our long-term strategy in Afghanistan?

Answer. Terrorist sanctuary in the tribal areas of Pakistan will continue to challenge Afghan security. Both unilateral and partnered direct actions are an essential and highly effective element of our strategy to defeat al Qaeda and those that enable it in Afghanistan, particularly in northeastern parts of the country.

Question. What is your assessment of Pakistan's efforts to counter the threat of improvised explosive devices, including efforts to attack the network, and go after known precursors and explosive materials?

Answer. I recognize the actions of the Government of Pakistan to ban the export of products utilized in the production of improvised explosive devices (IED). The improved border coordination between ISAF, Pakistan and Afghanistan and the ongoing discussions on the development of a comprehensive border security strategy are encouraging. This is a critical area for cooperation that could have had significant impact if it results in action.

SYRIA

Question. What is your assessment of the situation in Syria and its impact on the region?

Answer. Syrian President Bashar al-Asad has lost legitimacy and must step aside to enable a political solution that ends the bloodshed, and meets the aspirations of the Syrian people. I support working closely with allies, partners and multilateral

institutions to achieve this goal through diplomatic and economic pressure on the Asad regime.

Hundreds, if not thousands of foreign fighters, predominantly from North Africa and Middle Eastern countries, are traveling to Syria to support the Syrian insurgency against the Asad regime. However, as history demonstrates, relationships and experience gained by these fighters could yield benefits for al Qaeda and endanger the stability of surrounding countries.

Question. What is your assessment of Jabhat al Nusra and other like-minded groups?

Answer. Al Qaeda affiliated groups, Jabhat al Nusrah and al Qaeda in Iraq, as well as other extremist groups, are a growing problem inside Syria as the security vacuum caused by the instability has allowed these groups to make modest gains. Jabhat al Nusra has sought to portray itself as a part of the legitimate Syrian opposition, while also attempting to hijack the aspirations and struggles of the Syrian people for its own malicious purposes.

Question. In your view, what is the most appropriate role for the U.S. military in assisting regional friends and allies respond to the situation in Syria?

Answer. The United States is working with our allies to achieve a peaceful and orderly political transition in Syria and to end the bloodshed as quickly as possible. Our NATO Allies are closely monitoring the situation in Syria, especially as the conflict touches on NATO's border in Turkey, and like us, are extremely concerned about the deteriorating humanitarian conditions on the ground. NATO's ultimate task is the protection and defense of NATO members. To that end, I support NATO's decision to augment Turkey's air and missile defense capabilities in order to defend the population and territory of Turkey and contribute to the de-escalation of the crisis along the Alliance's border. This includes the recent deployment of NATO Patriot batteries to Turkey from the United States, Germany, and Netherlands. I understand the administration has also been working with our international partners, including NATO Allies, to ensure that the appropriate humanitarian assistance is reaching those Syrians in need, both inside Syria and in neighboring countries. If confirmed, I would support improved coordination and information sharing on al-Nusra Front and foreign extremist flows. I would also continue to work with Syria's neighbors, especially Jordan and Israel, to ensure their stability during this turbulent time in the region.

Question. In your view, what—if any—role should the U.S. military, including Special Operations Forces, play with respect to the situation in Syria?

Answer. If confirmed, I will ensure that we continue planning for a variety of contingencies in order to provide the Secretary and the President with options. I will review these plans and, if necessary, I will direct additional planning on this and any other potential contingencies.

IRAQ

Question. What is your assessment of the current threat posed by al Qaeda in Iraq? How has the threat changed since the withdrawal of U.S. forces from Iraq at the end of 2011?

Answer. The increased levels of violence in Iraq in recent months are disturbing, and are a constant reminder of the formidable challenges Iraq continues to face on the security front.

Over the past 2 years, the operational tempo of al Qaeda in Iraq has increased in part due to the destabilizing influence of the crisis in Syria. I consider the Government of Iraq an essential partner in a common fight against al Qaeda. We have an ongoing dialogue with the Government of Iraq to help facilitate its capacity to degrade and defeat the al Qaeda network and to neutralize its ability to prey on Iraqi citizens of all communities.

Question. What is your assessment of the capabilities of the Iraqi security forces to respond to the threat posed by al Qaeda and other security challenges?

Answer. Iraq no longer needs large numbers of U.S. forces to maintain its internal stability. While the Iraqi Security Forces are competent at conducting counterterrorism and stability operations, the security situation they face is serious and poses a challenge to their ultimate success. If confirmed, I would remain committed to working with the Iraqi Government to develop its military and security abilities and address regional challenges.

Question. What are the main "lessons learned" from Operation Iraqi Freedom and Operation New Dawn as they pertain to Special Operations Forces?

Answer. I believe that the United States has learned many lessons through its past operations in Iraq and its ongoing operations in Afghanistan. Some of these lessons include: the need to maximize combined operations with partner forces, the ne-

cessity of culturally attuned forces, the need for a unified U.S. Government approach, and the need for active and integrated interagency coordination.

Question. What are the lessons learned from the drawdown and post-combat operations in Iraq that should be applied to the drawdown and post-combat operations in Afghanistan?

Answer. We need to continue our relationships and capacity building for the Government of Afghanistan's efforts against al Qaeda to succeed. Information sharing, technical assistance, and enabling resources will allow our partners to effectively disrupt al Qaeda operations, especially external operations against Western interests. We have productive engagement across the globe, in many different countries that help and support our interest in protecting the Homeland and U.S. persons. We should apply all the lessons we are learning to our CT threats that will continue to emanate from Afghanistan in the future.

YEMEN AND AL QAEDA IN THE ARABIAN PENINSULA

Question. What is your assessment of the current threat posed by al Qaeda in the Arabian Peninsula (AQAP)?

Answer. I am very concerned about the threat that AQAP poses to the Homeland. AQAP has attempted at least three attacks on the United States since December 2009, and in my view fully intends to attack again. AQAP has shown some very sophisticated and innovative techniques, such as the development of concealed explosive devices and printer cartridge bombs. AQAP is also attempting to recruit and radicalize would-be terrorists in the West through its extensive media outreach.

Question. What is your assessment of the current U.S. strategy in Yemen and what is your understanding of the role of DOD within that strategy?

Answer. The U.S. strategy to disrupt, dismantle, and defeat AQAP is a collaborative U.S.-Yemeni effort. I understand the current strategy also includes supporting the Yemeni political transition, marshaling international economic and humanitarian assistance, and building Yemen's counterterrorism capabilities through training and assistance.

As part of this whole-of-government strategy, DOD continues to collaborate extensively with Yemeni forces and remove key AQAP leadership and operatives from the battlefield. The Department's programs to train, advise, and equip Yemeni forces are also critical to long-term efforts against AQAP.

Question. Given the continuing political instability and slow progress of the national dialogue in Yemen, what are your views on the United States continuing to provide security training and assistance to Yemeni counterterrorism forces?

Answer. The Yemeni Government has made a number of gains against AQAP over the past 2 years, including driving AQAP from some of its territory in southern Yemen and enabling operations to capture and kill AQAP operatives. However, Yemeni counterterrorism capabilities remain limited, and Yemeni security forces will require continued U.S. training and assistance to enable them to effectively combat AQAP. This assistance has been and will continue to be a part of a comprehensive U.S. strategy that includes support for the Yemeni Government's reform efforts including the ongoing National Dialogue.

SOMALIA AND AL SHABAAB

Question. What is your assessment of the threat posed by al Shabaab?

In your view, does al Shabaab pose a threat to the United States and/or western interests outside of its immediate operational area?

Answer. My understanding is that successful operations by the African Union Mission in Somalia (AMISOM) have reduced al Shabaab's freedom of movement in south and central Somalia, but al Shabaab remains a threat to the U.S. Homeland and to U.S. and western interests in the Horn of Africa. Al Shabaab leaders have claimed affiliation with al Qaeda since 2007 and formally merged with the group in February 2012. Al Shabaab has demonstrated the intent and capability to conduct terrorist acts throughout eastern Africa, and it presents a threat to the Homeland through links into Somali diaspora communities in the United States and Europe.

Al Shabaab continues to stage high profile attacks in Somalia against Western and international targets and has claimed responsibility for the attack against the Westgate Mall in Nairobi. If al Shabaab did conduct the Westgate attack, it shows al Shabaab's capability to stage complex, high-profile attacks against Western targets outside of Somalia and its ability to harm U.S. citizens abroad.

Question. What is your understanding of al Shabaab's activities to recruit foreigners, including Somali-Americans, to join their efforts?

Answer. I understand that al-Shabaab has successfully recruited foreign recruits for training in Somalia, including Somali-Americans. Although the exact numbers and nationalities of foreign fighters in Somalia remain unclear, reports indicate that several hundred foreign recruits have come to Somalia to support al Shabaab and other extremist groups since 2008. Foreign fighters threaten the Somalia National Government and the AMISOM and undermine their efforts to build a stable and peaceful Somalia.

Question. What is your understanding of the current U.S. strategy in Somalia and the role of DOD in that strategy?

Answer. U.S. policies toward Somalia support the Somali National Government and AMISOM's efforts to deliver security and basic services and lay the foundation for an enduring government. However, Somalia's historical lack of governance and sparse population make it an appealing safe haven for al Shabaab and elements associated with al Qaeda.

I understand that DOD's primary missions in the Horn of Africa are to combat terrorism and to build partner capacity to promote regional security and stability, prevent conflict, and protect U.S. interests. I believe this mission is appropriate. DOD's ultimate goal should be a fully integrated strategy under which security assistance, capacity building, operational collaboration with regional partners, and counterterrorism actions are synchronized to provide the regional security and stability that are in the interest of both the United States and our regional partners. If confirmed, I will work to ensure our strategy is developed as part of a coordinated U.S. national security policy towards the Horn of Africa, and to determine how DOD can and should best support this policy.

Question. Should the United States establish military-to-military relations and consider providing assistance to the Somali national military forces?

Answer. The United States can play a guiding and mentoring role in the development of Somalia's security sector. It is in our interest to ensure that Somalia's new government has a competent and professional military to provide security to its citizens and play a constructive role in the region. Formally recognizing the Somalia National Government earlier this year was an important first step to developing military relations. If confirmed, I will work to ensure DOD's relationship with the Somalia National Army progresses appropriately.

AL QAEDA IN THE ISLAMIC MAGHREB

Question. What is your assessment of the threat posed by al Qaeda in the Islamic Maghreb (AQIM)?

Answer. My understanding is that at this time, there is no credible evidence that AQIM is a direct threat to the U.S. Homeland. However, as seen in hostage situations in Algeria and other attacks in the region, AQIM and its associates do threaten U.S. persons and interests abroad, as well as our European Allies.

Question. In your view, does AQIM pose a threat to the United States and/or western interests outside of its immediate operational area? What capacity has AQIM demonstrated to plan and carry out actions threatening U.S. interests?

Answer. AQIM's immediate operational area includes pockets of ungoverned territory across North and West Africa. Though AQIM has not conducted an attack outside of this area, we must be proactive in denying a terrorist a safe haven throughout the region, from which direct attacks against the United States, our partners, or our interests outside of North and West Africa would be possible.

Question. In your view, what has been the impact of the recent expansion of AQIM's area of operations in northern Mali on the group's capacities and aims?

Answer. The expansion of AQIM's area of operations in northern Mali is not new. It has been a serious concern to the United States and our partners. France's operations in Mali and the regional and United Nations' peacekeeping forces have made significant progress in stabilizing the situation. We remain concerned about AQIM's freedom of action in Mali and throughout the region and will continue to work with partners, including the newly-inaugurated President of Mali, to address the threat.

OPERATION OBSERVANT COMPASS & THE LORD'S RESISTANCE ARMY

Question. Despite pressure by the Ugandan People's Defense Forces (UPDF) and efforts by U.S. Special Operations personnel to support them, elements of the Lord's Resistance Army (LRA)—including Joseph Kony—continue to operate and commit atrocities against civilian populations in the Central African Republic, Democratic Republic of the Congo, and South Sudan. Some observers have identified operational concerns with this mission, including that: (1) supported forces are trying to find an elusive foe in an area roughly the size of California, much of which is covered in thick jungle; (2) technical support to U.S. forces and their UPDF partners from

the defense and Intelligence Community continues to be inadequate; and (3) limitations continue to be placed on the ability of U.S. Special Operations personnel to accompany UPDF partners outside of main basing locations, thereby limiting the level of direct support they can provide.

In your view, what is the objective of Operation Observant Compass (OOC)?

Answer. Under OOC, U.S. SOF seeks to enhance the capacity of local forces to end the threat posed by the LRA. It is my understanding that U.S. military advisors are working with these forces to strengthen information-sharing and synchronization, enhance their operational planning, and increase overall effectiveness. While OOC is important in the effort to counter the LRA threat, there is not a purely military solution to this problem. The U.S. strategy to counter the LRA outlines four pillars for continuing support: increasing the protection of civilians; apprehending or removing Joseph Kony and senior commanders from the battlefield; promoting the defection, disarmament, demobilization and reintegration of remaining LRA fighters; and increasing humanitarian access and providing continued relief to affected communities. If confirmed, I would support the current U.S. policy of pursuing a comprehensive, multi-faceted strategy to help the governments and people of this region in their efforts to end the threat posed by the LRA and to address the impacts of the LRA's atrocities.

Question. Do you support the continuation of DOD's current level of support to this mission?

Answer. DOD's support to regional counter-LRA efforts helps to advance regional security cooperation and security sector reform. If confirmed, I would seek to continue the U.S. commitment to deepen our security partnerships with African countries and regional organizations by expanding efforts to build African military capabilities through low-cost, small-footprint operations.

At the same time, I would work with the Department of State and other U.S. agencies and departments to seek to strengthen the capacity of civilian bodies and institutions to improve the continent's ability to provide security and respond to emerging conflicts. I would also regularly assess and review DOD's contributions to this mission to ensure our personnel are best supporting U.S. strategic interests.

REPUBLIC OF THE PHILIPPINES

Question. What is your view of the effectiveness of U.S. assistance provided through the Joint Special Operations Task Force-Philippines to the military of the Republic of the Philippines in its fight against terrorist groups?

Do you expect the necessity for or mission of the Joint Special Operations Task Force-Philippines to change in the coming years? If so, how?

Answer. Operation Enduring Freedom-Philippines as executed by our Joint Special Operations Task Force has been very successful and serves as an excellent model for a partnership between the United States and a host nation for combatting a terrorism threat. Due to the success of this partnership, the Philippine Military is now transitioning its focus toward external threats and the security issues remaining in the south will be addressed primarily through a combination of civil and police actions.

STABILITY AND PEACEKEEPING OPERATIONS

Question. In testimony before the House Committee on Foreign Affairs (July 29, 2009), Ambassador Susan Rice, then U.S. Ambassador to the United Nations (U.N.), stated that the United States "is willing to consider directly contributing more military observers, military staff officers, civilian police, and other civilian personnel—including more women I should note—to U.N. peacekeeping operations."

What is your view on whether the United States should contribute more military personnel to both staff positions and military observers in support of U.N. peacekeeping operations?

Answer. I am supportive of contributing personnel to function in staff positions or as military observers providing the mission aligns with the national security priorities of DOD and the United States. Successful U.N. peacekeeping operations are in the core national security interest of the United States, as they generally are cost effective, reduce the burden on U.S. forces, and in many cases directly advance U.S. strategy security interests. Additionally, U.S. military personnel can have a significant, positive, impact on U.N. peacekeeping operations, and provides the United States with an opportunity to shape these missions.

Question. If confirmed, would you support identifying methods through which the DOD personnel system could be more responsive to requests for personnel support from multilateral institutions like the United Nations?

Answer. If confirmed, I would be supportive of exploring ways where the Department could more effectively respond to requests for personnel support, bearing in mind any applicable legal requirements and the current operational tempo of U.S. forces.

INTERAGENCY COLLABORATION

Question. The collaboration between U.S. Special Operations Forces, general purpose forces, and other U.S. Government departments and agencies has played a significant role in the success of counterinsurgency and counterterrorism operations in recent years. However, much of this collaboration has been ad hoc in nature.

What do you believe are the most important lessons learned from the collaborative interagency efforts in Afghanistan, Iraq, and elsewhere?

Answer. Our efforts abroad over the past decade have brought much attention to the importance of collaborative interagency efforts. The interagency collectively established procedures and relationships to successfully conduct counterinsurgency and counterterrorism operations. As we transition, the interagency must now look to maintain and improve upon the hallmarks of previous successful interagency efforts—well-informed, transparent, constant communication and collaboration at multiple levels. The interagency must ensure that all departments and agencies are operating under a common national strategic framework in support of achieving sustainable outcomes overseas and building long-lasting relationships with our global partners. With unity of effort, the interagency can implement broader foreign policies and national security objectives through fostering good governance, restoring public infrastructure, assisting economic activities, and/or enabling a secure environment through a capable, equipped armed force. If confirmed, I will continue efforts to ensure that interagency collaboration is as effective as possible.

Question. How do you believe these efforts can be improved?

Answer. One area of improvement concerns our government's approach to the immediate requirements of basic public order among foreign civilian populations when the rule of law has broken down. DOD has learned after hard experience in Afghanistan and Iraq that securing and protecting a population is not only an immediate military mission, but one that is essential for preventing insurgencies from growing and for a sustainable transition to host-country control. A whole-of-government approach is vital to assist in training foreign security forces and it takes a robust interagency effort to maintain those capacities and institutions that can educate, equip, and enable them for these missions.

Question. Should these informal and ad hoc arrangements be made more formal (i.e. through legislation, DOD Directives or Instructions, et cetera . . .) or is their ad hoc nature the reason for their success?

Answer. Formality and standardization are perhaps most important at the highest levels, where clearly prioritized objectives—or the lack thereof—can have the most positive or pernicious effects on operations and campaigns requiring the close coordination of multiple instruments of national power. The President signed a Presidential Policy Directive (PPD) on Security Sector Assistance (SSA) in April to improve the U.S. Government's collective ability to address security sector assistance issues as a shared responsibility. To this end, the PPD prescribes interagency roles, responsibilities, and collaborating principles for developing and implementing SSA activities. On the other hand, organizations and teams operating at the tactical level need maximum flexibility to achieve mission success as current requirements, driving factors, and threats continuously change. Rather than attempting to standardize the roles and relationships of tactical-level operators from different departments and agencies, we should—instead—be working to familiarize them with each other and the responsibilities of their respective departments and agencies. Operational flexibility must be buttressed with the familiarity and education derived from constant interaction, particularly interaction in the forms of joint/interagency training and education.

Question. Interagency collaboration on an operational or tactical level tends to address issues on a country-by-country basis rather than on a regional basis (e.g. international terrorists departing Mali for safe havens in Libya).

How do you believe regional strategies that link efforts in individual countries can best be coordinated in the interagency arena?

Answer. I understand that the recent security sector assistance policy guidance from the President emphasizes a “deliberate and inclusive whole-of-government process that ensures alignment of activities and resources with our national security priorities.” In order to synchronize planning for these activities, I believe the interagency must link efforts in individual countries to the broader regional approach. I also believe the regional strategies developed by the members of the interagency

should complement each other. Any security sector assistance strategy is largely impacted by the degree to which the interagency can plan, synchronize, and execute particular activities in a region. With prescribed interagency roles, responsibilities, and collaborating guidelines the interagency is best prepared to share plans, develop and implement programs, and monitor and evaluate the progress of our efforts in individual countries.

SPECIAL OPERATIONS PERSONNEL IN EMBASSIES

Question. SOCOM deploys personnel to work with country teams in a number of priority countries where the United States is not engaged in direct action operations, but rather trying to counter the spread of violent extremism. Their mission is to support the priorities of the Ambassador and the combatant commander's theater campaign plan against terrorist networks.

If confirmed, how would you seek to ensure the goals of special operations personnel deployed to these countries are aligned closely with those of the Ambassadors they are working with?

Answer. In your view, what is the value of these special operations personnel to their respective geographic combatant commands and the country teams they are supporting.

The sustained partnership among our geographic combatant commanders, Ambassadors, and deployed special operations forces has been strong throughout the past 12 years. Special operations personnel deployed to embassies help provide a network-based approach to assessing threats, formulating options, and improving the country team's situational awareness. They bring specialized equipment and offer significant expertise in contingency operations that augments the Ambassador's resident capabilities. If confirmed, a priority of mine will be to continue working with SOCOM, the geographic combatant commanders, and State Department colleagues to further strengthen these trusted partnerships.

DETAINEE TREATMENT POLICY

Question. Do you support the policy set forth in the July 7, 2006, memorandum issued by the Deputy Secretary of Defense stating that all relevant DOD directives, regulations, policies, practices, and procedures must fully comply with Common Article 3 of the Geneva Conventions?

Answer. Yes. Ensuring individuals in the custody of U.S. forces are treated humanely is consistent with the applicable U.S. laws and the laws governing armed conflicts.

Question. Do you support the standards for detainee treatment specified in the revised Army Field Manual on Interrogations, FM 2-22.3, issued in September 2006, and in DOD Directive 2310.01E, the Department of Defense Detainee Program, dated September 5, 2006?

Answer. Yes.

Question. If confirmed, will you ensure that all DOD policies promulgated and plans implemented related to intelligence interrogations, detainee debriefings, and tactical questioning comply with the Common Article 3 of the Geneva Conventions and the Army Field Manual on Interrogations?

Answer. Yes. If confirmed, I will work to ensure that all U.S. Special Operations Forces continue to receive the necessary education and training in the standards established in the Army Field Manual, relevant DOD Directives, and other applicable requirements of U.S. and international law regarding detention and interrogation operations.

Question. Do you share the view that standards for detainee treatment must be based on the principle of reciprocity, that is, that we must always keep in mind the risk that the manner in which we treat our own detainees may have a direct impact on the manner in which U.S. soldiers, sailors, airmen, or marines are treated, should they be captured in future conflicts?

Answer. Section 1403 of the National Defense Authorization Act for Fiscal Year 2006 provides that no individual in the custody or under the physical control of the U.S. Government, regardless of nationality or physical location shall be subject to cruel, inhuman, or degrading treatment or punishment. We hold our forces accountable to treat those we capture and detain with dignity, respect, and humanity. We do this as a matter of principal and following our moral compass. Our hope would be for our enemy to treat our personnel in a similarly humane manner, but regardless of how our captured forces are held, we will continue to maintain the high standard of treatment currently provided to detainees we hold.

DOD COUNTERNARCOTICS ACTIVITIES

Question. On an annual basis, DOD's counternarcotics (CN) program expends approximately \$1.5 billion to support the Department's CN operations, building the capacity of certain foreign governments around the globe, and analyzing intelligence on CN-related matters. In a recent Government Accountability Office (GAO) report, GAO found that DOD "does not have an effective performance measurement system to track the progress of its counternarcotics activities." This is the second such finding relating by GAO to DOD CN in the last decade.

What is your assessment of the DOD CN program?

Answer. Having recently served as the Principal Deputy Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, I understand and appreciate the importance of DOD counterdrug activities in support of broader U.S. Government counternarcotics goals as well as the accomplishment of other key national security objectives. The DOD counterdrug program is providing critical support to our national security objectives in Afghanistan, Colombia, Mexico, Central America, Northwest Africa and elsewhere. I also recognize how the counternarcotics program supports the broader objectives of the office of the ASD for SO/LIC. If confirmed, I look forward to ensuring that these activities continue to be well-integrated into the overall SO/LIC strategy, and to ensure that they are as cost-effective as possible.

Question. Do you believe DOD's current CN strategy has proven effective in stemming the flow of illegal narcotics?

Answer. In support of The President's National Drug Control Strategy, DOD plays a key role in supporting U.S. and partner-nation counternarcotics efforts that have achieved major and sustained progress against cocaine use and distribution throughout the Western Hemisphere. According to the Office of National Drug Control Policy, DOD counternarcotics efforts have helped reduce the amount of cocaine reaching the United States, which has contributed to declines in cocaine overdose deaths, positive workplace drug tests, retail drug purity, and cocaine seizures in the United States. Through efforts such as the establishment of Joint Interagency Task Force-South and support to Plan Colombia, the Department of Defense has played a critical role in this success. Nevertheless, continued high levels of cocaine, heroin, methamphetamine trafficking, and the growing threat of synthetic drugs, continues to present an extraordinarily difficult challenge, and DOD brings unique capabilities to bear against these threats.

Question. In what ways can the effectiveness of DOD CN programs be better evaluated?

Answer. Over the past several years, the DOD CN program has made significant progress in improving its performance evaluation framework and has developed standardized operating procedures to apply across the wide range of combatant commands, armed services, and defense agencies that implement the Department's CN efforts. The performance data provided is now being used to inform policy and budgetary decisions. However, we continue to work to move beyond measuring performance based on inputs and outputs (e.g. numbers of personnel trained) rather than on the outcomes these programs are seeking to achieve. These types of evaluations can be much more difficult but would ultimately provide a better assessment of the value of these efforts.

Question. In your personal view, what role should DOD play in U.S. efforts to stem the flow of illegal narcotics?

Answer. The Department of Defense's role in U.S. counterdrug efforts is, and should continue to be, to employ militarily unique knowledge, skills, and capabilities to confront the wide range of national security threats associated with drug trafficking and related forms of transnational crime. Since the late 1980s, when DOD was designated as the single lead agency for the detection and monitoring of drug trafficking bound for the United States, DOD has provided critical counterdrug support to State, local, Federal, and foreign law enforcement partners to combat the flow of illicit drugs into our country. Narcotics and other forms of transnational organized crime also provide key financial support to terrorists, insurgents, and other threat forces, and contribute to global instability by undermining legitimate government institutions, fostering corruption, and distorting legitimate economic activity. Accordingly, DOD counterdrug efforts support the National Security Strategy, the National Drug Control Strategy, and the Strategy to Combat Transnational Organized Crime.

DOD's efforts to build the counternarcotics capacity of partner-nation security forces serves to prevent and deter broader conflicts that could require a much more costly military intervention in the future. In today's increasingly austere budgetary environment, these programs can serve as cost-effective tools to accomplishing key national security objectives. Given the interwoven nature of threats we face today,

we are increasingly seeing that the expertise, authorities, and experience of our law enforcement partners are essential to accomplishing national security objectives.

COUNTER THREAT FINANCE

Question. Identifying and disrupting key individuals, entities, and facilitation routes enabling the flow of money that supports terrorism, production of IEDs, narco-trafficking, proliferation, and other significant national security threats could have an outsized impact on confronting these threats. In August 2010, the Department issued a Counter Threat Finance (CTF) Policy Directive which recognized the CTF discipline as an essential tool in combating criminal networks and terrorist organizations and called for the integration of CTF capabilities into future force planning and the continued support to interagency partners conducting CTF operations.

What is your assessment of DOD efforts to date to institutionalize and support these capabilities?

Answer. The DOD CTF Directive, which was updated in November 2012, drives the institutionalization of CTF within the Department. Since our Nation's adversaries, from drug traffickers to terrorists, insurgents and rogue nations rely upon the flow of money to enable their activities, upsetting their financial supply lines is a proven means of disrupting threats to national security. CTF is an important capability in the Department as evidenced by our success with the Iraq and Afghanistan Threat Finance Cells. We've also seen increasing success from the CTF units established at each of the combatant commands. These CTF units coordinate across the government and work in support of the interagency to counter national security threats. Ultimately, success in CTF will depend on DOD's continued ability to integrate with, support, and complement other U.S. Government, multinational, and host nation activities. If confirmed, I will ensure DOD continues to collaborate with and support other U.S. Government departments and agencies to conduct counter threat finance activities.

Question. What is your assessment of the current ability of the Department to provide support to other U.S. Government departments and agencies conducting counter threat finance activities?

Answer. It is critical to engage all U.S. Government tools to track and halt the flow of money and to fight our adversaries' ability to access and use global financial networks. Although DOD is not the lead U.S. agency for CTF, it does work with and support other departments, agencies, and partner nations through a unique set of capabilities, including long term planning, network analysis, and intelligence analysis. The Department's senior leadership recognizes the significance, both strategically and tactically, of a capable and robust CTF posture. I do not anticipate an immediate need to expand the support DOD is providing, but, if confirmed, I will work to ensure the Department remains fully engaged in the interagency process on counter threat finance activities and is postured to provide additional support if necessary.

Question. What changes, if any, would you recommend to DOD's current counter threat finance efforts?

Answer. I understand the Department is in the process of examining and evaluating its counter threat finance capability, and I believe there are improvements that can be made. Principally, the Department's CTF capability should be better integrated into the policy and strategy of the Department, including COCOM theater campaign plans. I understand that the Department is conducting a capabilities-based assessment for CTF that will help identify and institutionalize these capabilities across the COCOMs, the armed services, and defense agencies. This assessment should help us to identify the full range of capabilities the Department could bring to bear in support of broader U.S. Government efforts.

Question. What do you believe is the appropriate role, if any, of SOCOM in supporting counter threat finance activities?

Answer. SOCOM is well suited to support and augment interagency efforts to counter threat finance. Experiences since 2001 have led to the development of a robust capability to analyze insurgent, terrorist, and transnational threat networks, and SOF are already integrated at many levels with interagency partners across the intelligence and law enforcement domain. SOF contributions to these agencies enables them to identify sources of insurgent, criminal, and terrorist finances; disrupt front companies; develop actionable financial intelligence; freeze and seize illicit funds; and build criminal cases.

NATIONAL STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME

Question. Criminal networks are not only expanding their operations, but they are also diversifying their activities, resulting in a convergence of transnational threats

that has evolved to become more complex, volatile, and destabilizing. The Director of National Intelligence recently described transnational organized crime as “an abiding threat to U.S. economic and national security interests,” and stated that “rising drug violence and corruption are undermining stability and the rule of law in some countries” in the Western Hemisphere. In July 2011, the President released his Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security. One of the priority action areas designated in the strategy is “enhancing Department of Defense support to U.S. law enforcement.”

Question. What is your understanding of the President’s strategy to combat transnational criminal organizations?

Answer. The President’s Strategy to Combat Transnational Organized Crime applies to all elements of national power to protect citizens and U.S. national security interests from the convergence of 21st century transnational criminal threats. It declares transnational organized crime a threat to national security and includes a clear call to build, balance, and integrate the tools of American power to combat transnational organized crime, and urge our foreign partners to do the same. The end-state the U.S. Government seeks is to reduce transnational organized crime from a national security threat to a manageable public safety concern.

Question. What is your understanding of the Department’s role within the President’s strategy?

Answer. The President’s strategy acknowledges DOD’s role in providing support to law enforcement. DOD brings many unique supporting capabilities in support of broader U.S. Government efforts to combat transnational organized crime, principally through the employment of the Department’s counternarcotics authorities. These capabilities primarily include military intelligence support and counter-threat finance support to U.S. law enforcement. We therefore must ensure that DOD is organized, resourced, and appropriately authorized to provide vital support to law enforcement and foreign partners to confront the national security threats associated with transnational organized crime. If confirmed, I look forward to exploring what additional U.S. support is appropriate under existing authorities.

Question. In your view, should DOD play a role in providing support to the U.S. law enforcement and the Intelligence Community on matters related to transnational organized crime?

Answer. Yes. Due to the national security implications of drug trafficking and related forms of transnational organized crime, the Department should continue to provide support to our interagency partners, including Federal law enforcement agencies and intelligence agencies. For example, DOD currently supports law enforcement through intelligence analysis at the Narcotics and Transnational Crime Support Center—an action specifically highlighted in the President’s strategy. DOD also provides unique supporting capabilities including military intelligence support to law enforcement, counter threat finance, partner nation capacity building, and operational activities against threats to the United States.

BUILDING PARTNER CAPACITY

Question. In the past few years, Congress has provided DOD a number of temporary authorities to provide security assistance to partner nations.

In your view, what are our strategic objectives in building the capacities of partner nations?

Answer. In my view, the department’s ability to effectively build the capacities of partner nations is a strategic necessity for the United States. It enables the Department to directly provide training, equipment, and other support to partners to encourage and enable them to share security responsibilities. This includes enabling partners to act alongside of, in lieu of, or in support of U.S. forces across the globe. In our fiscal climate, we should continue these capacity building activities so that we can achieve our defense objectives while reducing risks of sending U.S. forces into harm’s way.

Question. In light of demands for defense budget cuts, how would you assess the trade-offs between providing funding for U.S. military forces and providing assistance to build the capacity of partner nations’ security forces?

Answer. I believe one goal of building the capacity of a partner nation is to transform them from a security consumer to a security provider. The decision on where the trade-off is lies in the prioritization of U.S. strategic interests. We must continue to ensure U.S. military forces receive the appropriate resources, equipment, and training in order to serve effectively and be prepared to respond at any given notice. At the same it is still important to sustain engagement with key partners and building partner capacity to meet shared challenges provides a forward presence to enable operations and deter threats and, if and when necessary, to conduct future con-

tingencies. During these uncertain times, we should continue to improve military-to-military and defense-civilian relations, while continuing to evaluate and re-calibrate the nature and substance of our relationships to ensure they are consistent with U.S. values and advance U.S. vital national interests. If confirmed, it is my aim to ensure our assistance programs to partner nations will fulfill defined strategic requirements and vitally important capability gaps that are directly in line with the President's and the Defense Secretary's strategic guidance.

Question. What is your assessment of the sufficiency of existing security assistance authorities to address the evolving nature of global security threats?

Answer. Developing partner capacity through security sector assistance is important because every one of our primary missions involves collaborating with partners to some extent. These investments buy down risk and ease the burden of U.S. forces by improving our partners' ability to provide for their own security, to contribute to larger regional and combined security efforts, or to enable U.S. operations consistent with our national objectives. In some cases, partners are better positioned than U.S. Forces to conduct security operations due to cultural affinity or political sensitivities. I understand that Congress has provided the Department of Defense security sector assistance authorities that have improved our partners' capabilities and capacity to contribute to security around the globe. There may be requirements where additional or more agile authority is needed to address emerging security challenges. If confirmed, I will look forward to working with Congress to develop appropriate legislative remedies where appropriate.

Question. What is your understanding of the purpose of the section 1206 train and equip authority? What is your assessment of the implementation of the global train and equip program?

Answer. The section 1206 authority builds capacity for counterterrorism operations and stability operations where U.S. forces are a participant. The program has been successful in responding to annual requests by the combatant commanders and Chiefs of Mission for near-term assistance to overcome critical shortfalls in partner capabilities. This includes providing training and equipment to nations deploying forces to the International Security Assistance Force (ISAF) in Afghanistan. Although the 1206 program has done a great job delivering equipment, we need to do more work on assessing the effects this has on improving partner capacity over the long term. If confirmed, I will continue development of assessment metrics and work closely with Department of State colleagues to integrate 1206 capabilities into our overall foreign assistance programs for partner nations.

Question. The Global Security Contingency Fund (GSCF) was established in the NDAA for Fiscal Year 2012 to create a joint Department of Defense-Department of State administered program to build partner nation capacity in the areas of security and rule of law. What is your assessment of the implementation of this authority? Do you believe it's achieving its intended objectives? If not, do you believe modifications are required?

Answer. The GSCF enables the Departments to address emergent opportunities and challenges in partner's security sectors that could not be planned for but that have a direct bearing on our national security interests and do so in a more collaborative and integrated approach.

While I have not been involved in the implementation of the GSCF, I understand that the Departments of Defense and State have made significant progress towards improving joint implementation of the program and intend to incorporate a robust monitoring and evaluation framework to assess each individual GSCF project, as well as the overall program in the country of interest. If confirmed, I look forward to sharing the results of the assessment effort with Congress, and specifically this committee. I will welcome your help and continued guidance as we continue to mature the GSCF.

Question. What is the relationship of the train and equip authority to other security assistance authorities, such as counternarcotics assistance, foreign military financing, and other title 22 authorities? What should be done to ensure that the global train and equip authority does not duplicate the efforts of these other assistance programs?

Answer. U.S. security sector assistance authorities across programs are complementary, and I will strive to avoid unnecessary duplicative efforts. The counternarcotics authorities are focused on providing the Department of Defense the ability to support U.S. or other Government efforts to counter the flow of narcotics globally. If confirmed, the GSFC, section 1206, and counternarcotics authorities would fall under my purview, and I would monitor their implementation to ensure they continue to be used appropriately, and in keeping with their intent. I understand that the President issued new guidance on security sector assistance in April. If confirmed, I will strive to strengthen our capacity to plan, synchronize, and implement

security sector assistance through a deliberate and inclusive process that ensures alignment of activities and resources with our national security priorities.

CONGRESSIONAL OVERSIGHT

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

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

Answer. Yes, if confirmed, I will appear before this committee and other appropriate committees of Congress when called upon to do so.

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

Answer. Yes, if confirmed, I will provide this committee or members of this committee accurate and appropriate information to the best of my ability when called upon to do so.

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

Answer. Yes, if confirmed, I will provide the necessary information to this committee and other appropriate committees and their staff when asked to do so.

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

Answer. Yes, if confirmed, I will provide the committee the necessary documents when appropriate and will consult with the committee regarding the basis for any good faith delay or denial in providing documents.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

CURRENT STATE OF GLOBAL TERRORISM

1. Senator INHOFE. Mr. Lumpkin, in remarks to the United Nations General Assembly on September 24th, President Obama stated that, “the world is more stable than it was 5 years ago.” Do you believe the world is more stable than it was 5 years ago?

Mr. LUMPKIN. I agree with President Obama’s assessment that the world is more stable than 5 years ago, but I also agree with his next sentence in that speech, which stated: “But even a glance at today’s headlines indicates that dangers remain.” The President outlined these dangers, particularly those related to global terrorism, in his address to the National Defense University on May 23. In this address he said our Nation is still threatened by terrorists—“From Benghazi to Boston, we have been tragically reminded of that truth. But we have to recognize that the threat has shifted and evolved from the one that came to our shores on September 11.” I agree with the President that we will counter the threat of global terrorism through a combination of efforts, including targeted action against terrorists, effective partnership with allies and friends, and diplomatic engagement and assistance. Through this comprehensive strategy we can significantly reduce the chances of large-scale attacks on the Homeland and mitigate the threats to Americans overseas.

AL QAEDA THREAT ASSESSMENT

2. Senator INHOFE. Mr. Lumpkin, does the growth of al Qaeda in Syria indicate al Qaeda is less capable?

Mr. LUMPKIN. The continued civil war in Syria provides al Qaeda and other extremist groups with an opportunity to expand their influence and develop a cadre of experienced fighters. Al Nusra Front has clearly grown and become more capable in Syria, but to date has not shown capability to conduct external attacks.

3. Senator INHOFE. Mr. Lumpkin, Charles Lister, an analyst for IHS Janes Terrorism and Insurgency Center, said: "Syria is the biggest al Qaeda opportunity in a decade to establish a foothold in the Middle East." Do you agree?

Mr. LUMPKIN. Al Qaeda's affiliated groups, al Nusrah Front and al Qaeda in Iraq, as well as other extremist groups, are a growing problem inside Syria. Al Qaeda has seized an opportunity created by the absence of security in Syria and become one of the most dominant opposition groups. That said their long term viability remains in question, as does their potential to garner popular support in a post-Assad Syria. Broadly speaking, al Qaeda's message has failed to resonate with new governments in other Arab Spring countries, and I would expect the same outcome in Syria.

4. Senator INHOFE. Mr. Lumpkin, what do you think we should do about it?

Mr. LUMPKIN. The United States should continue to engage and work with our partners and allies to provide stability in the region. These efforts aim to stem the flow of foreign fighters and support the moderate factions of the opposition who represent the majority of the Syrian opposition. The United States is working with our allies to accelerate political transition in Syria and to end the bloodshed as quickly as possible. If confirmed, I will work with my interagency partners to develop recommendations for appropriate lines of operation to combat al Qaeda's foothold in the Middle East and to protect U.S. presence and interests in the region.

5. Senator INHOFE. Mr. Lumpkin, al Qaeda is clearly 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 this year. As the moderate opposition grows weaker, the extremists, and al Qaeda in particular, grow stronger and Assad has less incentive to participate in the political negotiation the administration says will result in his departure. Do you think the training cited by the Washington Post is capable of altering any balance of power within Syria?

Mr. LUMPKIN. Training is and has been helpful in supporting the moderate opposition secure areas under its control. However, training is only part of the equation and we must continue to work with allied partners to attain a political solution supporting the moderate Syrian opposition. If confirmed, I will work with our partners across the interagency and with our allied partners in order to explore comprehensive, coordinated, unified approaches that will support meeting U.S. objectives in the region.

6. Senator INHOFE. Mr. Lumpkin, what strategy do you suggest to contain the growth of extremism in Syria—of Hezbollah and Shia extremism on the one hand under Assad and al Qaeda and al Nusra in ungoverned spaces on the other?

Mr. LUMPKIN. To combat the growth of extremism in Syria, a political solution to the Syrian conflict is necessary. We need to continue to explore avenues with our allied partners for supporting the moderate opposition to ultimately increase their ability to provide a legitimate government to the Syrian population. If confirmed, I will work with the interagency to develop recommendations for appropriate lines of operation to combat the growth of extremism in Syria and to protect U.S. presence and interests in the region.

QUESTION SUBMITTED BY SENATOR JOHN MCCAIN

AFGHANISTAN

7. Senator MCCAIN. Mr. Lumpkin, what force size do you recommend the United States should leave behind in Afghanistan after 2014?

Mr. LUMPKIN. Our core goal—to defeat al Qaeda and prevent its return to Afghanistan and Pakistan—remains unchanged. Over the past 4 years, due to the dedication and sacrifices of our forces, our coalition partners, and the Afghan security forces, I have been encouraged by the progress made toward our goal and believe this progress can continue beyond 2014.

The Executive Branch is reviewing options for the size of our contribution to the post-2014 NATO mission, as well as a limited U.S. counterterrorism mission, and that decision will be based on a number of factors, including:

- Conclusion of a U.S.-Afghan Bilateral Security Agreement and the NATO Status of Forces Agreement;
- Progress toward our core goal of disrupting, dismantling, and defeating al Qaeda and preventing its return to Afghanistan and Pakistan;
- Continued progress and development of the ANSF;

- A peaceful Afghan political transition centered on the elections in April 2014;
- The potential for peace talks between the Afghan Government and the Taliban.

If confirmed, one of my priorities would be to confer with our operational commanders to get their views of the situation at hand. I would then work with colleagues to provide my recommendations and participate in this review process to help senior leaders continue to make informed decisions that protects U.S. interests in Afghanistan and the region.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

AL-LIBI AND LACK OF A DETENTION POLICY

8. Senator AYOTTE. Mr. Lumpkin, can you describe Abu Anas al-Libi's al Qaeda background and his potential intelligence value?

Mr. LUMPKIN. Abu Anas al-Libi is a legacy al Qaeda member likely possessing information of value to the intelligence and law enforcement communities. He has been indicted and presented in the Southern District of New York in connection with his alleged role in the attacks on our embassies in Dar es Salaam, Tanzania and Nairobi, Kenya in 1998.

9. Senator AYOTTE. Mr. Lumpkin, why was the decision made to take the risk and to attempt to capture al-Libi, rather than killing him?

Mr. LUMPKIN. Wherever possible, our first priority is and always has been to apprehend terrorist suspects, and to preserve the opportunity to collect valuable intelligence that can help us protect the American people. Additionally, the prospect of gathering further operational and strategic information of other terrorist individuals, organizations, and networks is a top consideration when determining the risk mitigation strategy.

10. Senator AYOTTE. Mr. Lumpkin, do you agree that when we kill—rather than capture—a high value detainee we lose valuable intelligence?

Mr. LUMPKIN. Valuable intelligence can be collected during lethal or capture operations. Capture operations allow for the ability to directly interrogate the detainee and exploit any sensitive site materials discovered with the high value target. Lethal operations, whether involving an assault force or an aerial strike, also provide opportunities for either first-hand or second-hand sensitive site exploitation of where the high value target was killed. Previous lethal operations have yielded valuable tactical and strategic information.

[The nomination reference of Mr. Michael D. Lumpkin follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
September 11, 2013.

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

Michael D. Lumpkin, of California, to be an Assistant Secretary of Defense, vice Michael A. Sheehan.

[The biographical sketch of Mr. Michael D. Lumpkin, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF MICHAEL D. LUMPKIN

Education:

University of California, San Diego

- September 1982–June 1986
- Bachelor of Arts Degree awarded June 1986

Naval Postgraduate School

- June 1994–December 1995
- Master of International Affairs Degree awarded December 1995
- Subspecialty in Special Operations and Low Intensity Conflict awarded December 1995

Employment Record:

U.S. Department of Defense

- Special Assistant to the Secretary of Defense
- May 20–present

Industrial Security Alliance Partners, Inc.

- Chief Executive Officer
- September 2012–March 2013

Pistris, LLC

- Director of Business Development
- June 2012–September 2012

The O’Gara Group

- Technical Analyst
- May 2012–September 2012

U.S. Department of Defense

- Principal Deputy Secretary of Defense for Special Operations and Low Intensity Conflict
- April 2011–May 2012

U.S. Department of Veterans Affairs

- Senior Advisor to the Secretary of Veterans Affairs
- Deputy Chief of Staff for Operations
- August 2010–April 2011

The O’Gara Group

- Technical Analyst
- July 2009–August 2010

Aardvark Tactical, Inc.

- Director of Business Development
- April 2008–August 2010

U.S. Special Operations Command Office of Legislative Affairs

- Maritime Director
- August 2006–September 2007

Special Boat Team Twelve

- Commanding Officer
- August 2004–August 2006

Naval Special Warfare Group One

- Operations Officer
- February 2003–August 2004

Naval Officer at Various U.S. Navy Commands

- October 1986–September 2007

Honors and awards:

The Secretary of Defense Medal for Outstanding Public Service (2012)

Department of Veterans Affairs Commendation (2011)

American Defense Preparedness Association Award (1994)

Defense Meritorious Service Medal

Meritorious Service Medal - seven awards

Navy and Marine Corps Commendation Medal - two awards

Joint Service Achievement Medal - two awards

Navy and Marine Corps Achievement Medal - three awards

Joint Meritorious Unit Award - two awards

Meritorious Unit Commendation - two awards

National Defense Service Medal - two awards

Armed Forces Expeditionary Medal

Afghanistan Campaign Medal

Iraq Campaign Medal

Southwest Asia Service Medal

Global War on Terrorism Medal

Combat Action Ribbon

Humanitarian Service Medal

Sea Service Deployment Ribbon - seven awards
 Korean Service Medal
 Navy Overseas Service Medal - two awards
 Navy Pistol Expert Medal
 Navy Rifle Expert Medal
 Naval Special Warfare (Authorized to wear USN SEAL Trident)
 Surface Warfare (Authorized to wear Surface Warfare insignia)
 Command at Sea (Authorized to wear Command at Sea pin)
 Shore Command (Authorized to wear Shore Command pin)
 Navy Parachutist (Authorized to wear Gold Parachutist insignia)
 Patrol Officer (Authorized to wear Combatant Craft Patrol Officer pin)

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Mr. Michael D. Lumpkin in connection with his nomination follows:]

UNITED STATES SENATE
 COMMITTEE ON ARMED SERVICES

Room SR-228
 Washington, DC 20510-6050
 (202) 224-3871

COMMITTEE ON ARMED SERVICES FORM
 BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
 NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
 Michael David Lumpkin.
 "Mike" David Lumpkin.
2. **Position to which nominated:**
 Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.
3. **Date of nomination:**
 September 11, 2013.
4. **Address:** (List current place of residence and office addresses.)
 [Nominee responded and the information is contained in the committee's executive files.]
5. **Date and place of birth:**
 October 14, 1964; Oceanside, CA.
6. **Marital Status:** (Include maiden name of wife or husband's name.)
 Married to Jill Louise Powell.
7. **Names and ages of children:**
 Stepson: Luke Elliot Powell; July 9, 1976.
8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
 Vista High School: 09/1979-06/1982, High School Diploma
 University of California, San Diego: 09/1982-06/1986, Bachelor of Arts

Naval Postgraduate School: 06/1994–12/1995, Master of Arts

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

05/2013–Present; Special Assistant to the Secretary of Defense, 1000 Pentagon Defense, Washington, DC.

09/2012–03/2013; Chief Executive Officer, Industrial Security Alliance Partners, USA, 3033 5th Avenue, Suite 400, San Diego, CA.

06/2012–09/2012; Director of Business Development, Pistris, LLC., P.O. Box 105, Hull, MA.

05/2012–09/2012; Technical Analyst, The O'Gara Group, 700 W. Pete Rose Way, Suite 4N, Cincinnati, OH.

04/2011–05/2012; Principal Deputy Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, Department of Defense, 1000 Defense Pentagon, Washington, DC.

08/2010–04/2011; Deputy Chief of Staff, Department of Veterans Affairs, 810 Vermont Ave, NW, Washington, DC.

07/2009–08/2010; Technical Analyst, The O'Gara Group, 700 W. Pete Rose Way, Suite 4N, Cincinnati, OH.

04/2008–08/2010; Director of Business Development, Aardvark Tactical, 1002 W. Tenth Street, Azusa, CA.

08/2006–09/2007; Maritime Director, SOCOM Office of Legislative Affairs, 400 Virginia Ave., SW, Washington, DC.

08/2004–08/2006; Commanding Officer, Special Boat Team Twelve, 3402 Tarawa Road, San Diego, CA.

02/2003–08/2004; Operations Officer, Naval Special Warfare Group One, 3632 Guadalcanal Road, San Diego, CA.

10/1986–02/2003; Naval Officer at Various Navy Commands.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

N/A.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.

N/A.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

Fraternal Order of UDT/SEAL: Member.

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

Candidate U.S. House of Representatives (CA–52) in 2008.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

None.

14. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Civilian Federal Service:

The Secretary of Defense Medal for Outstanding Public Service

Military Awards:

Defense Meritorious Service Medal

Meritorious Service Medal - seven awards

Navy Commendation Medal - two awards

Joint Service Achievement Medal - two awards

Navy and Marine Corps Achievement Medal - three awards

Joint Meritorious Unit Award - two awards

Meritorious Unit Commendation - two awards

National Defense Service Medal - two awards

Armed Forces Expeditionary Medal
 Afghanistan Campaign Medal
 Iraq Campaign Medal
 Southwest Asia Service Medal
 Global War on Terrorism Expeditionary Medal
 Global War on Terrorism Service Medal
 Combat Action Ribbon
 Humanitarian Service Medal
 Sea Service Deployment Ribbon - seven awards
 Korean Service Medal
 Navy Overseas Service Medal - two awards
 Navy Pistol Expert Medal
 Navy Rifle Expert Medal
 Designated: U.S. Navy SEAL (Authorized to wear SEAL Trident)
 Surface Warfare (Authorized to wear Surface Warfare device)
 Command at Sea (Authorized to wear Command at Sea pin)
 Shore Command (Authorized to wear Shore Command pin)
 Navy Parachutist (Authorized to wear Gold Wings)
 Patrol Officer (Authorized to wear Combatant Craft Patrol Officer pin)

Other Awards:

1994 - Recognized for Outstanding Performance in support to national security during Counterdrug Operations by Armed Forces Preparedness Association.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Naval Postgraduate School Thesis (1995): Microviolence at Sea.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

Submitted separately.

17. **Commitments regarding nomination, confirmation, and service:**

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

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) 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?

Yes.

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

SIGNATURE AND DATE

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

MICHAEL D. LUMPKIN.

This 23rd day of September, 2013.

[The nomination of Mr. Michael D. Lumpkin was reported to the Senate by Chairman Levin on October 31, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on November 14, 2013.]

[Prepared questions submitted to Dr. Jamie M. Morin by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

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

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

Answer. I am familiar with the history of the Goldwater-Nichols Act and believe it has been extremely successful to date. The Act has benefitted over the years from periodic incremental changes to reflect lessons learned and the changing world situation. It is possible that pending analysis of potential process changes to increase headquarters efficiency and allow reductions in headquarters staff and budgets will depend on legislative changes, but those initial analyses are still underway and I have not been briefed on any recommendations.

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

Answer. At present, I do not have any concrete proposals for modifications. If I am confirmed and I identify areas that I believe merit changes, I will propose those changes through the established process. I believe it is important that the Director of Cost Assessment and Program Evaluation (CAPE) be a trusted independent advisor to the Secretary and Deputy.

DUTIES AND RESPONSIBILITIES

Question. The Weapon Systems Acquisition Reform Act (WSARA) of 2009 established the position of Director of CAPE and makes that official "responsible for ensuring that cost estimates are fair, reliable, and unbiased, and for performing program analysis and evaluation functions currently performed by the Director of Program Analysis and Evaluation." The duties and responsibilities of this position are set forth in section 139c of title 10, U.S.C. and in section 2334 of such title (addressing independent cost estimation and cost analysis).

What is your understanding of the primary duties and responsibilities of the Director of CAPE?

Answer. I have read the WSARA, and in my past role as a Senate staffer closely observed the floor debate where it was adopted. Based on the law and practice in the Department of Defense (DOD) over the last 4 years, I understand that CAPE is responsible for providing unbiased, independent cost estimates for all major acquisition programs; ensuring that program cost and schedule estimates are properly prepared and considered in the Department's deliberations on major acquisition programs; providing guidance and oversight for Analyses of Alternatives (AoA) to ensure that the Department considers the full range of program and non-materiel solutions. Additionally, the Director of CAPE is responsible for leading the development of improved analytical skills and competencies within the CAPE workforce of DOD. Finally, the Director has served as a key advisor to the Secretary and Deputy Secretary of Defense especially for the programmatic development of the Department's Future Years Defense Program.

Question. Do you believe that the Director of CAPE has the authority needed to carry out the duties and responsibilities assigned by statute?

Answer. Yes.

Question. Do you see any need for modifications in the duties and responsibilities of the Director of CAPE?

Answer. Not at this time. If confirmed, I will evaluate any need for modifications to the duties and responsibilities in the law.

Question. Assuming you are confirmed, what additional duties, if any, do you expect the Secretary of Defense to assign to you in accordance with sections 113 and 139c(b)(1)(B) of title 10, U.S.C.?

Answer. If confirmed, I expect the Secretary to assign me the duties and functions commensurate with the position, and any others he may deem appropriate.

QUALIFICATIONS

Question. If confirmed as Director of CAPE, you will be the principal official in DOD responsible for cost estimation and cost analysis for acquisition programs; for review, analysis and evaluation of acquisition programs; and for related matters.

What background and experience do you have that you believe qualifies you for this position?

Answer. I have over 10 years of experience in government as a defense analyst and executive, with particular focus on budgetary and programmatic issues. This hands-on experience built on my academic research, focused on the challenges of defense budgeting during times of budgetary decline and included significant training in quantitative and qualitative methods.

For the last 4 years, I have served as the Assistant Secretary of the Air Force for Financial Management and Comptroller, and in this role I oversee the operation of the Air Force Cost Analysis Agency (AFCAA). With my support and advocacy, the AFCAA team was able to expand their analytical agenda, enhance their workforce, and thereby produce rigorous cost estimates of a much wider range of Air Force programs. Additionally, AFCAA's work became much more central to the Air Force's corporate decisionmaking, resulting in much narrowed gaps between the authoritative cost estimates (whether they were done by CAPE or AFCAA) and the actual amounts funded in the Air Force budget request. This gap was \$11.9 billion in fiscal year 2011 President's budget (PB) and has dropped to \$1.3 billion in the fiscal year 2014 PB. We also expanded AFCAA's capability to estimate the full life-cycle costs of major weapons systems by including operating and support costs, and helped to inform an Air Force-wide effort to contain cost growth in weapons systems sustainment. Finally, during 10 months as the Acting Under Secretary of the Air Force, I was deeply immersed in the development of the Air Force program and in DOD-wide debates on efficiency efforts.

Earlier in my career, I worked as an economist and strategy consultant. I have also held fellowships from various public policy and defense think tanks and spent 4 months during graduate school in the Office of the Under Secretary of Defense for Policy working on requirements and planning issues.

Question. What background and experience do you have in the acquisition of major weapon systems?

Answer. I have been a part of major acquisition decisions in both my Air Force roles, including my comptroller role as the co-signer (with SAF/AQ) of Air Force full-funding certifications for acquisition programs meeting milestone decisions. In this capacity, I have closely reviewed numerous acquisition program cost estimates and discussed their details with both cost estimators and program management. As Acting Under Secretary, I was deeply exposed to space acquisition efforts in my role as the Headquarters Air Force "focal point" for space programs. I have served as a member and a co-chair of the Air Force Council, which is the Air Force's senior-most corporate decisionmaking body, as well as a member of the Special Programs Oversight Council that reviews classified Air Force acquisition programs. As part of earning the Certified Defense Financial Manager designation, I studied the acquisition process with particular focus on financial management responsibilities. However, I have not served in a direct program management or line acquisition position.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront the Director of CAPE?

Answer. The WSARA of 2009 is intended to reform defense acquisition processes and to bring cost growth under control. The CAPE organization continues to mature in response to this legislation and Department management's need for rigorous, unbiased advice on where DOD can find necessary savings in a difficult budget environment. I have seen the organization perform exceptionally good work for the Secretary on a wide range of difficult issues, but given the scale of the budget challenges even better analytical support will be essential. I believe the primary challenge for the Director of CAPE, given the current reality of sequestration and the stark choices that the sequester compels us to make, will be to ensure independent,

thorough, and insightful analysis is used to develop a comprehensive set of options for informed leadership decisions.

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

Answer. If confirmed, I expect to immediately undertake a review of the organization and its ability to fully meet statutory requirements, with the goal to provide clear recommendations regarding changes to organizational structure and additional resource demands. I believe I will need to review the size, shape, and organization of the CAPE workforce in detail to ensure the organization is aligned to meet current and future needs. Given the significant statutory responsibilities under WSARA and the relatively limited growth of CAPE staffing since its enactment, I plan to be both an active manager of organizational resources and a strong advocate for the organization's mission. In supporting the Secretary and Deputy Secretary of Defense in their decisionmaking on very tough resource allocation issues, I will intend to build on my relationships with the DOD senior leadership team to help form consensus on priorities and acceptable risks, informed by the best possible analysis from CAPE, the Joint Staff, the military services, and other stakeholders across the Department.

RELATIONSHIPS

Question. If confirmed, what would be your working relationship with: The Secretary of Defense.

Answer. The Director of CAPE provides the Secretary and Deputy Secretary of Defense unbiased advice, supported by strong analysis, on how to make rational trade-offs in a resource constrained environment. The Director is the principal advisor to the Secretary for CAPE. If confirmed, I will closely interact with the Secretary to ensure his directives, goals, and themes are reflected in the programs of DOD.

Question. The Deputy Secretary of Defense.

Answer. If confirmed, I will expect to interact with the Deputy Secretary to provide unbiased recommendations concerning resource allocation, programmatic alternatives, and cost assessments.

Question. The Under Secretary of Defense for Acquisition, Technology, and Logistics.

Answer. If confirmed, I will work closely with the Under Secretary of Defense (Acquisition, Technology, and Logistics) to ensure that acquisition plans and decisions are appropriately supported with accurate and unbiased estimates of the costs to develop and procure weapon systems. The CAPE director must also provide the USD(AT&L) frequent input about the viability, execution ability, and affordability of programs that support the national military strategy.

Question. The Under Secretary of Defense (Comptroller).

Answer. If confirmed, I will work closely with the Under Secretary of Defense (Comptroller) to ensure the necessary integration of developing the Future Years Defense Program with budget plans.

Question. The Under Secretary of Defense for Intelligence.

Answer. If confirmed, I will work closely with the Under Secretary of Defense (Intelligence) to coordinate assessments of special access and compartmented intelligence programs since the CAPE Director has oversight of all DOD resource allocation, including intelligence programs. The central importance and complexity of intelligence to our tactical, operational, and strategic operations requires regular interactions with the primary intelligence official, and his staff.

Question. The Joint Requirements Oversight Council.

Answer. If confirmed, I will work as an advisor to the Joint Requirements Oversight Council for assessing the resource requirements and programmatic risk of desired capabilities. I will not be a member of the Joint Requirements Oversight Council (JROC), however I will attend meetings and provide assessments of programs if invited. The importance of requirements to the acquisition process makes interaction with the JROC members a key imperative for the Director of CAPE.

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

Answer. If confirmed, I will ensure regular interaction with the DBSMC, providing assessments and advice.

Question. The Director of Operational Test and Evaluation (DOT&E).

Answer. If confirmed, I will ensure a close working relationship with the Director of DOT&E, and ensure that CAPE and DOT&E freely share information and data. I believe that operational testing is critical to ensuring that weapon systems developed within DOD meet requirements, are reliable, and are cost effective. Careful consideration of operational testing results often point to weaknesses inherent in

programs that impact costs, as well as pointing to considerations important for later programs.

Question. The Service Secretaries.

Answer. Service Secretaries provide critical oversight of their departments, particularly regarding plans, programs, and policies. Based on more than 4 years of experience as part of Service-level leadership, I have a good understanding of the critical role that the Services and Military Departments play in the efficient and effective functioning of the defense establishment. If confirmed, I will endeavor to establish close working relationships with Service Secretaries, working together to solve key problems relating to each Service.

Question. The Chiefs of Staff of the Military Services.

Answer. Service Chiefs have responsibilities to organize, man, train, and equip their services to meet warfighting requirements and support combatant commanders. Their title 10 responsibilities for planning and programming of resources, as well as to develop acquisition programs, ensure regular interaction between the Director of CAPE and Chiefs of Staff of the Military Services. If confirmed, I will ensure that I quickly develop close working relationships with Service Chiefs in order to jointly meet the many challenges within DOD.

Question. The combatant commanders.

Answer. The combatant commanders are the key consumers of the “products” developed in the Pentagon—the forces, programs, and other capabilities necessary to implement the National Security Strategy. If confirmed, I will endeavor to understand the needs of the combatant commanders and to advocate for the programs that support their requirements most efficiently and effectively. I will ensure that I know and react to their needs.

Question. The heads of the Defense agencies.

Answer. The Defense agencies have responsibilities to develop programs and budget to meet their requirements. If confirmed, I will be sensitive to the needs of the Defense agencies and be available to help address their challenges.

Question. The service acquisition executives.

Answer. If confirmed, I will work closely with service acquisition executives to provide analysis, to meet the challenges of troubled programs and if required, develop alternatives to meet Defense needs.

Question. The program executive officers and program managers of major defense acquisition programs.

Answer. If confirmed, I will work closely with program executive officers and program managers to provide analysis to help meet the challenges of troubled programs and if required, develop alternatives to meet Defense needs.

Question. The cost estimating offices of the Military Departments.

Answer. If confirmed, I will ensure a close working relationship with the cost estimating offices of the Military Departments, ensuring that independent cost estimates fully represent the Service acquisition plans. The cost estimating offices of the Military Departments provide the baseline data and plans that form the basis for cost estimates for acquisition programs, and I believe that close collaboration between CAPE and the service cost estimating agencies is especially helpful when it comes to sharing analytic best practices, building robust data sets necessary for developing good cost estimating relationships, and testing critical assumptions that underpin program cost estimates.

ORGANIZATION AND STAFFING

Question. What steps do you believe you will need to take, if confirmed, to ensure that the office of the Director of CAPE is fully functional and organized in a manner consistent with statutory requirements?

Answer. If confirmed, I will continue to implement and refine the strategic plan to transition the organization into fulfilling its expanded roles and responsibilities in a way that both meets the intent of WSARA and the needs of the Department. I will review the organization to determine whether or not additional staff will be needed along with organizational changes to fulfill the expanded CAPE responsibilities and fully comply with the statutory requirements of WSARA.

Question. Do you see the need for any changes in the structure, organization, or reporting relationships of the office of the Director of CAPE?

Answer. Not at this time. If confirmed, I will evaluate the current structure, organization, and reporting relationships of the office of the Director of CAPE and recommend adjustments, if needed. If confirmed, I will assess these issues and recommend changes as necessary.

Question. Section 139c(d)(8) of title 10, U.S.C., requires the Director of CAPE to lead “the development of improved analytical skills and competencies within the

CAPE workforce of the Department of Defense.” Section 2334(f) of title 10, U.S.C., requires the Secretary of Defense to ensure that the Director of CAPE has sufficient staff of military and civilian personnel to enable the Director to carry out the duties and responsibilities of the Director under this section.”

Do you believe that the office of the Director of CAPE currently has sufficient staff of appropriately qualified and trained personnel to carry out its duties and responsibilities?

Answer. It is my understanding that along with the reorganization, when Program Analysis and Evaluation transformed into CAPE as mandated by WSARA, there was a transformation of the managerial style. The goal of this managerial shift was to move to a more agile and flexible organizational structure and enable CAPE to provide the capability to carry out its duties and responsibilities without the growth in personnel that was initially expected. If confirmed, I will move rapidly to evaluate the management and staffing of CAPE and take appropriate steps to ensure that CAPE will continue to help the Department realize the program performance goals established by the President and Congress.

Question. What steps do you plan to take, if confirmed, to assess the staffing needs of your office and ensure that you have sufficient staff of appropriately qualified and trained personnel to carry out your duties and responsibilities?

Answer. If confirmed, I will review the assessments and planning done to date, and will provide further guidance as required to ensure continued adherence to WSARA.

Question. What is your view of the current staffing of cost assessment and cost estimating functions of the Military Departments and defense agencies?

Answer. The cost estimating workforce is distributed among several organizations throughout the Department. Consequently, identifying and remedying issues with the size, education experience and organization of the DOD cost estimating workforce requires an integrated and collaborative effort, with the Director, CAPE as the leader and primary advocate for the entire DOD cost community. Efforts toward that end began last year with activities to gather data on the workforce size, grade, and demographics, as well as experience and education levels. Beyond that, there is interest in measuring projected workload volume and content (i.e., what the cost assessment community is actually doing), to help assess whether scarce resources are properly focused on strategic priorities. However, these efforts are currently suspended, due to the tremendous uncertainty in the projected DOD budget and personnel levels. OSD and the Military Departments are for the most part currently operating under a hiring freeze, and face the possibility of civilian furloughs or reductions. I intend to resume these activities next year if there is more stability in the budget environment. From my Air Force experience, the Air Force is currently short approximately 200 cost estimating billets based on an Air Force manpower study.

Question. If confirmed, what role if any do you expect to play in ensuring that the cost assessment and cost estimating functions of the Military Departments and defense agencies have sufficient staff of appropriately qualified and trained personnel to carry out their duties and responsibilities?

Answer. In my view, the CAPE has made appropriate use of the expertise and resources of the Military Departments, especially in the area of data collection. The Military Departments have undertaken a long-term initiative to collect actual operating and support cost information through the VAMOSC systems. This has resulted in better quality cost estimates throughout the Department. For Milestone reviews, CAPE instituted a policy that a signed, dated service cost estimate must be delivered to the CAPE prior to delivery of an ICE which gives CAPE a point of departure and cross-check. This increased rigor has resulted in overall better cost estimates prepared by the Military Departments. Also, during the Department's Program Budget Review, CAPE teams with the Military Departments to ensure MDAP/MAIS programs are funded to the appropriate, defensible, and realistic cost estimate.

Question. In your view, has the office of the Director of CAPE been making appropriate use of the expertise and resources of the cost assessment and cost estimating offices of the Military Departments and Defense Agencies?

Answer. I am aware of the coordination between CAPE and the other DOD offices. I believe that close collaboration between CAPE and the service cost estimating agencies is especially helpful when it comes to sharing analytic best practices, building robust data sets necessary for developing good cost estimating relationships, and testing critical assumptions that underpin program cost estimates. If confirmed, I will ensure that CAPE maintains the statutorily required independence in its cost estimates, while partnering to the fullest extent possible with the cost estimating

offices of the Military Departments, so that the Department receives the best possible cost estimates.

IMPACT OF SEQUESTRATION

Question. What impact do you expect sequestration (and the Secretary's directive to reduce staffing by 20 percent) to have on the organization and staffing of the office of the Director of CAPE?

Answer. I understand that the process for addressing the directive within CAPE is ongoing, and at this time, I do not have sufficient knowledge to offer a complete assessment of the impact. However, if confirmed, I will quickly evaluate the organization and staffing and take appropriate steps to ensure that CAPE's staff will remain able to meet the performance goals established by the President and Congress.

Question. What impact do you expect these measures to have on the office's ability to carry out its statutory duties, including the requirement to provide cost estimates for all major defense acquisition programs?

Answer. I do not have sufficient knowledge to offer a complete assessment of the impact at this time. However, if confirmed, I will quickly evaluate the staffing and take appropriate steps to ensure that CAPE is resourced to carry out all statutory duties.

Question. What impact do you expect sequestration to have on the costs of major defense acquisition programs (including multi-year contracts for such programs)?

Answer. Impacts will vary from program to program and will depend on many variables. It is reasonable, though, to assume some program unit costs will increase as orders are reduced to meet the funding levels mandated by sequestration. Budget instability makes it difficult to take advantage of the cost savings gained in multi-year procurement strategies. It is my understanding that CAPE and the Services are already working to identify the risks posed by sequester-level reductions. If confirmed, I will work to proactively address and mitigate issues that may arise.

Question. Do you foresee a need for new or revised cost estimates for such programs to take into account the impact of sequestration?

Answer. Yes. Cost estimates are regularly revised as programs pass through milestone events or experience significant changes. It is my understanding that sequestration impacts are currently being (and will continue to be) captured in updates to existing cost estimates.

ACQUISITION PROCESS

Question. What is your understanding of the role of the Director of CAPE in the acquisition process?

Answer. It is my understanding that the Director of CAPE plays multiple key roles in the acquisition process. The Director is responsible for providing guidance and oversight for Analyses of Alternatives to ensure that the Department considers the full range of program and non-materiel alternatives that could provide the needed military capabilities, as quickly as possible, at the lowest possible cost. The Director is also responsible, throughout the entire acquisition process, for ensuring that program cost and schedule estimates are properly prepared and considered in the Department's deliberations on major acquisition programs. The Director also is responsible for assessing whether a program is likely to achieve the desired capabilities.

Question. What is your view of the significance of sound, unbiased cost estimating throughout the acquisition process?

Answer. It is my personal view and clearly the view of the authors of WSARA, that independent, rigorous, unbiased cost and schedule estimates, paired with thorough risk assessments, are essential for effective acquisition decisionmaking and oversight. Achieving the goal of reducing cost and schedule growth in the Department's portfolio of acquisition programs requires that good cost estimates be available and considered throughout the acquisition process.

Question. What is your understanding of the role of the Director of CAPE in the requirements and resource-allocation processes?

Answer. The Director is an advisor to the Joint Requirements Oversight Council for assessing the resource requirements and programmatic risk of a desired capability. The Director is primarily responsible for executing the planning and programming phases of the Department's planning, programming, budgeting, and execution system, and coordinates closely with the Under Secretary of Defense (Comptroller) throughout the budget and execution stages of that process.

Question. Do you see the need for any additional processes or mechanisms to ensure coordination between the budget, acquisition, and requirements systems of

DOD and ensure that appropriate trade-offs are made between cost, schedule, and performance requirements early in the acquisition process?

Answer. If confirmed, I intend to use the authorities granted by WSARA to ensure that programs are properly initiated and are postured for success. I will evaluate and recommend adjustments, as needed, to facilitate informed discussion of trade-offs.

Question. Do you see the need to review the existing processes and mechanisms to determine those parts of the process which do not contribute significant or, on balance, create adequate value to the system?

Answer. I understand that CAPE is an important participant in the acquisition process and also believe that achieving significant efficiencies in headquarters operations will require redesigning processes to be less labor intensive and time-consuming. For many acquisition programs in development or production lengthening schedules can drive significant cost increases. If confirmed, I will evaluate and look to improve CAPE's role in the DOD 5000 processes while adhering to the requirements of WSARA.

Question. Do you believe that the current investment budget for major systems is affordable given increasing historic cost growth in major systems, costs of current operations, the need for asset recapitalization, and the impact of sequestration?

Answer. Given the current reality of sequestration, all major systems budgets will need to be re-evaluated. While there are some preliminary indications that recent reforms may have helped slow weapons system cost growth, much work remains to be done. Additionally, the slow process of reducing costs for personnel and infrastructure, as laid out by the Strategic Choices and Management Review, means that investment and readiness may have to significantly decrease in the next several years in order to achieve the reduced funding levels mandated by the sequester. If confirmed, I would intend to focus attention on analyzing trade-offs between the current investment budget and the other pressures on resources across the entire Department.

Question. If not, what role do you see for the Director of CAPE in addressing this issue?

Answer. If confirmed, I will evaluate these trade-offs and recommend adjustments, if needed, and provide management direction as necessary to ensure that we have an affordable, long-term investment strategy.

Question. Many acquisition experts attribute the failure of DOD acquisition programs to a cultural bias that routinely produces overly optimistic cost and schedule estimates and unrealistic performance expectations. As Senator Levin explained at a June 2008 hearing, "contractors and program offices have every reason to produce optimistic cost estimates and unrealistic performance expectations, because programs that promise revolutionary change and project lower costs are more likely to be approved and funded by senior administration officials and by Congress."

Do you agree with the assessment that overly optimistic cost and schedule estimates and unrealistic performance expectations contribute to the failure of major defense acquisition programs?

Answer. Yes.

Question. What steps if any would you take, if confirmed, to ensure that the Department's cost, schedule and performance estimates are realistic?

Answer. To ensure the Department's cost, schedule and performance estimates are realistic, it is important to have a systematic and institutionalized cost data collection throughout DOD to support estimates for current and future acquisition programs. The Defense Cost and Resource Center (DCARC) is the OSD office responsible for administering the CSDR system, used for acquisition cost data. I understand from my AFCAA staff that this year, the DCARC continued to update and strengthen the procedures, report formats, and detailed implementation guidance for CSDR. Additionally, CAPE's annual report has found that the quality of the cost estimates for MDAPs provided by the military departments continued to improve this year due to the increase quality of data.

In addition, as part of the Department's program and budget review process, CAPE—in conjunction with USD(AT&L)—reviewed each acquisition program with significant funding changes from the latest baseline or prior year's President's budget to determine the source of the cost estimate supporting the revised program and to ensure that the program remained fully funded. This process of tracking to the approved estimate will be even more important in the future, as the Department faces significant funding constraints, resulting in more reductions to program quantities and annual procurement rates, and more pressures to budget programs at less than full funding.

Question. Do you believe that early communication between the acquisition, budget and requirements communities in DOD can help ensure more realistic cost, schedule, and performance expectations?

Answer. Yes.

Question. If so, what steps if any would you take, if confirmed, to assist in such communication?

Answer. I do not yet have a detailed plan for changes to the early-stage acquisition communication and decision process. If confirmed, I would consult with relevant stakeholders to understand the full range of considerations. I understand that CAPE has played an important role in facilitating joint deliberations between the acquisition, requirements, and PPBE processes and remain committed to improved sharing of information between these communities to enhance transparency within the Department.

Question. In the Budget Blueprint that supported the fiscal year 2010 President's budget request, the administration committed to "set[ting] realistic requirements and stick[ing] to them and incorporat[ing] 'best practices' by not allowing programs to proceed from one stage of the acquisition cycle to the next until they have achieved the maturity to clearly lower the risk of cost growth and schedule slippage."

What role do you see for the Director of CAPE in helping to ensure that the Department makes good on this commitment?

Answer. The Director is the principal official in DOD responsible for cost and schedule estimation and for assessing expected program effectiveness.

Question. Over the last several years, the Government Accountability Office (GAO) has prepared a series of reports for this committee comparing the DOD approach to the acquisition of major systems with the approach taken by best performers in the private sector. GAO concluded that private sector programs are more successful because they consistently require a high level of maturity for new technologies before such technologies are incorporated into product development programs. The Department has responded to these findings by adopting technological maturity goals in its acquisition policies.

How important is it, in your view, for the Department to mature its technologies with research and development funds before these technologies are incorporated into product development programs?

Answer. In my view it is critical for programs to reach the appropriate level of maturity before proceeding to the next acquisition stage.

Question. What role do you see for the Director of CAPE in helping to ensure that the key components and technologies to be incorporated into major acquisition programs meet the Department's technological maturity goals?

Answer. If confirmed, I will ensure that technology risks and maturity levels are fully incorporated in the cost and schedule assessments, including Independent Cost Estimates, prepared for all major programs.

Question. DOD has increasingly turned to incremental acquisition and spiral development approaches in an effort to make cost, schedule, and performance expectations more realistic and achievable.

Do you believe that incremental acquisition and spiral development can help improve the performance of the Department's major acquisition programs?

Answer. Yes. I believe that incremental acquisition and spiral development can be one effective way to reduce acquisition risk and should be considered when appropriate across DOD's portfolio of acquisition programs.

Question. In your view, has the Department's approach to incremental acquisition and spiral development been successful? Why or why not?

Answer. I believe that the use of this approach must be considered, on a case-by-case basis, with all factors assessed and weighed in the decision. If confirmed, I will advocate for the consideration and evaluation of spiral development and incremental acquisition strategies in applicable situations. There have been improvements in the Department's acquisition performance after the enactment of WSARA. For example, the number of Nunn-McCurdy breaches has steadily decreased since fiscal year 2010, with only three significant breaches and no critical breaches in fiscal year 2013. Also, since passage of WSARA, the Analysis of Alternatives (AoA) appear to have improved due to improvements in AoA guidance, study plans, and compliance.

Question. What steps if any do you believe are needed to ensure that the requirements process, budget process, and testing regime can accommodate incremental acquisition and spiral development approaches?

Answer. I do not have sufficient knowledge to offer a detailed assessment at this time; however, I believe that these areas need to be flexible enough to support incremental acquisition and spiral development approaches.

Question. How should the Department ensure that the incremental acquisition and spiral development programs have appropriate baselines against which to measure performance?

Answer. The Department is required to prepare and measure performance against rigorous acquisition program baselines for major acquisition programs, including acquisition programs that employ these concepts. If confirmed, I will ensure realistic independent cost and schedule estimates are prepared for all major acquisition programs, including the programs that employ these concepts.

Question. The poor performance of major defense acquisition programs has also been attributed to instability in funding and requirements. In the past, DOD has attempted to provide greater funding stability through the use of multi-year contracts. More recently, the Department has sought greater requirements stability by instituting Configuration Steering Boards to exercise control over any changes to requirements that would increase program costs.

What are your views on multi-year procurements? Under what circumstances do you believe they should be used?

Answer. In general, I believe that multi-year procurement strategies can result in savings. I recognize that multi-year contracts offer the possibility of cost savings from economic order quantities. If confirmed, I will ensure the CAPE organization prepares unbiased analyses to quantify the resultant savings from the use of multi-year procurement strategies, and to assess the impact on the Department of reductions in acquisition and budget flexibilities.

Question. What is your opinion on the level of cost savings that constitute "substantial savings" for purposes of the defense multi-year procurement statute, 10 U.S.C. § 2306b?

Answer. It is my understanding that CAPE provides the estimates of the savings to be achieved by multi-year procurements, and that the Under Secretary of Defense for Acquisition Technology and Logistics determines if the savings are substantial. I understand that past practice and Congressional guidance has often focused on 10 percent as a cost savings threshold for justifying multi-year procurements. While 10 percent is often a reasonable standard the merits of the multi-year procurements should be considered on a case-by-case basis. I believe that such consideration should include the potential trade-off between cost savings and reductions in acquisition and budget flexibilities. Sometimes less than 10 percent savings may suffice for a program, while at other times retaining budgetary flexibility may argue for foregoing a multi-year that could generate more than 10 percent cost savings.

Question. Under what circumstances, if any, do you believe that a multi-year contract should be used for procuring weapons systems that have unsatisfactory program histories, e.g., displaying poor cost, scheduling, or performance outcomes but which might otherwise comply with the requirements of the defense multi-year procurement statute, 10 U.S.C. § 2306b?

Answer. I believe multi-year strategies should be evaluated on a case-by-case basis, and past program performance is one key factor in deliberations on possible employment of multi-year procurement strategies.

Question. How would you analyze and evaluate proposals for multi-year procurement for such programs?

Answer. If confirmed, I will ensure that proposals for multi-year procurement will be carefully and fairly assessed and then compared with acquisition strategies that do not employ multi-year procurement. In evaluating those projections, I will also ensure that multi-year savings projections are compared with actual savings achieved from historical programs.

Question. If confirmed, what criteria would you apply in assessing whether procuring such a system under a multi-year contract, is appropriate and should be proposed to Congress?

Answer. Among other issues, I would recommend including a review of all statutory and regulatory requirements and an assessment of the trade-offs between cost savings and reductions in acquisition and budget flexibilities. The specific implementation would likely vary from program to program.

Question. Under what circumstances, if any, should DOD ever break a multi-year procurement?

Answer. In my view, exceptional circumstances that lead to the break of a multi-year procurement should be carefully considered case by case. Some factors that would warrant this consideration could include dramatic changes to the national security situation, significant changes to the fiscal environment facing DOD, or significant changes in the acquisition program itself.

Question. What other steps, if any, would you recommend taking to increase the funding and requirements stability of major defense acquisition programs?

Answer. If confirmed, I will take actions in concert with USD(AT&L) to ensure that independent cost estimates developed or approved by the Director are fully funded in the Future Years Defense Program, that changes to programs and cost estimates are properly tracked over time, that program cost performance is tracked consistent with the metrics specified in WSARA, and that proposed changes to programs that influence costs are fully evaluated and considered prior to implementation of changes to programs.

If confirmed, I will also recommend a careful examination of the Operations and Support costs for the Department. Optimistic forecasts of these costs sometimes contribute to instability in acquisition programs by demanding a greater percentage of available resources than originally expected, thereby undermining acquisition plans. Realistically funding these accounts, and controlling cost growth where possible, may help stabilize mid- and long-term acquisition plans.

Question. The JROC recently issued guidance which “encourages Program Managers, Program Executive Officers and Component Acquisition Executives, in coordination with the requirements sponsor, to officially request requirements relief, through the appropriate requirements validation authority, where Key Performance Parameters (KPP) appear out of line with the appropriate cost-benefit analysis.” The JROC stated “[w]hile there are no limitations for requesting requirement relief, KPP relief should be considered especially appropriate in cases where significant cost savings may be achieved with marginal impact on operational capability (i.e., spending 15 percent of a program’s budget to get the last 3 percent of KPP performance).”

Do you support the new JROC guidance?

Answer. Yes. I believe that if a KPP of a program is out of line with an appropriate cost-benefit analysis, it is proper to consider granting relief to correctly align the cost to the capability. Refining requirements can be highly beneficial to achieving balance between cost, schedule, and performance. Despite the benefit of reduced costs, we must ensure that we are not placing unacceptable risk on the warfighter in order to relax requirements.

Question. Are there additional changes the JROC should consider, in your view?

Answer. I am not aware of the need to make any additional changes or improvements to the JROC guidance at this time.

Question. The current acquisition system is intended to avoid fragmentation by providing that program managers report only to program executive officers, who report only to service acquisition executives, who are subject to the management and supervision of the Under Secretary of Defense for Acquisition, Technology, and Logistics.

Do you support the chain of command for the acquisition system, as currently structured?

Answer. I believe the current structure of the acquisition system has helped to reduce fragmentation in the process. If confirmed, I will work with the service acquisition executives and the Under Secretary of Defense for Acquisition, Technology, and Logistics to seek out ways to further reduce fragmentation and other inefficiencies in the acquisition system.

Question. The Independent Panel charged with reviewing the 2010 Quadrennial Defense Review recommended increasing the role of the respective services in the management of acquisition programs through a system called “In-Line Management.” Specifically, the recommendation called for increasing the role of the Service Secretaries in the acquisition process. In addition, the Defense Business Board’s (DBB) fiscal year 2012 report titled: Linking and Streamlining the Defense Requirements, Acquisition and Budget Process also advocated for the “Military Service Chief” to have a greater role in the acquisition process.

What are your thoughts about value of increasing the management responsibilities of Service Secretaries and Service Chiefs in the acquisition process?

Do you believe adding the Service Secretaries and Chiefs of Staff to the acquisition chain of command would help address the underlying causes of cost, schedule, and performance problems in the acquisition system?

Do you believe that such a change would increase, or decrease, fragmentation of authority in the acquisition system?

Answer. To ensure optimal use of funds provided to the Department, it is critical to minimize cost, schedule, and performance problems. I believe the key to minimizing these problems is identifying the correct requirements early in the process, influenced by an unbiased, realistic assessment of their viability. The experience and insights of the Service Chiefs and Secretaries would be very helpful in discussions of requirement trade-offs and continued relevance. Based on a preliminary assessment, I support the Department’s response to the DBB recommendation and I would welcome an increased role for the Service Chiefs and Secretaries in the proc-

ess. If confirmed, I would expect to have more firsthand experience and develop a more fully informed view.

This would require close, early alignment between CAPE, the Services, the JROC, and the Under Secretary of Defense for Acquisition and Technology.

COST ASSESSMENT

Question. Section 2334 of title 10, U.S.C., requires the Director of CAPE to prescribe policies and procedures for the conduct of cost estimation and cost analysis for the acquisition programs of DOD.

What are the major issues that you believe should be addressed in policies and procedures for the conduct of cost estimation and cost analysis for DOD acquisition programs?

Answer. CAPE policy should enforce consistent methodologies, improve education and training, define process timelines, enhance risk analysis, and identify roles and responsibilities for cost estimating across the weapon system life cycle. Consistent cost estimating methods across departments, coupled with a trained workforce employing those methods, reduces review time, reconciliation, and associated rework which can save schedule time for acquisition programs and reduce costs.

Question. What is your view of DOD policies and procedures currently in place for the conduct of cost estimation and cost analysis for DOD acquisition programs? Are there any significant gaps that you would like to fill or significant changes that you would like to make?

Answer. The current DOD policies and procedures are being updated to codify the requirements of WSARA. CAPE is now working to complete DOD Manual 5000.04–M, Cost Analysis Guidance and Procedures. This Manual will be the primary vehicle for implementing the cost assessment provisions of WSARA. In particular, it will provide guidance to the military departments and defense agencies concerning the preparation, presentation, and documentation of life-cycle cost estimates for defense acquisition programs.

Question. Section 2334(a)(6) requires the Director to conduct independent cost estimates and cost analyses for certain major defense acquisition programs and major automated information system programs at key points in the acquisition process and “at any other time considered appropriate by the Director or upon the request of the Under Secretary of Defense for Acquisition, Technology, and Logistics.”

In your view, does the office of the Director currently have the staffing and resources necessary to perform this function, or will additional resources be required?

Answer. If confirmed, I will quickly evaluate the staffing and resource levels and take appropriate steps to ensure that CAPE’s cost assessment staff will be fully able to continue to help the Department realize the aggressive program performance goals established by the President and Congress.

Question. What is your view of the extent to which it would be appropriate to use Federally Funded Research and Development Centers or other contractors to assist in this function?

Answer. It is my understanding that the Department is still working to reestablish the capabilities of the government acquisition workforce, though the fiscal environment has curtailed much planned growth in acquisition workforce capabilities. Even with this trend, however, there are numerous functions, such as cost analysis research, that an FFRDC or a support contractor could provide to assist the Department in meeting its cost estimating requirements provided we remain compliant with the 2013 NDAA that requires each MDAP/MAIS lead cost estimator be a member of the armed forces or a full-time employee of DOD.

Question. Are there particular points in the acquisition process, other than those required by statute, at which you think that independent cost estimates and cost analyses would be appropriate?

Answer. The current acquisition process in the Department is event-driven and episodic in nature, and is driven primarily by the key milestones identified in statute. In my view, the WSARA requirements drive the Department to a model involving more continuous involvement of the cost analysis community, and this is the approach I have sought to follow with AFCAA. If confirmed, I will support a more continuous involvement of CAPE in following and tracking program performance, updating cost and schedule estimates, and in evaluating new program risks as they are identified, though I recognize that resource constraints will limit my ability to fully achieve this vision.

Question. The Director is required to “[r]eview all cost estimates and cost analyses” conducted by the military departments and defense agencies for major defense acquisition programs and major automated information system programs other than

those covered by section 2334(a)(6). At certain points in the acquisition process, the Director is required to determine whether such estimates are reasonable.

In your view, does the office of the Director currently have the staffing and resources necessary to perform this function, or will additional resources be required?

Answer. If confirmed, I will quickly evaluate the staffing and resource levels and take appropriate steps to ensure CAPE's cost assessment personnel will be fully able to continue to help the Department realize the aggressive program performance goals established by the President and Congress. I recognize that all headquarters functions across DOD are under pressure to reduce staffing and resources and do not expect that CAPE will be exempt from this pressure.

Question. What is your view of the extent to which it would be appropriate to use Federally Funded Research and Development Centers or other contractors to assist in this function?

Answer. There are numerous functions, such as cost analysis research, that an FFRDC or a support contractor could provide to assist the Department in meeting its cost estimating requirements. All the Department's cost analysis agencies use contract/FFRDC support to some degree. In general, I support the current effort to enhance the government's organic cost estimating capability. However, the current fiscal pressures will likely result in reductions to both the CAPE staff and funding for the contract/FFRDC support.

Question. What action would you expect to take, if confirmed, if you were to determine that a cost estimate or cost analysis conducted by one of the military departments or defense agencies in connection with a major defense acquisition program or major automated system program was not reasonable?

Answer. If confirmed, in this situation I would direct the Deputy Director for Cost Assessment in CAPE to prepare a separate independent cost estimate and would recommend that the program not be permitted to proceed until the new independent cost estimate was completed, considered, and properly funded in the Future Years Defense Program. In my experience overseeing AFCAA, I found that situations where Program Office Estimates and independent cost estimates were likely to diverge greatly could generally be identified in advance and issues avoided by bringing analysts together to examine assumptions and models—saving time and avoiding unnecessary costs without sacrificing analytic independence.

PROGRAM EVALUATION

Question. Section 139a (d)(5) of title 10, U.S.C., makes the Director of CAPE responsible for "[r]eview, analysis, and evaluation of programs for executing approved strategies and policies, ensuring that information on programs is presented accurately and completely." Section 139a(d)(7) makes the Director responsible for "[a]ssessments of alternative plans, programs, and policies with respect to the acquisition programs of the Department of Defense."

What is your view of the significance of independent review, analysis, and evaluation of programs, and assessments of alternative programs, to the effective management of DOD?

Answer. Independent analyses and evaluation of programs help identify underlying risk in programs sometimes not seen in the service position—whether cost, schedule or performance risk. I believe that identifying these risks and offering the means to mitigate them will position the Department leadership to make informed decisions for acquiring and resourcing program plans.

Question. Do you see the need for any changes or improvements to the organization, process, or methodology used by the Department for such review, analysis, and assessments?

Answer. I am not aware of the need to make any changes or improvements to the process or methodology at this time. It is possible that additional decision support will be necessary to fulfill this, either via new staff or a reorganization of missions within existing staff. However, if confirmed, I will review the process and methodology and make recommendations for improvements, as appropriate.

Question. Does the Director of CAPE have the staffing and resources needed to carry out this function?

Answer. If confirmed, I plan to evaluate the need for the organizational changes necessary to fully comply with the intent of the legislation and the resulting impact on resources.

Question. How do you believe that the Director of CAPE should interact with Service acquisition executives, program executive officers, program managers, and other program officials in preparing independent evaluations of major defense acquisition programs?

Answer. Preparation of independent evaluations of major defense acquisition programs is highly dependent on gaining unfettered access to information about the programs. I believe that it is incumbent upon the Director of CAPE to create strong relationships across the Department with service acquisition executives and other program subordinates to ensure continued access to this information. At the same time, I believe that the Director must make clear that the analyses done by the CAPE organization maintain the required independence and continue to be unbiased and reliable in developing recommendations based on the analyses.

PLANNING, PROGRAMMING, BUDGETING, AND EXECUTION SYSTEM

Question. What role do you expect to play, if confirmed, on matters relating to the planning and programming phases of the Planning, Programming, Budgeting, and Execution (PPBE) system?

Answer. I expect that I will be one of Secretary Hagel's closest advisors on all program evaluation matters. Further, I expect that I will coordinate the performance of the Program Review and ensure a close working relationship with the Under Secretary of Defense (Comptroller) as he coordinates the performance of the Budget Review. In my role I expect to analyze, evaluate, and provide alternative plans and programs for U.S. defense objectives and evaluate programs to ensure execution of approved strategies and policies. I anticipate performing critical reviews of requirements, capabilities, and life-cycle costs of current and proposed defense programs, with an eye toward making recommendations and identifying options for the Secretary of Defense.

Question. What role do you expect to play, if confirmed, in the preparation of materials and guidance for the PPBE system?

Answer. If confirmed, I will direct preparation for overarching guidance for the programming phase of PPBE. I also expect that I will prepare and coordinate closely with the Under Secretary of Defense (Comptroller) in the preparation of Fiscal Guidance to the Defense components. Further, I will expect to coordinate with the Under Secretary of Defense (Policy) in implementation of strategic policy decisions reached through processes such as the Quadrennial Defense Review. I expect that I will continue to prepare and deliver to Congress the Future Years Defense Program for DOD.

Question. Do you see the need for any changes or improvements to the PPBE system?

Answer. The PPBE system has seen virtually constant, incremental change throughout much of its recent history, but I do not have any concrete recommendations to make at this time. If confirmed I will work with other stakeholders to ensure that the PPBE system best supports the efficient and effective allocation of taxpayer dollars to the highest national security priorities of DOD.

ANALYSES OF ALTERNATIVES

Question. The Director of CAPE is responsible for the formulation of study guidance for analyses of alternatives for major defense acquisition programs and the performance of such analyses, as directed by the Secretary of Defense.

Do you believe that DOD has been making appropriate use of AoA in connection with major defense acquisition programs?

Answer. While at this time I do not have sufficient knowledge to offer an assessment of the Department's use of AoAs, I believe analyses of alternatives can identify areas where trade-offs can be made to reduce cost, schedule, and performance risk.

Question. Do you see the need for any change in the timing, content, or approach that the Department takes to analyses of alternatives in connection with major defense acquisition programs?

Answer. No. The AoAs is usually done prior to Milestone A, thereby offering the earliest opportunity to influence the acquisition strategy and program content. If confirmed, I will ensure that the AoAs continues to be updated, as appropriate, as the program proceeds to a full-rate production decision.

Question. Do you believe that the office of the Director of CAPE and other relevant components of the Department are appropriately organized and staffed to carry out effective analyses of alternatives in connection with major defense acquisition programs?

Answer. Properly organized, yes. If confirmed, I will quickly evaluate and take appropriate steps to ensure that CAPE is properly organized to fulfill the responsibilities and fully comply with the statutory requirements of WSARA.

OPERATING AND SUPPORT COSTS

Question. Section 2334(e) of title 10, U.S.C., requires the Director to review and report on existing systems and methods of DOD for tracking and assessing operating and support costs on major defense acquisition programs.

Do you think that the Department is currently doing an adequate job of estimating operating and support costs for major defense acquisition programs?

Answer. I appreciate the challenges of estimating operating and support costs of increasingly complex weapon systems with ever-changing operational missions. The WSARA of 2009 requires a review of systems and methods used for developing estimates of operating and support costs. It is my understanding that a division has been established in CAPE to analyze the adequacy of systems and methods used for developing estimates of operating and support costs. If confirmed, I will review their analyses and recommend adjustments, if needed.

Question. Do you think that the Department is currently doing an adequate job of tracking and assessing operating and support costs for major defense acquisition programs?

Answer. I recognize that effective systems and methods must be in place to ensure that budgets and programs reflect the most current experience in operating and support costs. The WSARA of 2009 requires a review of systems and methods used for tracking and assessing operating and support costs. In my role as the Assistant Secretary of the Air Force for Financial Management and Comptroller, an Operating and Support estimating division was created in AFCAA to perform independent assessments of the operating and support costs of AF major defense acquisition programs. It is my understanding that a new division has been established in CAPE that will track and assess operating and support costs for major defense acquisition programs. If confirmed, I will review their analyses and recommend adjustments, if needed.

Question. What would be your view of a “Nunn-McCurdy”-type system for programs that substantially exceed estimates for operating and support costs?

Answer. I understand the importance of controlling the operating and support costs of our major weapon systems. I also know that this is a complicated problem—many factors contribute to increases in operating and support cost growth. I am advised that the CAPE directorate has worked to assess the feasibility and advisability of establishing some form of baseline for operating and support costs, as required in the Weapon System Acquisition and Reform Act of 2009. Increased visibility of operations and support costs is very important to enable management action to contain costs, regardless of whether a formal breach process is established. If confirmed, I will make a review of the team’s progress on this question a near-term priority.

Question. What is your view on the role that the office of the Director of CAPE does and should play in assessing operating and support costs on major defense acquisition programs?

Answer. I recognize that operating and support costs are a significant driver to both major defense acquisition program costs and the department’s budget. The Weapon System Acquisition and Reform Act of 2009 requires CAPE to ensure that the cost estimation and cost analysis processes of the department provide accurate information and realistic estimates of costs for acquisition programs. I understand a new division in CAPE has been established that will track and assess operating and support costs for major defense acquisition programs. I am also aware that an operating and support cost estimating guide has been written and that the Department maintains operating and support cost databases. If confirmed, I will review their analyses and activities and recommend adjustments, if needed while partnering with USD(AT&L) to make operating and support costs more visible in the milestone decision process.

CONGRESSIONAL OVERSIGHT

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

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

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

COORDINATION OF REQUIREMENTS, ACQUISITION AND BUDGETING

1. Senator INHOFE. Dr. Morin, in a July 3, 2013, letter to Congress General Dempsey, "acknowledged the need to improve coordination among the requirements, acquisition and budgeting process." Toward that end a "quarterly leadership forum" was created which includes the Cost Assessment and Program Evaluation (CAPE) Director. General Dempsey wrote: "The Department will use this forum to ensure roadblocks are promptly addressed, continue ongoing efforts to better align requirements and acquisition processes and further engage Service Chiefs in the acquisition process." If confirmed, what do you view as your role on the forum?

Dr. MORIN. It is my understanding that the Quarterly Leadership Forum is a series of meetings dedicated to improving the coordination between the requirements, acquisition, and budgeting processes. Attendees include the leadership of the Joint Staff, the Under Secretary of Defense for Acquisition, Technology and Logistics, and the Director of CAPE. The explicit purpose of these meetings is to link the requirements, acquisition, and budgetary processes to help provide timely delivery of warfighter capabilities at a reasonable cost.

I have not participated in this forum in my current role, but if confirmed will look forward to taking part and contributing CAPE's insights to the group. I believe CAPE insights will include ensuring lessons are incorporated into the processes to enable the Department to more easily recognize and break through process-driven impediments to the development and fielding of warfighter capabilities in an effective and timely manner.

The ability of the DOD leadership to coordinate requirements, acquisition, and budgeting has been strained due to the enormous fiscal uncertainty facing the Department, which makes frank and timely discussions across these communities all the more important.

2. Senator INHOFE. Dr. Morin, what ideas do you think are important for the quarterly leadership forum to address and consider?

Dr. MORIN. The Quarterly Leadership Forum should include and consider the following ideas:

- The importance of streamlining process time and providing clear lines of accountability without sacrificing discipline or key oversight, and
- Expectations for rigorous cost estimates and the budgetary discipline to fully fund programs to valid estimates, in line with key priorities.

ACCURATE COST ESTIMATES

3. Senator INHOFE. Dr. Morin, to help ensure the Services submit more realistic cost estimates CAPE instituted policies requiring greater accountability from the Services. These new requirements included an obligation for the Services to produce a "signed" cost estimate to be reviewed by CAPE and to reaffirm the Services commitment to fully fund an acquisition program during the preparation of the next 5-year spending plan. What are your plans and strategies to use the capabilities of CAPE to achieve even more savings in the future?

Dr. MORIN. Following the passage of the Weapons System Acquisition Reform Act in 2009, I understand CAPE instituted new business processes for consideration of cost estimates prepared by the military services for major acquisition programs. These processes require: (1) each cost estimate be submitted and explained in a signed and dated document; and 2) financial and acquisition leaders of the military departments provide a commitment (to fully fund programs to their Service Cost Position in the next Future Years Defense Program. I have seen these new processes

improve both the accountability and transparency associated with the cost estimates prepared in the Military Departments.

If confirmed, I plan to use and expand several ongoing initiatives in CAPE to improve the Department's cost estimates and achieve even greater savings in the future, specifically through guidance rewrites, increased analytical emphasis on multi-year procurements, and integration/enhancements of cost collection systems to increase analyst productivity. First, I understand CAPE is coordinating with the Military Departments to update its manual, DOD 5000.4-M, Cost Analysis Guidance and Procedures. Once complete, this update will provide authoritative guidance to the military departments and defense agencies concerning the preparation, presentation, and documentation of life-cycle cost estimates for defense acquisition programs, which in turn should increase cost analyst efficiency. The new version of DOD 5000.4-M will focus on identifying decisions that offer the opportunity to save money rather than just preparing an independent cost estimate for the program of record and stopping there.

Second, CAPE has instituted a rigorous analytic process to support certification of the savings associated with multi-year procurement contracts. This process involves direct interaction of CAPE analysts with program office personnel, within each of the military departments, as well as involvement of cost analysis personnel from the military service cost centers and the system commands, to support improved understanding of costs in support of negotiation of the best possible business contract arrangement for the Department. It also involves direct interaction of CAPE with the leadership of the prime contractor for the program, to show them the cost analyses and demonstrate the strengths and weaknesses of their initial contract proposals. This process, which was initiated 3 years ago, has resulted in expected contract savings of 10–19 percent on a number of aircraft programs that have employed multi-year contracting strategies. I understand CAPE is working on a number of other initiatives in this area, and if confirmed, I will delve further into these issues.

COLLABORATION AND PARTNERSHIP

4. Senator INHOFE. Dr. Morin, the current Director of CAPE stated in 2011 that, “we found cases where the program managers, the acquisition executives, the partners in industry and the analysts in Cost Assessment and Program Evaluation all working together—those are the places where we’ve seen the most success in program’s going forward.” Do you agree with that approach?

Dr. MORIN. I have seen multiple cases where Air Force and CAPE analysts have been able to work closely together to develop rigorous, independent estimates that are credible to program management and the acquisition executives, and which provide a good baseline for budgeting and for developing cost savings proposals. Collaboration with industry has been very helpful in developing more rigorous and consistent cost accounting standards and work breakdown structures for earned value management. Early engagement between the various responsible analysts and acquisition professionals can help streamline acquisition timelines, thereby saving cost.

5. Senator INHOFE. Dr. Morin, do you believe CAPE should be more detached in order to maintain the independence of its analysis?

Dr. MORIN. I believe that the cost assessment team has an appropriate level of independence and find their estimates to be credible and unbiased. The WSARA statute provides that the CAPE Director reports directly to the Secretary and Deputy Secretary of Defense and can provide views directly to those leaders without the approval of any other official, ensuring that independent views on cost estimating are shared directly with top DOD leadership. Continued work is required to improve the quality of estimating and hence the accuracy and precision with which analysts are able to predict the cost of future programs.

[The nomination reference of Dr. Jamie M. Morin follows:]

NOMINATION REFERENCE AND REPORT

SENATE OF THE UNITED STATES,
September 11, 2013.

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

Jamie Michael Morin, of Michigan, to be Director of Cost Assessment and Program Evaluation, Department of Defense, Christine H. Fox, resigned.

[The biographical sketch of Dr. Jamie M. Morin, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF DR. JAMIE M. MORIN

Education:

Georgetown University

- September 1993–December 1996
- Bachelor of Science in Foreign Service Degree awarded cum laude December 1996
- Peter Krogh Scholar of the School of Foreign Service 1994–1996

London School of Economics

- September 1997–September 1998
- Master of Science in Public Administration and Public Policy Degree awarded with distinction June 1994

Yale University

- September 1998–May 2003
- Master of Arts in Political Science awarded May 2001
- Master of Philosophy in Political Science awarded May 2001
- Ph.D. in Political Science awarded May 2003

Employment Record:

U.S. Air Force

- Assistant Secretary of the Air Force (Financial Management and Comptroller)
- July 2009–present
- Acting Under Secretary of the Air Force, July 2012–April 2013

U.S. Senate Committee on the Budget

- Senior Defense Analyst
- July 2003–July 2009
- Additional duties as senior analyst for foreign affairs at various times during this tenure.

Miller Center for Public Affairs (University of Virginia)

- National Fellow in Public Affairs
- July 2002–July 2003

Center for Strategic and Budgetary Assessments

- Visiting Fellow
- June 2001–September 2001

J.E. Austin Associates

- Economist and Strategy Specialist (May 2000–September 2000)
- Research Assistant then Research Associate and then Consultant (October 1995–September 1997)
- October 1995–September 1997; May 2000–September 2000

Office of the Secretary of Defense

- Intern
- June 1999–September 1999

Honors and awards:

Air Force Meritorious Civilian Service Medal (2013)

Named a “Young Global Leader” by the World Economic Forum’s Forum of Young Global Leaders (2013)

Dirksen Center—Congressional Research Award (2003)

Miller Center (UVA)—National Fellow in Public Affairs (2002–2003)

Yale University—Yale University Fellowship (1998–2002), Dissertation Fellowship (2002–2003)

Smith-Richardson Foundation—Research Fellowship (2001, 2002)

Nominated by students for the Yale College Teaching Prize (1999)

DACOR Bacon House Foundation—Tutthill Fellowship (1997)

Krogh Scholar, Georgetown University School of Foreign Service (1995–1996)

Eagle Scout, Boy Scouts of America (1992)

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate, and certain senior military officers as determined by the committee, to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Dr. Jamie M. Morin in connection with his nomination follows:]

UNITED STATES SENATE
COMMITTEE ON ARMED SERVICES

Room SR-228
Washington, DC 20510-6050
(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM
BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Jamie Michael Morin.
2. **Position to which nominated:**
Director, Cost Assessment and Program Evaluation
3. **Date of nomination:**
September 11, 2013.
4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]
5. **Date and place of birth:**
May 28, 1975, Southfield, MI.
6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Megan Anne Baker-Morin
(Note: she uses the hyphenated version for some purposes, Megan Anne Baker professionally).
7. **Names and ages of children:**
William (Liam) Morin, age 8.
8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Ph.D. in Political Science, Yale University, 2003. Attended 1998-2003.
M.Phil., Yale University, 2001.
M.A., Yale University, 2001.
M.Sc. in Public Administration and Public Policy, London School of Economics, 1998. Attended 1997-1998.
B.S.F.S in International Security and Diplomacy, Georgetown University School of Foreign Service, 1996. Attended 1993-1996.
High School Diploma, University of Detroit Jesuit High School, 1993. Attended 1989-1993.

9. Employment record: List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Acting Under Secretary of the Air Force, Washington DC (July 2012 to April 2013).

Assistant Secretary of the Air Force (Financial Management and Comptroller), Washington DC (June 2009 to present).

Senior Defense Analyst, U.S. Senate Committee on the Budget, Washington DC (July 2003 to June 2009).

National Fellow in Public Affairs, Miller Center for Public Affairs, University of Virginia, Charlottesville, VA (July 2002 to July 2003) .

10. Government experience: List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above.

As a visiting fellow at the Center for Strategic and Budgetary Assessments, I assisted with research and writing of a study for the Department of Defense's Office of Net Assessment.

As a consultant with J.E. Austin Associates, I participated in several U.S. Agency for International Development economic development projects.

11. Business relationships: List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.

None.

12. Memberships: List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

Member of Yale, Georgetown, and University of Detroit Jesuit High School alumni associations

Member of American Society of Military Comptrollers

Member of Air Force Association

Member of the Forum of Young Global Leaders of the World Economic Forum

Term Member of the Council on Foreign Relations

Member of the "Term Member Advisory Committee," with no fiduciary or management responsibilities.

Den Leader, Cub Scout Pack 98, St Anthony's Catholic Church, Washington DC

13. Political affiliations and activities:

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

Volunteer advisor on defense budget policy, Obama for America, 2007–2008.

Volunteer, Virginia Campaign for Change, November 2008.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

\$200 - Obama for America, October 22, 2011

\$200 - Obama for America, February 24, 2012

\$800 - Obama for America, (\$100 per month from April–November 2012)

\$250 - Barack Obama (General Election), October 22, 2008

\$200 - Barack Obama (Primary), July 9, 2008

\$200 - Barack Obama (Primary), January 8, 2008 (estimated)

14. Honors and awards: List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Air Force Meritorious Civilian Service Medal (2013)

Named a "Young Global Leader" by the World Economic Forum's Forum of Young Global Leaders (2013)

Dirksen Center - Congressional Research Award (2003)

Miller Center (UVA) - National Fellow in Public Affairs (2002–2003)

Yale University - Yale University Fellowship (1998–2002), Dissertation Fellowship (2002–2003)

Smith-Richardson Foundation - Research Fellowship (2001, 2002)

Nominated by students for the Yale College Teaching Prize (1999)

DACOR Bacon House Foundation - Tutthill Fellowship (1997)

Krogh Scholar, Georgetown University School of Foreign Service (1995–1996)

Eagle Scout, Boy Scouts of America (1992)

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Quarterly articles in Air Force Comptroller Magazine: 2009–2013

“Making Every Dollar Count,” Armed Forces Comptroller, Spring 2013

“Deepening U.S.-Asian Relationships by Expanding Military Partnership” Blog post at the World Economic Forum blog, <http://forumblog.org/2013/03/deepening-us-asian-relationships-by-expanding-military-partnership/>

“Achieving Acquisition Excellence in the Air Force: A Financial Management Perspective,” Armed Force Comptroller, March 2010.

Squaring the Pentagon: The Politics of Post-Cold War Defense Retrenchment, Ph.D. Dissertation, Yale University Department of Political Science, 2003.

“The Politics of Post-Cold War Defense Retrenchment,” Paper presented to the New Faces in International Security Conference, Triangle Institute for Security Studies, (2003).

“Did Congress Shape America’s Post-Cold War Defense? Measuring the Politics of Budgetary Retrenchment,” Paper presented to the American Political Science Association’s 2003 annual conference.

“Explaining the Shape of the Post-Cold War U.S. Military,” Paper presented to the Miller Center Fellows. Conference, May 2003.

“Congressional Assertion in Defense Budgeting During Retrenchment,” Presentation to the Miller Center Fellows Kick-off Conference (2002).

“Comment on Josef Joffe’s ‘Who’s Afraid of Mr. Big,’” The National Interest (Fall 2001).

“European Economic and Monetary Union and Trans-Atlantic Security Relations,” International Security Review (London, RUSI: 1999).

“EMU and U.S. Troops in Europe,” Royal United Services Institute Newsbrief (London, RUSI: April 1998).

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

Air Force Financial Services Office Worldwide Conference - November 4, 2009

American Society of Military Comptrollers, Corporate Board Breakfast - December 3, 2009

American Society of Military Comptrollers, National Professional Development Institute - June 2, 2010

American Society of Military Comptrollers, Washington Chapter - June 14, 2010

American Society of Military Comptrollers, National Professional Development Institute - June 1, 2011

Address to Research Corridor Unmanned Aircraft Systems Summit - May 22, 2012

The Fletcher School Lecture and Luncheon - October 16, 2012

TechAmerica - December 5, 2012

Government Executive Media Group: “Focus on Defense” - December 6, 2012

Wright-Patterson Air Force Base Industry Outreach Event - December 17, 2012

The State of Small Business - December 17, 2012

Air Force Association Breakfast Series - January 15, 2013

Center for Naval Analyses Military Advisory Board - January 30, 2013

Georgetown Asia Rebalance Forum - February 27, 2013

National Defense Industrial Association Luncheon - March 11, 2013

Northwest Florida Defense Coalition Fly-In - March 12, 2013

Energy Media Teleconference - March 21, 2013

Space Budget Rollout - April 15, 2013

17. **Commitments regarding nomination, confirmation, and service:**

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

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) 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?

Yes.

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

SIGNATURE AND DATE

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

JAMIE M. MORIN.

This 26th day of September, 2013.

[The nomination of Dr. Jamie M. Morin was reported to the Senate by Chairman Levin on October 31, 2013, with the recommendation that the nomination be confirmed. The nomination was returned to the President at the end of the first session of the 113th Congress on January 6, 2014, under provisions of Senate Rule XXXI, paragraph 6, of the Standing Rules of the Senate.]

[Prepared questions submitted to Dr. Jo Ann Rooney by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

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

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

Answer. I do not see the need to modify any provision of the Goldwater Nichols Act.

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

Answer. I do not see the need to modify any provisions of the Goldwater Nichols Act.

QUALIFICATIONS

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. If confirmed, I will bring over 25 years of senior leadership experience to this position along with education credentials in finance, law, taxation, and education. In my most recent role in the Department of Defense (DOD), I had the honor and privilege to serve as Acting Under Secretary/Principal Deputy Under Secretary of Defense (USD/PDUSD) for Personnel and Readiness. In this role, I was responsible for Total Force Management as it relates to Health Affairs, National Guard and Reserve Affairs and Readiness and Force Management including: military personnel policies, civilian personnel policies, readiness, military, community and fam-

ily programs, equal opportunity, morale, welfare, recreation and quality of life matters. I had direct responsibility and accountability for over 30,000 employees and a budget of \$73 billion including: the oversight and administration of the \$50 billion Defense Health Program (including all military treatment facilities (59 hospitals and 360 clinics), the Graduate Medical University and Tricare Management Activities); Defense Commissaries and Exchanges with \$14.5 billion in annual sales; the Defense Education Activity which supports over 100,000 students worldwide; and the Defense Equal Opportunity Management Institute. In addition, as Acting USD/PDUSD and a member of the Secretary's senior leadership team, I actively participated alongside uniformed service leaders in the development of the Defense Strategy and defense budget for fiscal years 2013–2017. During my tenure, we worked closely with senior military and civilian leaders across all Services on the implementing the repeal of "Don't Ask Don't Tell" and the review of benefits post-repeal; completion of the Women In the Service Report; development of the initial rollout of enhanced sexual assault prevention programs and policies; directing the Dover Port Mortuary task force and response (including direct meetings with family members); ongoing improvements to the Disability Evaluation System for wounded, ill and injured servicemembers across each of the uniformed services including enhancement of programs for treatment and diagnoses for PTSD and TBI; reviewing military compensation including retirement reform; developing a new policy and program resulting in a fundamental redesign of the manner in which servicemembers are transitioned to veterans status (TAP); and developing the risk mitigation plan for the Secretary of Defense in response to the Chairman of the Joint Chiefs of Staff's risk assessment. Along with the DepSecVA, I co-chaired the DOD/VA Joint Executive Council (JEC) bringing together military and civilian leadership from both departments to make decisions addressing key issues involving both agencies.

During 8 years as president of a doctoral level university, we successfully addressed serious financial challenges enabling the institution to realize significant operating surpluses after years of deficits. In addition, we developed an innovative educational model that directly impacted retention, graduation rates and student success. Various corporate and civic engagements have enabled me to lead organizations through dynamic structural and financial challenges allowing them to better serve their constituents. In particular, my work on the Jewish Hospital and St. Mary's HealthCare (JHSMH) health care system board of trustees as vice chair, allowed me to be directly involved in developing policies and procedures impacting patient care, safety, operating efficiencies and human resource policies across a system of approximately \$1 billion encompassing ambulatory, community hospital and tertiary care facilities, an inpatient psychiatric hospital, comprehensive rehabilitation facility, and clinical research.

DUTIES

Question. Section 5015 of title 10, U.S.C., states the Under Secretary of the Navy shall perform such duties and exercise such powers as the Secretary of the Navy may prescribe.

What is your understanding of the duties and functions of the Under Secretary of the Navy?

Answer. The statutory duties and functions of the Under Secretary of the Navy are broadly defined to "perform such duties and exercise such powers as the Secretary of the Navy may prescribe." By statute, the Under Secretary is first in succession in the event of the Secretary of the Navy dies, resigns, is removed from office, is absent or is disabled. By regulation, The Under Secretary is designated as the deputy and principal assistant to the Secretary of the Navy and acts with full authority of the Secretary in managing the Department of the Navy. The Under Secretary serves as the Chief of Staff of the Secretariat and the Chief Operating Officer of the Department. In accordance with section 904(b) of the National Defense Authorization Act for Fiscal Year 2008, the Under Secretary is also the Department's Chief Management Officer.

Question. What recommendations, if any, do you have for changes in the duties and functions of the Under Secretary of the Navy, as set forth in section 5015 of title 10, U.S.C., or in DOD regulations pertaining to functions of the Under Secretary of the Navy?

Answer. I have reviewed the statutory and regulatory functions of the Secretary of the Navy and presently do not recommend any modification. If confirmed and I identify areas that I believe merit changes, I will propose those changes through the appropriate established processes.

Question. Assuming you are confirmed, what additional duties, if any, do you expect will be prescribed for you?

Answer. If confirmed, I look forward to working with the Secretary of the Navy to further his vision and goals for the Navy and Marine Corps. I expect the Secretary will assign me duties consistent with my background, my strengths, and the present needs of the Department of the Navy.

Question. Section 904(b) of the National Defense Authorization Act for Fiscal Year 2008, directs the Secretary of a military department to designate the Under Secretary of such Military Department to assume the primary management responsibility for business operations.

What is your understanding of the business operations responsibilities of the Under Secretary of the Navy?

Answer. The Under Secretary of the Navy is responsible for overseeing all business operations of the Department. More specifically, the Under Secretary of the Navy directs the shaping of a leaner, more integrated, and simplified business environment and guides opportunities to streamline processes.

RELATIONSHIPS

Question. Please describe your understanding of the relationship of the Under Secretary of the Navy to the following officials:

The Secretary of Defense.

Answer. The Secretary of Defense is the principal assistant to the President in all matters relating to DOD. The Secretary of the Navy reports directly to the Secretary of Defense and ensures that his priorities are implemented in the Department of the Navy. When acting as the Secretary of the Navy, the Under Secretary would do the same.

Question. The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense, on occasion, serves as Acting Secretary of Defense. The Deputy Secretary of Defense also serves as the Chief Management Officer of DOD. If confirmed, I will work closely with the Deputy Secretary of Defense on a range of matters to include supporting the Deputy Secretary of Defense in his role as Chief Management Officer of DOD.

Question. The Deputy Chief Management Officer of DOD.

Answer. The Deputy Chief Management Officer is the principal staff assistant to the Secretary and Deputy Secretary of Defense for matters relating to the management and improvement of integrated DOD business operations. If confirmed, I will work directly with the Deputy Secretary of Defense (DOD CMO) and the DOD DCMO on the full range of matters involving the management of DOD. If confirmed, I will assist in the development of a comprehensive Departmental transformation plan and business systems architecture and oversee the identification and implementation of potential business process improvements.

Question. The Director of the Business Transformation Agency.

Answer. I understand that this agency was disestablished by the Secretary of Defense in 2011 and transferred functions to the DOD Deputy Chief Management Officer.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Chairman of the Joint Chiefs of Staff is the principal military advisor to the President, the National Security Council, and the Secretary of Defense. If confirmed, I will work closely with the Chairman through the Chief of Naval Operations and Commandant of the Marine Corps on appropriate matters affecting the Navy and Marine Corps.

Question. The Vice Chairman of the Joint Chiefs of Staff.

Answer. The Vice Chairman has the same statutory authorities and obligations as other members of the Joint Chiefs of Staff. When performing duties as the Acting Chairman, the Vice Chairman's relationship with the combatant commanders is exactly the same as that of the Chairman. If confirmed, I will work closely with the Vice Chairman through the Chief of Naval Operations and Commandant of the Marine Corps on appropriate matters affecting the Navy and Marine Corps.

Question. The Secretary of the Navy.

Answer. Subject to the authority, direction, and control of the Secretary of Defense, the Secretary of the Navy is responsible for, and has the authority necessary to conduct all affairs of the Department of the Navy. The Under Secretary of the Navy is the deputy and principal assistant to the Secretary of the Navy and acts with full authority of the Secretary in managing the Department of the Navy.

Question. The Chief of Naval Operations.

Answer. The Chief of Naval Operations (CNO) performs his duties under the authority, direction and control of the Secretary of the Navy and is directly responsible

to the Secretary according to title 10. The Under Secretary deals directly with the CNO in all Department leadership meetings and when acting in the Secretary's stead. The Under Secretary works most closely with the Vice Chief of Naval Operations (VCNO). If confirmed, I would foster a close working relationship with the CNO and the VCNO to ensure that policies and resources are appropriate to meet the needs of the Navy and respect the CNO's additional responsibilities as a member of the Joint Chiefs of Staff.

Question. The Commandant of the Marine Corps.

Answer. The Commandant of the Marine Corps performs his duties under the authority, direction and control of the Secretary of the Navy and is directly responsible to the Secretary according to title 10. The Under Secretary deals directly with the Commandant of the Marine Corps in all Department leadership meetings and when acting in the Secretary's stead. The Under Secretary works most closely with the Assistant Commandant of the Marine Corps. If confirmed, I would foster a close working relationship with the Commandant and the Assistant Commandant of the Marine Corps to ensure that policies and resources are appropriate to meet the needs of the Navy and Marine Corps, and respect the Commandant's additional responsibilities as a member of the Joint Chiefs of Staff.

Question. The Assistant Secretaries of the Navy.

Answer. There are four Assistant Secretaries of the Navy performing statutory functions and such duties as the Secretary prescribes. If confirmed, I will work with each of the Assistant Secretaries of the Navy to achieve the Secretary's goals.

Question. The General Counsel of the Navy.

Answer. The General Counsel of the Navy serves as the senior civilian legal advisor to the Department of the Navy, the Secretary's chief ethics official and performs such functions as the Secretary of the Navy shall direct. If confirmed, I will work closely with the General Counsel to achieve the Secretary's goals.

Question. The Inspector General of the Navy.

Answer. The Navy Inspector General is in the Office of the Secretary of the Navy. When directed, the Navy Inspector General inquires into and reports upon any matter that affects the discipline or military efficiency of the Department of the Navy. He shall make such inspections, investigations, and reports as the Secretary of the Navy directs. He also proposes programs of inspections and investigations as appropriate. If confirmed, I will work closely with the Inspector General to achieve the Secretary's goals.

Question. The Surgeon General of the Navy.

Answer. The Surgeon General provides direction, guidance and management of Navy medical personnel worldwide. The Surgeon General advises the Secretary of the Navy as well as the Assistant Secretary of Defense for Health Affairs on matters pertaining to Navy and Marine Corps force and the health of personnel. If confirmed, I will work closely with the Surgeon General to achieve the Secretary's goals.

Question. The Director of the Navy's Business Transformation Office.

Answer. The Director of the Navy's Office of Business Transformation is currently designated as the DoN DCMO. If confirmed, I would work closely with the DCMO to determine needed changes to Departmental transformation plans, business systems architecture, and to identify needed business process improvements.

Question. The Judge Advocate General of the Navy.

Answer. The Judge Advocate General of the Navy is the senior uniformed legal advisor to the Secretary of the Navy, provides independent legal advice to the Secretary of the Navy and the Chief of Naval Operations and performs duties relating to any and all Department of the Navy legal matters assigned to her by the Secretary. If confirmed, I look forward to developing a good working relationship with the Judge Advocate General and her staff.

Question. The Under Secretaries of the Military Services.

Answer. If confirmed, I will work diligently to develop close working relationships with the Under Secretaries of the Army and Air Force, particularly in our capacities as Chief Management Officers for our respective Services.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges, if any, that you would confront if confirmed as Under Secretary of the Navy?

Answer. DOD and all of the Services are facing numerous challenges brought on by over 10 years of war and fiscal uncertainty. These factors directly impact decisions on current programs, support for the warfighter and investment in future capabilities and requirements. The Navy and Marine Corps are deployed around the world engaged in the full spectrum of military missions, from direct combat oper-

ations to providing security in the maritime domain to humanitarian assistance. Determining the best balance between meeting current challenges, building a relevant and capable future force, enabling and supporting sailors, marines, their families, and the civilian workforce will pose the most significant challenges in the years ahead. It is also critical to be good stewards of taxpayer dollars, being accountable for ensuring these resources are invested wisely and efficiently. In the role as Chief Management Officer, continued improvement to program and budget development and the cost effectiveness of the acquisition program, will remain major challenges and priorities.

If confirmed, I will work tirelessly to address these issues and would work closely with DOD, Navy and Marine Corps leadership, and this committee to develop and execute strategies to address these challenges.

Question. If confirmed, how would you prioritize and what plans would you have, if any, for addressing these challenges?

Answer. In response to the strategic guidance from the President, the Secretary of the Navy, Chief of Naval Operations and Commandant of the Marine Corp have articulated clear priorities focused on people, platforms, power and partnerships. If confirmed, I look forward to working with the Secretary of the Navy, senior Military and DOD leadership, and this committee to meet these challenges and priorities including but not limited to:

- Ensuring the readiness of our force to meet current and future missions around the world by recruiting, training, and retaining highly-skilled sailors and marines, and supporting the families of the servicemembers;
- supporting a diverse and well-trained civilian workforce;
- continuing to address the critical issues of sexual assault and suicides among our sailors and marines;
- maintaining a long-term ship building program that supports the needs for modernization and future capabilities, supports a robust industrial base, and is both achievable and fiscally sustainable;
- promoting acquisition excellence, stewardship, accountability and innovation; and,
- supporting the enhancement of enterprise-wide business systems to improve core business operations, performance metrics and accountability.

DUTIES AND RESPONSIBILITIES AS CHIEF MANAGEMENT OFFICER

Question. Section 904 of the National Defense Authorization Act for Fiscal Year 2008 designates the Under Secretary of the Navy as the Navy's Chief Management Officer (CMO). Section 908 of the National Defense Authorization Act for Fiscal Year 2009 requires the CMO of each of the military departments to carry out a comprehensive business transformation initiative, with the support of a new Business Transformation Office.

What is your understanding of the duties and responsibilities of the Under Secretary in his capacity as CMO of the Department of the Navy?

Answer. If confirmed, my most important duty as CMO will be to ensure that the Department of the Navy has a pragmatic and well-thought out comprehensive business transformation plan with measureable performance goals and objectives. In addition, I will continue to support a well-defined enterprise-wide business systems architecture. I would work with the DCMO to:

- Fully analyze the budget, finance, accounting, and human resource operations of the Department of the Navy in an effort to identify, streamline, and ultimately transform these related processes;
- Eliminate or replace systems whose business case analyses are determined not to be cost effective or otherwise inconsistent with business enterprise architecture transition plans;
- Monitor the implementation of the Department of the Navy's Business Transformation Plan.

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

Answer. The Under/CMO must have a thorough knowledge of the Department of the Navy; to include the culture of both services, the government employees that support them and the industrial base. The Under/CMO should also have or develop knowledge on the way programs and budgets are developed and be a strong leader and manager. I have served as the Acting Under Secretary/Principal Deputy Under Secretary of Defense for Personnel and Readiness, as well as the deputy senior policy advisor to the Secretary of Defense on recruitment, career development, pay and benefits for 1.4 million Active Duty military personnel, 1.3 million Guard and Reserve personnel, nearly 700,000 DOD civilians, and was responsible for overseeing

the overall state of military readiness. In years past, I have served as chief counsel, chief operating officer, and chief financial officer in the private sector. I have taken a struggling university to financial success while simultaneously implementing major programmatic changes, IT transformation and infrastructure upgrades and have also served in a leadership role on the board of a major hospital system undergoing significant operational and organizational change. I believe that my background along with formal education, particularly in law and finance, provides a solid foundation for the position as CMO but I accept that I must continue to learn, and will rely greatly on the knowledge and advice of the team in the Departments of Defense and Navy.

Question. Do you believe that the CMO and the Business Transformation Office have the resources and authority needed to carry out the business transformation of the Department of the Navy?

Answer. I believe the CMO and the Business Transformation Office have the resources and authority needed to carry out the business transformation of the Department. If confirmed, I would consult with the Secretary of the Navy, DOD DCMO, and DOD CMO if I discover that those resources and authorities were insufficient.

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

Answer. I believe the CMO and DCMO/BTO should serve as guides and enablers for implementing sound best practices regarding planning, development, and implementation of business systems, and verify those policies are being followed appropriately in accordance with DOD guidelines. If confirmed, I would work with the DCMO/BTO to institute rigorous investment management and business process reengineering (BPR) procedures for their managed business systems.

Question. What changes, if any, would you recommend to the statutory provisions establishing the position of CMO and creating the Business Transformation Office?

Answer. At this time, I do not believe that any changes are necessary, but if confirmed, I would consult with the Secretary of the Navy, DOD DCMO, and DOD CMO if my experience led me to believe that changes were warranted.

Question. Section 2222 of title 10, U.S.C., requires that the Secretary of Defense develop a comprehensive business enterprise architecture and transition plan to guide the development of its business systems and processes. The Department has chosen to implement the requirement for an enterprise architecture and transition plan through a "federated" approach in which the Business Transformation Agency has developed the top level architecture while leaving it to the military departments to fill in most of the detail. The Navy's business systems, like those of the other military departments, remain incapable of providing timely, reliable financial data to support management decisions.

If confirmed, what steps, if any, would you take to ensure that the Navy develops the business systems and processes it needs to appropriately manage funds in the best interest of the taxpayer and the national defense?

Answer. If confirmed, I will ensure that the proper business case analyses and appropriate establishment and application of business enterprise architectures support the capability of providing timely, reliable data to support management decisions. I will approach this responsibility mindful of our role as public servants to be guardians of the public fiscal resources.

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

Answer. I am skeptical that a single architecture for an organization as large and complex as the Department of the Navy is practical or efficient. This does not mean that all standards, policies, and processes should not be established to rival the best of those in the private sector. It does mean that, if confirmed, I am accountable to ensure the appropriate analysis and process development occur to transform outdated and inefficient business operations into those that are streamlined, cost effective, and well-planned.

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

Answer. I understand that much progress was made last year to ensure conditions for fiscal year 2014 obligation of funds for covered defense business system programs met the requirements of section 2222. The fiscal year 2014 Department of the Navy Organizational Execution Plans and Precertification memo was completed on time and met or exceeded requirements. If confirmed, I will continue that work with the Business Transformation Council, Investment Review Board, and DOD DCMO to fully meet the requirements specified in law.

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

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

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

Answer. If confirmed, I would prioritize their requirement to have processes in place and appropriate systems subsequently needed to produce the data.

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

Answer. If confirmed, I will work closely with the Department of the Navy DCMO and the Assistant Secretary of the Navy Financial Manager/Comptroller to confirm the establishment of specific requirements and execute measures required to improve the quality of financial information used for decision-making.

AUDITABLE FINANCIAL STATEMENTS

Question. Section 1003 of the National Defense Authorization Act for Fiscal Year 2010 requires the Chief Management Officer of DOD to establish a plan to ensure that DOD's financial statements are validated as ready for audit by not later than September 30, 2017. The Secretary of Defense has established the additional goal of ensuring that the statement of DOD's budgetary resources is validated as ready for audit by not later than September 30, 2014.

In your opinion, is the Department of the Navy on track to achieve these objectives, particularly with regard to data quality, internal controls, and business process re-engineering?

Answer. I do not yet have enough information to form an opinion on this matter; however, I understand that the Department has a Financial Improvement Plan and is making progress toward achieving auditable financial statements. I am aware that difficult issues must be addressed, including the valuation of major weapon systems and equipment. I have not had the opportunity to review the plan and at this time could not inform you of my confidence level that the September 30, 2014 goal is achievable.

Question. If not, what impediments may hinder the Navy's ability to achieve this goal and how would you address them?

Answer. I do not yet have enough information to form an opinion on this matter; however, I expect that the impacts of past, present and any future furlough of Government civilian personnel could serve as an impediment. Likewise, the budget uncertainty for fiscal year 2014 and beyond is a likely impediment. If confirmed, I will maintain a steady focus and commitment on all Department efforts to enable audit readiness consistent with the statutory requirement and to ensure they are built on a foundation that results in sustainable audit environments well into the future.

Question. In your view, are the steps that the Navy needs to take to meet the 2014 goal consistent with the steps that DOD needs to take to achieve full auditability?

Answer. If confirmed, I am committed to maintaining a steady focus on all Department efforts towards audit readiness and achieving clean audit opinions. This consistent focus is critical to the success of the 2014 goal. If confirmed, I will review the objectives that have been prepared and determine whether they appear to be reasonable and effective.

Question. What steps will you take, if confirmed, to ensure that the Navy moves to achieve these objectives without an unaffordable or unsustainable level of one-time fixes and manual work-arounds?

Answer. If confirmed, I will maintain a steady focus and commitment on all Department efforts to enable audit readiness and to ensure they are built on a foundation that results in sustainable audit environments well into the future. This includes documentation and standardization of business processes across the Navy to ensure they are traceable, sustainable, and auditable.

NAVY POLICIES REGARDING DRUG AND ALCOHOL ABUSE

Question. What is your understanding of the Navy's policy with respect to disciplinary action and administrative separation of Navy and Marine Corps personnel who have been determined to have used illegal drugs? Do you agree with this policy?

Answer. The Department of the Navy has a zero tolerance policy regarding illegal drug use and that this policy is clearly understood by all sailors and marines from the moment they enter the Service. Zero tolerance, in this context, means that sailors and marines that use illegal drugs, which includes unauthorized use or abuse of prescription drugs, will be held accountable, as appropriate, under the Uniform Code of Military Justice and unless discharged by a court-martial, subjected to mandatory administrative processing for separation from the Service. I agree with this policy.

Question. What is your understanding of the Navy's policy with respect to rehabilitation and retention on active duty of members of the Navy and Marine Corps who have been determined to have used illegal drugs or abused alcohol or prescription drugs? Do you agree with this policy?

Answer. I agree with the Department's drug and alcohol policy. I understand that while Navy and Marine Corps personnel who violate the Department of the Navy's drug policy will be appropriately punished and processed for separation, they will also be screened for counseling prior to administrative processing, and they will be given the opportunity to benefit from whatever treatment is deemed necessary.

As for alcohol abuse, I understand that the Department of the Navy's policy is to de-glamorize use, and to treat and track alcohol abuse. I further understand that there is a zero tolerance policy for driving while under the influence and that all alcohol-related vehicle incidents are reviewed prior to an officer's promotion to determine whether that officer is suitable for advancement to the next higher pay grade. Irrespective of how alcohol abuse is identified, I understand that Navy and Marine Corps personnel will be screened and provided an opportunity to participate in treatment, up to and including inpatient care.

I believe there is a duty to ensure sailors and marines receive the care they need. However, failure to obey the rules results in consequences and I fully support the Department of the Navy's policy.

Question. Do you believe that the Navy has devoted sufficient resources for implementation of its rehabilitation policies and objectives since 2001? If not, in what ways have resources been insufficient?

Answer. Based on the information I have, I believe the Navy has devoted sufficient resources for implementation of its rehabilitation policies and objectives. If confirmed, I commit to developing a more thorough understanding of the resources the Navy has devoted to these policies and objectives.

Religious Guidelines

Question. In your view, do Department of the Navy policies concerning religious accommodation in the military appropriately accommodate the free exercise of religion and other beliefs, including individual expressions of belief, without impinging on those who have different beliefs, including no religious belief?

Answer. Based on the information I have, I am aware that all requests for religious accommodation are evaluated and given due consideration. I do believe that current Defense Department policies appropriately accommodate the free exercise of religion and other beliefs but are balanced against the interest in avoiding adverse impact on good order and discipline as well as mission accomplishment.

Question. Under current law and policy, are individual expressions of belief accommodated so long as they do not impact good order and discipline?

Answer. Consistent with the law, every religious accommodation request requires individualized analysis. I believe that under current law and policy, religious accommodation is appropriately balanced against the interest in avoiding adverse impacts on good order and discipline.

Question. In your view, do existing policies and practices regarding public prayers offered by Navy and Marine Corps chaplains in a variety of formal and informal settings strike the proper balance between a chaplain's ability to pray in accordance with his or her religious beliefs and the rights of other servicemembers with different beliefs, including no religious beliefs?

Answer. Current law protects chaplains from being required to perform any rite, ritual, or ceremony that is contrary to the conscience, moral principles, or religious beliefs of the chaplain. I believe that current policies strike an appropriate balance for military chaplains acting in a pluralistic environment while simultaneously protecting their religious freedoms.

Question. What is your assessment of measures taken at the Naval Academy to ensure religious tolerance and respect?

Answer. I understand that the same policies implemented throughout the Navy are also instituted at the Naval Academy and that religious tolerance and respect is afforded to all midshipmen, faculty and other assigned personnel.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Question. In 2012, for the fourth year in a row, there were more than 3,000 reported cases of sexual assault in the military, including 2,558 unrestricted reports, and an additional 816 restricted reports. Moreover, DOD's most recent survey indicates that the actual number of sexual offenses could be considerably higher, as 6.1 percent of active duty women and 1.2 percent of active duty men surveyed reported having experienced an incident of unwanted sexual contact in the previous 12 months. This survey has been criticized by some because its conclusions are extrapolated from an unscientific sample set and the questions asked in the survey were too imprecise. Both former Secretary of Defense Panetta and Secretary Hagel have implemented new initiatives for addressing sexual assault in the military.

What is your assessment of the Navy's implementation of the new policies for addressing sexual assault offenses?

Answer. By their new policies, some of which are unique among the services, the Navy has demonstrated that sexual assault prevention and response is a priority. It is apparent to me that the Navy is constantly looking for ways to confront this criminal activity and create an environment that facilitates prompt reporting and enables victim care. There have been a series of focused changes in place dealing directly with sexual assault prevention and response, such as: raising the disposition authority for a sexual assault case to an O-6 with special court-martial convening authority; ensuring a judge advocate is the investigating officer in an Article 32 hearing; implementing a Victims' Legal Counsel program; hiring additional Sexual Assault Resource Counselors and victim advocates; and in the case of the Navy service, hiring resiliency counselors to deploy with larger platforms, among others. However, the Navy is also addressing some of the other risk factors to include alcohol abuse. I am not yet in a position to assess the efficacy of these programs. If confirmed, I expect this assessment will be among my top priorities.

Question. What is your view about the role of the chain of command in changing the military culture in which these sexual assaults have occurred?

Answer. My view is that commanders set the tone of their command. They are responsible and should be accountable for the health, safety, and morale of their units—to include the command climate with regard to gender issues and sexual assault. Their daily actions and comments, as transmitted through the chain of command, are visible models that inform subordinates of our true standards and expectations. Local commanders and chains of command are also the most effective way to ensure compassionate support individuals in need—something hard to do from afar. While Commanders do indeed need consistent and effective policy guidance and resource support from senior leadership, no strategy to combat sexual assault, no matter how well-founded, could ever succeed without the active engagement of commanding officers and their chains of command.

Question. In your view, what would be the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted?

Answer. 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 very problem that I understand it seeks to address. I understand that the Response Systems Panel directed by the NDAA for Fiscal Year 2013 is looking at this very issue and I would appreciate the opportunity to review data and recommendations they have before considering a change of this magnitude.

Question. What is your view of the protections afforded to victims who are required to testify at Article 32, Uniform Code of Military Justice, investigations that are required before charges can be referred to a General Court-Martial?

Answer. The Rape Shield Law applies to victims at an Article 32 investigation hearing. This protects the victims from intrusive questioning about their sexual history unless there is a specific exemption. While I'm not opposed to considering changes in the Article 32 process to afford greater protections, I am concerned that as victims and witnesses receive enhanced statutory and regulatory protection there is a risk of eroding the Constitutional protections of a criminal accused. I strongly believe we must work through any substantive changes deliberately so that we are fully informed, and I believe that the panels established in section 576 of the NDAA for Fiscal Year 2013 were wise and welcome requirements of Congress that will, if given the opportunity, better inform us all.

Question. What is your understanding of the resources and programs the Navy has in place to provide victims of sexual assaults the medical, psychological, and legal help that they need?

Answer. The Navy service is adding a Sexual Assault Prevention and Response (SAPR) officer at the rank of Commander or higher to major naval commands, has completed the hiring of Sexual Assault Response Coordinators and Victim Advocates and took the additional step of hiring Deployed Resiliency Counselors (DRC) to serve on larger warships. Additionally, the Navy service is in the process of implementing a Victims' Legal Counsel Program wherein Judge Advocates will help protect a victim's rights through the investigative and adjudicative stages of the military justice process.

Question. What is your view of the steps the Navy has taken to prevent additional sexual assaults? In your view, are these steps adequate?

Answer. Sexual assaults involving sailors and marines are completely unacceptable. Unfortunately, there are no simple answers. I am encouraged by the focused, persistent effort of the Department of the Navy.

Since 2009, the Department and each Service has worked to structure its sexual assault organizations. The Department of the Navy Sexual Assault Prevention and Response Office (DON-SAPRO) provides independent visibility and reports directly to the Secretary.

Each Service has implemented strategic plans to combat sexual assault and developed new training tools. All sailors and marines have received state-of-the-art sexual assault prevention training—most of them more than once. Both Services have adopted more aggressive campaigns against alcohol and everywhere emphasized the importance of bystander intervention to break up sexual assault situations. In doing so, they've underscored the importance of core values and the responsibility of every sailor and marine for both their own behavior and also to actively protect each other from harm.

Question. What is your view of the adequacy of the training and resources the Navy has in place to investigate and respond to allegations of sexual assault?

Answer. I am aware that the Department has undertaken a number of initiatives to improve training, investigate and respond to sexual assault including: special training for Navy Criminal Investigation Service (NCIS) agents and lawyers. Over the past 1–2 years, a cadre of approximately 18 criminal investigators has been hired—in most cases, individuals with extensive civilian experience in sexual assault investigations. The Department is now supplementing that commitment with the hiring of an additional 54 new NCIS agents to focus on sexual assault investigations—specifically in response to the increased NCIS workload resulting both from policy requirements to investigate all allegations of sexual assault of any nature, and from the success of Department-wide efforts to make sailors and marines more comfortable in reporting sexual assaults in the first place. If confirmed, I would continue to monitor the effectiveness of these initiatives and seek opportunities to advance additional training and resources to address the needs in this area.

Question. Do you consider the Navy's current sexual assault policies and procedures, particularly those on confidential reporting, to be effective?

Answer. I do. Substantial increases in both restricted and unrestricted reporting during fiscal year 2012 and fiscal year 2013 in both the Navy and Marine Corps demonstrate the emphasis the Department has placed on sexual assault victim support and the intensity of training initiatives to address the problem of under-reporting. Additionally, there are reporting procedures in place that require a commanding officer to report a complaint of sexual assault to the first Flag officer in the chain of command. They also must immediately initiate a situational report that is sent to JAG and NCIS channels as well as to all echelons of leadership. This increases visibility and accountability.

I understand the concept behind restricted reporting, but I also understand the criticism. We want to hold perpetrators of sexual assault responsible, but we cannot do that unless we know who they are. I believe that with the implementation of the Victims' Legal Counsel Program and with Victim Advocates in place, the rate of unrestricted over restricted reporting will improve.

Question. What is your view of the adequacy of resources in the Navy to investigate allegations of sexual misconduct and to hold perpetrators accountable for their actions? What problems, if any, are you aware of in the manner in which the confidential reporting procedures have been put into effect?

Answer. NCIS investigates all allegations of sexual assault. This requires resources. The Secretary has authorized the hiring of 54 additional NCIS agents to focus on sexual assault questions. In order for a report of sexual assault to remain a restricted report, a victim can only notify certain individuals. Once NCIS is notified of a sexual assault complaint, they must investigate whether or not the victim wants to cooperate; however, an investigation without a cooperating victim is very difficult.

Question. What is your view of the appropriate role for senior military and civilian leaders in the Secretariat, the Navy staff and the Marine Corps staff in overseeing the effectiveness of implementation of new policies relating to sexual assault?

Answer. Sexual assault prevention and response is a responsibility of leadership up and down the organization. In 2009, the Secretary of the Navy was the first to establish a Secretariat level office to oversee sexual assault prevention and response in the Department. The office is led by an SES who reports directly to the Secretary. This Secretariat-level SAPR strategy focuses on consistent top-down leadership message. Each Service also has their own program offices, led by a one-star Flag or General Officer who is responsible for overseeing the implementation of Service-specific programs.

Question. Do you believe that sexual assault continues to be an underreported crime within the Department for the Navy?

Answer. Yes—I believe it is the most under-reported crime. However, as the Navy implements new programs and policies, I would expect to see an increase in reporting as victims feel more comfortable coming forward to report these crimes.

Question. If so, what are the barriers that discourage or prevent victims from coming forward?

Answer. I believe the biggest challenges relate to the personal concerns of victims about embarrassment, self-blaming, and how victims feel they will be viewed by their friends and peers. These are tougher matters to overcome, and they ultimately depend on developing a culture that is simultaneously intolerant of sexual assault and focused on compassionate support of sexual assault victims.

Question. If confirmed, what additional steps would you take to remove barriers to reporting sexual assaults?

Answer. If confirmed, I would continue to focus on victim care. Victims of sexual assault need to feel safe and cared for and that their needs are being met. As more victims feel comfortable coming forward and reporting sexual assault, we will see the barriers to reporting begin to dissolve.

Question. In response to the Annual Report on Sexual Harassment and Violence at the Military Service Academies for Academic Program Year 2011–2012, the Secretary of Defense wrote to the Service Secretaries and the Under Secretary of Defense for Personnel and Readiness stating: “Despite our considerable and ongoing efforts, this year’s Annual Report on Sexual Harassment and Violence at the Military Service Academies demonstrates that we have a persistent problem. I am concerned that we have not achieved greater progress in preventing sexual assault and sexual harassment among academy cadets and midshipmen. These crimes and abhorrent behavior are incompatible with the core values we require of our Armed Forces’ future officers. A strong and immediate response is needed.”

What has the Navy done to respond to the Secretary of Defense’s requirement for a strong and immediate response?

Answer. I understand that the Secretary and the Chief of Naval Operations both place a personal high priority on issues at the Naval Academy. Earlier this year there was an extensive review of SAPR program structure and staffing. As a result, the Academy has assigned two civilian full-time Sexual Assault Response Coordinators (SARCs) and two civilian full-time Sexual Assault Prevention and Response Victim Advocates (VAs). The SARCs now report directly to the Superintendent and no military personnel are assigned SARC responsibilities. The VAs report directly to the SARCs. Additionally, an experienced Judge Advocate and trial attorney was recently put in place as the first Victim’s Legal Counsel in the Navy.

In addition, a survey was conducted of all Midshipmen to explore perspectives on sexual assault circumstances, the command climate, and barriers to reporting. Those results helped inform the Academy’s own efforts to engage local stakeholders in confronting key issues.

Question. If confirmed, what additional steps will you take to address the findings contained in this report?

Answer. Senior military and civilian leaders at all levels from the Secretariat down must continue to focus on promoting environments at the Naval Academy and all commands that prevent sexual assault. If confirmed, I will work with the Secretary and service leaders to maintain a focused and persistent commitment on these issues.

ANNUAL INCREASE IN RATES OF BASIC PAY BELOW THE EMPLOYMENT COST INDEX

Question. The Department has requested an across-the-board pay raise for 2014 for military personnel of 1 percent, versus a 1.8 percent rise in the Employment Cost Index (ECI) benchmark, and has indicated that in order to restrain the growth

of personnel costs, similar below-ECI pay raises may be necessary over the next several years.

What is your assessment of the impact a 1 percent pay raise would have on Navy and Marine Corps recruiting and retention for 2014?

Answer. Military compensation is highly competitive today, and the President's proposed slowdown in base pay growth is not likely to cause recruiting or retention problems in the near term provided recruiting bonuses and retention pays are preserved. With the modest increases in the pay table as proposed in the President's budget, servicemembers will still realize sizable pay increases through promotions and longevity. In the current fiscal environment, there is room to slow down base pay growth, thereby helping to mitigate further cuts to force structure, readiness and modernization.

Question. What would be the impact of a 1 percent pay raise in 2015 through 2017 on recruiting and retention? What level of savings would you anticipate achieving relative to pay raises equal to ECI for those years?

Answer. Total military compensation has to be sufficient to attract and retain the numbers and quality the services need in uniform to fulfill our missions. Military compensation has gained ground relative to comparable civilian compensation in recent years. In my view, military pay raises below ECI for a few years would not cause major recruiting or retention problems for the Department of the Navy.

Assuming a comparison between a 1.8 percent ECI increase and a 1 percent proposed increase from 2015 to 2017 and that service end strengths remain at fiscal year 2014 requested levels, I would expect the Department of the Navy to save \$900 million in Active Duty basic pay and \$130 million in Reserve component pay for those 3 years.

END STRENGTH REDUCTIONS

Question. The Department last year laid out a defense strategy that proposes an eventual end strength of 182,000 for the Marine Corps over the next 5 years.

What is your understanding of the Marine Corps' ability to meet these goals without forcing out marines who have served in combat over the past 10 years with the implicit promise that they could compete for career service and retirement?

Answer. The promise of a military retirement is one of the solemn pledges made to compensate our servicemembers when they volunteer for a full career. However, it is time for a review of this system. I fully support Congress' establishment of the Military Compensation and Retirement Modernization Commission to conduct a comprehensive review of military compensation and retirement systems. Keeping faith with those currently serving is a high priority, and in my view the Commission and Congress should ensure that any resulting reforms protect our current servicemembers through grandfathering those who prefer the current retirement structure.

That said, I understand that the Marine Corps desires and intends to keep the faith with marines and only use voluntary separation tools. Whether these voluntary force shaping tools result in the necessary end strength will determine the need for any involuntary force shaping methods.

Question. To what extent will the Marine Corps have to rely on involuntary separations in 2014 through 2018? How will sequestration affect this?

Answer. It is not yet clear to me to what extent the Marine Corps will rely on involuntary separations during this time period. Sequestration, continuing resolutions and government shutdowns exacerbate all problems.

Question. What programs are in place to ensure that separating and retiring sailors and marines are as prepared as they can be as they enter a struggling economy?

Answer. The newly redesigned Transition Assistance Program (TAP) is intended to prepare sailors and marines to make a successful transition from military to civilian life and help shorten their time to post-service employment. Transition GPS includes a 5 day common core curriculum, an option of participating in additional tailored curriculum depending on the members' follow-on interest and a "warm-handover" to government agencies and organizations that provide transitioning members with continued benefits, services and support as veterans.

The Department of the Navy's new transition program will also incorporate career readiness and transition preparation into the entire span of a servicemember's career. In the past, transition and preparation for the civilian workforce occurred late in a servicemember's lifecycle—near the point of separation. Under this new program, these concepts will be incorporated earlier as a way to ensure that the counseling, assessments, and access to resources to build skills or credentials occur at earlier stages.

Question. How fast can the Marine Corps responsibly and fairly reduce end strength while maintaining the integrity and readiness of combat units?

Answer. I am not equipped with sufficient information to effectively respond to this question at this time, but the Marine Corps will almost certainly need a balanced program of reduced accessions and lower retention to achieve the proposed strength reductions while maintaining readiness.

Question. If sequestration continues through 2018, what will be the impact on the Active Duty and Reserve end strengths of the Navy and Marine Corps, and how would the mix between the Active and Reserve Forces be affected?

Answer. In the case of the Marine Corps, I understand that the Commandant's adjusted end strength goal of 182,100 marines by the end of fiscal year 2016 assumes risk. If sequestration continues, I expect the Marine Corps will be required to further reduce end strength and will put the Nation's ability to respond to crisis at risk. In the case of the Navy, Active and Reserve end strength is linked to force structure and would almost certainly decrease as force structure changes are made. As to the planned mix of Active and Reserve Forces, I am not yet equipped with the information necessary to respond to this question but as DOD looks to slow the growth of personnel costs this will be an area that I expect would be evaluate carefully.

Question. What is your understanding of the need for additional force shaping tools requiring legislation beyond what Congress has provided the past 2 years?

Answer. I am unaware of a need for additional force shaping tools beyond what Congress has provided over the past 2 years.

NAVY AND MARINE CORPS RECRUITING AND RETENTION

Question. The retention of quality sailors and marines, officer and enlisted, Active Duty and Reserve, is vital to the Department of the Navy.

How would you evaluate the status of the Navy and Marine Corps in successfully recruiting and retaining high caliber personnel?

Answer. I understand that both services have met their recruiting goals in recent years and have brought in exceptionally high quality cohorts of new sailors and marines. I understand that recruit quality has been so high that attrition of new recruits has been at record lows.

Question. How would you evaluate the recruiting and retention of uniformed and civilian health care professionals?

Answer. Healthcare professionals are always challenging to recruit, but I understand that the Active component Navy has met both recruiting and retention goals this year.

Question. What initiatives would you take, if confirmed, to further improve Navy and Marine Corps recruiting and retention, in both the Active and Reserve components, including health care professionals?

Answer. If confirmed, I will be mindful of the effects of sequestration on efforts to recruit and retain the high-quality sailors and marines in our All-Volunteer Force and will recommend any necessary improvements after consultation with the Service Chiefs or their designees, the Assistant Secretary of the Navy for Manpower and Reserve Affairs and the Surgeon General.

SEQUESTRATION

Question. What would be the impact on the Navy and Marine Corps if another round of sequestration were to take effect during fiscal year 2014?

Answer. Sequestration in fiscal year 2014, particularly when combined with the absence of an appropriation and the restrictions associated with a potential continuing resolution, will reduce service readiness in the near-term and continue to negatively impact programs in the long term. I would expect reductions to operations and maintenance funding to impact the Navy's near-term forward presence and depot maintenance and training, which will in turn, affect future operational rotations. In investment accounts, I expect tradeoffs and reduced quantities of ships, aircraft, and weapon systems will likely be required.

Question. What would be the specific impact on Navy and Marine Corps civilian and military personnel; on family programs; on morale, welfare and recreation programs; and on the delivery of health care to service personnel, retirees, and their families?

Answer. Even though military personnel accounts are exempt from sequestration many of these programs are funded from the Operations and Maintenance Accounts. I am not aware of specific impacts at this time but I would expect there will be negative impacts.

SUICIDE PREVENTION

Question. The number of suicides in the total Navy and Marine Corps continues to be of concern to the committee.

If confirmed, what role would you play in shaping suicide prevention programs and policies for the Department of the Navy to prevent suicides and increase the resiliency of service personnel and their families?

Answer. If confirmed, I would commit to leading on this issue and to advance the Department's goal to reduce the number of Navy and Marine Corps suicides by accelerating reviews of successful initiatives both inside and outside the Services to incorporate evidence-based best practices.

MORALE, WELFARE, AND RECREATION

Question. Morale, Welfare, and Recreation (MWR) programs are critical to enhancement of military life for members and their families, especially in light of frequent and sometimes lengthy deployments. These programs must be relevant and attractive to all eligible users, including Active Duty and Reserve personnel, retirees, and families.

What challenges do you foresee in sustaining Navy MWR programs, particularly in view of the current fiscal environment, and if confirmed, are there any improvements you would seek to achieve?

Answer. Sustaining Navy and Marine Corps MWR programs will be challenged by reductions in appropriated fund support to those MWR programs not funded fully by non-appropriated funding, and the changing needs of sailors, marines, and their families based on the fluctuating fiscal environment and any future reductions in end strength. If confirmed, I will assess whether there are ways to improve the sustainment of our most important MWR programs.

FAMILY READINESS AND SUPPORT

Question. Military members and their families in both the Active and Reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of concerns among military families as a result of the stress of deployments and the separations that go with them.

What do you consider to be the most important family readiness issues for Navy and Marine Corps personnel and their families, and, if confirmed, how would you ensure that family readiness needs are addressed and adequately resourced?

Answer. I recognize our sailors and marines can achieve and maintain their peak readiness only when their families are also prepared to handle the mental and emotional rigors of military service.

In my view, continuing to prepare and support our sailors, marines, and their families before, during, and after deployment to promote positive adjustment to deployment, family separation, and family reunion remains one of our most important family readiness issues. By continuing to emphasize the importance of this subset of family readiness programs, the Department can assist commanding officers, sailors, marines, and their families to manage the demands of the naval service lifestyle of ongoing deployments and increasing operational tempo.

Question. How would you address these family readiness needs in light of global rebasing, deployments, and future reductions in end strength?

Answer. Global rebasing, increasing operational tempo, and future reductions in end strength will necessitate continuous assessment of the needed level and nature of services to ensure the health and well-being of our sailors, marines, and their families. Annual assessments of family support programs conducted by the Services allow the identification of changing needs and adjustment and realignment of services as necessary.

Question. If confirmed, how would you ensure support is provided to Reserve component families related to mobilization, deployment and family readiness, as well as to active duty families who do not reside near a military installation?

Answer. A number of information and referral services such as Military OneSource and Military and Family Life Counseling Services are available to both Active Duty and Reserve sailors, marines, and family members and should continue to be resources for servicemembers and family members.

Question. If confirmed, what steps will you take to sustain Navy and Marine Corps family support, given current fiscal constraints?

Answer. If confirmed I would evaluate the balance of appropriated and non-appropriated funding levels for different programs and ensure the services have identified improved effectiveness, efficiency, and economy in the delivery of programs to in-

clude exploration of shared services or similar models for common support with the other military departments as opportunities to provide family readiness programs at needed service levels.

SYSTEMS AND SUPPORT FOR WOUNDED WARRIORS

Question. Servicemembers who are wounded or injured in combat operation deserve the highest priority from the Navy, Marine Corps, and the Federal Government for support services, healing and recuperation, rehabilitation, evaluation for return to duty, successful transition from Active Duty if required, and continuing support beyond retirement or discharge. Despite the enactment of legislation and renewed emphasis over the past several years, many challenges remain.

What is your assessment of the progress made to date by the Department of the Navy to improve the care, management, and transition of seriously ill and injured sailors and marines and their families?

Answer. I understand that the Department of the Navy is currently meeting the Integrated Disability Evaluation System (IDES) goal of 295 days, but the Department should continue to improve system performance by leveraging available IT systems that increase process visibility and active leadership to better manage workflow.

Question. What are the strengths upon which continued progress should be based?

Answer. For the serious wounded, ill, and injured, a smooth transition from the Department of the Navy to the Department of Veterans Affairs (VA) remains the most important goal. The Department of the Navy is presently coordinating with the DOD-VA interagency task force to better prepare sailors and marines to make a successful transition from military to civilian life and Veteran status and progress here should continue.

Question. What are the weaknesses that need to be corrected?

Answer. As fiscal resources become increasingly limited it will become more difficult to maintain education, training, and certification for Physical Evaluation Board Liaison Officers, physicians and IDES staff—each of which are critical components to maintaining timeliness and program quality. Challenges remain to improve/develop viable IT solutions that minimize staff workload while delivering the data needed to avoid process delays and post-service benefit gaps.

Question. If confirmed, are there additional strategies and resources that you would pursue to increase the Navy's and Marine Corps' support for wounded personnel and their families, and to monitor their progress in returning to duty or to civilian life?

Answer. To meet the presidential directive to develop a comprehensive plan for a "career ready military", and to comply with the Veterans Opportunity to Work to Hire Heroes Act of 2011 ("VOW Act"), which requires mandatory participation in all elements of the Transition Assistance Program (TAP), the Navy and Marine Corps are fully engaged in implementation of a redesigned TAP.

The Navy is coordinating with the DOD-VA interagency task force to better prepare sailors and marines to make a successful transition from military to civilian life and Veteran status. All eligible separating servicemembers are required to participate in the TAP program; however, wounded, ill, and injured recovering servicemembers may be exempt from the Department of Labor Employment Workshop, provided they are enrolled in the Education and Employment Initiative (E2I) or a similar transition program intended to improve career readiness.

NAVY AND MARINE CORPS CIVILIAN PERSONNEL WORKFORCE

Question. Section 955 of the National Defense Authorization Act for Fiscal Year 2013 required the Secretary of Defense to develop a plan to reduce the size of the civilian personnel workforce by 5 percent over the next 5 years. The plan developed by the Secretary does not meet this objective. Since the time that section 955 was enacted, the Department has implemented hiring freezes and furloughs due to sequestration. As a result, the DOD civilian personnel workforce is substantially smaller than it was when section 955 was enacted or at the time the plan was submitted.

Do you agree that the Navy and Marine Corps civilian employee workforce plays a vital role in the functioning of the Department of the Navy?

Answer. I have made a deliberate effort to understand the critical roles the civilian workforce plays in the Department of the Navy.

Question. Among the Department's 198,000 civilian employees, more than half are engineers, scientists, logisticians, information technology specialists, and acquisition specialists many with critical certifications and advanced degrees. 7,000 are in the medical community, and 35,000 are blue collar artisans. Over 57 percent of the

Navy's civilian workforce are veterans and 15–20 percent of new hires are wounded warriors and disabled veterans.

There are civilian career employees in every single State in more than 558 different occupational series across the country helping to solve fleet issues—whether a malfunction in a ship's main propulsion or a combat system out of alignment. Simultaneously, you have hundreds more developing and manufacturing the critical specialty ordnance items and men and women carefully repairing and maintaining our nuclear submarines and ships. They answer the call, 24/7, providing a rapid response to ensure that our warfighters get what they need, when they need it.

Question. Do you agree that if sequestration continues through fiscal year 2014 and beyond, the Navy and Marine Corps will need to further reduce the size of its civilian workforce?

Answer. I expect that will be the case, but I am not equipped with information to respond to that question at this time. At the very least, I would expect continued hiring freezes and potential furloughs to occur.

Question. In your view, would it be preferable for the Navy and Marine Corps to make planned, prioritized reductions to the civilian workforce, or to downsize using arbitrary reductions based on hiring freezes and workforce attrition?

Answer. Given the ever-changing demands on mission, there must be careful consideration of the analysis of the workload with a strategic approach to ultimately create an affordable workforce which still meets the critical demands placed on the workforce.

TACTICAL AVIATION

Question. Several years ago, the Navy and Marine Corps began to integrate their tactical aviation units.

What is your assessment of this initiative?

Answer. I understand that Naval Aviation force projection is accomplished by the balanced integration of Marine Corps tactical aircraft (TACAIR) squadrons into Carrier Air Wings and, when required, Navy squadrons into Marine Aircraft Wings. I believe that the continued integration of Naval Aviation provides the framework for the Navy and Marine Corps to further enhance core combat capabilities to provide a more potent, cohesive fighting force that is sustainable.

Question. The Department of the Navy is facing a potential shortfall of strike fighter aircraft in the next decade even if the Navy continues to buy F-35 Joint Strike Fighter (JSF) aircraft at the rate projected in this year's budget.

What is your assessment of this situation and what actions should the Department of the Navy take to address this potential shortfall?

Answer. I understand that the strike fighter shortfall is projected to fluctuate throughout the next 20 years.

To date, the Department of the Navy has been able to mitigate its shortfall with the successful execution of its Legacy F/A-18 A-D high flight hour inspection and repair program, and a reduced utilization rates across the F/A-18 A-F fleet. The continued efforts of the Navy/Marine Corps team will further define necessary actions required to manage aging F/A-18 A-D aircraft, address discovery of potentially greater than expected fatigue and corrosion, and ensure required availability of aircraft until JSF Fleet Introduction.

The Navy and Marine Corps continue to adjust transition plans as F-35 procurement ramps are flattened. The Marine Corps is taking advantage of higher service life remaining in its AV-8B inventory by delaying the majority of their transitions to the end of the transition plan. This is expected to reduce the demand for F/A-18 A-D in the later years. I believe that sustainment and relevancy funding will be imperative to maintain the requisite operational capability of the AV-8B throughout the 2020s.

Question. What other potential alternatives do you see for maintaining sufficient strike assets if there were any additional slippage in the initial operating capability date for the F-35 Joint Strike Fighter?

Answer. Future delays in the JSF program will make strike fighter inventory management more difficult.

Without additional investments in other strike fighter production lines, the delay of the F-35C or F-35B would make the strike fighter shortfall more difficult to manage potentially resulting in a significant loss of capability that a multi-role mix of fourth- and fifth-generation aircraft provides across the full spectrum of combat operations.

The timely delivery of the JSF is critical to the Department of the Navy's ability to meet operational demands for sea control, expeditionary strike and to establish and maintain a complementary mix of strike fighter aircraft.

SHIPBUILDING PLAN

Question. The Navy annually submits a 30-year shipbuilding plan.

Do you agree that the 30-year shipbuilding plan should, in fact, reflect realistic cost estimates and include all important shipbuilding efforts for that document to be useful for decisionmakers?

Answer. Yes, the 30-year shipbuilding plan should reflect the Navy's best estimate of costs to procure the balanced fleet to meet the Nation's security requirements. The Navy has placed a great emphasis on improving cost performance in shipbuilding through the use of expanded competition, fixed price contracts, and multi-year procurements and block buys. If confirmed as Under Secretary, I would continue to emphasize achieving our affordability goals and providing transparency to Congress on the Navy's progress in achieving those goals.

Question. What level of funding do you think the Navy will need to execute this plan, and considering competing priorities, do you believe this level of funding is realistic?

Answer. I think that the level of funding needed to execute the plan varies each year but averages approximately \$16.8 billion per year in fiscal year 2013 constant dollars. I understand that this level of funding is higher than recent historical averages but must be provided to ensure the Navy can procure the vessels to meet the Nation's maritime security requirements. The Defense Strategic Guidance called for a rebalance toward the Asia-Pacific regions, and there has been a renewed focus on naval assets. Secretary Mabus and service leadership have prioritized shipbuilding and those positive trends can be seen in ship procurement and budget requests. I expect that sequestration continues to pose a significant risk to the Navy's ability to purchase the ships needed to execute the strategy. If sequestration or other competing priorities cause the funding levels called for in the shipbuilding plan to not be met, then adjustments to force structure will necessarily have to be evaluated.

Question. Cost growth continues to be a prevalent problem in Navy shipbuilding programs, particularly for the first ships in new classes. Some experts have taken the position that DOD could improve the performance of its acquisition plans by adopting commercial practices, such as: retiring all major risk prior to signing a procurement contract; fixing the cost and delivery date at contract signing; competing all basic and functional design prior to starting construction; and having a disciplined construction process that delivers ships on cost and on schedule.

To what extent should such commercial shipbuilding best practices, and any others you may be aware of, be incorporated into Navy shipbuilding programs?

Answer. Over the past 4 years, I understand that the fleet numbers have stabilized and the primary causes of cost growth have been addressed in the shipbuilding programs. As part of this, commercial shipbuilding's best practices should be exercised to the maximum extent feasible to achieve cost savings in shipbuilding while still meeting military requirements. I understand that the Navy has expanded use of commercial standards in shipbuilding contracts and has aggressively pursued competition wherever possible.

AIRCRAFT CARRIERS

Question. We are now in a 2-year gap between the decommissioning of the USS *Enterprise* and the availability of a new aircraft carrier, CVN-78 (USS *Gerald R. Ford*). During this period only 10 aircraft carriers will be operational.

What is your view of the Secretary Gate's plan to permanently change the aircraft carrier force structure to 10 from the current number of 11? Is this still the plan?

Answer. In his recommendations for the fiscal year 2010 budget, Secretary Gates directed a shift in the time between construction starts for *Ford*-class carriers to 5 years. I believe that rebasing the build rate on 5-year centers provides a more stable and predictable funding plan for carriers, as well as for the other platforms in the Navy's 30-year shipbuilding plan. This restructured procurement plan also enables a steady state force structure of 11 carriers through 2040 by more closely aligning delivery of *Ford*-class carriers with the notional 50-year service life of the *Nimitz*-class ship each will replace. I understand that the adjustment to 5-year centers does result in a reduction of the aircraft carrier force structure from 11 to 10 CVNs in 2040 and beyond.

Question. How would the aircraft carrier presence requirements of combatant commanders be met with only 10 operational aircraft carriers?

Answer. Navy would look to balance presence requirements with projected operations and maintenance schedules, similar to what the service has been doing since the inactivation of USS *Enterprise* (CVN 65) in December 2012. I understand that the Navy has determined the risk to be acceptable, although moderate, during the

relatively short period of operating with a 10-carrier fleet between the inactivation of CVN 65 and the commissioning of *Gerald R. Ford* (CVN 78).

When the force structure is permanently reduced to 10 carriers in 2040, Navy will have to determine how best to mitigate the risks at that time associated with a reduced force and to properly prioritize worldwide presence requirements. While the inherent flexibility provided by the current Fleet Response Plan will enable the Navy's carrier force to meet some emergent demands, it may not be able to meet all of them.

MARINE CORPS GROUND COMBAT VEHICLES

Question. Over the 2 years the Marine Corps has been working on a ground combat vehicle fleet mix study to refine and link its combat vehicle requirements to sea-lift and ship-to-shore capabilities, and estimate the life-cycle costs of various alternatives in light of the fiscal challenges of the future.

What is your understanding and assessment of the Marine Corps' current and future ground combat vehicle fleet and mix of capabilities?

Answer. I understand that the Marine Corps combat vehicles are at the front end of much needed recapitalization. The Corps' ground combat tactical vehicle strategy includes developing and procuring the Joint Light Tactical Vehicle (JLTV); developing a modern Amphibious Combat Vehicle (ACV); sustaining a portion of the Humvee fleet through 2030; initiating an upgrade program for the legacy assault amphibious vehicle as a bridge to the ACV; and managing procurement of vehicles to reduce acquisition objectives, a net reduction of about 20 percent based on the more recent force structure reviews.

I understand that the JLTV program remains on track with the 2014 budget request continuing development in support of procurement commencing in 2015 though there may be impacts from fiscal year 2014 sequestration.

The Amphibious Combat Vehicle is, as the Commandant stated in testimony earlier this year, a top Marine Corps priority. The execution of amphibious operations requires a self-deploying amphibious vehicle to seamlessly project ready-to-fight Marine units from sea to land in permissive, uncertain, and hostile environments. This capability enables the Corps to maximize available amphibious lift and accelerate the buildup of power ashore, which is key to overcoming access challenges posed by either the lack of improved infrastructure or the threat of an adversary.

The marines are conducting a combined requirements definition feasibility study assembling the best of Government and industry requirements, systems engineering design, and cost experts. The intent is to bring the best talent and best information together to build on the tremendous body of knowledge possessed across all vehicle programs to determine how to deliver the capability needed by the Marine Corps with high confidence in the affordability of the defined requirements.

Question. What, in your view, are the greatest risks, if any, to the readiness of the current fleet and the realization of a modernized fleet sometime in the future?

Answer. Reductions to operations and maintenance funding is directly impacting the Marine Corps near-term forward presence and depot maintenance and training, which will affect future operational rotations, as well as reducing the readiness of non-deployed forces.

In investment accounts, the biggest risk is to future readiness. I understand that the Marine Corps is weighing alternatives to mitigate this through legacy equipment sustainment and bridging efforts, quantity reductions, scheduled delays and the cost impacts to each of its programs.

Question. If confirmed, what would be your role in the oversight of the Marine Corps' combat vehicle modernization program to ensure that requirements are relevant, up-to-date, and stable, and that technologies are achievable and affordable?

Answer. If confirmed, I would continue to emphasize the key lessons the services have learned, which begin with getting requirements appropriately defined and scoped. Affordability targets must be established with an understanding of both opportunity costs and service impacts and must endeavor to hold those targets in a dynamic and uncertain fiscal environment.

RISK IN THE GROUND VEHICLE INDUSTRIAL BASE

Question. Since the cancellation of the Expeditionary Fighting Vehicle in 2011, the USMC's ground equipment modernization program has been restructured to orient on developing a technologically achievable and affordable amphibious combat vehicle, continued development of the Joint Light Tactical Vehicle, while at the same time upgrading or extending the life of current combat and tactical vehicles.

Given the general slowdown of ground vehicle development, procurement, and maintenance programs across the Marine Corps and the Army, what, in your view,

are the risks to the combat and tactical vehicle industrial base that could undermine Marine Corps readiness and, if confirmed, what actions, if any, are you taking to manage these risks?

Answer. I understand that the Marine Corps went line by line through their programs to mitigate the effects of the slowdown and sequestration in 2013 recognizing some of the bow wave effects into the out-years.

Delays in the JLTV and the ACV programs are concerning and bear close scrutiny as affordability is a major factor in both of those programs.

The ACV is the Commandant of the Marine Corps number one priority for ground modernization. Of course, this does impact other Marine Corps lift requirements, and that too bears close scrutiny.

The Marine Corps has also developed a bridging strategy until the ACV is able to be fielded, and that is to selectively sustain a number of AAVs, which are in the fleet right now. I understand that these efforts will focus on increasing survivability of the vehicles.

Question. If confirmed, what criteria or indications in the industrial base, if any, will you monitor to alert you to potential or imminent loss of capability or capacity to meet the Marine Corps' needs into the future? How would you propose to respond to evidence of an unacceptable increase in this risk or the imminent loss of capability or capacity?

Answer. Preserving the Ground Vehicle market is very important to ensuring current and future capability for the Marine Corps, but I understand that the Marine Corps is only a small piece of the total Ground Vehicle customer base, with the U.S. Army being the larger part. Because of the cross-service demand for Ground Vehicles, the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy (DASD(MIBP)) closely monitors the industrial base.

Maintaining close collaboration with DASD(MIBP) and the other services will be crucial to monitoring and addressing the issues of the supplier base. Many of the critical suppliers are lower tier vendors—in depth monitoring of the supply chain is required to ensure overall health of the market. In the event of imminent loss of essential capability, it may be necessary to employ strategies to preserve key suppliers such as fostering greater Foreign Military Sales volume to partner nations.

NAVY FORCE STRUCTURE

Question. The Chief of Naval Operations has publicly stated that the Navy has a requirement for 306 ships.

Do you agree with this requirement?

Answer. The Navy's plan for a fleet of 306 ships maintains a flexible, balanced force that will prevail in a wide range of combat situations. The fleet is designed to support the current Defense Strategic Guidance and combatant commanders' presence requirements and reflects a reduced number of vessels from the 313 ship plan due to increased forward basing of ships and an increase use of rotating civilian and military crews.

SCIENCE AND TECHNOLOGY PROGRAM

Question. Do you believe that the current balance between short- and long-term research is appropriate to meet current and future Department of the Navy needs?

Answer. I have not yet been briefed on the specific long and short-term balance. In principle, however, I believe a robust research and development (R&D) effort that makes the right investments—and not merely investments in science for the sake of science—is vital to the future capability of the Navy and Marine Corps team. If confirmed, I will work with the Secretary of the Navy to evaluate the Navy's Science and Technology Program and find the right balance of long and short-term investments for the Departmental R&D program.

Question. If confirmed, what direction would you provide regarding the importance of innovative defense science in meeting Navy and Marine Corps missions?

Answer. The Navy and Marine Corps rely upon the technical superiority of our forces to discourage or destroy our enemies. Our challenge is that the rate of technology change continues to accelerate across the world. If confirmed, I would work with the Secretary of the Navy and the Research, Development, Test, and Evaluation (RDT&E) Corporate Board to ensure the Department of the Navy adequately addresses this critical area. I would also work closely with the Director of DARPA, the Office of Naval Research, industry, and academia to leverage their technology investments.

Question. If confirmed, what guidance would you give to ensure research priorities that will meet the needs of the Navy and Marine Corps in 2020?

Answer. The Department of the Navy RDT&E Corporate Board was established specifically for this purpose. If confirmed, I would use this board to actively engage the Department of the Navy's leadership in defining and setting priorities essential to success.

MILITARY SPACE

Question. Do you believe that the current DOD management structure for space programs sufficiently protects Navy space equities?

Answer. My understanding is that the 2003 designation of the Secretary of the Air Force as the DOD Executive Agent for Space created an overarching DOD space oversight function, allowing the Navy access to critical DOD decisions on major space systems and capabilities. The Defense Space Council, which represents this body, affords the Navy the opportunity to review and participate in a variety of cross-cutting space issues in areas from acquisition oversight to requirements generation to studies and analysis. The Navy also participates in most Major Defense Acquisition Program milestones and Joint Requirements Oversight Council opportunities, providing avenues of influence for all space programs, regardless of service or interagency ownership.

Question. In your view, how actively should the Navy be engaged in the management of space programs?

Answer. Space is increasingly becoming constrained, congested, and contested. I expect the Navy's involvement in the definition, management, and execution of space programs is especially important for a Navy increasingly constrained fiscally while at the same time very much reliant on the global distribution of Positioning, Navigation & Timing, Communications, Missile Warning, Environmental and Intelligence, Surveillance and Reconnaissance information provided through space-based systems. Active Navy engagement in space should continue as DOD finds better ways to manage, access, distribute, and utilize information derived from space-based systems and seek to mitigate the challenges to the use of space our adversaries present both now and in the future.

Question. In your view, is the Navy adequately involved in the requirements process for space programs?

Answer. Yes. I understand that the Navy evaluates all capability gaps through internal requirements process as well as existing DOD and Intelligence Community (IC) formal requirements processes.

Question. What is the Navy's appropriate long-term role in space systems, other than as a user of space information and products?

Answer. Space systems are essential to modern warfare and integral to Navy's plans for achieving Information Dominance (ID) through Assured Command and Control, Battlespace Awareness, and Integrated Fires. I understand that Navy is a major user of satellite services and a key consumer of space-derived data within DOD, but most space systems today are acquired and operated by non-Navy organizations, including the U.S. Air Force, the Intelligence Community (IC), the National Oceanographic and Atmospheric Agency, and various U.S. and foreign commercial space providers. This unique arrangement requires a continuous and proactive Navy approach to ensure that space systems under development are optimized for maritime operations and able to support current and future Fleet operations. I expect Navy to continue to develop, acquire, and operate narrowband communication satellites for DOD, and maintain a nationally-recognized center for space technology at the Naval Research Lab, supporting Navy, DOD, and IC needs.

INVESTMENT IN INFRASTRUCTURE

Question. Witnesses appearing before the committee in recent years have testified that the Military Services under-invest in their facilities compared to private industry standards. Decades of under-investment in installations has led to increasing backlogs of facility maintenance needs, substandard living and working conditions, and has made it harder for the Services to take advantage of new technologies that could increase productivity.

Do you believe the Department of the Navy is investing enough in its infrastructure? Please explain.

Answer. I believe our supporting systems, including shore infrastructure, are key enablers to executing the Department's warfighting missions. I'm also aware of the fiscal challenges facing the Department. If confirmed, I will look forward to meeting the challenge of balancing the Department's investments across a broad array of requirements to include shore infrastructure.

ACQUISITION ISSUES

Question. What are your views regarding the need to reform the process by which the Department of the Navy acquires major weapons systems? If confirmed, what steps would you recommend to improve that process?

Answer. The Navy has implemented several initiatives to improve the acquisition process. The Navy has improved oversight and reporting with;

- Continuing refinement of Naval Two-Pass/Six-Gate Review process for early and continuous leadership awareness of requirements and affordability in terms of Total Ownership Costs (TOC) throughout the Acquisition process.
- Implement Better Buying 2.0 Initiatives and improved oversight
- Implemented Policy for Should Cost initiatives to be integral to program planning and execution
- Systems Engineering improvement to bring more mature/complete designs prior to MS B which can then be integrated into better requirements for Industry to give better estimate and proposals.
- Developing partnerships with Industry to support the industrial base and secure investment
- Budgeting and Contracting activities to stabilize funding and maximize multi-year procurements where beneficial.

I fully support these efforts and other efforts to ensure a predictable funding profile for programs. This visibility is particularly important with the current strains on budgets.

Question. Department-wide, nearly half of DOD's 95 largest acquisition programs have exceeded the so-called "Nunn-McCurdy" cost growth standards established in section 2433 of title 10, U.S.C. Many of those programs are being executed by the Department of the Navy.

What steps, if any and if confirmed, would you take to address the out-of-control cost growth on the Department of the Navy's major defense acquisition programs?

Answer. Many of the oversight and acquisition reform efforts have already bent the curve on the overall performance of our acquisition portfolio. I believe better requirements definition, early design maturity, stable funding are critical. I would continue working with the Warfighter on requirements generation. Navy-Industry teamwork throughout the process is essential.

Question. What principles will guide your thinking on whether to recommend terminating a program that has experienced "critical" cost growth under Nunn-McCurdy?

Answer. A key principle for me is an assessment of whether the existing program is still the best approach to meet the requirement and why we have confidence that the adverse cost growth can be contained? One must cast a critical eye at programs that have not delivered on their promises to the warfighter. I believe in the recertification requirements within Nunn-McCurdy: the program is essential to national security, that no suitable alternative of lesser cost is available, new estimates of total program costs are reasonable, and management structure is (or has been made) adequate to control costs.

Question. Many experts have acknowledged that DOD may have gone too far in reducing its acquisition work force, resulting in undermining of its ability to provide needed oversight in the acquisition process.

Do you agree with this assessment?

Answer. Yes.

Question. If so, what steps do you believe the Department of the Navy should take to address this problem?

Answer. The Navy needs to look at how it recruits, incentivizes and retains our acquisition workforce. For example, the Navy needs to protect and expand the use of the Defense Acquisition Workforce Development Fund. The Office of Personnel Management rules governing recruitment and retention incentives are not flexible enough to maximize the use of Section 852 Incentive funds. Other examples include:

- Lifting the hiring freeze
- Provide entry level hiring flexibility through multiple means of recruitment
- Retired annuitants and Intergovernmental Personnel Act (IPA) programs
- Incorporate changes to expand applicant pool for acquisition workforce personnel opportunities
- Retention incentives in the form of bonuses, post-graduate education opportunities, paying off student loans, etc.
- Recruitment bonuses for interns

- Fund developmental opportunities for mid- or senior-level staff

The vast majority of the contracting commands are seeing an increase in seasoned, experienced personnel retiring. I would expect this to create a tremendous amount of corporate knowledge drain from DoN.

Question. The Weapon Systems Acquisition Reform Act of 2009 (WSARA) was intended to ensure that future weapon systems move forward on a sound footing by addressing unrealistic program cost and schedule estimates, the absence of clearly defined and stable requirements, the inclusion of immature technologies that unnecessarily raise program costs and delay development and production, and the failure to solidify design and manufacturing processes at appropriate junctures in the development process.

Do you support the approach taken by WSARA?

Answer. Yes.

Question. What additional steps, if any, do you believe the Department of the Navy should take to address these problems?

Answer. In response to WSARA, I understand that it has been beneficial for spurring acquisition reform. The Navy has been engaged in an aggressive review of the acquisition process and overview. Specifically:

I understand that the Navy has improved oversight and reporting with;

- Continuing refinement of Naval Two-Pass/Six-Gate Review process for early and continuous leadership awareness of requirements and affordability in terms of TOCs throughout the acquisition process.
- Implement Better Buying 2.0 Initiatives and improved oversight
- Implemented Policy for Should Cost initiatives to be integral to program planning and execution.

These are not static initiatives and I would agree with their continuation and expansion.

Question. By some estimates, DOD now spends more money every year for the acquisition of services than it does for the acquisition of products, including major weapon systems. Yet, the Department places far less emphasis on staffing, training, and managing the acquisition of services than it does on the acquisition of products.

What steps, if any, do you believe the Navy should take to improve the staffing, training, and management of its acquisition of services?

Answer. The Navy recognizes services contracts are a significant portion of the Navy's acquisition budget. To that end, I understand that the Department is working to reduce its services spending by up to \$4 billion in fiscal year 2014, building on the decrease achieved in fiscal year 2013. I consider service contracting to be "Commander's Business" and we must hold all stakeholder's accountable. I expect the Navy will continue its use of Services Requirement Review Boards (also called Services Courts) and accompanying "Tripwires" to better understand our existing efforts, improve future requirements, and help ensure these activities receive appropriate oversight.

Question. Do you think the Navy should develop processes and systems to provide managers with access to information needed to conduct comprehensive spending analyses of services contracts on an ongoing basis?

Answer. Yes. I expect the Navy will continue to support Defense Procurement Acquisition Policy's efforts to deploy a Services Spend Analysis tool based on Federal Procurement Data System-Next Generation data.

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Question. The United Nations Convention on the Law of the Sea (UNCLOS) is currently pending in the Senate.

What are your views on U.S. accession to UNCLOS?

Answer. Nearly every maritime power and all the permanent members of the U.N. Security Council except the United States have ratified the convention. In my view, our absence as a Party weakens our position and impacts our military, diplomatic, and economic efforts worldwide. Only as a Party to the Convention can the United States fully secure its sovereign rights to the vast resources of our continental shelf beyond 200 miles from shore. I strongly support accession to the LOS Convention.

Question. From a national security standpoint, what do you see as the advantages and disadvantages to being a party to UNCLOS?

Answer. I do not see any disadvantages to becoming a Party from a national security standpoint. As a non-party to the Convention, the United States must assert our navigation and overflight rights and high seas freedoms on the basis of customary international law which is more subject to dispute and change than norms established by treaty. Becoming a party to the treaty would give an immediate boost

to U.S. credibility as we push back against excessive maritime claims and illegal restrictions on our warships or commercial vessels.

CONGRESSIONAL OVERSIGHT

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

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

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

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

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR KIRSTEN E. GILLIBRAND

SEXUAL ASSAULT PREVENTION AND RESPONSE

1. Senator GILLIBRAND. Dr. Rooney, you said in your advance policy questions that you fear that if decisions are made by Judge Advocates General (JAG) based on evidence, prosecutions might go down. If commanders push cases forward to court martial based on good order and discipline—with evidence as a secondary concern—is it not likely that the conviction rate will drop?

Dr. ROONEY. Consideration of the evidence is not a secondary concern. Pursuant to 10 U.S.C. section 834 (Article 34 of the Uniform Code of Military Justice), a military commander, prior to directing the trial of any charge by a general court-martial, must refer the charge to, and receive the consideration and advice of, a staff judge advocate. Included in this written advice is an assessment of whether the charges and specifications are warranted by the evidence. Commanders do consider the evidence. However, because of the very nature of command, commanders must also consider other factors such as the impact that discipline may have on the future behavior of the unit. Therefore, if the evidence is insufficient to convict the accused at a court-martial or if the victim does not want to cooperate, commanders have other administrative options available to them if warranted by the evidence.

Holding offenders accountable is a priority; and I acknowledge that a higher conviction rate is one factor among many that may increase a victim's confidence in the system and, thereby, his or her propensity to report a sexual assault. This willingness to report is a critical element in addressing the crime of sexual assault. At the same time, however, both to reduce the prevalence of sexual assault and to increase a victim's confidence in the system, we also need to continue focusing significant, widespread energy on changing the culture. It is the relentless pursuit of education and training, coupled with effective leadership from the deckplate up, that will have the most impact on culture and behavioral changes. I believe no single focus, whether prosecution, legislation, or training will be sufficient in and of itself to adequately address this issue. It must be a thoughtful and measured combination of all three.

2. Senator GILLIBRAND. Dr. Rooney, please explain, in your view, how a lower conviction rate will improve confidence in the system?

Dr. ROONEY. In my view, victim confidence in the system begins with knowing that unit commanders will respond appropriately. This includes ensuring victims receive the support and services they need and immediately referring all unrestricted reports of sexual assault, and other serious offenses, to the Naval Criminal Investigative Service for an independent and professional investigation. In my view, the

important metric in this regard is not just the conviction rate, particularly if it results from fewer prosecutions, but the reporting rates by victims. Other factors that have an important impact on a victim's confidence in the system include adequately protecting the privacy of the victims, regular consultation with victims throughout the process, and ongoing support given to victims including but not limited to expedited transfers, the provision of victim's legal counsel, and the availability of sustained counseling.

3. Senator GILLIBRAND. Dr. Rooney, please explain how commanders who are under pressure to push more cases forward to court martial, regardless of whether evidence exists, can make a fair determination on which cases to move forward?

Dr. ROONEY. Commanders are not under pressure to push more cases forward to court-martial. Commanders have been charged with promoting a positive command climate where sexual assaults are not tolerated, preventing sexual assaults from occurring in the first place, and ensuring victims are taken care of when a sexual assault does occur. When it comes to matters of discipline, commanders are to exercise their responsibilities to ensure fairness and justice based on the specific factual circumstances of each individual case.

4. Senator GILLIBRAND. Dr. Rooney, if cases are sent to trial based on the good order and discipline of a unit, do you think that maintaining good order and discipline might mean keeping an alleged perpetrator in a unit because he serves an essential function?

Dr. ROONEY. I do not believe that maintaining good order and discipline means keeping an alleged perpetrator in a unit just because he serves an essential function. Good order and discipline includes holding individuals appropriately accountable for their actions, irrespective of whether they serve an essential function. When making decisions about who should remain in or depart from a unit while allegations are under investigation, a primary concern should continue to be the safety and welfare of the alleged victim.

5. Senator GILLIBRAND. Dr. Rooney, do you believe that serving in that essential function is more important than justice?

Dr. ROONEY. No. Everyone is replaceable—from the top commanders down the ranks to include those who have special technical skill sets.

6. Senator GILLIBRAND. Dr. Rooney, do you believe that allowing sexual predators to remain in the military can be consistent with maintaining good order and discipline?

Dr. ROONEY. Criminal conduct of any kind is not consistent with good order and discipline.

7. Senator GILLIBRAND. Dr. Rooney, would it contribute to good order and discipline for a commander to send an innocent servicemember to court martial to prove a point to the rest of the unit as opposed to making the decision based on the evidence and the facts of the case?

Dr. ROONEY. No, doing so would undermine good order and discipline. We must ensure all servicemembers know that our system of justice is fair, effective, and efficient. Furthermore, it would be a violation of the law for a commander to refer a servicemember to court-martial if there was not sufficient evidence to support a prosecution. Under title 10, U.S.C., section 834 (Article 34 of the Uniform Code of Military Justice), a military commander, prior to directing the trial of any charge by general court-martial, must refer the charge to, and receive the consideration and advice of, a staff judge advocate. Included in this written advice is an assessment of whether the charges and specifications are warranted by the evidence. Commanders do consider the evidence.

8. Senator GILLIBRAND. Dr. Rooney, if evidence is not the only basis for making a decision on the disposition of a case, please explain on what basis commanders should be evaluated on their handling of sexual assault cases. Would commanders be rewarded for sending any case forward even if the evidence suggests that perhaps a crime was not committed?

Dr. ROONEY. Commanders should be and are evaluated on their actions in fostering a command climate that does not tolerate sexual assault and that is conducive to victim reporting and support.

9. Senator GILLIBRAND. Dr. Rooney, in your testimony during your nomination hearing in front of the Senate Armed Services Committee you stated that in the

Navy, “commanders’ ability and result of command and control on command climate is a critical piece that is considered for any promotion or future command.” In August, the Navy released public guidance in NAVADMIN 216/13 Navy Performance Evaluation Changes, that officers and enlisted servicemembers must be evaluated based on their contribution to climate in regard to sexual assault. It appears as if this guidance only applies to enlisted sailors and officers of ranks O-6 and below. Is there a separate directive that applies to flag officers? If so, please provide me with a copy of that directive. If not, please explain why one does not exist, whether and how flag officers are evaluated on command climate with regard to sexual assault, and how this position is consistent with keeping flag officers accountable.

Dr. ROONEY. The Navy is committed to accountability for command climate at all pay grades, particularly for flag officers. I am aware that there is a process for evaluating the performance of flag officers but that it differs from the process used for officers in the grade O-6 and below. I am also aware that there is a different process depending on the grade of the flag officer. O-7s receive written fitness reports and the guidance for completing those reports is contained in Bureau of Naval Personnel Instruction 1610.10C, which specifically requires flag officers to demonstrate that they have created or maintained a command climate that does not tolerate discrimination of any kind. In addition to fitness reports, annual command climate surveys are required. The results are shared with the next senior flag officer in the chain of command. While O-8s through O-10s do not receive written fitness reports, they are evaluated personally by the Chief of Naval Operations and annual command climate survey results are fully discussed with the next senior flag officer in their chain of command. Finally, I am aware that the Navy convenes quarterly Sexual Assault Prevention and Response meetings to evaluate trends across the Fleet. These meetings focus on where flag officer leadership is having positive or negative impacts.

10. Senator GILLIBRAND. Dr. Rooney, you have served as Principal Deputy Under Secretary of Defense for Personnel and Readiness beginning June 2, 2011 and as Acting Under Secretary of Defense for Personnel and Readiness from November 2011 to June 2012. This service afforded you the unique opportunity to take concrete measures to address the growing problem of sexual assault in our military. Outside of any initiatives mandated through statutes passed by Congress, or those statutes currently being proposed by Congress in the National Defense Authorization Act for Fiscal Year 2013, please specify what initiatives or programs aimed at reducing the number of sexual assaults and ensuring the effective prosecutions of these types of assaults have you personally played an instrumental role in creating or implementing?

Dr. ROONEY. During my tenure as the Acting Under Secretary of Defense (Personnel and Readiness) the Department implemented a variety of initiatives to change the way we prevent the crime of sexual assault and how we respond when that crime occurs. Those initiatives include the following:

- The Department elevated initial disposition decisions to O-6 level (Colonel or Navy Captain) for cases of rape, sexual assault, forcible sodomy, and attempts.
- The Department launched the Safe Helpline to give victims 24/7 global access to crisis support staff.
- The Department implemented an expedited transfer policy for victims making such a request.
- We implemented a Department of Defense (DOD) policy to retain investigative documentation for 50 years for Unrestricted Reports.
- The Sexual Assault Prevention and Response Office expanded its outreach and engagement with experts from advocacy groups, legal, educational and law enforcement communities in order to gain constructive criticism and share best practices.
- We revised the Sexual Assault Forensic Exam kit to improve victim care and align evidence collection with national standards.
- In 2011, we established the Sexual Assault Prevention and Response (SAPR) Integrated Process Team, comprised of senior Office of the Secretary of Defense and Service SAPR program managers, as a standing body that meets regularly to review and advise on SAPR matters.
- The Department expanded SAPR Restricted Reporting support services to include adult military dependents.
- The Department expanded SAPR services during emergency care for DOD civilians stationed overseas and for DOD U.S. citizen contractors in combat areas.

- In January 2012, Military Rule of Evidence 514 was enacted providing protected communications between victims and advocates.
- In April 2012, we added sexual assault questions to DOD Command Climate Surveys and implemented policy to conduct assessments within 120 days for new commanders and annually thereafter.

11. Senator GILLIBRAND. Dr. Rooney, what were the goals and metrics of these initiatives/programs?

Dr. ROONEY. DOD implemented specific initiatives to enhance its efforts to prevent the crime of sexual assault and delineated how all should respond when that crime occurs. The mission is twofold: to reduce the prevalence of sexual assault and to increase official reports of sexual assault. Assessment measures were developed to focus on these two elements. As Department leadership has stated before, one sexual assault is one too many. That goal was the guiding principle throughout the announcement and implementation of these initiatives and also served as the basis for assessing outcomes of programs supporting this target.

The Department uses two specific metrics to assess its efforts in preventing sexual assaults and responding to sexual assault when it does occur. Official reports of sexual assault are entered into the Defense Sexual Assault Incident Database which yields information on actual reports filed. Information derived from the Workplace and Gender Relations Survey of Active Duty Members (WGRA) conducted by the Defense Manpower Data Center provides additional data elements. The Department uses findings from the WGRA as a source of information to evaluate prevention and response programs and to assess the gender-relations environment in the Active-Duty Force. The WGRA survey assesses the prevalence of sexual assault and sexual harassment in the Active-Duty Force.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

CIVILIAN AND CONTRACTOR PERSONNEL

12. Senator INHOFE. Dr. Rooney, the Government Accountability Office (GAO) projects the Department of the Navy has overstated its fiscal year 2014 Operation and Maintenance (O&M) budget requirement for civilian personnel by \$128 million. What problems does the Navy have with its information technology (IT) systems that preclude an accurate accounting of its civilian personnel?

Dr. ROONEY. methodology in calculating civilian personnel requirements, and therefore with its determination that the requirement is overstated by \$128 million. Since the GAO calculates costs based solely on civilians on board at a particular point in time (end strength), the Navy is unable to compare those calculations to pricing, which is based on hours worked (full-time equivalents) and compensation paid for the entire year.

When estimates are submitted for review by the Secretary of Defense, more than a year before the beginning of a new fiscal year, they only reflect any known impacts at the time they are being prepared. The estimates continue to be updated, as new information and new impacts are identified, until the budget is submitted to Congress for approval. In some years, changes occur after the point of submission which may have significant impact on total civilian personnel costs. For example, during fiscal year 2013, a hiring freeze was imposed at the end of January and continued for 8 months through the balance of the fiscal year. While it would seem that a hiring freeze would dramatically reduce funds spent for civilian personnel, the Navy has not found that to be the case. In fact, although the number of people on board has been reduced, compensation costs are slightly higher than planned due to a higher than anticipated number of Voluntary Separation Incentive Payments/Voluntary Early Retirement Authority and lump sum leave payouts. I understand that one effect of the hiring freeze is that the Department will begin the year with fewer civilians on board than planned when the fiscal year 2014 budget was originally submitted to Congress.

Historically, the Navy has had no problems reporting budgeted or actual civilian personnel End Strength and Full-Time Equivalents. I understand that a recent system upgrade resulted in loss of access to actual end strength counts. However, Full-Time Equivalent and Compensation data, used by the Department to track actual costs, is captured in a different system and has remained available throughout this fiscal year.

13. Senator INHOFE. Dr. Rooney, if confirmed, what actions will you take to ensure that the Navy's civilian personnel budget requirements in the President's budget submissions will be accurate in the future?

Dr. ROONEY. The Department of the Navy conducts a rigorous budget review prior to submission of the President's budget to Congress each year. Civilian personnel are priced based on prior year execution and any anticipated pay raises for the coming year. Benefits (including health and life insurance, retirement, leave, et cetera) are priced at current rates, and increased costs are specifically excluded from the budget to contain costs and encourage efficiencies. Since the budget review is conducted more than a year ahead of the beginning of the fiscal year, it is impossible to accurately predict and accommodate changes that may affect estimates after the budget has been submitted to Congress. Estimates reflect any known impact at the time cost figures are being prepared. The hiring freeze and 6-day furlough which occurred in fiscal year 2013, as well as the impact of sequestration on the budget, are examples of changes occurring during the execution year of a budget which will likely affect estimates submitted for the next year's budget.

EFFICIENCIES PLAN FOR CIVILIAN AND CONTRACTOR WORK FORCE

14. Senator INHOFE. Dr. Rooney, do you support the reduction of Navy civilian and contractor personnel to achieve additional savings in the Navy's O&M budget?

Dr. ROONEY. All expenditures should continue to be examined in light of the need to properly balance all components of the work force to achieve efficient and effective results. Every requirement should continue to be validated and prioritized with budget adjustments made as warranted. This includes labor requirements and associated budgets for the Total Force which is comprised of military, civilian and contractor personnel.

15. Senator INHOFE. Dr. Rooney, what percentage reductions in both civilian and contractor personnel end strengths would you support?

Dr. ROONEY. As a result of budget reductions required by the Budget Control Act, I understand that the Department of the Navy is in the process of reviewing and balancing mission capabilities, Total Force (military, civilian, and contractor) manpower requirements and available funding. If confirmed, I support making adjustments to personnel manning levels based on necessary tradeoffs between mission capabilities and funding restrictions rather than a specific percentage target.

16. Senator INHOFE. Dr. Rooney, in your view, will the Navy meet the requirement in section 955 to achieve savings in total funding of the civilian and contractor workforce by at least the percentage savings for military personnel over the Future Years Defense Program?

Dr. ROONEY. I understand that the Navy worked with DOD and provided the data required to facilitate the initial "120 day" report in response to section 955. I understand that the Navy has the capability to manage the workforce to achieve the savings required by section 955.

17. Senator INHOFE. Dr. Rooney, if confirmed, will you have the requisite authorities to reduce Navy civilian and contractor personnel?

Dr. ROONEY. The Navy has significant although not unlimited authority to make manpower reductions deemed necessary with appropriate notifications. In the case of Navy civilians, title 10, U.S.C., section 129, allows military departments to make reductions when necessary due to a reduction in funds available. The Budget Control Act represents such a reduction in funds. The Department does not, however, have authority to conduct public/private competitions if they are deemed necessary due to the current moratorium. In the case of contractors, Service Contracts have mechanisms in place which include termination clauses and fixed expiration dates. The Navy is able to make reductions (but not conversions) due to funding limitations or changing mission requirements.

TRICARE FEES

18. Senator INHOFE. Dr. Rooney, what is your current position on TRICARE fee increases for working-age military retirees?

Dr. ROONEY. Personnel costs are the fastest-growing part of the overall DOD budget and health care costs are going up at the most dramatic rate in comparison to other personnel costs. As such, I believe that these rising costs need to be mitigated in order for long term personnel costs to be sustainable. I do support modest

TRICARE premium increases for working-age retirees from the military to help maintain a high quality, sustainable benefit package. Even with the proposed increases, working-age military retirees would have one of the most comprehensive health benefits available, while still significantly less expensive than a competing commercial policy.

19. Senator INHOFE. Dr. Rooney, why do you think the administration has been unsuccessful convincing Congress to legislate the DOD's fee increase proposals?

Dr. ROONEY. Congress is understandingly reluctant to impose additional costs on military retirees, but the proposals are reasonable in scope, appropriately differentiated through tiers, and necessary for the Department to deliver long-term sustainable health benefits. It is important to recognize that these proposals are largely focused on the retired military population and, even with the proposed increases, the amount of beneficiary cost-sharing remains far below the levels experienced by retirees in the mid-1990s. The TRICARE fee proposals do not affect Active Duty servicemembers, and specifically exempt medically-retired servicemembers and their families, as well as survivors of military members who died on Active Duty. Even with these proposed increases, beneficiaries will continue to have access to one of the most comprehensive and exceptionally affordable health benefits available.

These proposals are important to maintaining our obligations to beneficiaries and ensuring our commitment to improving the long-term fiscal stability of the Military Health System. Under the leadership of the Secretary of Defense, the Military Departments have worked carefully to develop these proposals. Furthermore, the Secretary of Defense has articulated the potential risks to other programs should these proposals not be authorized.

20. Senator INHOFE. Dr. Rooney, do you believe that the administration should wait on the Military Compensation and Retirement Commission to report its recommendations before asking Congress to make legislative changes to personnel benefits including health care?

Dr. ROONEY. I support the TRICARE Premium increases for working-age retirees which were first proposed in fiscal year 2012. Even with the proposed increases, working-age military retirees would have one of the most comprehensive health benefits available while still significantly less expensive than a competing commercial policy. I also believe that the Commission will provide other valuable information that can be considered for additional future proposals which may extend beyond health care.

EFFICIENCY EXPERT

21. Senator INHOFE. Dr. Rooney, while serving as Principal Under Secretary for Personnel and Readiness, what actions did you take to cut costs in the personnel and readiness portfolio?

Dr. ROONEY. Within the Office of the Under Secretary, I oversaw the identification of cuts in staff and overhead. Through zero-based management reviews, we streamlined operations within our Defense Agency and Field Activities ensuring successful performance of core priorities while reducing overhead. Additional plans were initiated to reduce civilian manning within the immediate headquarters. I oversaw plans for significant reductions in our service support contracts both within the Headquarters and at the field activities. Finally, we initiated plans to reduce advisory studies, eliminated non-essential, lesser-value reports, and initiated efforts to reduce advisory board and commission requirements.

22. Senator INHOFE. Dr. Rooney, what efficiencies did you implement and how much did you cut DOD's costs in the role as the Under Secretary?

Dr. ROONEY. In response to fiscal realities our country was facing, I oversaw Personnel and Readiness' participation in a series of efforts to increase efficiencies and reduce overhead expenditures across the Department while maintaining readiness. These efforts covered a broad spectrum of activities falling under the P&R portfolio. In the area of civilian personnel, the Military Services and Defense Agencies were to maintain Department-wide civilian full-time equivalents at fiscal year 2010 authorized levels. Through process improvements and overhead reductions, impacts were to be minimized. Health care reforms were proposed to better manage cost growth, recognize a shared commitment for health care with beneficiaries, and better align the Department with the remainder of the country. We directed significant reductions in both our civilian senior executive servicemembers and general/flag officers across the Department. Where possible we eliminated positions. When nec-

essary and appropriate, we maintained positions, but at a lower level (i.e., GS-15, O-6) which provided cost savings in immediate staffs.

23. Senator INHOFE. Dr. Rooney, if confirmed, what will you do to make the Navy more efficient and cost-effective?

Dr. ROONEY. If confirmed, I will continuously strive to assure all organizations and processes are managed as efficiently and effectively as possible. Obtaining a clean financial audit statement for the Department will be a top priority. A major challenge will be to optimize the organization as budgets are reduced in the out years. A major focus will be to avoid across-the-board reductions and focus instead on optimizing organizations, procedures, and processes. An additional focus will be insuring a regular review of new and ongoing contract requirements is undertaken to insure costs are managed in a timely and reasonable manner. Another major focus will be completing the implementation of the Secretary of Defense's efficiency initiatives.

PRIORITIES IN THE NAVY

24. Senator INHOFE. Dr. Rooney, how do you characterize the current readiness of the Navy?

Dr. ROONEY. The Department of the Navy remains globally deployed every day, ready to respond to challenges to our national security interests, building cooperation with allies and other potential partner nations, as well as meeting all Operation Enduring Freedom and validated global force management requirements with highly ready forces. I understand that sustaining combat operations for more than a decade has required the use of a large share of the available assets from home bases and stations. The Navy, as the CNO has recently testified, is taking risk in the capacity to surge additional forces forward in response to contingency requirements as a result of funding reductions from sequestration. In addition to the obvious strategic and operational risk, this has a long term impact on overall readiness that must be resolved. For the Marine Corps, I understand that over half of non-deployed Marine units are experiencing degraded readiness due to portions of their equipment being redistributed to support units deploying forward. I understand that this unbalanced readiness across the force has degraded the Corps' ability to respond to major contingencies within required timelines.

25. Senator INHOFE. Dr. Rooney, what trends cause you concern?

Dr. ROONEY. I am most concerned about readiness trends and the impact of operating tempo on personnel.

From a readiness perspective, the most critical concern is the underfunding of readiness accounts that is continuing now into fiscal year 2014, as a result of extended continuing resolutions and sequestration. Cuts within the magnitude of a long-term sequestration and/or continuing resolutions will have a significant impact on the global security climate, the perceptions of our enemies, and the confidence of our allies.

As a nation we have asked a great deal of the young men and women serving our country over the last 12 years. While proud to answer the call, they have endured shortened turn-around times, double deployments in a single operational cycle, or frequently extended deployments to provide the force levels required. The Navy and Marine Corps team must remain globally deployed to accomplish its mission, but will need to do so in a manner which provides some predictability in the lives of our sailors, marines, and their families.

26. Senator INHOFE. Dr. Rooney, are you concerned about the potential of hollow forces in the Navy and Marine Corps?

Dr. ROONEY. I am most concerned about the potential for reduced readiness and the compounding effects which can occur in those circumstances. The Navy and Marine Corps provide the capability to respond to today's crises anywhere in the world. The force is required to maintain high levels of readiness, so they can deploy on short notice and protect our national security. A hollow force cannot be an option.

Our operational readiness is preserved through a careful balance of high quality people, well-trained units, modernized equipment, well-maintained installations, and a force level sufficient to accomplish our many missions. Failure in any one of these pillars of readiness begins to set the conditions for an eventual hollowing of the force. I am specifically concerned about the reduction of Marine Corps end strength and the need for precision in how those reductions are implemented. If confirmed, I will assist the Department of the Navy and work with Congress to ensure

we are doing all within our power to execute budget reductions in a manner that avoids hollowing the force.

27. Senator INHOFE. Dr. Rooney, do you believe the Department of the Navy has the right funding priorities in place to address these readiness concerns?

Dr. ROONEY. The Secretary has been very clear that his first priority is to sustain a ready force today. In the context of the Budget Control Act's revised discretionary caps and reduced Overseas Contingency Operations accounts, that is the right priority—but the Navy must also continue to build new platforms and modernize existing ones that sustain our asymmetric advantages, as well as our industrial base, to refocus training for future security environments and keep faith with marines, sailors, and their families. I am aware that there are not only direct costs for investments, but opportunity costs. If you spend it on one thing, you can't spend it on another. If confirmed, I look forward to looking into all of our programs to make sure that not only the direct cost, but the opportunity costs are carefully considered in making investment decisions.

MANNING POLICY DURING A SHUTDOWN

28. Senator INHOFE. Dr. Rooney, based on your prior service as the Assistant Secretary of Defense for Personnel and Readiness, what is your understanding of the current policy during the Government shutdown for the determination of which DOD civilians should be at work and which ones should be furloughed?

Dr. ROONEY. In the case of a government shutdown and absent an express appropriation to the contrary, civilian personnel, and military technicians who are not necessary to carry out or support excepted activities, are to be furloughed. Only the minimum number of civilian employees necessary to carry out excepted activities will be exempted from furlough. Positions that provide direct support to excepted positions may also be deemed excepted if they are critical to performing the excepted activity. Senate confirmed officials appointed by the President are not subject to furlough and their immediate office personnel necessary to support excepted activities may also be considered excepted at the discretion of the appointee. Foreign national employees paid with host country funds are exempt from furlough as are those where our bilateral agreements prohibit furlough.

29. Senator INHOFE. Dr. Rooney, during the Government shutdown should shipyards and depots be fully manned and operating?

Dr. ROONEY. Assuming that the question is about public shipyards and depots funded with appropriated funds, only a minimum number of civilian employees necessary to carry out excepted activities would be excepted from furlough. This decision is not discretionary but is controlled by the policy defining excepted activities as well as the use of appropriated funds.

LITTORAL COMBAT SHIP

30. Senator INHOFE. Dr. Rooney, we are planning to buy 52 Littoral Combat Ships (LCS) for almost \$40 billion with no confirmation of how the ship will be used. Do you share this concern?

Dr. ROONEY. I understand that the concept of operations and design specifications for LCS were developed to meet capability gaps in the areas of Surface Warfare, Mine Counter Measure and Anti-Submarine Warfare with focused mission packages that deploy manned and unmanned vehicles to execute a variety of missions within those broader areas. I also understand that the Navy is in the process of testing and fielding the Mine Counter Measure and Surface Warfare mission packages while the Anti-Submarine Warfare mission package completes its initial development phase. Finally, USS *Freedom* (LCS 1) is currently deployed to Singapore with a Surface Warfare mission package and the ship is executing its intended mission that includes demonstrating the U.S. commitment to maintain security and stability in the vital Asia-Pacific region. USS *Fort Worth* (LCS 3) is scheduled to deploy to Singapore in the fall of 2014. Based on this information, I do not share your concern, however I do acknowledge the need to continue to closely monitor both test results and ongoing requirements as additional ships are constructed.

31. Senator INHOFE. Dr. Rooney, if confirmed, what would you recommend to address the concerns about capabilities, survivability, manning and sustainment costs regarding LCS?

Dr. ROONEY. I understand that the LCS program is on track to meet all the approved requirements for capability, survivability, manning and sustainment costs. Since the 52 ship LCS program is a key component of the Navy's current and future force, rigorous oversight by me and my staff will continue to be exercised to ensure the program remains on its path to success and meets our Nation's needs. If confirmed, I will ensure Congress is apprised of program progress as future program decisions are made.

AIRCRAFT CARRIERS

32. Senator INHOFE. Dr. Rooney, the Department of the Navy recently announced a delay in the award of the design and construction contract for the next aircraft carrier CVN 79 in order to look for ways to reduce costs. This is a good first step in looking for lessons from the first carrier to save taxpayer funds for the next two. Do you support the delay in the award of a construction contract?

Dr. ROONEY. I understand the Navy is negotiating the award of the Detail Design and Construction contract for CVN 79. I also understand that until these negotiations conclude, the Navy intends to extend the current Construction Preparation Contract to authorize planning, material procurement, and discrete work that are aligned with the ship's optimal build plan. This extension should mitigate impacts to the ship's delivery schedule and the industrial base. Continued negotiations on the design contract will afford an opportunity for the shipbuilder to incorporate further construction process improvements into the construction plan. I support this effort to drive affordability into the ship and protect the industrial base.

33. Senator INHOFE. Dr. Rooney, do you believe the Navy can afford an aircraft carrier costing more than \$12.8 billion?

Dr. ROONEY. I understand that actions taken by the Navy and the shipbuilder to reverse the trends in cost growth have yielded improved performance on the CVN 78 Program; however, cost growth incurred earlier in the construction of the lead ship could not be undone. In addition, the approach to carrier construction has undergone an extensive affordability review and resulted in changes on CVN 79 that will significantly reduce the cost to build the ship. If confirmed, I will continue efforts to drive cost reductions through lessons learned from the first of class and innovative approaches to carrier construction to reduce the cost to build CVN 79 and beyond.

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

LITTORAL COMBAT SHIP

34. Senator MCCAIN. Dr. Rooney, in response to my questions in the hearing about whether you agree with the GAO recommendation that, "The apparent disconnect between the LCS acquisition strategy and the needs of the end user suggest that a pause is needed." You confirmed the controversy with the program and the need for very stringent requirements, but stated that you were concerned that a pause would cause the costs to go up. Please provide me your description of very stringent requirements you would base future acquisition decisions.

Dr. ROONEY. If confirmed I would ensure future acquisition decisions will be informed by progress to achieve program milestones as well as rigorous analysis of the cost of ships and a "should cost" assessment. Contracts for ships beyond the Block Buy should also be informed by actual cost returns, not estimates, for all ships delivered as well as ships under construction.

35. Senator MCCAIN. Dr. Rooney, if confirmed, would you advocate for continued funding of the LCS if controversy or questions continue to persist about the ship's capabilities?

Dr. ROONEY. If confirmed, I would ensure that prior to moving forward with future major acquisition decisions and the associated funding, that the program continues to demonstrate progress towards meeting the requirements for Initial Operational Capability of each seaframe and associated Mission Packages.

36. Senator MCCAIN. Dr. Rooney, I am extremely concerned that we are planning to buy 52 of these ships for \$37 billion with no confirmation of how the ship will be used or to what extent it will satisfy the requirements of combatant commanders. Do you share these concerns?

Dr. ROONEY. I understand that the concept of operations and design specifications for LCS were developed to meet capability gaps in the areas of Surface Warfare, Mine Counter Measure and Anti-Submarine Warfare with focused mission packages that deploy manned and unmanned vehicles to execute a variety of missions within these areas. I further understand that the Navy is in the process of testing and fielding the Mine Counter Measure and Surface Warfare mission packages while the Anti-Submarine Warfare mission package completes its initial development phase. Finally, USS *Freedom* (LCS 1) is currently deployed to Singapore with a Surface Warfare mission package. The ship is executing its intended mission that includes demonstrating the U.S. commitment to maintain security and stability in the vital Asia-Pacific region. USS *Fort Worth* (LCS 3) is scheduled to deploy to Singapore in the fall of 2014. Based on this information, I do not share your concern, however I do acknowledge the need to continue to closely monitor both test results and ongoing requirements as additional ships are constructed.

NAVY AUDITABILITY

37. Senator MCCAIN. Dr. Rooney, in your response to written hearing questions, you said you didn't have enough information to say whether the Navy will meet its legal obligation to meet the financial audit deadlines for 2014 to 2017. What is your opinion today?

Dr. ROONEY. Based on the Department's currently favorable risk assessment of the remaining efforts, today I am cautiously optimistic that the Navy will achieve the fiscal year 2014 mandate. A brief summary of the Department of the Navy's progress toward achieving audit readiness on its Statement of Budgetary Activity (SBA) by the end of fiscal year 2014 follows:

- The Marine Corps' portion of this statement has been under audit for several annual cycles, and has made great strides towards obtaining a favorable opinion.
- In addition to the Marine Corps effort, the Navy has asserted audit readiness on seven SBA-related business areas. These areas include: E-2D Advanced Hawkeye Major Defense Acquisition Program (MDAP), Appropriations Received, Civilian Pay, Transportation of People (TOP), Reimbursable Work Orders (RWO), Military Pay, and Fund Balance with Treasury (FBWT). Of these seven, four (E-2D MDAP, Appropriations Received, Civilian Pay, TOP) received favorable opinions after independent examinations were completed on them.
- Exams on two more of these SBA-related areas (RWO, Military Pay) are currently underway, and the Navy expects the third examination (FBWT) to commence soon.
- Three remaining business areas (Contract/Vendor Pay, Requisitioning, and Financial Statement Compilation/Reporting) comprising the SBA are on schedule to be asserted in fiscal year 2014.

38. Senator MCCAIN. Dr. Rooney, can the Navy meet its legal financial audit obligations?

Dr. ROONEY. I am cautiously optimistic that the Department will achieve the fiscal year 2017 mandate of full financial auditability. Reaching audit readiness on the Statement of Budgetary Activity will be a big step toward the fiscal year 2017 goal, and the Navy has a sound approach to known remaining challenges, including: sustaining the auditability gains made so far; strengthening mission essential asset accountability and valuation; and improving the controls in relevant financial systems, including those managed by service providers.

PERSONNEL STRENGTH

39. Senator MCCAIN. Dr. Rooney, last month the GAO provided an analysis of the personnel strength, and the GAO said the Navy "could not provide how many civilians it has as of July 2013, because according to Navy officials there's a problem with its information systems." How many civilian employees does the Department of the Navy have?

Dr. ROONEY. As of the end 30 September 2013, the Navy civilian population was 254,240. This includes 195,665 U.S.-Direct employees, 44,817 Non-appropriated Fund Instrumentality employees and 13,758 Foreign National employees.

[The nomination reference of Dr. Jo Ann Rooney follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
September 11, 2013.

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

Jo Ann Rooney, of Massachusetts, to be Under Secretary of the Navy, vice Robert O. Work, resigned.

[The biographical sketch of Dr. Jo Ann Rooney, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF DR. JO ANN ROONEY

Education:

- Boston University School of Management
 - September 1979–May 1983
 - Bachelor of Science Degree awarded May 1983
- Suffolk University Law School
 - September 1984–February 1987
 - Juris Doctor Degree awarded February 1987
- Boston University School of Law
 - August 1989–May 1991
 - Master of Laws Degree awarded May 1991
- University of Pennsylvania
 - August 2003–May 2005
 - Doctorate of Education awarded in May 2005

Employment Record:

- Huron Consulting Group
 - Managing Director
 - September 2012–present
- U.S. Department of Defense, Office of the Secretary of Defense
 - March 2011–September 2012
 - March 2011–May 2011, —Senior Advisor to the Under Secretary of Defense (Comptroller)
 - June 2011–September 2012, Principal Deputy Under Secretary of Defense for Personnel and Readiness (Confirmed by Senate May 2011 after hearing before SASC on February 2011)
 - November 2011–June 2012, Acting Under Secretary of Defense for Personnel and Readiness
- Mount Ida College, Newton, MA
 - July 2010–December 2010
 - July 2010–December 2010, President
 - July 2010–December 2010, Professor of Business Administration
- Spalding University, Louisville, KY
 - President and Professor of Business Administration
 - August 2002–June 2010
- Emmanuel College, Boston, MA
 - Adjunct Faculty
 - August 1994–August 2002
- The Lyons Companies, LCC, Waltham, MA
 - Corporate General Counsel/Chief Financial Officer/Partner
 - September 1994–August 2002
- Maselan and Jones, PC, Boston, MA
 - Tax Attorney
 - July 1993–September 1994
- Stearns, Rooney & Associates
 - July 1992–December 1993

- Partner
- Cigna Companies, Boston, MA and White Plains, NY
- June 1991–July 1993
 - July 1992–July 1993, Staff Attorney
 - June 1991–June 1992, Technical Manager

Honors and awards:

Department of Defense Medal for Distinguished Public Service, September 2012
 Today's Woman Magazine, 2006 Most Admired Woman in Education
 Business and Professional Women/River City, 2006 Woman of Achievement
 Business First, Partners in Health Care Award 2006, 2007, 2008, 2009, and 2010
 Scholar House, Lucy Award 2009 (outstanding achievement supporting educational opportunities for women and families)
 Mayor's Citation for Community Service to the City of Louisville, February 1, 2010 (presented for distinguished and outstanding service to the City of Louisville)
 Beta Gamma Sigma
 Lock Honorary Society

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Dr. Jo Ann Rooney in connection with her nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
 NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Jo Ann Rooney.
2. **Position to which nominated:**
Under Secretary of the Navy.
3. **Date of nomination:**
September 11, 2013.
4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]
5. **Date and place of birth:**
March 23, 1961; Hazleton, PA.
6. **Marital Status:** (Include maiden name of wife or husband's name.)
Single.
7. **Names and ages of children:**

None.

8. Education: List secondary and higher education institutions, dates attended, degree received, and date degree granted.

University of Pennsylvania, Graduate School of Education, August 2003–May 2005, Ed.D. (Doctorate in Education) Higher Education Management, May 2005.

Boston University School of Law, August 1989–May 1991, LL.M. (Master of Laws) in Taxation, May 1991.

Suffolk University Law School, September 1984–February 1987, J.D. (Juris Doctorate) February 1987.

Boston University School of Management, September 1979–May 1983, B.S. Business Administration, Finance Concentration, Summa Cum Laude, May 1983.

West Hazleton High School, September 1975–June 1979, High School Diploma, June 1979.

9. Employment record: List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

9/2012–present, Managing Director, Huron Consulting Group, Chicago, IL

3/2011–9/2012, U.S. Department of Defense, Office of the Secretary of Defense, Pentagon, Washington, DC.

11/2011–6/2012, Acting Under Secretary of Defense for Personnel and Readiness

6/2011–9/2012, Principal Deputy Under Secretary of Defense for Personnel and Readiness (hearing before U.S. Senate Armed Services Committee 2/2011, confirmed by the U.S. Senate May 2011)

3/2011–5/2011, Senior Advisor to the Under Secretary of Defense Comptroller

7/2010–12/2010, President of Mount Ida College, Newton, MA

7/2010–12/2010, Professor of Business Administration, Mount Ida College, Newton, MA

8/2002–6/2010, President of Spalding University, Louisville, KY

8/2002–6/2010, Professor of Business Administration, Spalding University, Louisville, KY

10. Government experience: List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

None.

11. Business relationships: List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.

9/2012–present, Managing Director (not a member of the Board of Directors), Huron Consulting Group, Chicago, IL

12. Memberships: List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.

American Bar Association

Massachusetts Bar Association and Massachusetts Board of Bar Overseers

Rhode Island Bar Association

Florida Bar Association

Beta Gamma Sigma National Honor Society

Member - Trustees of the Reservations (MA)

Member - Boat U.S.

Member - U.S. Rowing

Member - Hull Lifesaving Museum

Penn Alumni Association (University of Pennsylvania)

Suffolk University Alumni Association

Boston University Alumni Association

St. Paul Parish (Hingham, MA)

13. Political affiliations and activities:

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

None.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Department of Defense Medal for Distinguished Public Service - September 2012
Today's Woman Magazine, 2006 Most Admired Woman in Education Business and Professional Women/River City, 2006 Woman of Achievement

Business First, Partners in Health Care Award 2006, 2007, 2008, 2009, and 2010
Scholar House, Lucy Award 2009 (outstanding achievement supporting educational opportunities for women and families)

Mayor's Citation for Community Service to the City of Louisville, February 1, 2010 (presented for distinguished and outstanding service to the City of Louisville)

Beta Gamma Sigma

Lock Honorary Society

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

November 1, 2012 - University of Michigan - 6th annual Susan B Meister Lecturer in Child Health Policy "Our Military's Children: Insights From Over a Decade of War", Prepared and Presented By: Dr. Jo Ann Rooney

Dissertation - Spring 2005 - Navigating in a Building Sea of Change: Successful Growth Strategies of Two Private Higher Education Institutions, Author: Dr. Jo Ann Rooney

April 2009 - Association of Governing Boards (AGB) National Conference on Trusteeship, "Board Engagement in Major Academic Change", Prepared and Presented By: Dr. Jo Ann Rooney and Dr. L. Randy Strickland

May 2008 - Kentucky Council on Post Secondary Education (CPE) 8th Annual Conference on the Scholarship of Teaching and Learning - Challenging Student to Think Critically and Learn Deeply, Keynote Address "Boomers vs. X vs. Y: Educating Across Generations", Prepared and Presented By: Dr. Jo Ann Rooney

April 2008 - Association of Governing Boards (AGB) National Conference on Trusteeship, "Fostering Active Board Participation in Academic Governance", Prepared and Presented By: Dr. Jo Ann Rooney and Dr. L. Randy Strickland

February 2008 - Kentucky Council on Post Secondary Education (CPE) Adult Learner Summit, "Best Practices in Retention in Accelerated Programs", Prepared and Presented By: Dr. Jo Ann Rooney

December 2007 - Commission on Colleges of the Southern Association of Colleges and Schools (SACS) Annual Meeting, "Reaffirmation 101: A Case Study of Spalding University" Prepared and Presented By: Dr. Jo Ann Rooney, Dr. L. Randy Strickland, Dr. Lynn Gillette, and Victoria Murden McClure

December 2007 - Commission on Colleges of the Southern Association of Colleges and Schools (SACS) Annual Meeting, "General Education Assessment ASAP" Prepared and Presented By: Dr. Jo Ann Rooney, Dr. L. Randy Strickland, Dr. Lynn Gillette

November 2007 - Council for Accelerated and Experiential Learning International Conference, "Demonstrating the Effectiveness of Accelerated Programs" Prepared and Presented By: Dr. Jo Ann Rooney, Dr. L. Randy Strickland, Dr. Lynn Gillette

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

I have given several speeches during the last 5 years. Three representative speeches are provided, and additional speeches can be made available upon request. I also have a record of written and oral testimony before congressional oversight committees all of which are included in the Congressional Record.

17. **Commitments regarding nomination, confirmation, and service:**

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

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

(g) 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?

Yes.

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

SIGNATURE AND DATE

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

JO ANN ROONEY.

This 27th day of September, 2013.

[The nomination of Dr. Jo Ann Rooney was reported to the Senate by Chairman Levin on October 31, 2013, with the recommendation that the nomination be confirmed. The nomination was returned to the President at the end of the first session of the 113th Congress on January 6, 2014, under provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.]