

**Advance Questions for Admiral Gary Roughead, USN
Nominee for the Position of Chief of Naval Operations**

Defense Reforms

Almost two decades have passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms. You have had an opportunity to observe the implementation and impact of those reforms, particularly in your joint assignments.

Do you support full implementation of these defense reforms?

Yes. I strongly support full implementation of the Goldwater-Nichols Department of Defense Reorganization Act of 1986. Since enactment, the Act has increased cooperation among the Services resulting in a more capable, effective, and agile Joint force.

What is your view of the extent to which these defense reforms have been implemented?

These defense reforms have enhanced our nation's warfighting capabilities; however, there is always room for process improvement. Specifically, improvements in the acquisition process are needed to ensure new systems are in full compliance with Joint interoperability requirements, and to enhance the coordination and interaction between those who define our requirements and those who acquire our systems.

What do you consider to be the most important aspects of these defense reforms?

I consider the most important aspect of these defense reforms to be the emphasis and commitment to Joint warfighting and the resulting benefit we derive from our experiences in Joint warfare. Operations directed by Combatant Commanders with forces from all the Services have produced greater net effect than independent service actions.

The goals of the Congress in enacting these defense reforms, as reflected in section 3 of the Goldwater-Nichols Department of Defense Reorganization Act, can be summarized as strengthening civilian control; improving military advice; placing clear responsibility on the combatant commanders for the accomplishment of their missions; ensuring the authority of the combatant commanders is commensurate with their responsibility; increasing attention to the formulation of strategy and to contingency planning; providing for more efficient use of defense resources; and enhancing the effectiveness of military operations and improving the management and administration of the Department of Defense.

Do you agree with these goals?

Yes.

Recently, there have been expressions of interest and testimony from senior military officers recommending modifications to Goldwater-Nichols.

Do you believe that legislative proposals to amend Goldwater-Nichols may be appropriate? If so, what areas do you believe it might be appropriate to address in these proposals?

Goldwater-Nichols has served us well, but in the past 20 years the security environment has changed significantly and a review is worthy of consideration. If confirmed, I will work closely with the Secretary of Defense and Secretary of the Navy if I see need for specific improvement.

What do you understand the role of the Chief of Naval Operations to be under the Goldwater-Nichols Act relative to the Secretary of Defense, the Secretary of the Navy, the Chairman of the Joint Chiefs of Staff, the other members of the Joint Chiefs, and the combatant commanders?

The Chief of Naval Operations has significant interaction with these leaders. If confirmed, I will work for the Secretary of Defense and the Secretary of the Navy, who will be my direct civilian superior. I will be responsible under the Secretary of the Navy for organizing, training and equipping forces in support of the Combatant Commanders. I will also be responsible for the identification, validation, prioritization and justification of resource requirements for Navy acquisition programs. Along with the other Service Chiefs, I will be a member of the Joint Chiefs of Staff tasked with the responsibility for actively reviewing and evaluating military matters and offering professional military advice to the President, National Security Council, and Secretary of Defense.

Relationships

Section 5033 of title 10, United States Code, discusses the responsibilities and authority of the Chief of Naval Operations. Section 151 of title 10, United States Code, discusses the composition and functions of the Joint Chiefs of Staff, including the authority of the Chief of Naval Operations, as a member of the Joint Chiefs of Staff, to submit advice and opinions to the President, the National Security Council, or the Secretary of Defense. Other sections of law and traditional practice, also establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Chief of Naval Operations to the following offices:

Secretary of Defense

The Secretary of Defense (SECDEF) is the principal assistant to the President in all matters relating to the Department of Defense. As a Service Chief and member of the Joint Chiefs of Staff (JCS), the Chief of Naval Operations (CNO) is a military adviser to the Secretary of Defense, particularly regarding matters of naval warfare, policy, and strategy.

Deputy Secretary of Defense

The Deputy Secretary of Defense, on occasion, serves as acting Secretary in the absence of the Secretary. During these periods, the CNO's relationship with the Deputy Secretary will essentially be the same as with the Secretary. The Deputy Secretary is also responsible for the day-to-day operation of the Department of Defense. If confirmed, I will endeavor to interact regularly with him and provide him with my best possible professional military advice and the same level of support as I would the Secretary.

The Under Secretaries of Defense

Under current DoD Directives, Under Secretaries of Defense coordinate and exchange information with DoD components, to include the Services, in the functional areas under their cognizance. If confirmed as CNO, I will respond and reciprocate. If confirmed, I will use this exchange of information as I communicate with the Chairman of the Joint Chiefs of Staff (CJCS) and provide military advice to the Secretary of Defense.

The Chairman of the Joint Chiefs of Staff

The CNO is a member of the Joint Chiefs of Staff and, as such, works with and through the Chairman in the execution of duties. Along with the other Service Chiefs, I will be a member of the Joint Chiefs of Staff tasked with the responsibility for actively reviewing and evaluating military matters and offering professional military advice to the President, National Security Council, and Secretary of Defense.

The Vice Chairman of the Joint Chiefs of Staff

When functioning as the Acting Chairman, the Vice Chairman's relationship with Combatant Commanders is that of the Chairman. Also, the Vice Chairman has the same rights and obligations as other members of the Joint Chiefs of Staff. If confirmed, I would exchange views with the Vice Chairman on any defense matter considered by the Joint Chiefs of Staff. The Vice Chairman also heads or has a key role on many boards that affect readiness and programs and, therefore, the preparedness of naval forces. If confirmed, I will establish a close relationship with the Vice Chairman on these critical issues.

The Secretary of the Navy

The CNO is responsible, under the Secretary of the Navy (SECNAV), for providing properly organized, trained, and equipped forces to support Combatant Commanders in the accomplishment of their missions. In addition, the CNO assists the Secretary of the Navy in the development of plans and recommendations for the operation of the Department of the Navy. The Navy enjoys a productive, collaborative environment within the Department, and if confirmed, I will work closely with the Secretary of the Navy.

The Under Secretary of the Navy

The Under Secretary of the Navy is the principal assistant to the Secretary of the Navy and is first in line of succession. The Under Secretary performs such duties, and exercises such powers, as the Secretary shall direct. If confirmed, I look forward to establishing a close relationship with the Under Secretary and to working with him to achieve the Secretary's goals.

The Assistant Secretaries of the Navy

The Assistant Secretaries of the Navy work with the Under Secretary to achieve the Secretary's goals. Like the Under Secretary, the Assistant Secretaries perform such duties, and exercises such powers, as the Secretary shall direct. If confirmed, I will work with the Assistant Secretaries to achieve the Secretary's goals.

The General Counsel of the Navy

The General Counsel of the Navy serves as legal advisor to the Department of the Navy and performs such functions as the Secretary of the Navy shall direct and as necessary to provide for the proper application of the law and effective delivery of legal services within the Department. If confirmed, I will work closely with the General Counsel to achieve the Secretary's goals.

The Judge Advocate General of the Navy

Under 10 USC § 5148(d), the Judge Advocate General (JAG) of the Navy performs duties relating to any and all Department of Navy legal matters assigned to him by SECNAV. The JAG provides and supervises the provision of all legal advice and related services throughout the Department of the Navy, except for the advice and services provided by the General Counsel. It is important that the CNO receive independent legal advice from his senior uniformed judge advocates. If confirmed, I will work closely with the JAG and seek the JAG's legal advice.

The Commandant of the Marine Corps

A unique historical and operational relationship exists between the Navy and the Marine Corps. Many of our capabilities, programs, and personnel issues are inextricably linked. Our forces deploy together, and both must be ready on arrival. If confirmed as CNO, my relationship with the Commandant of the Marine Corps must be exceptionally close and I will be committed to making every facet of the Navy-Marine Corps team stronger.

The Chiefs of Staff of the Army and Air Force

Our Armed Forces must work together to recognize each other's strengths and to complement each other's capabilities. We must achieve and maintain synergy in warfare, training, and procurement to ensure each Service contributes optimally to Joint and combined operations. If confirmed, I am committed to working with my counterparts to enhance Joint interoperability and other aspects of the Joint relationship in order to improve the warfighting capabilities of the United States.

The Combatant Commanders

The CNO's responsibility as a Service Chief is to provide properly organized, trained, and equipped forces to the Combatant Commanders to accomplish their military missions. If confirmed, I will work to foster close working relationships with the Unified and Specified Combatant Commanders.

Major Challenges

In your view, what are the major challenges confronting the next Chief of Naval Operations?

The major focus of the next CNO must be to maintain current readiness and provide ready, capable forces; to define and deliver a relevant naval force for the future; and to ensure we recruit and retain those military and civilian personnel who seek to serve our country in the U.S. Navy. The preeminent challenge is balancing these three priorities in a fiscally constrained environment. Each focus area has its own challenges and opportunities.

Maintaining Current Readiness. We are continually generating forces for the current fight and are deploying and employing our Navy much differently than in years past. We are simultaneously providing ready naval forces and personnel for Joint Force commanders, sustaining forward presence and fulfilling commitments to allies in other vital regions, and responding to increasing demands in regions where we have not routinely operated, specifically South America and Africa. Being ready and responsive to carrying out a range of missions demands new approaches to delivering operational availability at best cost.

Future Force. The means and methods of conflict and the security environment undergo constant change. Technology and asymmetric approaches are advancing rapidly. Our view of the future must address strategic trends and not be captured by the status quo. Our ships, submarines, aircraft, weapons, and networks must outpace potential adversaries. The cost of future systems and the ability of our overall acquisition processes to pace the speed of technological innovation is increasingly challenging our ability to deliver a balanced force.

People. Our people are the foundation for all we do. The demographics, attitudes, and expectations of our population are changing and we must understand that dynamic. We are seeing that influencers (parents, counselors, friends) are having more of an impact on individual choices. Competition for talent in today's professional marketplace is intense. Attracting and retaining a diverse, high-quality Total Force of military and civilians must remain our highest priority.

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

If confirmed, I will remain committed to warfighting readiness to ensure we remain agile, capable, and ready forward. I will continue to employ our Fleet Response Plan to increase operational availability of our traditional forces, and I will pay particular attention to individual readiness as we continue to support the current fight.

There is no question that our acquisition programs will be under great pressure; therefore, to build the right forces for tomorrow we must be exacting in developing requirements, mindful of the factors that increase cost and committed to working with the acquisition community and our Joint partners in doing all we can to be effective, efficient, and timely in delivering future capability. Also, I will continue to strengthen initiatives of the Navy Enterprise to identify efficiencies and produce maximum cost savings Navy-wide, while continuing to ensure our Navy remains strong, effective, and relevant.

We must size our force and implement policies so the young men and women of our country see opportunity and achieve personal and professional fulfillment by serving in our Navy. The competition for people necessitates that we put in place policies that advantage us and address the many rewards of service. We must be unwavering in our obligation to take care of Sailors and their families who suffer the effects of combat.

Most Serious Problems

What do you consider to be the most serious problems in the execution of the functions of the Chief of Naval Operations?

In my view, the most serious problems the next Chief of Naval Operations will face in executing his duties are: (1) properly balancing current resources allocated to sustain, train, and equip the Navy; (2) obtaining the necessary resources to build and man the

future Navy; and (3) ensuring continuity among requirements, resourcing, and acquisition in the existing planning, programming, budgeting, and execution process.

If confirmed, what management actions and time lines would you establish to address these problems?

If confirmed, I will work closely with my Navy senior leadership team, my fellow Service Chiefs, the Chairman of the Joint Chiefs of Staff, the Secretary of the Navy, and through him, the Secretary of Defense and Congress to develop balanced, fiscally-responsible approaches to addressing and solving these problems.

Qualifications

Section 5033 of title 10, United States Code, requires the Chief of Naval Operations to have had significant experience in joint duty assignments, including at least one full tour of duty in a joint duty assignment as a flag officer.

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

I believe that the breadth and depth of my experience as a naval officer and Joint warfighter qualifies me for this position. I have had the privilege of six commands in the Pacific and Atlantic, which form a solid operational foundation. I have served in several Joint flag positions: Commander, Second Fleet and Commander, NATO Striking Fleet; Deputy Commander, U.S. Pacific Command; Commander, U.S. Pacific Fleet and Commander, Joint Task Force 519. I am serving currently as Commander, U.S. Fleet Forces Command responsible for the Navy's Global Force Management and support to three Combatant Commanders. Further, I have completed four assignments at Navy headquarters, including a tour as the Navy's Chief of Legislative Affairs. My tour as Commandant of Midshipmen, U.S. Naval Academy provided insight into naval education and training and the development of officers as leaders in our Navy and Marine Corps.

United Nations Convention on the Law of the Sea

In May of this year, President Bush issued a statement urging the Senate to act favorably on U.S. accession to the Law of the Sea Convention. Officials of the Department of Defense, including the previous Chief of Naval Operations, have advocated for accession to the Convention.

Do you support United States accession to the United Nations Convention on the Law of the Sea?

Yes.

How would you respond to critics of the Convention who assert that accession is not in the national security interests of the United States?

I believe that accession to the Law of the Sea Convention is in our national security interests. The basic tenets of the Convention are clear and beneficial to the Navy. From the right of unimpeded transit passage through straits used for international navigation and reaffirming the sovereign immunity of our warships, to providing a framework for countering excessive claims of other states and preserving the right to conduct military activities in exclusive economic zones, the Convention provides the stable, predictable, and recognized legal regime we need to conduct our operations today and in the future.

U.S. military forces must be able to operate freely on, under, and above the world's oceans. That freedom is critical to our national security interests, the military in general, and the Navy in particular. The Law of the Sea Convention codifies fundamental benefits important to our operating forces as they train, transit, and fight. Amendments made to the Convention in the 1990s addressed many of the concerns that opponents have expressed. Also, joining the Convention will not subject the U.S. Navy to the jurisdiction of international courts, nor will it adversely affect the President's Proliferation Security Initiative (PSI) or United States intelligence activities.

The Convention is the bedrock legal instrument underpinning public order for the world's oceans. By joining the Convention, we can best assert our leadership in oceans law and policy, and in conjunction with our Freedom of Navigation program, we can best protect the navigational rights and freedoms that are of such critical importance to our nation's security and economic prosperity.

Transformation

If confirmed, you would play an important role in the process of transforming the Navy to meet new and emerging threats.

What are your goals regarding Navy transformation?

Transformation is never complete; it is a constant process and attitude. Our new Maritime Strategy and our ongoing transformation efforts, within the framework of Seapower 21, guide the Navy's future direction. I believe we are already making great strides in developing the capabilities we will need in coming years. Areas of particular interest include cyberspace, unmanned systems, and Maritime Domain Awareness. As we transform our warfighting models and concepts, we must correspondingly evolve our recruiting, training, and retention efforts. All require the highest degree of coordination with the other Services.

Fleet Response Plan

The Fleet Response Plan has been implemented to provide a surge capability for “presence with a purpose.” In a report issued in November 2005, the GAO found that the Navy had not fully tested and evaluated the Fleet Response Plan. In addition, there have been some reports indicating sailors’ dissatisfaction with unpredictability in the new deployment schedules.

What strengths and weaknesses have you perceived to date with the implementation of the Fleet Response Plan?

The Fleet Response Plan (FRP) has many strengths. The FRP enables the Navy to increase operational availability and generate more forward presence on short notice than was possible in the past. It allows the Navy to respond to global events more robustly with a disciplined, deliberate process to ensure continuous availability of trained, ready Navy forces. The FRP allows the Navy to identify clearly the surge forces ready to respond to Maritime Security, Theater Security Cooperation, Homeland Defense, Major Combat Operations, or Humanitarian Assistance and Disaster Relief operations.

That said, the Fleet Response Plan rollout strategy did not initially provide a timely, detailed explanation and evaluation of key management metrics to our Sailors. Accordingly, in August 2006, the Chief of Naval Operations issued more definitive FRP guidance. In my current capacity, I expanded that guidance and I remain focused on effectively communicating the key elements of the Fleet Response Plan throughout the Navy. I am confident that the Fleet Response Plan is both viable and appropriate to meet the challenges today and tomorrow.

After a Fleet Response surge, do you feel there is sufficient ship maintenance and repair capability in the public and private sectors to quickly reconstitute the force?

Yes, there is sufficient maintenance and repair capability to fulfill the Navy’s maintenance and repair requirements for reconstituting the force after a surge. After the initial surge for OPERATION IRAQI FREEDOM, and enabled by funding from Congress, the public and private sector demonstrated ample capacity for ship repair.

Would that assessment change if the Navy were confronted with several back-to-back surge demands?

No, the assessment would not change as long as the overall FRP cycle lengths did not change dramatically and severe damage was not incurred by a significant number of ships.

Acquisition Management

Do you see a need for any change in the role of the Office of the Chief of Naval Operations in the requirements determination, resource allocation, or acquisition management processes of the Department of the Navy?

From my perspective, the role of the CNO in the requirements determination and resource allocation process is clear and appropriate. While the current cooperation among the CNO and acquisition officials is good, it should not be personality dependent. Service Chiefs should have a more formal role in acquisition management to ensure continuity among the requirements, resourcing and acquisition processes.

Do you see a need for any change in the structure or functions of the Joint Requirements Oversight Council (JROC) or the role played by the Chief of Naval Operations and the Vice Chief of Naval Operations in the JROC?

I do not. I have not yet been involved in the JROC process but I look forward to participating. If confirmed, and after I have participated in the process, I will recommend changes as appropriate.

Recapitalizing the Fleet

Despite the fact that Navy leadership has determined that it needs to have a 313-ship fleet to meet the maritime requirements of the National Military Strategy, it is currently operating with 277 battle force ships. The Congressional Budget Office (CBO) has concluded that the Navy has underestimated the costs for building the 313-ship fleet by approximately 30 percent. Additionally, the Navy has acknowledged an approaching strike-fighter gap which may range from 50 to 220 aircraft (the range depending on the procurement rate for Joint Strike Fighter aircraft and the service's ability to extend the service life for F/A-18 C/D and E/F aircraft).

Do you agree with the CBO's assessment that there is significant cost risk associated with the Navy's shipbuilding plan?

Estimating and controlling costs associated with far-term warfighting requirements are always challenging. As cost estimates are refined, the Navy may need to make adjustments to these important programs.

What actions do you believe are necessary to execute the Navy's shipbuilding plan within the Navy's budget estimates?

The Navy's shipbuilding plan recognizes the need for exacting requirements and cost control methods, which can only be achieved in partnership with industry. The Navy

continues to evaluate each ship class and identify cost reduction opportunities while balancing warfighting requirements, costs, and industrial base realities.

The Navy is committed to stable out-year procurement that industry can use to anticipate workload. This allows industry to commit resources, create efficiencies, and decrease the end-cost of Navy ships. The Navy plans greater use of contract incentives to contribute to real cost containment in future shipbuilding plans. In addition, the Navy plans to pursue other areas for improvement in the acquisition workforce and organization to strengthen the foundations of the Navy's shipbuilding efforts. As we build the future Fleet, discipline will be required of all stakeholders to ensure success of the plan.

How would you characterize the risks to mission performance posed by the current shortfall in battle force ships and the growing shortfall in tactical aircraft?

While the current risk is manageable in the near term, the Navy's 313-ship force is needed to meet warfighting demands in 2020. These demands include Conventional Campaigns (MCOs), War on Terror/Irregular Warfare, and Homeland Defense.

The Navy's strike-fighter shortfall will not manifest itself until the 2016 timeframe and is not impacting the Navy's ability to meet current Combatant Commander requirements.

What adjustments to the respective programs are necessary and appropriate to reduce that operational risk?

To achieve Navy's desired capability and capacity and to minimize operational risk, we are reducing types and models of ships, maximizing reuse of ship designs and components, and employing a business model that encourages the use of open architecture and mission systems modularity.

Similarly, our aviation plan balances aviation capabilities through cost-wise investments in recapitalization, sustainment, and modernization programs. Future Navy strike-fighter shortfalls will be mitigated through inventory optimization and possible additional procurement in POM-10.

In all areas, we will continue to work closely with our partners in industry to control requirements and costs, and provide the industrial base the stability it needs to become more productive.

What further adjustments would you consider if the Navy's program comes under further pressure due to cost growth?

In the face of the rising cost of naval ships and aviation procurements, the Navy has increased its efforts to reduce costs, improve its requirements estimation capability, and seek alternative, lower cost solutions. Absent that, top-line relief may be required.

Alternative Financing Methods for Shipbuilding

Navy leaders have testified that alternative financing methods must be found for shipbuilding.

What are your views and recommendations on the benefits and feasibility of alternative financing methods, such as incremental funding and advance appropriations?

It is the Navy's policy to fully fund the cost of shipbuilding programs in the year of contract award. However, there are instances when alternative financing methods for ships should be used, such as advance procurement and incremental funding for large capital ships. It is advantageous to begin detail design in advance procurement rather than in the year of full funding to allow maturation of the design before construction begins. Advance procurement can lead to construction efficiencies and less rework due to fewer design changes. These financing methods must be used judiciously to preserve budget discipline.

What is your assessment of the long-term impact of such alternative financing methods on the availability of funds for shipbuilding?

Alternative financing methods allow the Navy to maintain the shipbuilding industrial base through more efficient management of SCN total obligational authority, provide greater flexibility in executing scarce resources, and help avoid individual-year funding spikes. Whenever possible, the Navy remains committed to following the full-funding policy.

Attack Submarine Force Levels

The Navy's most recent statement of requirements for attack submarine force levels was 48 attack submarines. However, the Navy projects that the number of attack submarines will fall as low as 40 boats and remain below the 48-boat requirement for more than a decade. The Navy is now claiming that it will be able to mitigate this shortage using three techniques: (1) building the new *Virginia* class submarines faster by reducing the time between the start of construction to delivery from the current level of 86 months for the last boat to deliver to a level of 60 months; (2) extending the life of some boats currently in the fleet from 3 to 24 months; and (3) increasing the length of deployments. By using a combination of these measures, the Navy claims that it will be able to maintain no less than 42 boats in the force and will be able to maintain the current level of commitments to the combatant commanders (roughly 10 boats continuously on deployment).

What is your assessment of whether the three techniques listed above will yield a number of deployed attack submarines sufficient to meet the requirements of the combatant commanders and other intelligence, surveillance, and reconnaissance needs?

The Navy has formulated options that can mitigate some of the risk caused by having less than 48 attack submarines (SSNs) from 2020 through 2033. These options include reducing submarine build-time, extending the hull life of selected submarines, and increasing the length of some submarine deployments. These measures would enable the Navy to maintain no less than 44 SSNs, which would provide about 10 forward deployed “SSN years” annually.

Despite the fact that attack submarine force levels will be less than the required 48 SSNs from 2020 to 2033, the Navy should be able to meet the Combatant Commanders’ critical forward presence requests and maintain a warfighting surge capability with acceptable risk.

Navy/Marine Corps Intranet and Next Generation Enterprise Network Program

What is your assessment of the status of the Navy Marine Corps Intranet (NMCI) program and the ability of that program to meet the Department of the Navy’s information technology needs?

I have recently served in three major headquarters that used NMCI. I believe NMCI has decidedly improved the Navy’s cyber-security posture.

Are you satisfied with the efforts to date to establish the Next Generation Enterprise Network (NGEN) program?

The actions taken to date are appropriate for a program of such importance to the Navy and Marine Corps. A requirements Task Force has been established under the direction of the Department of the Navy Chief Information Officer (DON CIO), OPNAV N6 and Headquarters Marine Corps Command, Control, Communications and Computers (HQMC C4). The Task Force has drafted an initial requirements document that will be reviewed by Fleet Commanders and stakeholders. The acquisition for the follow-on to NMCI will commence after requirements are approved.

What significant lessons learned do you think that the Navy should draw from NMCI as it scopes and structures the NGEN program?

We have learned many lessons from the implementation and operation of NMCI. First and foremost, IT is critical to both our warfighting and business processes. In addition, networks require alignment of enterprise resources and requirements, not just IT resources. Systems must have rapidly adaptable architectures, improved interoperability, options for increased collaboration, and increased remote accessibility. Our networks must be secure, yet our information assurance processes should not be onerous to users. The ability to incorporate new technology through the life of the contract with appropriate technical refresh must be assured.

Science and Technology Program

The budget request for defense Science and Technology (S&T) still falls short of the Defense Science Board's recommended goal of dedicating 3% of the total defense budget to S&T. In particular, the Navy S&T program, especially the investment in long-term, innovative work which has been so successful in confronting emerging threats, has declined significantly since the Fiscal Year 2006 request.

If confirmed, what metrics would you use to assess whether the Navy is investing adequately in S&T programs?

There are three key components to an effective S&T program: a strong investment in basic and early applied research to build the scientific foundation for future technologies; an emphasis on key "game changing" initiatives that provide technological advantage to the Navy and Marine Corps warfighter; and a critical focus on transitioning S&T programs to the acquisition community and the Fleet.

The metrics, therefore, are the balance of investment across these three components, the rate of transition of deployable S&T products, and the success of S&T products in precluding technological surprise by potential adversaries.

How would you assess the value and appropriate investment level for basic research programs?

I believe that a strong investment in basic research programs is necessary to ensure we can maintain our advantages into the future. In my recent assignments, I have not dealt with investment decisions for basic research programs. If confirmed, I will assess our investment levels to ensure we derive the needed benefit from our S&T programs.

Technical Workforce

A significant challenge facing the Navy today is an impending shortage of high quality scientific and engineering talent to work at Navy laboratories and technical centers.

In your view, what are the pros and cons of having active-duty Navy personnel trained and working as scientists and engineers within the Navy research and acquisition system?

There is significant advantage in having current warfighting experience within the research and acquisition process for future naval systems. The demands on Navy officers to meet the required expertise in their Navy warfare areas, and our growing need to develop officers with the requisite Joint skills, may make this arrangement very

challenging. If confirmed, I will continue efforts to identify specific needs and provide opportunities for select personnel to work in Navy labs and technical centers.

Test and Evaluation Issues

What do you see as the role of the developmental and operational test and evaluation communities with respect to rapid acquisition, spiral acquisition, and other evolutionary acquisition processes?

Developmental and operational test and evaluation communities are critical to reducing development risk and to providing Navy leadership the performance information needed to make good acquisition, fielding, and deployment decisions.

Are you satisfied with the Navy's test and evaluation capabilities? In which areas, if any, do you feel the Navy should be developing new test and evaluation capabilities?

I am satisfied with the Navy's test and evaluation capabilities. However, our test and evaluation organization and processes must not be outpaced by the speed of technological advance.

Military-to-Civilian Conversions

The Services have been engaged in a multiyear effort to eliminate thousands of military billets and replace them with civilian employees or contractor personnel. The Navy has been the most aggressive service in targeting health profession billets for military-to-civilian conversions.

If confirmed, how would you anticipate using military-to-civilian conversions to shape the future force of the Navy.

The Navy continually reviews military billets to determine which billets require the unique skills of a Sailor and which billets can best be filled as effectively, and at lower cost, by a civilian or by private industry.

The results of these analyses will be used to ensure that Sailors continue to have viable and rewarding career paths, and that we continue to support the Fleet with an appropriate mix of civilian and uniformed professionals.

If confirmed, I will continue these efforts.

If confirmed, what metrics would you establish to measure the effectiveness of this management tool, and how would you determine if and when DOD civilian employees and private contractors could perform work in a more efficient or cost-effective manner?

The effectiveness of the Navy's military-to-civilian conversion efforts must ultimately be measured by the degree to which they meet the following criteria: maintaining or improving Fleet readiness; the collective capability and competence of our Total Force; and overall cost savings.

How would you measure the impact of such conversions on readiness?

Warfighting capability and readiness will be assessed using existing metrics and methods of assessment applied across the Fleet by the operational commander.

If confirmed, how would you assess the quality and supply of civilian physicians, dentists, and nurses to replace military personnel, and their willingness to serve in the federal civilian workforce?

If confirmed, my measures would be the quality of care provided to our Sailors and families; whether those health professionals are meeting standards for training, certification, and licensure; and our recruiting and retention statistics on the civilian personnel that work in our medical system.

Ballistic Missile Defense

The Navy will play an important role in defending the nation against the threat of long range ballistic missile attack and in defending allies, friends, and deployed forces against theater ballistic missile threats.

Do you view ballistic missile defense as a core Navy mission?

Yes, I believe the Navy's ability to provide ballistic missile defense will be increasingly important to Joint warfighting now and in the future.

What plans does the Navy have for testing the Aegis Ballistic Missile Defense System?

The Missile Defense Agency is currently charged with testing of the Aegis Ballistic Missile Defense System (ABMD) for the Defense Department. Under this construct, the Navy will continue testing the Aegis SM-3 missile defense capability under the current agreement with MDA, providing full-time commitment of an Aegis cruiser to the Testing and Evaluation (T&E) role. Additionally, the Navy plans to modify other Aegis ships to conduct MDA missions when required.

Are you satisfied with the current rate of production for the SM-3?

Yes; however, I believe the current rate of production is the minimum prudent rate.

When will the Navy, vice the Missile Defense Agency, begin acquisition of SM-3 missiles?

There is no approved plan for the Navy to begin acquisition of SM-3 missiles.

Navy End Strength

The department's proposed budget for FY 2008 includes an active-duty end strength of 328,400, which include a reduction of 12,300 sailors. The end strength requested for the Navy Reserve is 67,800, which includes a reduction of 3,500 sailors.

Based on the manpower demands needed to fight the Global War on Terrorism, including significant active-duty increases for the Army and Marine Corps, do you think that these reductions in personnel in the Navy continue to be warranted

The Navy has been able to capitalize on efficiencies to accomplish the manpower reductions to date while meeting operational demands. We are quickly approaching the limits of those efficiencies and the number of manpower reductions should begin to level out.

I am confident that the Navy has thoroughly analyzed current and future manpower requirements in developing its manpower force structure. The reductions we have taken to date have been made possible by integrating a Total Force manpower solution, leveraging technology on new platforms, reducing manpower intensive platforms, and finding efficiencies in training and infrastructure including identifying work that is no longer required and applying civilian substitutions to non-military essential work.

How do the proposed cuts in end strength take into account the support requirements associated with the planned increases in Marine Corps end strength?

Navy end strength includes increases to the Fleet Marine Force that provides direct support for the new USMC operational unit growth. In addition, resources were added to the Navy portion of the Defense Health Program to provide medical benefits to the increased number of Marines and their families.

Do you view the additional 698 active-duty personnel added by the House in H.R. 1585 as necessary to ensure Navy medical personnel are available in adequate numbers to support active and reserve component personnel, retirees, and their family members?

The healthcare mission to support military personnel, retirees, and their family members can be fully met without the additional 698 active-duty medical personnel proposed by H.R. 1585. The additional 698 end strength would restore 209 military end strength

previously identified as military-to-civilian conversions. The restoration of the 209 military end strength is not required to support either the operational or health benefit mission of Navy Medicine. This end strength has previously been identified as “non-military” essential and funding has been provided to hire the necessary civilian personnel to ensure the health benefit mission is met.

The remaining 489 positions that H.R. 1585 addresses were divestitures due to an overall active duty reduction to Navy personnel. Consequently, the health benefit mission to active duty forces has decreased and can be met with current personnel levels. The reduction of 489 positions did not impact any operational mission requirements.

Navy Reserve

What is your vision for the roles and missions of the Navy Reserve, and, if confirmed, what objectives would you seek to achieve with respect to the Navy Reserve's organization, end strength, and force structure?

As demonstrated through force generation, deployment and redeployment, Reserve component forces meet two significant needs of our Navy: (1) they provide capability and capacity in support of Major Combat Operations; and (2) they provide operational augmentation to meet routine military mission requirements. As such, we must maintain the role of the Reserve component as our Strategic Baseline, and we should capitalize on the ability of the Reserve component to provide Operational Support in a predictable and periodic manner.

To best employ our Reserve Component, we must align organizationally and fiscally to realize the full value of the Reserve component that can meet Operational Support missions.

The optimal size of the Navy Reserve is a function of capacity and capabilities in the active force. We must ensure that the right capabilities reside in the appropriate components and that components are fully complementary. We must periodically review and validate Reserve component capabilities in alignment with our working Active/Reserve Integration (ARI) model. We must then recruit and retain individuals with the required skills, in appropriate numbers, to support Navy strategies and Operational Support requirements.

Defense Officer Personnel Management Act (DOPMA)

The Navy has requested authorization for additional active-duty officers in excess of DOPMA limits in the grades of lieutenant commander, commander, and captain even as significant reductions in end strength are being implemented.

What is the rationale for increasing the number of Navy control grade officers, and do you anticipate that additional increases will be required in the future?

Navy needs a flexible tool that allows rapid adjustments as requirements change. While aggregate Navy end strength and total officer end strength continue to decline, the need for more senior and experienced officers, as a percent of the officer corps, continues to escalate. The current DOPMA tables worked well for a fleet with large ships and large crews and predominantly multi-seat aircraft. But ships with smaller crews and more single seat aircraft result in a need for fewer junior officers, as a percentage, in our operational units. At the same time, Joint education and billet requirements (Joint and non-Joint) are increasing the demand for DOPMA-controlled officers.

The Navy has been operating at or near DOPMA limits for several years but at the cost of suppressing the grade requirement of over 500 billets. Detailing to the true requirement of some billets and meeting individual augmentee demands has created an effective shortage of DOPMA-controlled officers. A solution to this shortage is the requested DOPMA relief that would allow promotion to the true demand. Additionally, the Chief of Naval Personnel is evaluating community management practices, officer force shaping policies, and special and incentive pays. These practices will better align Navy control grade officer strength with today's operational trends while increasing retention of officers reaching critical career decision points. The DOPMA relief requested is adequate to cover current needs and provides headroom to accommodate anticipated future growth.

What changes to DOPMA or other statutory provisions affecting Navy officer personnel management (including flag officers) are needed or, at a minimum, should be considered?

I am grateful that both the Senate and House have included, in their respective versions of the FY08 Defense Authorization Bill, our request for a five percent across-the-board increase in DOPMA control grades. Enactment of this provision will allow Navy to gradually ease suppression of over 500 control grade billets, thereby enhancing readiness as we begin filling those billets with the officers possessing the right skills and experience required by those billets. It also provides modest additional headspace to permit us to address emerging control grade growth in support of Joint, combatant commander and other Service support requirements. Navy is continuing to explore options to retain more senior and experienced officers on active duty.

What changes in law or policy with respect to numbers of senior enlisted personnel and their training, education, and utilization are needed in your judgment?

I am pleased the Senate version of the FY08 National Defense Authorization Act includes a provision to increase the upper limit on the authorized daily average of active duty enlisted members in pay grade E-9 from 1 to 1.25 percent of the enlisted force. This

change would increase the maximum limit for personnel in the combined pay grades E-8 and E-9 to 3.75 percent and would allow the Navy to best meet our needs.

This change addresses challenges that require a Total Force composed of senior, well-educated, motivated, and competent people who can adapt to the many demands of future missions. If enacted, it will allow us to meet our needs for managing our senior enlisted personnel.

Joint Officer Management

What is your assessment of the impact on active and reserve officers of the newly implemented Joint Qualification System? Do you think additional changes in law or regulation are needed?

When the JQS is implemented on 1 October 2007, it will recognize the skills that support U.S. military response to national security threats, interagency coordination, combat operations, and humanitarian crises. It will also accounts for the intensity, environment, and duration or frequency of a Joint experience. A key change will be the ability to award credit to reserve component officers, previously not allowed.

The JQS provides the opportunity to create and sustain the largest possible pool of fully-qualified and inherently Joint leaders suitable for Joint command and staff responsibilities in both the active and reserve components.

The new JQS is being implemented in spirals over the next three fiscal years. Additional changes in law or regulation should only be considered after full implementation of JQS.

In your view, are the requirements associated with becoming a Joint Qualified Officer, including links to promotion to general and flag officer rank, consistent with the operational and professional demands of Navy line officers?

We have made solid progress in policy initiatives linking career progression and Joint management policies within Navy line officer career paths. Navy will plan for, prepare, and assign high quality line officers to Joint billets. We are creating a pool of well qualified line officers who are fully qualified and inherently Joint leaders suitable for Joint command and staff responsibilities. We are meeting our Joint promotion objectives and we are filling our Joint assignments and JPME seats with our best and our brightest. Navy acknowledges its responsibility to produce skilled Joint leaders, tested in their Service's roles, missions and capabilities, and we are aggressively executing this responsibility.

Selective Early Retirement Authority

The Navy has requested that Congress reinstate enhanced authority for selective early retirement.

What changes in existing law, if any, regarding selective early retirement, are needed in your view?

Although the Navy does not routinely use Selective Early Retirement (SER) as one of its primary force shaping tools, its employment may become necessary as the Navy transforms to meet future warfighting requirements. The extension of 10 USC 638a, Expanded SER, would allow the Navy to effectively and efficiently manage potential force structure changes without requiring the excessive accession reductions used in the 1990s to meet end strength controls. The Expanded SER would allow the Service Secretary to identify groups of officers to be considered for early retirement by year group or specialty within a competitive category, or any combination of those identifiers. Current SER authority does not provide for the identification of groups narrower than an entire competitive category to be considered. The expanded authority is an important force management tool for shaping the force to meet current and future requirements.

Rebalancing Forces

In a memorandum dated July 9, 2003, the Secretary of Defense directed action by the Services, the Joint Staff, and the Office of the Secretary of Defense aimed at achieving better balance in the capabilities of the active and reserve components. The Secretary noted that the Department “needs to promote judicious and prudent use of the Reserve components with force rebalancing initiatives that reduce strain through the efficient application of manpower and technological solutions based on a disciplined force requirements process.”

What progress has the Navy made in achieving the Secretary's vision?

We have effectively completed the initial rebalancing efforts called for in the Secretary of Defense's memorandum. Between FY03 and FY06 the Navy rebalanced over 33,000 spaces both within and between the Active and Reserve Components. Within that time, the Navy created the Naval Expeditionary Combat Command (NECC), which is evolving into a relevant force for pre-conflict and reconstruction operations and is an important dimension in the war on terrorism. The ratio of the Active to Reserve personnel within NECC is nearly 1:1 (Active Component 48%; Reserve Component 52%).

Navy's robust planning, programming and budgeting processes and the focused efforts of our Manpower, Personnel, Training and Education (MPTE) Enterprise allow us to continuously review the force, ensuring that we have the right mix of Active, Reserve, government civilian employees, and contractors to achieve mission success.

What do you consider to be the biggest continuing obstacles to achieving the goals that the Secretary of Defense has set forth in his memorandum?

The biggest obstacles to achieving the goals that the Secretary of Defense has set forth are the changing security environment and the changing demographic from which we recruit. If confirmed, I am committed to taking those steps needed to ensure we have access to the full range of our nation's talent.

Individual Augmentees and "In Lieu Of" Missions

Secretary Winter, in his written testimony for the Navy Posture Hearing earlier this year, stated that there were, at that time, more than 8,000 sailors deployed in the CENTCOM Area of Operations as Individual Augmentees and 4,500 sailors performing "in lieu of" missions.

Will the Navy continue to be able to support these non-traditional assignments as it draws down its end strength?

Navy will be able to support augmentation assignments under its current personnel inventory reduction plan. The majority of Navy billets that are in the most demand for augmentation assignments are not being eliminated. A careful review of specific active duty skill areas, such as Seabees and Intelligence personnel, resulted in measures to retain those specific billets and highly trained personnel. U.S. Fleet Forces is using a Fleet IA Capacity Model to help calculate a community's ability to source IA requirements. The Navy's intent is to deploy task-organized units rather than individual or small group IA's in the future.

What are the criteria being applied to determine which active and reserve officers and enlisted personnel are assigned duty as individual augmentees?

We take into account several factors when selecting members to source augmentation requirements and reserve mobilizations; specifically, skills identified during coordination of the Joint sourcing plan for "in lieu of" and "ad-hoc" missions. The Combatant Commander identifies the required skills (MOS, experience, etc) in the Unit Request Form (URF) and/or the Request for Forces (RFF) documents that are submitted to the Joint Staff. Through the Naval Personnel Development Command, we can determine which specific Navy designator/rating or Navy Enlisted Classification System code (NEC) best meets the required skills. We then work with appropriate commands to identify and plan additional training required to meet the specific Joint mission and the unique skill identified by the supported component commander. Most positions tasked to Navy require basic skills in supply, administration, engineering, medical or intelligence. After establishing the required skills, volunteers are given priority. Members must have the proper rating/designator and possess the required skills, experience, clearance, and sub-specialty (if required). Additionally, all requirements are filled taking into consideration the member's professional and personal circumstances and any potential

readiness impact on the sourcing commands.

Active Duty Personnel Specifics: Individuals are selected by their parent commands. U.S. Fleet Forces Command is responsible for assigning appropriate tasking across all Navy commands. Navy major commands are assigned requirements to fill augmentation requests, which are then passed to subordinate commands to identify augmentees. Commands first seek volunteers and then make assignments based on skill requirements.

Reserve Personnel Specifics: Volunteer drilling Reservists who have not been previously mobilized are considered first, followed by previously identified Sailors who were deferred/delayed but are now available. After volunteers have been considered, non-volunteers assigned to supporting reserve units (if applicable) and who have not been previously mobilized are considered, then finally the applicable community managers are asked to nominate qualified Sailors. In addition to skill requirements, other factors considered when selecting a Sailor include experience, EAOS, and Mobilization Availability Status (MAS) codes. Our Navy Reserve alongside our Active component Sailors are providing integrated operational expertise to support a full range of operations.

How do these assignments impact Navy readiness?

Navy's current readiness remains excellent. Congressional support has been critical in this regard and, as a result, Navy units and individual augmentees deploy properly trained and properly equipped. I believe that the current level of effort is sustainable. Currently, augmentation numbers represent approximately three percent of the Total Force, two percent of the Active Component Force, and four percent of the Reserve Component Force. Fleet manning projections and readiness indicators are continuously assessed. Navy Personnel Command has undertaken a series of regular surveys and assessments to monitor indications that the increased deployment/workload demands may be adversely impacting retention or the health of the Force.

TRICARE Fee Increases:

In May 2007, the Task Force on the Future of Military Health Care issued an interim report concluding that "to sustain and improve military health care benefits for the long run, actions must be taken now to adjust the system in the most cost-effective ways." The Task Force recommended increasing the portion of the costs borne by retirees under age 65, and suggested an increase in military retired pay to offset part or all of the increase if Congress believes that the increases are too large relative to retired pay.

Do you agree with the view that TRICARE fees for military retirees should be increased?

We must be very careful not to erode the confidence of the men and women who serve in the United States Armed Forces and our military retirees. We must continue to provide them with the healthcare to which they are entitled while seeking ways to deliver healthcare benefits in a flexible, effective, and cost-efficient manner. The fees associated with the TRICARE plans should be balanced and fairly adjusted with no one group carrying an undue burden, including the taxpayer.

What constraints, if any, should be imposed, in your view, on a retiree's ability to use his or her TRICARE benefit?

Constraints should not be placed on a retiree's ability to use his or her authorized TRICARE benefit. They should be afforded every opportunity to exercise their healthcare benefits within the established plan.

What recommendations, if any, would you offer to address the increasing cost of health care and other personnel benefits?

Preventable chronic disease linked to lifestyle accounts for 75% of our health care costs. A strong emphasis on integration of health and wellness must be the foundation of an efficient healthcare system. Prevention programs such as tobacco cessation, weight management and mental and physical well being provide significant short and long term cost savings, as well as a more responsive force. Other opportunities to reduce costs include containing the growth of pharmacy costs by marketing the TRICARE Mail-Order Pharmacy (TMOP) and encouraging the use of generic medications when appropriate. The Navy should also continue improvement of our electronic health data system, AHLTA, to increase the productivity of our providers. Additionally, expanding and investing in telemedicine and telehealth capabilities would enable the use of healthcare resources in more remote locations.

If confirmed, what role would you anticipate playing in any shaping or rethinking of health care benefits for military personnel, including retirees and their families?

If confirmed, I will remain mindful of the challenges we face in healthcare, I will know the quality of care that our service members and their families receive, and I will remain keenly focused on this issue so vital to readiness and the welfare of our Sailors, retirees, and families.

How would you assess the impact of such benefits and changes on recruitment and retention of military personnel?

Military personnel and their families, to include retirees, are strong advocates within our recruitment and retention efforts. The healthcare benefit is a strong recruiting and retention factor and we must ensure our benefits remain attractive within the overall U.S. labor market.

Sexual Assault in the Military

In response to a Congressional requirement for formulation of a comprehensive policy related to sexual assaults in the Armed Forces, the Secretary of Defense has promulgated guidance aimed at more effectively preventing sexual assaults, investigating incidents of sexual assault, and responding to the needs of victims of sexual assault.

What is your assessment of the effectiveness of the Navy's program for preventing sexual assaults and addressing the needs of victims of sexual assault?

Sexual assault is not tolerated in the Navy. When incidents occur, the Navy is committed to effective victim response and accountability for offenders. Prevention is our first priority, however when incidents occur, the Navy has a comprehensive reliable process in place to quickly respond to victims, offer reporting options, conduct a full and fair investigation, and hold offenders accountable. We must adhere to, assess and continually improve this process.

The senior leadership of the Navy communicated to each commanding officer the expectations regarding Sexual Assault Victim Intervention (SAVI) responsibilities and reporting compliance, and Navy policy provides clear succinct guidance. Training on sexual assault awareness and prevention is required and provided annually. Annual and periodic training is required for all key stakeholders of the SAVI program to include legal, medical, NCIS, and Chaplains. Training for Sailors is included throughout our curricula, including RTC Great Lakes, the Naval Academy, and prospective Commanding Officer and Executive Officer courses.

Navy continually monitors resources for the SAVI program, has funded Sexual Assault Response Coordinator (SARC) positions to cover all installations (40% increase in positions since 2005), and trains Victim Advocates for all commands, both afloat and ashore. There is ongoing collaboration throughout the Navy to assess and improve the SAVI program and response to victims. Trained Victim Advocates respond quickly when incidents are reported to offer advocacy, medical, counseling, and military and civilian resources to victims. Each installation conducts monthly Sexual Assault Case Management Group meetings to review all unrestricted cases of sexual assault with key responders to address any systemic gaps or barriers.

Navy is fully engaged in collaboration and support of DoD Sexual Assault Prevention and Response Office (SAPRO) and Service Sexual Assault Prevention and Response programs. Commands transmit required incident reports promptly. Data collected on both restricted and unrestricted reports of sexual assault are forwarded to OSD SAPRO quarterly meeting data collection requirements and trend analysis with continual improvement in performance metrics.

Leaders are charged with remaining vigilant to the conditions that precipitate sexual assault and with being responsive to the needs of victims.

Defense Incident-Based Reporting System (DIBRS)

DIBRS is an information technology system funded and managed by the Defense Manpower Data Center and required under DOD Directive 7730.47. It is intended to provide more comprehensive data on the incidence and types of crimes committed within the Armed Forces. The Department of the Navy is developing a Department of the Navy Criminal Justice Information System (DONCJIS) to satisfy DIBRS reporting requirements but has been unable to predict when the system will be fully operational.

What is the status of the Navy's implementation of DIBRS and DONCJIS?

Through DONCJIS, the Department will achieve full compliance with all aspects of the DIBRS reporting requirement. The Department has recently convened a Flag Officer-level Executive Steering Committee (ESC) to provide additional focus and oversight to the effort, with the goal of bringing the system to fruition in the near term. An upcoming ESC meeting will establish the final, target implementation date which is currently projected to be mid-FY 2008.

What utility do you see for Navy's senior leaders in having the information available through DIBRS?

The Department does not anticipate using the DIBRS reporting data directly. However, the data contained in DONCJIS will provide tremendous value to Naval leaders in better understanding critical trends affecting morale, safety, and readiness. In particular, the Department's Uniform Crime Report, and associated analytical products derived from DONCJIS, will provide more insight into the quantity and types of criminal activity throughout the Navy and Marine Corps. The richness of data available from DONCJIS, when fully deployed, will provide the Department's leadership with much better management oversight and actionable information than any other current DoD system.

Independent Legal Advice

In your past assignments, you have had the opportunity to observe the working relationship between the Navy General Counsel, the Judge Advocate General of the Navy and judge advocates advising commanders in the field.

What is your view of the need for the Judge Advocate General to provide independent legal advice to the Chief of Naval Operations and the Commandant of the Marine Corps?

The Chief of Naval Operations must receive independent advice from legal counsel. The law appropriately prohibits any officer or employee of the Department of Defense from interfering with the Judge Advocate General's independent legal advice to the Secretary of the Navy and the Chief of Naval Operations. An independent, candid and trusted relationship among the Judge Advocate General and Chief of Naval Operations and the Commandant of the Marine Corps is essential to the proper functioning of their positions.

What is your view of the responsibility of judge advocates within the services and Joint commands to provide independent legal advice to military commanders?

Judge advocates in all the Services are obligated to provide independent legal advice based on sound judgment and experience. Their loyalty is to the government of the United States, while simultaneously promoting the interests of their commander.

Commanders and commanding officers are obligated to discuss military justice concerns with their staff judge advocates. Independent legal advice to military commanders is the cornerstone of our military justice system and the foundation for maintenance of good order and discipline and accountability.

Environmental Concerns

The Navy is involved in civil litigation over its use of mid-frequency active sonar during training exercises and its impact on the environment. A U.S. District Court in California recently enjoined Navy's use of mid-frequency active sonar in the Southern California at-sea training ranges through 2009 that impacted Navy training exercises needed to ensure readiness for deployment of Navy ships, submarines, and aircraft based on the west coast. On August 31st, the United States Court of Appeals for the Ninth Circuit granted an emergency stay of the District Court's injunction pending an appeal by the Navy.

What is the Navy doing to comply with environmental laws so it can continue to effectively train with mid-frequency active sonar?

In 2002, the Navy began implementation of a comprehensive, fully funded strategy to ensure compliance with applicable federal laws. In close coordination with the National Marine Fisheries Service, we have developed an execution plan that will result in completion of full environmental documentation of all major Navy training and exercise areas. The process of completing this documentation, including the required analysis and public comment periods, is a multi-year effort. The end result will be compliance for our ranges and Operating Areas.

We have issued public Notices of Intent in the Federal Register to develop Environmental Impact Statements for twelve ranges and Operating areas. We expect to finalize these documents by the end of 2009. Once finalized, we will have fulfilled all legal

requirements, including obtaining all necessary authorizations and completing all required consultations, for all training, including mid-frequency active sonar, for our at-sea ranges and operating areas.

Concurrent with implementing our long term strategy, in the interim, we have prepared environmental planning under the National Environmental Policy Act and have obtained Biological Opinions under the Endangered Species Act when necessary for all major exercises. These exercises and other major exercises through January 2009 will be conducted in compliance with the National Defense Exemption under the Marine Mammal Protection Act (MMPA). The process of obtaining Letters of Authorization under the MMPA is a several year effort; therefore the exemption was necessary in order to allow our major exercises to be conducted while the long term range and operating area documentation is prepared. The National defense Exemption was part of the strategy developed with the National Marine Fisheries Service that allows both agencies to apply resources to the long-term plan.

During the exemption period, we will continue to employ stringent, scientifically based, mitigation measures, developed with NOAA's concurrence, to protect marine mammals during all sonar activities.

Despite our compliance plan, lawsuits have been filed concerning our Joint Task Force Exercises and Composite Training Unit Exercises occurring in the Southern California Operating Area and our Undersea Warfare Exercises occurring in the Hawaiian Islands Range Complex. We are working with the Department of Justice in addressing these lawsuits.

Continued training with active sonar is absolutely essential in protecting the lives of our Sailors and Marines and our nation's defense. Increasingly quiet diesel-electric submarines continue to proliferate throughout the world. Our Navy must train to counter diesel-electric submarines and to ensure our forces can locate, track, and defeat them. Active sonar is the primary system to accomplish this task.

Congressional Oversight

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

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

Yes.

Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

Yes.

Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Chief of Naval Operations?

Yes.

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

Yes.

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.