

**NOMINATIONS OF HON. DEBORAH LEE JAMES
TO BE SECRETARY OF THE AIR FORCE;
HON. JESSICA GARFOLA WRIGHT TO BE
UNDER SECRETARY OF DEFENSE FOR PER-
SONNEL AND READINESS; MR. FRANK G.
KLOTZ TO BE UNDER SECRETARY OF EN-
ERGY FOR NUCLEAR SECURITY; MR.
MARCEL J. LETTRE II TO BE PRINCIPAL
DEPUTY UNDER SECRETARY OF DEFENSE
FOR INTELLIGENCE; AND MR. KEVIN A.
OHLSON TO BE A JUDGE OF THE U.S.
COURT OF APPEALS FOR THE ARMED
SERVICES**

THURSDAY, SEPTEMBER 19, 2013

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

The committee met, pursuant to notice, at 9:33 a.m. in room SD-G50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Reed, McCaskill, Udall, Hagan, Shaheen, Gillibrand, Blumenthal, Donnelly, Kaine, King, Inhofe, McCain, Chambliss, Wicker, Ayotte, Graham, Vitter, Blunt, and Lee.

Other Senator present: Senator Conrad.

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; Jonathan S. Epstein, counsel; Gabriella E. Fahrner, counsel; Creighton Greene, professional staff member; Michael J. Kuiken, professional staff member; Gerald J. Leeling, general counsel; Thomas K. McConnell, professional staff member; Mariah K. McNamara, special assistant to the staff director.

Minority staff members present: John A. Bonsell, minority staff director; Daniel C. Adams, minority associate counsel; Steven M. Barney, minority counsel; William S. Castle, minority general counsel; Samantha L. Clark, minority associate counsel; Allen M. Edwards, professional staff member; Anthony J. Lazarski, profes-

sional staff member; Daniel A. Lerner, professional staff member; and Robert M. Soofer, professional staff member.

Staff assistants present: Daniel J. Harder and Kathleen A. Kulenkampff.

Committee members' assistants present: Carolyn Chuhta, assistant to Senator Reed; Jason Rauch, assistant to Senator McCaskill; Casey Howard, assistant to Senator Udall; Christopher Cannon, assistant to Senator Hagan; Mara Boggs, assistant to Senator Manchin; Patrick Day, assistant to Senator Shaheen; Moran Banai and Brooke Jamison, assistants to Senator Gillibrand; Marta McLellan Ross, assistant to Senator Donnelly; Karen Courington, assistant to Senator Kaine; Steve Smith, assistant to Senator King; Paul C. Hutton IV, assistant to Senator McCain; Lenwood Landrum, assistant to Senator Sessions; Todd Harmer, assistant to Senator Chambliss; Joseph Lai, assistant to Senator Wicker; Brad Bowman, assistant to Senator Ayotte; Peter Schirtzinger, assistant to Senator Fischer; Craig Abele, assistant to Senator Graham; Joshua Hodges, assistant to Senator Vitter; Robert Moore, assistant to Senator Lee; and Jeremy Hayes, assistant to Senator Cruz.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody. The committee meets this morning to consider the nominations for a number of important and challenging assignments within the Department of Defense (DOD).

We welcome Deborah James, who is nominated to be Secretary of the Air Force; Jessica Wright, who is nominated to be Under Secretary of Defense for Personnel and Readiness; Frank Klotz, nominated to be the Under Secretary of Energy for Nuclear Security; Marcel Lettre, nominated to be Principal Deputy Under Secretary of Defense for Intelligence; and Kevin Ohlson, nominated to be a judge of the U.S. Court of Appeals for the Armed Forces.

We also welcome your family members here this morning. The committee recognizes the immense contribution which are made by families and other friends for the success of the efforts which you undertake. We thank them for joining us today.

Our witnesses, during their opening statements, should feel free to introduce family members and others who are here to be with them today.

We're especially pleased to welcome back to our committee Senator Conrad, who is a—I won't say an "old friend," because he still looks a lot younger than he did when he left the Senate. I hope there is a connection between the two, for personal reasons. [Laughter.]

But, he's been a dear friend of all of us, and he made such a contribution here, when he was here, that we think about him all the time. Please feel welcome here as you introduce Mr. Klotz, and say hi to Lucy for us, too, if you would.

The positions to which the witnesses have been nominated are some of the most demanding in the Department of Defense. We thank all of our nominees for their commitment and dedication, and especially for their willingness to continue to serve our country.

The Secretary of the Air Force is responsible for seeing to all Department of the Air Force affairs, including organizing, training, equipping, and providing for the welfare of nearly 330,000 Active Duty men and women, 176,000 Air National Guard and Air Force Reserve members, 186,000 civilians and their families. If confirmed, Ms. James will assume control at a time of immense fiscal challenge. Her responsibility to oversee the Air Force's annual budget of more than \$110 billion is going to require the wise balancing of risk across the force while also ensuring core Air Force capabilities remain robust.

The Under Secretary of Defense for Personnel and Readiness is the Secretary of Defense's senior policy advisor on a range of issues, including total force management, military and DOD civilian personnel policy, healthcare, and compensation. If confirmed for this position, Ms. Wright will play a critical role in the Department's efforts to address many difficult issues; chief among them, eliminating the scourge of sexual assault and sexual harassment in our military. Ms. Wright is no stranger to the rigors of this position, having already served in an acting capacity for several months.

If confirmed as the Under Secretary of Energy for Nuclear Security, Mr. Klotz will be the administrator for the National Nuclear Security Administration (NNSA). His responsibilities will include overseeing the safety, reliability, and performance of the Nation's nuclear weapons stockpile and promoting international nuclear safety and nonproliferation. Mr. Klotz has held numerous positions in the fields of arms control and nuclear policy, including advising the President as the Director for Nuclear Policy and Arms Control on the National Security Council staff, experiences that will surely serve him well.

The Principal Deputy Under Secretary of Defense for Intelligence is a new position that will serve as the primary staff assistant and advisor to the Under Secretary of Defense for Intelligence. His responsibilities will include policy and strategic oversight of all DOD intelligence activities, counterintelligence and security policy, plans and programs, and exercise planning. Mr. Lettre has spent several years in the halls of the Pentagon, where he's currently serving as the Special Assistant to the Secretary of Defense, and, prior to that, as the Principal Deputy Assistant Secretary of Defense for Legislative Affairs.

Mr. Ohlson, if confirmed, will join four other civilian judges as a member of the U.S. Court of Appeals for the Armed Forces, the highest court for military personnel on Active Duty and others subject to the Uniform Code of Military Justice (UCMJ) and others subject to the UCMJ beside personnel who are on Active Duty. The court exercises jurisdiction over all appeals from United States military courts and is a vital part of the military justice system. Mr. Ohlson has many years of relevant experience, serving currently as the chief of the Department of Justice's Professional Misconduct Review Unit and previously in the Office of the Attorney General and as a Judge Advocate General (JAG) in the Army. This extensive background makes Mr. Ohlson a strong candidate for this judicial role.

Again, we welcome all of our nominees today. We look forward to your testimony.

I now will call on Senator Inhofe.

STATEMENT OF SENATOR JAMES M. INHOFE

Senator INHOFE. Thank you, Mr. Chairman. You've done a good job of describing what you guys are going to be involved in, but, at the risk of sounding negative, I look at some of the problems that you'll be faced with. General Klotz, you'd be taking the reins of the NNSA at a time that is really difficult right now. I think you know that, and I'm anxious to hear your testimony.

Congress has serious concerns about the management of the administration, especially in respect to the cost-growth schedule slippage in all of that. We look forward to your thoughts on that.

Ms. Wright, again, I apologize for not having been there when you were at our scheduled visit, but we had a chance to visit vicariously anyway. You've served as the Acting Under Secretary since January of this year, and have been involved in a lot of important but controversial things. I am concerned about your thoughts on sexual assault, religious expression. I'm troubled by your September 4, 2013, decision concerning administrative leave. I'm also concerned about the impact of our civilian personnel furloughs. I know that we suffered some 24,000, just in my State of Oklahoma, 14,000 just at Tinker Air Force Base. It is serious, and I'm just wondering what we are accomplishing from that.

Ms. James, the Air Force is forced to ground a third of its combat-coded Active squadrons for a time during 2013. According to the Chief of Staff of the Air Force, it will now cost a minimum of 10 percent more for flying hours to recover, back where we were. It's a tough time that you're getting into that position.

It's also been reported that the Air Force is considering the retirement of its entire fleets of aircraft, including the A-10s, F-15Cs, B-1s, and the KC-10s. I'm very much concerned about this. It's a disarming of America that bothers me a great deal.

Mr. Lettre, if confirmed, you'll be confronted with a number of significant challenges, including the ongoing uncertainty in Syria, and then the challenges in Iran, which have always concerned me more than the problems in Syria, quite frankly. The cyber operations, the development of a national cyber force, are also things that are going to be—you're right in at the ground floor of that—a matter of keeping up with the competition. It's going to be tough.

Finally, Mr. Ohlson, in terms of military justice, I know there are people like Senator Graham and others who have had a lot more personal experience. I go all the way back to before you guys were born, when I was in the Army and was a court reporter for the justice system, and I've developed some pretty strong feelings about it since that time.

I look at you, and I wonder why in the world you're doing this, but I'm glad you are, and we're anxious to hear your testimony.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Inhofe.

I'm going to ask the standard questions of all of our civilian nominees first, then I'm going to call on Senator Conrad, who is going to introduce Mr. Klotz, and then I'm going to go to the order

in which we've indicated on our hearing notice, calling first on you, Ms. James.

First let me start with the questions that I ask all of our civilian nominees.

In order to exercise its jurisdiction, we must receive testimony, briefings, and other communications of information; and so, these questions and their answers become very important to us.

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

[All five witnesses answered in the affirmative.]

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

[All five witnesses answered in the negative.]

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

[All five witnesses answered in the affirmative.]

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

[All five witnesses answered in the affirmative.]

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

[All five witnesses answered in the affirmative.]

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

[All five witnesses answered in the affirmative.]

Finally, 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?

[All five witnesses answered in the affirmative.]

Thank you all.

Now let me call on Senator Conrad.

STATEMENT OF HON. KENT CONRAD, U.S. SENATOR FROM THE STATE OF NORTH DAKOTA (RETIRED)

Senator CONRAD. Thank you, Mr. Chairman. I also want to acknowledge the ranking member of the committee, Mr. Inhofe. Thank you very much for this opportunity to introduce General Klotz. I might say that I miss very much our association after retiring.

I want to acknowledge that General Klotz is here with his wife, Nancy, as well as his son, Justin. His son, Justin, actually runs a nursing home, which may have special relevance for me now that I've left the Senate, may have special relevance for some of you who are about to leave.

Chairman LEVIN. Thank you for reminding us. [Laughter.]

Senator CONRAD. It is so good to be back with colleagues that I like and respect.

I am here to commend to you General Frank Klotz, somebody that I've known for more than 20 years and have grown to greatly respect.

Frank Klotz is a renaissance man. He's extremely well educated, he has a distinguished service in the military, and he has a remarkable record of accomplishment in the diplomacy of arms control.

Let me just briefly remind you of part of his life story:

In 1973, he graduated with distinction from the U.S. Air Force Academy. He was named a Rhodes Scholar and holds a Ph.D. from Oxford. In 1983, the U.S. Jaycees [U.S. Junior Chamber] named him one of the ten outstanding young men of America. In 1986, he became commander of the Strategic Missile Squadron at Grand Forks Air Force Base in North Dakota. In 1990, he was made the chief of the Nuclear Biological and Chemical Plans Branch at the U.S. Mission to the North Atlantic Treaty Organization (NATO) in Brussels, Belgium. In 1991, he became commander of the 321st Operations Group at Grand Forks Air Force Base, ND. In 1993, he became director of the Chief of Staff's Operations Group at the U.S. Air Force Headquarters here in Washington. In 1995, he became commander of the 91st Missile Group at Minot Air Force Base, ND.

Notice a pattern, here? [Laughter.]

North Dakota—Grand Forks, ND; Minot, ND.

In 1999, he was our Defense Attache in Moscow. He was the senior U.S. military officer based in Russia. In 2001, he became the Director for Nuclear Policy and Arms Control at the National Security Council in the White House. In that position, he advised the President on all aspects of nuclear weapons policy. He represented the White House in talks leading to the 2002 Moscow Treaty that reduced deployed weapons by two-thirds. As I recall, that treaty passed the Senate on a vote of 95 to 0. Pretty good.

In 2003, he became Commander of the 20th Air Force. In that position, he led 9,500 men and women of our intercontinental ballistic missile forces. In 2005, he became Vice Commander of U.S. Space Command, so he was second in command of over 39,000 men and women. In 2006, he was awarded the General Thomas D. White Trophy for Most Outstanding Contribution to Aerospace. In 2007, he became the Assistant Vice Chief of Staff and Director of the Air Force staff—again, here at headquarters.

In 2009, he became Commander of Global Strike Command at Barksdale Air Force Base in Louisiana. He stood up that command. In that position, he led 23,000 Americans, men and women, and oversaw all nuclear-capable bombers and missiles.

In 2011, he won the prestigious General Larry D. Welch Award for his leadership. In 2011, he became a senior fellow at the Council of Foreign Relations.

This is an uncommon man with a common touch. He is smart, with remarkably good judgment, who has dedicated his life to the defense of our country. I could not be more honored than to recommend to you General Frank Klotz to be Under Secretary of Energy for Nuclear Security. I know of no one more qualified or more prepared for the position than General Frank Klotz.

Thank you very much for this time. It's good to see you all again, and I hope I'll have other chances to see you in the future.

Chairman LEVIN. Thank you so much, Senator Conrad, for a very powerful and heartfelt introduction. We know you have to leave, so please feel free to do that.

Ms. James.

**STATEMENT OF HON. DEBORAH LEE JAMES, NOMINEE TO BE
SECRETARY OF THE AIR FORCE**

Ms. JAMES. Thank you, Mr. Chairman and Senator Inhofe, other members of the committee. I am deeply, deeply appreciative of the opportunity to appear before all of you today. I want to also thank Secretary Hagel for his support, as well as President Obama for the confidence that he has placed in me by putting my name forward as the nominee to be the 23rd Secretary of the Air Force.

Needless to say, I view this opportunity as the privilege and an honor of a lifetime. If confirmed, I will work very hard to ensure that I live up to what is an enormous amount of trust that may be placed in me.

I'd also like to take just a moment to say to all of the airmen who may be with us today here in the committee room, or who may be listening from elsewhere—I want to wish them all a very happy 66th birthday. I think I speak, certainly, for all of this panel and all of America to say that we are very proud of our Air Force. I know I am.

I also want to recognize some very important people who are in my life. They're very important to me, personally, and they give me great joy every day. Seated behind me is Frank Beatty, my husband, and three of our four children. With me today is Sam Lee, Regina Lee, and Michelle Beatty. Paul, our fourth child, could not be with us here today. He is in school at George Mason University, and he was not going to cut class. I thought that was a good decision on his part.

Chairman LEVIN. Well, what is the excuse for these kids who are with you, then? [Laughter.]

Ms. JAMES. But, anyway, you guys, thank you so much for being here and supporting me. I love you all very much.

Incidentally, Senators, I would love you to know that Sam and Regina were here with me almost precisely 20 years ago when I first appeared before this committee to be considered as the Assistant Secretary of Defense for Reserve Affairs. If you take a real good look at them now, I think you will agree with me that they are a whole lot taller and much less squirmy than they were 20 years ago.

I also notice that I have quite a few friends and colleagues who turned out to support me, so a quick shout-out and thanks to Michelle and Tom, Amy, Jim, Mason, Linda, Seileen, Paula, Larry, Louise, Mick, Tom—I have quite a gang back there. Thank you all very much; it means a great deal that you've taken the time to be here.

Senators, I have worked for more than 3 decades as a civilian in support of our military. I've had experience in the executive branch, on Capitol Hill; I've been in the world of think tanks; and I've been in the defense industry. I've also been a volunteer in some of the wonderful nonprofit organizations that help our military, our veterans, and their families in ways that the Government simply cannot.

Specifically, I've served 17 years in the Government and 15 years in the private sector. My prior Government service includes a dec-

ade where I served on the staff of the professional staff of the House Armed Services Committee, and then I was 5 years in the Pentagon as the Assistant Secretary of Defense for Reserve Affairs.

Currently, I'm serving as a member of the Defense Advisory Committee on Women in the Services (DACOWITS), which is an advisory body to the Secretary of Defense on matters affecting our women in uniform. While in the private sector, I've spent the bulk of my time with the company which is my current company, Science Applications International Corporation (SAIC).

I'd like to now come right to the point and give you my bottom line and that is, I'm coming before you today absolutely committed to keeping the U.S. Air Force the very best air force in the world. Now, what does this mean to me? If confirmed, it means that I want to focus on people. As you said, Senator, there's more than 690,000 Active Duty, Reserve, Guard, and civilian airmen who form the backbone of everything that we do. It also means taking on that which will most assuredly be program budget decisions, making tradeoffs, finding the right balance between preserving the Air Force of today and building toward the Air Force of tomorrow. I have no illusions, this is going to be very hard, and we'll need everybody's help to get there from here.

It means ensuring that our Air Force is ready to take on whatever missions our leaders may task, missions to protect us and our interests overseas, as well as missions to protect Americans here at home.

Since virtually all missions nowadays are joint, it also means being an effective partner with the Army, Navy, Marine Corps, and Coast Guard. Ultimately, here's what it means. This would be my goal, if confirmed, and that would be to leave our Air Force, some years from now, on a path toward greater capability and better affordability for our taxpayers and with the people, who underpin everything, who are second to none. I pledge to you to work on all of these areas very hard, if confirmed.

I'd like to close by thanking the members of this committee, as well as the professional staff, personal staff that I see in the background, because I know that our military would not be the military that it is today had it not been for all of your efforts and all that has happened that has brought us here today.

Thank you, and I look forward to your questions.

Chairman LEVIN. Thank you very much, Ms. James.

Secretary Wright.

**STATEMENT OF HON. JESSICA GARFOLA WRIGHT, NOMINEE
TO BE UNDER SECRETARY OF DEFENSE FOR PERSONNEL
AND READINESS**

Ms. WRIGHT. Good morning. Chairman Levin, Ranking Member Inhofe, members of the committee, I am humbled to be sitting before you, and I thank you for the opportunity to be here again. I'm very grateful for the confidence that President Obama has placed in me, first to nominate me as the Assistant Secretary of Defense for Reserve Affairs and now the Under Secretary of Defense for Personnel and Readiness. I want to thank Secretary Hagel and Deputy Secretary Carter for their support of my nomination.

It's been my great honor to serve this Nation, first in uniform, for 35 years, and the last 2-plus years as a civilian with the Department of Defense.

My career in public service would not have been possible without my family. My husband, Chuck, who is here with me today, is my most avid supporter and my champion. He's a combat-tested Army officer who retired with 24 years of service. Our son, Mike, is an Army lieutenant, and he is presently serving in Afghanistan. I have a great pleasure to recognize my mom, Cass. She's here with me today, too. She's the reason that I clearly have grown into an independent woman.

A few days ago, our family buried our dad, John Garfola. My dad served in World War II as a combat medic in the China-Burma-India campaign. He was the role model for my family, and he is my hero.

I've enjoyed the tremendous opportunity of serving as the Acting Secretary of Defense for Personnel and Readiness since January of 2013. In this role, I have the responsibility of advocating for the outstanding men and women of our Active, Guard, and Reserve components, and their families, and the dedicated Department of Defense civilians. It is evident to me that our people, and those that support them, are the Department's greatest asset and their strength.

I fully acknowledge that there are many challenges facing the Department, and the most pressing challenge is the constrained fiscal climate. The Department has two sacred obligations. One is to care for its people, who are willing to sacrifice their lives in order to protect the national interest, and the second is to ensure the national security of the United States. Having had the privilege of wearing our country's uniform for 35 years, I bring a special understanding to both obligations. Our servicemembers and their families selflessly put the interests of our Nation first. Because of the sense of duty, the America's military remains one of the most trusted institutions in our society. If confirmed, I look forward to supporting Secretary Hagel, to ensure that the Department honors both of its obligations, and to sustain an agile, capable force.

One of the most significant challenges we face is the stress on our force as a result of the long, continuous period of armed conflict. For more than a decade, we've repeatedly deployed servicemembers to combat zones, hotspots, and areas of the world that are devastated by natural disaster, separating them from their loved ones for months and years at a time. Although our servicemembers never hesitate to answer the Nation's call, this call causes the toughest challenges on the battlefield and here at home. Our servicemembers and their families are under significant strain. Their minds, their bodies, their spirits require healing. If confirmed, I will ensure that the efforts necessary to provide care for our people are continued.

This year, the Department celebrated the 40th anniversary of the All-Volunteer Force. This force helped win the Cold War, stood against aggression in the Persian Gulf, kept peace in the Balkans, fought in Iraq and Afghanistan. In the next several years, we, as a Nation, will be further challenged by shifting operational requirements abroad, evolving threats to national security, and significant

budget challenges. If confirmed, I will be vigilant and ensure the Department provides the leadership and vision necessary to rebalance, adapt, and involve the All-Volunteer Force as it has done so well over the last 40 years. I'm also committed to ensuring that we maintain the military's status as the strongest, most capable, most respected fighting force in the history of the world. I'm grateful to the members of this committee for your continued leadership for the support of our military forces, their families, and the civilian employees of the Department of Defense. If the Senate confirms me for this position, I pledge that I will work diligently with you to best serve the men and women of the Department and their families. I'm deeply honored for this nomination and the potential to continue to serve our Nation.

Thank you, and I look forward to your questions.
Chairman LEVIN. Thank you, Secretary Wright.
General Klotz.

STATEMENT OF MR. FRANK G. KLOTZ, NOMINEE TO BE UNDER SECRETARY OF ENERGY FOR NUCLEAR SECURITY

Mr. KLOTZ. Thank you, Chairman Levin, Ranking Member Inhofe, distinguished members of this committee. It's a great honor to again appear before the Senate Armed Service Committee. The uniform I'm wearing today may be different this time, but my desire to serve our Nation remains as strong as it ever was. For that reason, I'm enormously grateful to President Obama and Secretary Moniz for their trust and confidence in putting forward my nomination as Under Secretary and Administrator of the NNSA.

I'm also thankful to Senator Kent Conrad for his very generous and gracious introduction. Senator Conrad has been a mentor, a role model, and a dear friend for many years. I had the opportunity to work closely with him on several challenges confronting our Nation's nuclear deterrent forces, and always in a very open and candid and collaborative manner. I like to think that we did some very worthy and noble work together.

I'd also like to thank my wife, Nancy, for her loving and steadfast support, not just today but for the nearly 40 years we shared on Active Duty, including the 29 times that she had to uproot home and family as we moved to new assignments.

Our oldest son, Justin, who lives in Philadelphia and, as you heard—Senator Conrad said, is administrator of a long-term care facility, is also here today. Our youngest son, David, is watching in Boston via webcam.

The spouses and children of those who wear our Nation's uniform serve in countless and often unrecognized ways, and routinely deal with many difficulties and hardships. They, too, deserve our deepest respect and our gratitude for their own invaluable contributions to our country. I'm certainly very proud of my wonderful family and their accomplishments.

I'm also delighted to be joined by my best friend and classmate of the Air Force Academy, the Class of 1973, which, as we speak, is convened out in Colorado Springs for our 40th anniversary. Steve was the first graduate of any Service Academy to become a Catholic priest, and today he is the President of Saint Luke Institute in Silver Spring, MD.

Finally, but certainly not least, Oliver Bloom, who serves as my research associate at the Council on Foreign Relations, is also here. He's a recent graduate of Princeton University but hails from the State of New Hampshire.

The NNSA has a unique and special responsibility for pursuing two different but complementary principles that have traditionally guided American nuclear weapons policy:

The first is that the United States must continue to lead international efforts to limit and reduce nuclear arsenals, combat nuclear proliferation, and secure nuclear materials across the globe.

The second principle is that appropriately sized nuclear forces still play an essential role in protecting U.S. and allied security interests even as we seek to reduce the overall number and role of nuclear weapons in our national security policy. As President Obama and congressional members have repeatedly emphasized: as long as nuclear weapons exist, we must maintain a safe, secure, and effective nuclear arsenal.

If confirmed to be the Under Secretary and the Administrator of the NNSA, my highest priority will be to ensure that the NNSA delivers on the commitments made to Congress and to its many stakeholders in sustaining our nuclear weapons stockpile, both now and in the future, in conducting leading-edge scientific research and preventing nuclear materials from falling into the hands of terrorists and would-be proliferators, in supporting the Navy's nuclear reactor program, in modernizing our facilities to meet the demands of the future, and in protecting the safety and security of our sites, our employees, and the public.

The Military Services often say that people are their most important asset. It's true. It applies to the NNSA, as well. Highly-trained, experienced, and motivated scientists, engineers, technicians, and security personnel are essential to performing the highly complex and technically challenging task associated with the nuclear security enterprise. If confirmed, I will be guided by the principle of "mission first, people always". To this end, I will be an unrelenting champion for the professional development and personal welfare of everyone associated with the NNSA, including recruiting and mentoring the next generation of leaders and scientists.

The NNSA performs enormously important work each and every day. Its many successes go largely unheralded. It has made tremendous progress in helping to achieve the President's goal of securing vulnerable nuclear materials around the globe. It is delivering the life-extended W76-1 warhead to the Navy on schedule and is currently transferring work at the Kansas City plant into a new, modern facility that will greatly improve efficiency. That plant, by the way, has been constructed on time and on budget.

That said, escalating costs in several major programs are a cause for serious concern, especially as pressures mount on overall government spending. Restoring trust in the NNSA's ability to deliver on its commitment requires strong leadership focus on managing cost to deliver capability for less expense. It also requires rebuilding partnerships between the headquarters and the field, between Federal employees and the laboratories and plants, and between the NNSA and Congress and DOD.

In dealing with these priorities, I expect to draw upon recent experience as the first commander of Air Force Global Strike Command. When we established the Command in 2009, our task was to establish clear lines of authority, responsibility, and accountability. We also placed strong emphasis on strengthening the safety and security culture while, at the same time, streamlining processes and eliminating needlessly burdensome non-value-added activities that stood in the way of our people and their incentive to innovate. Finally, we continually stress that everyone in the organization, regardless of job, rank, seniority, was a valued member of the team, and that her or his work was absolutely essential to success. If confirmed, this is the leadership approach I intend to bring to the NNSA.

I, again, thank you for inviting me to appear before this committee today. It truly is an honor. I stand ready to answer any questions you may have now and, if confirmed, to address any questions you or your terrific staffs may have in the future in a very open and candid way.

Chairman LEVIN. Thank you so much, General Klotz.

Mr. Lettre.

STATEMENT OF MR. MARCEL J. LETTRE II, NOMINEE TO BE PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE

Mr. LETTRE. Chairman Levin, Senator Inhofe, members of the committee, I'm honored to be with you here this morning as you consider my nomination as Principal Deputy Under Secretary of Defense for Intelligence.

Let me introduce to the committee, Mr. Chairman, my guests here with me today, to my left and just behind me: my wife, Simmons; my daughters, McKinley, age 11, and Amelia, age 9; my mother, Mary Lettre, a proud Army wife and teacher; and my father, Marcel Lettre, Senior, who is a retired Army colonel, airborne ranger, and Vietnam combat veteran, who, I might add, successfully and quite proudly avoided a Pentagon tour during his 26 years of service. Any opportunities I've had in life are because of this family, this team, and I'm grateful you all could be here today.

I also want to thank several tireless public servants who have served as mentors and colleagues over many years: Senator Harry Reid, Congresswoman Jane Harman, Deputy Secretary Ash Carter, former Under Secretary Michele Flournoy, and Under Secretary Jim Miller, and my good friend, Assistant Secretary of Defense Liz King.

I'm also pleased that a number of other friends and colleagues are in attendance today. Those that I saw include Lieutenant Colonel Ethan Griffin, Dave Muhlbaum, Jason Forrwestler, Stuart Irvin, and some others that I probably didn't get a chance to say hello to. Thank you for being here.

I'm deeply humbled that President Obama has nominated me as Principal Deputy Under Secretary of Defense for Intelligence. Since 2009, I've been honored and privileged to serve three Secretaries of Defense: Chuck Hagel, Leon Panetta, and Bob Gates. If confirmed, I'll be proud to serve Secretary of Defense Chuck Hagel and Under Secretary Mike Vickers as they lead the Department of De-

fense and the Defense Intelligence Community through a critical period of challenge and opportunity. But, most of all, I'll be proud to serve and support the men and women of the U.S. military. Their interests will be my interests, if confirmed.

Mr. Chairman, I believe we're facing the most consequential period for defense intelligence in perhaps a generation. The choices we make now as we draw down from 10 years of war and reshape our enterprise to meet new strategic and budgetary challenges will set us on a multi-decade trajectory for our defense intelligence capabilities. If confirmed, I will keep in mind three major priorities as I support Secretary Hagel, Under Secretary Vickers, and the Defense Intelligence Community:

First, to provide the best intelligence possible to those who are fighting in current operations, operations we're in today and possible contingencies in the near future. The Defense Intelligence Community must maintain its focus on the needs of our deployed men and women, conducting an incredible range of intelligence-driven, precision operations, and the needs of the President and the senior national security team, for the best intelligence possible to address today's threats.

Second, to prepare for a challenging period of budget uncertainty. This will require us to become leaner, to trim overhead, reduce duplication, and shed underperforming activities. It will not be painless or pretty, but we must make tough choices and become stronger and better even as we become smaller.

Third, to push vigorously to innovate and invest. Even as resources fall, we must sharpen the impressive capabilities that keep America's superior technological edge and protect its advantages over its adversaries. That means strengthening capabilities in counterterrorism, cyber security, and countering weapons of mass destruction. We must ensure we maintain global reach and global understanding. These priorities will require a close partnership and strong and regular dialogue between defense intelligence leaders and this committee. I look forward to contributing to that partnership.

We must implement our priorities in defense intelligence while also being ever vigilant about the need for vigorous protection of the principles, rights, and freedoms from which America gains its strength. Those of us privileged to serve in these positions of responsibility recognize that we owe our citizens and our families our full focus and our full energy on keeping the Nation safe and secure.

Thank you.

Chairman LEVIN. Thank you very much, Mr. Lettre.

Mr. Ohlson.

STATEMENT OF MR. KEVIN A. OHLSON, NOMINEE TO BE A JUDGE OF THE UNITED STATES COURT OF APPEALS FOR THE ARMED SERVICES

Mr. OHLSON. Mr. Chairman, it's a great privilege to appear before this committee as a nominee to be a judge on the U.S. Court of Appeals for the Armed Forces. I would like to thank you and the members of this committee for considering me for this important post.

I would also like to thank the President for nominating me for this position. If confirmed, I will do my level best to vindicate his trust.

Of course, I would like to thank my wife, Carolyn, who is here today, behind me to my left, as well as our two children, Matthew and Katherine, who are in school. I would not be sitting here today if it were not for their enduring love and support.

Mr. Chairman, if I am confirmed for a position on the Court of Appeals for the Armed Forces, I pledge to this committee that I will bring to bear on every case I handle all of my military and criminal justice experiences so that I may be the best judge that I can possibly be. For example, I will be mindful of when I stood shoulder-to-shoulder with some of the finest people I've ever known and rappelled out of helicopters, parachuted out of airplanes, deployed to four foreign countries, and served in the Persian Gulf War. Those experiences taught me indispensable lessons about the men, women, mission, and ethos of our exceptional Armed Forces.

Further, I will be mindful of my service as a trial counsel prosecuting cases at Fort Bragg, as the Article 32 investigating officer in a case involving a serial rapist and murderer who was ultimately sentenced to death, as a Federal prosecutor for many years here in the Nation's capital, and now as the head of the office that punishes prosecutors who have engaged in professional misconduct. These experiences have taught me about the vital importance of the strength, fairness, and integrity of our criminal justice system.

Finally, if I am confirmed, I will be mindful of the men and women in uniform who so proudly and effectively serve our Nation today, such as my nephew, who just returned from a tour of duty as an infantryman in Afghanistan, as well as the many commanders I have known over the years. These experiences have taught me of the importance of striking the right balance between the need to ensure good order and discipline and the need to protect the rights of individual members of our Armed Forces.

In sum, if I am confirmed, I pledge that I will be mindful of all these factors and that I will approach every case with an open mind, guided solely by the facts and the law and by the interests of our U.S. Armed Forces and all those who serve in it.

Thank you for your consideration.

Chairman LEVIN. Thank you all.

We'll have a 7-minute first round of questions. We have timers in front of us in this room.

Let me ask you, Mr. Lettre, we've had the adequacy of our security clearance procedures raised, with tragic impact, in recent days. In your new position, if you're confirmed, there's going to be some real responsibility for DOD facility clearances in your job.

The National Defense Authorization Act (NDAA) for Fiscal Year 2014 that we approved in committee a few months ago requires the Secretary of Defense and the Director of National Intelligence to reform the personnel security clearance investigation, adjudication, and transfer processes to improve security as well as to reduce cost. I'm wondering whether you are familiar with the language in that bill.

Mr. LETTRE. Senator, I'm generally familiar with it. I haven't had a chance to study it or give it deep thought yet.

Chairman LEVIN. All right. Do you have any views on the need for improved security process reform, greater cost transparency in this area?

Mr. LETTRE. I do, Senator. There have been a number of episodes over the last several years that have pointed to a need to take a hard look at our security clearance and security processes. Just this week, as we all know, 12 families are grieving and dealing with a tragedy that occurred at the Washington Navy Yard. Secretary Hagel directed, yesterday, that Deputy Secretary Carter would undertake an immediate review of both facility security, as well as security clearances, as well as standing up an independent panel to look at those issues. I strongly support both of those.

It would be my view, going into the position, if confirmed, Senator, that I would want to take a strong role in doing what I can to be of support to those reviews while also taking into account the direction of the committee to look at those issues as part of the bill. I look forward to doing so.

Chairman LEVIN. All right. Obviously, we thought it was extremely important, even before these recent events, so I think you can take that as a challenge and a charge.

Secretary Wright, you have served in the military for 35 years before retiring as a major general in the Pennsylvania National Guard. I think you're familiar with the major effort which we're making to end sexual assault and sexual harassment, and the provisions that are in our bill as they come to the floor, and the added emphasis that we are placing on ending this scourge. One of the issues that we did not agree upon was the question of transferring responsibility to a prosecutor outside of the chain of command to determine whether or not allegations of sexual assault should be prosecuted. I'm wondering whether you have a view on the role of commanders in changing the military culture in which sexual assaults take place, and also whether we should remove those commanders from the decisionmaking process as to whether or not to charge someone with an offense that would go to a general court-martial.

Ms. WRIGHT. Sir, I do have an opinion. Clearly, the Department has an opinion, and that is to hold the commander—

Chairman LEVIN. You give us your personal opinion, though.

Ms. WRIGHT. My opinion is that the command needs to be clearly involved, and the disposition of the sexual assault needs to stay within the command, which is exactly the same position as the Department's.

Chairman LEVIN. What is the reason for your opinion?

Ms. WRIGHT. Sir, I have served as a commander, and I have also served in the position here as an Acting, and I have worked diligently to expunge sexual assault from our organization. Secretary Hagel has also made this a top priority of the Department.

The reason I believe it should stay in the command is because the command does have the responsibility for the discipline, the accountability, and the management of their command. Saying that, the commanders also have to be held accountable for what happens in their command.

Secretary Hagel has put a multitude of changes in place that will increase the commanders' accountability. The one thing he has

done is, he has raised the disposition authority to a colonel. The second thing he has done is, when a sexual assault occurs and a victim comes forward—it's not a high probability that a victim comes to the commander. The victim normally comes to the sexual assault coordinator, the medic, the chaplain, and then they take it from there, based upon the restricted or unrestricted report.

But, another thing that he has done is, if there is a sexual assault filing within a command, the first general officer in that chain of command must be aware or told that this is happening and to have oversight of what is going on with the case.

Chairman LEVIN. Thank you.

Now, Ms. James, you mentioned that you have been on the advisory board for the DACOWITS. I'm wondering if you, there in that position, but also as an Assistant Secretary of Defense for Reserve Affairs in the 1990s, whether you have a view on that question, about whether we should take away from the chain of command that decision as to whether or not to prosecute a sexual assault offense or other offenses.

Ms. JAMES. I do have a view, Senator. My personal view is identical to that of Secretary Wright. I concur that it is extremely important to keep that authority with the commanders, but equally important to hold those commanders accountable for the climate and what goes on in their units. Command is an honor and a privilege in this country; it's not an entitlement. Those who do not live up to our values simply need to be removed from that command.

It has also been my observation, just as someone who has watched the military for my entire professional life—and part of it, at times, as a civilian—is that the military has been extraordinarily effective through the chain of command when there is persistent and constant focus, unrelenting focus. I give you the examples of racial integration and drug use in the Vietnam era. When "Don't Ask, Don't Tell" was repealed, and the implementation of the new rules and expectations, the military chain of command was very, very effective. I think the reason why it hasn't been as effective on this particular matter over the decades is because that consistency of focus has been lacking.

I believe it was Chairman Dempsey who said, before this committee, some months ago at a hearing, that—and I'm paraphrasing—"We took our eye off the ball." I think that means we lost focus. There were wars, there were other things that captured that focus.

If I am fortunate enough to actually get this job and become the Secretary of the Air Force, that will be a top job that I will carry forward, is to keep that focus strong, as it will be for the person who would succeed me. It has to be kept up, and I do believe the chain of command has to be responsible.

Chairman LEVIN. Thank you very much.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

I would ask General Klotz and Mr. Ohlson—you've heard the comments by Secretary Wright and Ms. James concerning the integrity of the role of the commander. Would either of you want to comment on that, or do you agree with them?

Mr. KLOTZ. Senator, I left the military 2½ years ago, so my comments are based on those experiences. I think the fundamental responsibility of the commander is to maintain good order and discipline of her or his organization and enforcement of the UCMJ. Investigating and prosecuting those people who have violated or are suspected of having violated the UCMJ is one of the paramount duties that any commander must have.

Senator INHOFE. Yes, all right, that's a good answer.

Mr. OHLSON. Senator Inhofe, if I were to be confirmed, serving in my role as a judge, it would be my responsibility to apply whatever law all of you come up with. I'm not sure it would be appropriate for me to opine on any specific legislative changes.

Senator INHOFE. That may be true. I have a bias in this area, in having, many, many years ago, served as a court reporter in that system. It never occurred to me, during that time, that the commander would not be supreme in that process.

Secretary Wright, first of all, I appreciate the time you spent with our staff and had a chance to visit. When I first saw the Department of Defense sexual assault survey, I had a lot of things going through my mind. Those of us who are in elective office are pretty familiar with what surveys are, and the integrity of surveys. I looked at that, and when I saw the 26,000 unwanted sexual contacts—the turnout or those who are responding to a survey, are those the ones that actually represent the thinking of the entire population? Do you have any comments to make about that? Because if we're going to do surveys, let's do a better one than we already have behind us. What do you think?

Ms. WRIGHT. First, I will tell you that we do have qualified statisticians that work in the personnel and readiness field that do the surveys. But, saying that, there are a couple of other things that I would like the committee to know.

One, I think our force is about surveyed out. There are at least 400 surveys, I know, that go out to the field, and I'm convinced that there are some that the Department does that don't go through—

Senator INHOFE. Do you know what the response ratio was of this particular survey?

You're saying something I was not aware of, now.

Ms. WRIGHT. No, sir, not off the top of my head. But, I will get back to you what the response was.

Senator INHOFE. Yes, do that.

[The information referred to follows:]

The 2012 Workplace and Gender Relations Survey of Active Duty Members (2012 WGRA) was sent to 108,478 Department of Defense (DOD) Active Duty members and received completed surveys from 22,792 eligible respondents, for an overall weighted response rate of 24 percent. In contrast, the 2010 WGRA was sent to 85,614 DOD Active Duty members and received completed surveys from 24,029 eligible respondents, for a weighted response rate of 31 percent. This does represent a decline in response rates since 2010. While similar declines in response rates have been seen across military surveys, The Defense Manpower Data Center continues to obtain some of the highest response rates for surveys on military populations. Despite this, the response rate obtained in the 2012 WGRA does not diminish the statistical accuracy of the survey estimates.

Ms. WRIGHT. Also, I know the surveys go out in an email force portion. So, if you get three surveys that day, and two of them

don't apply to you, and one does, and you have a few minutes, you're going to do the one that applies to you.

Senator INHOFE. Okay, that's a good answer. That did answer the question that I have. I think that does kind of single out individuals.

One of the statements you had made—and this is a quote—is, “The Department’s policy is to treat all military personnel equally and to make the same benefits available to all qualified members.” That was a quote by you. The memorandum then goes on to authorize the administrative absence of servicemembers, offering a different opportunity for same-sex marriage as other marriage. Is that an inconsistency, or where are you on that?

Ms. WRIGHT. I believe, sir, you're referring to the 4 September memo where I talk about, if you're going to get married, and you are not able to get married with a 100-mile radius, that the command can grant you an administrative absence to a place where you can get married, and that would apply to both same-sex couples and heterosexual couples.

Senator INHOFE. Yes.

Ms. WRIGHT. I will be very honest with you. The times that it would apply to heterosexual couples will be probably few and far between. But, in a meeting that the Secretary called—he was away, he revisited the policy when he was away, he called me, and the next day that he got back, he called a meeting with the Service Chiefs and with the Service Secretaries and with the Chairman, and we discussed this, and we discussed this at great lengths. He believes—they believe—we developed that policy then, and they believe that the policy is fair and equitable to all. Granted that there is a slimmer possibility for a heterosexual couple to run up against this issue.

Senator INHOFE. That is the perception.

Ms. WRIGHT. Yes.

Senator INHOFE. I don't want to spend any more time on that issue, because we're running out of time, here.

Ms. James, I think we should give serious consideration to having a Senate Strategic Choices and Management Review hearing. I think a lot came from that, where we're trying to get a hearing from the Chiefs as to how the sequestration's going to directly affect them. We might give some consideration to have a similar hearing here in the Senate.

Ms. James, General Welsh made this statement yesterday, saying, “The damage will be insidious, but, should we face a high-end threat in the future, the impact of not modernizing will be blatant and deadly. While failing to achieve national objectives in the next counterinsurgency fight would be distressing, losing a major full-spectrum fight would be catastrophic.”

Are you sure you want to get into this? There are some real problems. Having a background and knowing a little bit about flying airplanes, back on April 9, when they made the decision to ground—approximately 16 squadrons, is it your agreement with some I have talked to and who have testified here that the cost savings of that 2- or 3-month period were not—it's going to cost a lot more than the savings that they achieve from that. Have you given any thought to that?

Ms. JAMES. My understanding, Senator, is, digging out from under the readiness hole, if you will, actually will cost us more money than had we funded it the way it was originally intended to be funded from the beginning. Yes, I agree with that, and I would like to concur with the spirit of what you're saying. I, too, am troubled by the readiness profile. Of course, hard decisions had to be made. As some of you have already pointed out, combat fighter squadrons were not able to fly for a period of time, depot maintenance was deferred, there were many civilians furloughed. It's very troubling that those actions had to be taken, and I am hopeful, still, though it is sometimes discouraging to wake up and read your morning newspaper, that there can be some agreement reached so that the entirety of our Government can get beyond sequestration and that we can get to some figure for spending, albeit a lesser figure—we know we all have to be much more affordable for our taxpayers—but to know what that figure will be so that we can execute and we can plan to a single number and have a certain degree of certainty. That is my hope.

Senator INHOFE. I appreciate it.

My time has expired, but I'm going to send a question for the record, General Klotz, concerning the B-61 and the difference in treatment between the House position and our position. I'm inclined to agree more with the House. I have some questions I'd like to send for the record to both of you who we didn't get a chance to visit.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Inhofe.

Senator REED.

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

I want to thank all of the nominees, not only for their willingness to serve, but their already distinguished public service. Thank you all very much.

Secretary Wright, one of the areas that is directly under your responsibility is the cost of all the personnel programs, and not just pay and wages, but also, particularly, TRICARE and other benefits. Every year, in the last few years, the Secretary has sent over some suggestions, along with the Chairman of the Joint Chiefs. Sometimes we follow them, many times we don't. But, the question still looms out there: As this costs increase as a percentage of your budget going forward, it gets larger and larger each year, cutting back, in terms of operations, training, maintenance, investment in new technologies. Just a very general question is, one, I presume this is going to be one of your highest priorities, to try to deal with these issues of accelerating costs, and, two, how do you propose to go about setting up a constructive dialogue with all the stakeholders—Active, retirees, beneficiaries, the people that have to train, plan, and deploy the forces? Can you comment on those two points?

Ms. WRIGHT. In reference to TRICARE, sir?

Senator REED. TRICARE and other issues under the personnel costs. The generic sort of issue of the personnel costs.

Ms. WRIGHT. Oftentimes—and we have done this already three times since I have been in the acting role—the Veteran Service Organizations (VSO) and the Military Service Organizations (MSO)—and our family council that we have—is a venue that I use to get

the word out about what we're doing in the Department. I have met with the VSOs three times since I have been the acting, and that is a very good venue to relate the changes that we're doing and also the issues that we're facing, and to hear them out about their issues and the things that we want the Department to do.

On the family side of the house, we have a Military Family Readiness Council that is made up of the Services, but it's also made up of spouses and members of all components. I use that as another venue.

We also use public affairs—George Little and I work diligently together to get our message out, no matter what the issue is within personnel and readiness, of the change of policy.

Senator REED. Can I just follow up on a quick point? I appreciate those efforts, and they're designed to communicate what you propose to do. But, there's another level here, and that is trying to build a consensus upon changes that have to be at least accepted or tolerated by many of the different groups. Are you in the active consensus-building or simply saying, "This is what we're proposing?"

Ms. WRIGHT. Sir, sometimes we have to direct things to happen.

Senator REED. I understand that.

Ms. WRIGHT. But, it's much easier to direct something to happen if you have explained why you're doing it and you take their opinions and see if you can mitigate some of the concerns that they have as you are writing the policy. That is what we do.

The meetings with all of these people are not me being dictatorial in nature and flowing one way. I am gathering their opinion, because they're really the boots on the ground out in the population that we serve.

Senator REED. Thank you very much, Madam Secretary.

Mr. Lettre, you will be Principal Deputy to the Under Secretary of Defense for Intelligence, and obviously this issue of contracting, with respect to intelligence services, has come up, with huge implications—Mr. Snowden, and now the tragedy at the Washington Navy Yard. The first question is that the concept of contractors is the purest—is that they do things in the military are not essentially military. A lot of the intelligence efforts are, really, military. Is there any thought that you've given and advice you're prepared to give with respect to redefining what roles would be appropriate for intelligence contractors versus what roles will be necessary to be filled by direct employees—military, civilian, or the Government?

Mr. LETTRE. Senator, the role of contractors, particularly in the Intelligence Community, but also across the Department, is something that the leadership team needs to put a lot of focus on in the next couple of years as we go through budget uncertainty and the budget trajectory that we're looking at.

Within the Intelligence Community, there are jobs performed by Active Duty military, jobs by career civilians, and then by contractors. I do think there are instances where contractors bring in quite unique capabilities, from a technology and an innovation perspective, that make it hard to see us being able to get that capability through any other way than through a contractor, because of the rapid-changing nature of technology.

I think in the Intelligence Community, one of the guiding principles we need to look at all of the use of contractors through as we work our way through this in the next year or 2 is exactly that: How can we ensure that anything that can only be uniquely done through a nongovernmental sector or expertise is really driving our use of contractors? As we make tough choices about how to deal with the budget challenges of the next couple of years, we keep that principle in mind.

Senator REED. Let me follow up. These incidents have also raised the issue of how we screen these contractors, to speak generally. It raises a question, one, who is responsible for what? Is it purely the responsibility of the Department of Defense to ensure the reliability and the stability of the contractor, or are the companies that employ these individuals responsible, contractually or otherwise? It would seem to me that both cases should apply, but it also seems to me, now, there's some confusion as to who really is the ultimate validator of the reliability, competence, and dependability of these individuals who have access to secrets and to facilities. Can you comment very briefly?

Mr. LETTRE. Senator, I do think it's time to take another look at the accountability of contractors and the executives who lead contracting firms in the private sector with respect to the responsibilities they may have on security clearances. Secretary Hagel's announcement, yesterday, that he's directing Deputy Secretary Carter to take a look at security clearances, as well as establishing an independent panel to look at this issue, I think provides a good opportunity to do that.

Senator REED. Thank you all very much, and, again, thank you for your service to the Nation, and good luck.

Chairman LEVIN. Thank you very much, Senator Reed.

Senator WICKER.

Senator WICKER. Thank you, Mr. Chairman. Thank you, ladies and gentlemen.

Ms. James, we had a great visit last week. Thank you for that. At that meeting, I briefly mentioned my concerns regarding the concept and implementation of the Air Force's Total Force Plan (TFP). As I mentioned to Secretary Donley and General Welsh during the Air Force posture hearing earlier this year, I believe that some elements of the TFP were shortsighted and may adversely impact our intra-theater airlift capability at a time when our Services are evolving toward more rotational deployment model. As ranking member of the Airland Subcommittee, I am very pleased that your answers to our committee's advance policy questions acknowledge that the decisions made last year regarding the TFP were made without adequate consultation of the various stakeholders who are now feeling the negative impacts of the plan's implementation. Ms. James, this is a very important answer, and I appreciate your acknowledging that fact.

Let me just ask you, there will be a national commission on the structure of the Air Force. It's scheduled to report back to Congress with findings and recommendations next year. Would the Air Force, under your leadership, consider modifications to the TFP based on the commission's findings and recommendations?

Ms. JAMES. Senator, if I may begin by saying, based on my time, both on the committee staff on the House side as well as when I served as the Assistant Secretary of Defense for Reserve Affairs, I'm a deep, deep believer in the value of the total force. I would just like to say that up front.

I would also like to say that, in some ways, it's painful to me to see some of the frictions that have been happening between the air components. Back in the 1990s, I used to refer to the air components, with respect to their utilization of the Guard and Reserve, as the superstars of the Guard and Reserve, and I still think that's so. But, clearly, there are fences to be mended, and we need to do some work here.

I absolutely welcome the work of the commission. I'm fortunate that I consider myself to be a good friend of some of the commissioners. I know General McCarthy, I know Ms. Conaton. I know several of them. I think we'll have a good working relationship. I look forward to hearing their ideas. Again, if I am confirmed into this job, I would like to think a hallmark of what I will bring to the table will be very close consultations, bringing in all of the components, talking to adjutants generals, talking to Members of Congress, and trying to come up with a go-forward proposal which will basically meet the country's needs as well as the States' needs for the very real desirability of being able to respond when disaster strikes.

With that said, I'm equally sure that we will have to take reductions. We've talked about this budget situation that we're facing, so it won't be easy. But, we need everybody's input and best efforts, and that will certainly be what I will work toward.

Senator WICKER. Thank you. Should the committee recommend modifications, you would consider those recommendations?

Ms. JAMES. I'm completely openminded and will welcome their report.

Senator WICKER. Thank you. If confirmed, will you commit to working with our committee to ensure that future Air Force manning and force-structure decisions are fully considered within the broader national strategic context?

Ms. JAMES. I do give you that commitment.

Senator WICKER. Thank you. As we discussed last week, I'm very proud of all of our installations in Mississippi. I particularly would call to your attention Keesler Air Force Base, which won the Air Force Installation Excellence Award, the leading Air Force Base in the entire Air Force.

I'm committed to ensuring that Keesler, which is a training base, maintain a flying mission. If confirmed, will you work with me to ensure that Keesler maintains an enduring flying mission?

Ms. JAMES. What I know of Keesler is all topnotch, and I look forward to visiting Keesler—with you, I hope.

Senator WICKER. Very soon, perhaps.

Ms. JAMES. You said perhaps that we should do that, could do that, so I welcome that opportunity.

Senator WICKER. Thank you very much.

Now, let me shift, then, Ms. James, to unmanned aerial systems (UAS), such as the very successful RQ-4 Global Hawk. These UASs are providing critical support to deployed forces around the world.

Combatant commanders continue to stress the importance of intelligence, surveillance, and reconnaissance (ISR), and have identified ISR shortfalls in key areas around the world. Many, if not all, members of the committee view UAVs as “the” cost-effective future of airborne ISR.

In Mississippi, we not only have the Global Hawk, but we have the Orion UAS. Orion just completed its first test flight last month at China Lake. It is designed to stay aloft for up to 5 days while carrying a 1,000-pound payload of sensors. If confirmed, I urge you and your team to be briefed on what I consider to be a very promising program in the Air Force.

What is your assessment of the potential for long-endurance unmanned systems to help meet combatant commander ISR requirements? If confirmed, would you provide to this committee, say, within 30 days, a briefing and written report of the Air Force’s investment strategy to provide unmanned long-endurance airborne ISR capability to our combatant commanders?

Ms. JAMES. First, Senator, I would say yes, I certainly will get back to you in 30 days after confirmation, if I am confirmed, to give you my best assessment that I can after that 30-day period, even if it may be incomplete still at that juncture.

Senator WICKER. Thank you.

Ms. JAMES. I do recall our discussion about Orion, and I would very much welcome learning more about that in a briefing.

As to the overall issue of unmanned systems versus manned systems, I have some familiarity with that. It’s an area that I need to look into and study more deeply to understand the costs and benefits of both. My initial take is that we certainly need both in our force. We need a complement of both, and we need to ensure that we’re looking at costs and capability and survivability. Because my understanding is, it’s somewhat different, depending on which system you’re looking at.

But, it’s an important area, and I believe in it, and I will look into it further.

Senator WICKER. Thank you. Let me just ask, real briefly, about the common support helicopter to replace our aging UH-1N fleet. As reflected in our committee-reported text, the 2014 DOD authorization bill, this committee believes that the UH-1N is critical to the nuclear security and continuity-of-government missions, and can be achieved by leveraging existing DOD production capacity.

I would commend to you, Ms. James, and to you, General Klotz, the American Eurocopter Global Strike aircraft. If confirmed, will you provide to this committee and my office, within 30 days, a briefing and written answers to the questions of, why is the Air Force not funding a UH-1N replacement program, when the Air Force states that protection of the U.S. nuclear enterprise is a top priority? How will the Air Force and the NNSA ensure that resource allocations accurately reflect our stated commitment to protect the U.S. nuclear enterprise?

Ms. James?

Ms. JAMES. Yes, I will absolutely come back to you in 30 days and give you my best answer to that, Senator.

Senator WICKER. Thank you.

General Klotz?

Mr. KLOTZ. Senator, I will, as well.

Chairman LEVIN. Okay?

Senator WICKER. Thank you very much.

Thanks for your indulgence, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Wicker.

Senator McCaskill.

Senator MCCASKILL. Thank you, Mr. Chairman.

One of the distressing things that has occurred in the honest disagreement and debate around how we work on the problem of sexual assault in the military is a narrative that has developed, unfortunately, that somehow this is about whose side you're taking, the victims or the commanders. I want to try to clarify that that is not an accurate description of discussions in the policy changes that are being debated. Rather, this is an honest disagreement over which reforms will better protect the victims and which reforms will result in more prosecutions.

I hope I have time to get back to some of the additional work we want to do. You all are aware of the body of work that Senator Gillibrand and I, together, have accomplished in this bill, along with the help of a lot of others, including the Chairman, that are going to remove commanders from in any way having authority to change the outcome of a military trial. You're aware of the fact that all victims, like the Air Force has role-modeled, are going to have their own lawyers. I won't go through all the changes we've made.

The Chairman and I continue to work on ways that we can hold the commanders accountable. If I get time to get back to that, I would like you to give, now or later, your specific recommendations on how we can hold commanders accountable for this important problem that they have to get after.

Also Article 32 and reforms that I think need to occur within Article 32. It became a weird amalgamation of a preliminary hearing, discovery, trial-run trial, it's evolved of this just over the last decade, and would like your input on that.

But, I really want to focus now on the two problems that we're all trying to get at, and that's retaliation and reporting. I know you all are aware that all of our allies that have removed commanders entirely from this decision have not seen an increase in reporting. None of them have. We know that is not the key, just doing that, in terms of increasing reporting. We know that they do not have to report to the commanders now, and they certainly won't over the reforms that are embedded in the NDAA that is going to be debated on the floor.

But, retaliation is one I would like you to address. Any of you—and if you have had experience as a JAG, and, Secretary Wright, as you've had experience as a commander—I'm trying to assess, if a victim is going back into a unit, when is the likelihood of retaliation higher, when a JAG lawyer a half a continent away has signed off on pursuing charges or when the commander of that unit has signed off, in terms of pursuing charges? Which would create an environment that would be more likely for there to be retaliation?

Secretary Wright?

Ms. WRIGHT. Ma'am, honestly, at first blush, I couldn't tell you. What I can tell you is, the victim can ask for—if the victim files an unrestricted report, and it is public—even with a restricted re-

port—they can ask for a transfer out of that particular unit. That is one right that we have for the victim. We even now if the alleged perpetrator is in that unit, we can transfer the alleged perpetrator out of the unit.

Retaliation is real. I agree with you 100 percent. Maybe not in every case, but if it's in one case, that's one too many. I believe what we need to work at, and I think that our commanders, from Secretary Hagel on down, is working at, is what I call "social courage". I put it into the aspect that, if you're in combat with someone, and your battle buddy in combat is doing something that will get you killed, you immediately will say something to that person, no matter what. You won't think about it twice.

If you are in a social situation with that same person, and that person is either drinking too much or not acting up to the values that our system wants you to act up to, and looks like something may go sour, if you will, with someone else, that social courage is there to say to that person, "Let's go home. You're drinking too much, you're being foolish."

I think that our commanders, our people, our lowest grades of enlisted, need to learn that social courage to hold that them, themselves, responsible and also hold their battle buddy responsible.

It's prosecution, and it's also holding people responsible for their actions.

Senator MCCASKILL. Ms. James, I know that there have been a number of changes already enacted in the Air Force—is there anything about a lawyer making a decision to go forward that would provide an extra level of protection, as opposed to a commander deciding to go forward?

Ms. JAMES. I, personally, don't think so. I, if I may, wanted to offer up the core, I think, of your question is, we have to instill more confidence in members of the force, that if they are victimized, we want them to come forward.

Senator MCCASKILL. Correct.

Ms. JAMES. We want them to report. All reports are good, but unrestricted reports are better, because then followup can occur.

Based on my DACOWITS experience—and DACOWITS does installation visits, we do focus groups with men and women—the sampling of people that I have talked to, some of whom have been victims, others of whom know those who have been victims—they tell me they don't come forward for a number of reasons. They feel personally ashamed, they feel that they may be blamed for what has happened. They do fear retaliation, sometimes from chain of command, sometimes from their buddies in the unit, and they just simply don't want people to know, and they're not sure that anything will be done, or at least not enough will be done.

I agree with Secretary Wright, to have the option of either transferring the alleged perpetrator or transferring the victim, to be able to go either way with that, I think, is a good thing.

I'd like to offer a specific couple of ideas. These are ideas that the DACOWITS has recommended. It goes to the issue of accountability of commanders. I believe, from every job I have ever held, either in government or in the private sector, that aligning a person's incentives and looking at what they are measured on, getting all of that into alignment, is terribly, terribly important.

The DACOWITS has recommended that it be put into the performance reviews of commanders how well or poorly they are doing in the area of the climate within their unit, and how well or poorly they are doing with respect to being a leader against sexual harassment. To the degree that each and every commander understands that his or her career is on the line to do well in this regard, people pay attention to what they're measured on. That is one idea.

Senator MCCASKILL. I thank you for that. I know my time is up, but I would look to all of you, and especially, Mr. Lettre, with your experiences as doing Article 32s and—did you say that you were one of the investigators—did I hear that in your introductory remarks? Or was that you, Mr. Ohlson?

Mr. OHLSON. Actually, that was me, Senator.

Senator MCCASKILL. Oh, well, you can't do this, then, because of the position you're nominated to. Thank goodness, though, we have civilian courts of appeals now that will be the sole arbiter of whether or not due process has been achieved within the UCMJ, instead of having these weird situation where judges could overturn jury verdicts. I'm glad that that is definitely going to get fixed.

But, any specific ideas you have about Article 32 and how we can make some reforms there.

I would mention, as I close, Mr. Chairman, that we have given victims the choice of expressing that they would prefer the charges to be done in the civilian system. Once again, giving the victim more power, empowering the victims so they do not feel like that they are being swept up in a system that nothing's going to happen and they have no control over. That also is part of our reform that I think is essential.

I thank you all and look forward to your specific suggestions.

Thank you, Mr. Chairman.

Chairman LEVIN. Two quick comments on that.

One is, for the first time, retaliation is a crime, if we can get our bill passed, because, in our bill, we would make retaliation a crime, for the first time.

Second, that suggestion of DACOWITS, about the performance review containing a review of a commander who's being reviewed as to the climate in that command, is now, by a number of us, being looked at for inclusion in our bill, when it gets to the floor, as an amendment. There's a number of us who have looked at that recommendation and feel that it's a very important recommendation, and are working on language so that it can be incorporated, hopefully, in our bill when we get to the floor.

Senator Blunt is next.

Thank you, Senator McCaskill.

Senator Blunt.

Senator BLUNT. Thank you, Chairman.

Ms. James, I didn't get a chance to visit with you before today, and I'm assuming that's probably my fault, but I look forward to talking to you more as this process goes on. I just have a couple of questions, basically, their future asset and equipment questions. We have Whiteman Air Force Base in the State that Senator McCaskill and I represent, and clearly important in our overall strategy.

The only new aircraft, I believe, out there is the long-range stealth bomber that's being considered right now. Obviously, that's an important part of our projection, maybe an important platform that other equipment can look to, to be built around. But, are you concerned that, in the decade in front of us, that's the only plane we're talking about right now as a new addition to the Air Force?

Ms. JAMES. Senator Blunt, there's really three top modernization programs that are very important to the Air Force. One is the F-35, the other is the new tanker, and the third, as you said, is the new long-range bomber. Of the three, the new long-range bomber is in the earliest phases of development.

Senator BLUNT. Right. That's what I meant, the one that is the newest thing we're launching. There's nothing that follows that in the line of talking about new—well, go ahead.

Ms. JAMES. As far as I know, those are the three top priorities. Based on what I know about those three top priorities, it seems right to me—based on the strategy that we are pursuing, based on the thrust of the rebalance toward the Pacific. You need longer range, we need more bomber forces. It's important for the triad, and so forth. These seem like the correct programs, to me, at this point.

Senator BLUNT. Now, as those are being developed, there's some discussion, of course, of taking some of the workhorse equipment, like the A-10s, and just totally eliminating entire groups of planes as we look at the money available. I think when General Welch was up here, before the House Armed Services Committee, he said that the Air Force may be forced to eliminate entire fleets that have less relevance in contested airspace, including the A-10. This would be one of the planes—I don't know, until we have something that fully meets that need, we can make that decision. That's a decision that eventually would come up to you. Do you have anything to say about that?

Ms. JAMES. I do. I am not privy to any of the predecisional work, at this point, but, as you point out, I, too, have read accounts that everything essentially is on the table. I don't know specifically about that, but I read it in my morning newspaper, as well, that this was commented upon yesterday by the chief. My understanding is that these are part of the hard decisions that are being looked at as options, but that there are no final decisions.

I do agree with you, though; if we're going to eliminate an entire aircraft which is currently serving a particular mission, we'd better be sure that we have something else that will serve that mission in the interim until one of the futuristic programs comes online.

These are all areas that I will need to delve into much more deeply if I'm confirmed, but I think this points out some of the very difficult challenges that we're going to have to work through together of how to make ends meet with the budget figures that we may be faced with.

Senator BLUNT. All right. It's going to be a big job, and these questions will get to your desk, assuming you're at that desk. I believe you will be. But, thanks for those answers.

General Klotz, we talked yesterday about the NNSA facility in Kansas City. You mentioned it again today. I think one of the things you're going to have to deal with there is, What do you do

with the property that you're leaving that goes back to World War II airplane production? Do you want to get some thoughts on how that move is going to occur, when it'll be finished, and then what happens to the property that you leave behind?

Mr. KLOTZ. Yes, Senator. The move into the new facility is currently underway and will very soon be completed, and it is an exciting facility that will not only reduce the overall footprint, or the amount of space, it takes to do the work that's been done at the Kansas City plant, but will do it much more efficiently.

You're right, there will be a facility that we will be vacating, along with the General Services Administration (GSA), in the same location on Bannister Road. The Kansas City plant has been a part of the nuclear weapons enterprise for decades. The NNSA and the people who work in the Kansas City plant consider themselves part of the social fabric of that part of the State of Missouri. As I committed to you when we met, we will be good stewards in making sure that facility is turned over as quickly as possible so that it can be reused by the citizens who live in that particular part of the State.

Senator BLUNT. Yes. Not to comment on, but just for me to say, I think, at some point, those two pieces of property that really are part of the same complex are going to, in order to allow something to happen there, probably one of the two of you needs to become the lead agency and the controlling agency. I think that'll be an early decision that you may be asked to make, whether you want to be the lead agency or whether you want the GSA to be.

I don't believe you had a chance to comment on Senator Reed's question about contractors. One, are there a lot of contractors? Two, after these recent incidents that we've seen with contractors—Edward Snowden and now the contractor at the Navy Yard—what are your thoughts about the necessity of contractors and how to better deal with this overall issue?

Mr. KLOTZ. Senator, the NNSA relies extensively on contractors, and has for a number of years. There are roughly 1,800 Federal employees in the NNSA, but there are nearly 30,000 contractor employees that work in the National Security Laboratories, in the plants, and on various other facilities, doing on it a Government-owned contractor-operated basis. They are indispensable, integral members of the team, in terms of delivering the product and the capabilities that the NNSA has to have.

The security, particularly personal security and cyber security, is an extraordinarily serious concern with respect to the NNSA, given the very sensitive nature of the information it handles, as well as the intellectual material that it also must deal with.

I have said, on several occasions, that security and safety are going to be my top priorities, if confirmed, and we need to take a very close look, given the events of the past few months, whether it's a failure in terms of security of individuals or failures in terms of securing facilities, to ensure that we have the right organization and the right tools to protect against any breaches of security.

Senator BLUNT. Okay, thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Blunt.
Senator Hagan.

Senator HAGAN. Thank you, Mr. Chairman.

I want to thank all of you for being here and for your commitment to public service. I know that your individual commitment to public service means your families, also. I want to certainly welcome the families that are behind you today.

I want to follow it up on Senator McCaskill's question on sexual assault, Ms. James. In your response to questions from the committee regarding sexual assault, you stated that, "Senior military and civilian leaders, beginning with the Secretary and Air staff, must focus on promoting an environment that does not tolerate sexual assault." Obviously. We appreciate that. But, you are aware that, twice in the past 6 months, uniformed military officials, whose job it was to prevent sexual assault, were arrested for committing sexual assault, themselves, including the head of the Air Force's program. The screening process in this area certainly needs to be discussed.

If confirmed, how do you intend to ensure that the best-qualified and appropriately screened individuals are placed in these positions and billets, not only at the top, but within all levels of the Department?

Ms. JAMES. With respect to the people who are serving in those very critical positions for the area of sexual assault, I will look forward to reviewing what the current criteria is for selection and training and so forth. I have not delved into that particular aspect deeply at this juncture.

Senator HAGAN. Obviously, it's a critical position.

Let me talk about pivoting to the Pacific, as far as the military. In the fall of 2011, the administration outlined a long-term strategy for expanding our role in the Asia-Pacific region. There's been some speculation that this pivot would require a shift of some military assets from the east to the west coast.

Ms. James, from your understanding of the President's initiatives, do you believe that the Air Force will need to physically shift assets to support the strategy? Would such a shift perhaps leave us less ready to respond to contingencies outside of the Asia-Pacific region, or even in parts of the United States?

Ms. JAMES. On that latter point, I certainly hope not, and it would be part of my job to ensure that that was not the case. That is, in terms of leaving other parts of the world or other parts of the country at greater risk. I certainly would not wish to see that happen, and I would be an advocate to not let that happen.

In terms of the overall strategy of rebalance to the Pacific—of course, we're military witnesses, we talk about a great deal about the military programs, but it really is comprehensive—it's economic, it's diplomatic, it's military, it's all of that, that our Government would be focused on for that rebalance. I think that's a recognition of the importance of the Pacific, economically and from a threat perspective, and so forth.

We'll have to be looking at all of that, and I certainly will do that, on behalf of the Air Force, if confirmed.

Senator HAGAN. This committee's markup of the NDAA for Fiscal Year 2014 prohibits authorization of a future Base Realignment and Closure round until, at the very least, DOD completes and submits to Congress a formal review of the overseas military facilities

structure. The committee is signaling, and I firmly believe, that the Department does need to prioritize domestic military bases over foreign bases, especially when you look at the fiscally constrained environment that we're in.

Once again, Ms. James, and the last question for you, what are your thoughts on this issue? Do you agree that we should continue to take a hard look at our overseas military facilities before considering looking at similar actions back home?

Ms. JAMES. I do agree we need to take a very strong look at the overseas bases, and I believe that that review is ongoing. I'll have to look into the due date of that review, but that is happening.

With respect to the overall base-closure issue, I will say that I have been briefed and I do believe that there is excess capacity in all of the Military Services. I believe the Air Force has put that excess capacity at about 20 to 24 percent.

Senator HAGAN. Does that include overseas, or are you talking now just specifically on U.S. soil?

Ms. JAMES. I believe that is the entirety, U.S. Air Force bases worldwide. As you point out, the overseas piece is important, and that part is getting a very big scrub at this point.

But, I do believe it's part and parcel of our being able to reduce overhead functions, consolidate facilities, free up money so that we can plow that money back into other resources over time. I do think it is something that we need, and we need to reduce infrastructure as best as possible across the board.

Senator HAGAN. Tell me that number one more time, you said 24 percent?

Ms. JAMES. I believe it's between 20 and 24 percent excess capacity that the Air Force has talked about.

Senator HAGAN. Oh.

Secretary Wright, the Department of Defense and the defense industry are facing challenges seeking new graduates with advanced degrees in scientific and technical fields to help develop the complex military systems. Some of these challenges include a lack of interest in traditional defense sectors by our new graduates: Federal hiring issues, budget pressure, the length that typical defense programs take to execute, and then, obviously, the competition for talent with other, not only government agencies, but the corporate sector, too. If confirmed, what would you do to ensure that the Department of Defense has access to the best and the brightest future scientific and technical talent? How would you measure the effectiveness of these efforts?

Ms. WRIGHT. Ma'am, part of the issue that we're dealing right now is, with the budgetary constraints that we're under, we are under a hiring freeze. There is, in the Department, the ability to waive some of those very important positions, and some of them would fall in the categories that you just talked about.

It is our responsibility to screen the applicants, and it's our responsibility to kind of market the positions that we have to make sure that we get the best applicants to apply.

The Science, Technology, Engineering, and Math (STEM) program starts from the bottom up and works from the bottom up for people to realize how important science, technology, engineering, and math is. That's a program that I think is worth its weight in

gold as we continue to move people through the system, through graduate degrees and applications in to the Department of Defense.

Senator HAGAN. I think we can all understand that we're not doing enough in the STEM fields in our public education schools around the country now, and I think we have to have a greater emphasis, especially beginning in middle school. It seems we lose many of the young girls in middle school.

But, this is a critical problem, and, I think, from corporate America to the national security issues, that the individuals that we must have in DOD, that we really take a very keen and strong interest to be sure that we are competing worldwide for this talent. I know how important it is, from the national security aspect, that we do get the best and the brightest, and that we keep them. I think that's an issue that I know you'll be giving it a lot of study and action.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Hagan.

Senator AYOTTE.

Senator AYOTTE. Thank you, Mr. Chairman.

I want to thank all of you for being here, and your families, for your service to our country, and for the important positions you're about to take on.

Ms. James, you and I had a chance to meet the other day and talk in person, and first of all, I want to reiterate what I told you, which is, I look forward to working with you on the basing of the KC-46A tanker at Pease Air Force Base. We're very proud of the work done by our 157th Refueling Unit. I look forward to being a partner with you on that. As we mentioned in our meeting, Senator Shaheen and I would love to have you up to New Hampshire to see that unit and also to see what is a great association between an Active Duty and a Guard unit, which I think, is a model for the country. Thank you, and I look forward to working with you on that.

I wanted to also follow up in the discussion we had—I know that Senator Blunt had asked you about the A-10s, and you said that there had not yet been a decision on A-10s. One of the concerns that I have is, I was given a slide, I believe, that came from Air Combat Command, that actually says that the A-10 fleet would be divested by fiscal year 2015, on this slide. Why that makes me concerned is that there already has been a decision made on the A-10. As you and I talked about in our meeting, the A-10 has a very important function, in terms of close air support. In fact, most recently in July, 60 soldiers were saved in Afghanistan because of the important close air support provided by the A-10.

I'm going to submit this article for the record. I hope that you will look at that.

[The information referred to follows:]

Bagram Pilots Save 60 Soldiers in Convoy Ambush

Aug 06, 2013

Air Force News| by Staff Sgt. Stephenie Wade



BAGRAM AIRFIELD, Afghanistan -- Two A-10 Thunderbolt II pilots assigned to the 74th Expeditionary Fighter Squadron, provided close-air support to 60 U.S. Soldiers July 24.

The Soldiers were part of a routine clearance patrol that was ambushed after their lead vehicle in a convoy of 12 turned over during a patrol of an Afghanistan highway. The situation forced the Soldiers to establish an overnight base while they pulled the vehicle out of a ravine. As the sun rose, the unit began to receive heavy fire from a nearby tree line. The members were pinned behind their vehicles and three of the Soldiers suffered injuries. The unit was under fire and the wounded members needed a casualty evacuation so they called for close-air support.

However, there was one problem; the ground unit didn't have a way to confirm the enemy's position. The unit did have a joint fire observer who was able to communicate an estimated location to the A-10 pilots who arrived on scene shortly after receiving the call from a local base's joint terminal air controller responsible for coordinating aerial engagements.

"I flew over to provide a show of force while my wingman was looking for gunfire below," said the flight lead of the two-ship A-10 mission. "Our goal with the show of force was to break the contact and let the enemy know we were there, but they didn't stop. I think that day the enemy knew they were going to die, so they pushed even harder and began moving closer to our ground forces."

When the enemy combatants didn't flee after the show of force, the A-10 pilots decided to deliver air-to-surface munitions to protect the friendly ground forces.

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"Even with all our (top-of-the-line) tools today, we still rely on visual references," said the lead pilot, who is on his first deployment from Moody Air Force Base, Ga. "Once we received general location of the enemy's position, I rolled in as lead aircraft and fired two rockets to mark the area with smoke. Then my wingman rolled in to shoot the enemy with his 30 millimeter rounds."

According to the pilots, that really stirred up the attacking force. The enemy moved even closer to the friendlies in an attempt to prevent the A-10 from attacking again. The ground forces were now taking on a large amount of fire from the trees and surrounding high terrain.

"We just kept putting down more 30 mm rounds," said the second A-10 pilot, also deployed from Moody AFB. "The bad guys were closing in and according to the muzzle flashes there were a lot of them, but because people were shooting all over the place, the JTAC didn't feel safe bringing in helicopters in to evacuate the wounded personnel."

The pilots said usually after the first or second pass, the enemy runs away, but this enemy force was large and willing to fight. The pilots continued to fire 30 mm rounds, but the enemy force refused to fall back. Now, the enemy force was close enough to engage the unit with grenades, so the convoy's commander approved the pilots to engage "danger-close." The term is meant to clearly communicate to the ground and air forces that the need for support is so grave the ground commander is willing to accept the potential risk to the friendly unit for the life-saving employment from the air.

"We train for this, but shooting danger-close is uncomfortable, because now the friendlies are at risk," the second A-10 pilot said. "We came in for a low-angle strafe, 75 feet above the enemy's position and used the 30-mm gun -- 50 meters parallel to ground forces -- ensuring our fire was accurate so we didn't hurt the friendlies."

The engagement lasted two hours that day, and in that time, the A-10s completed 15 gun passes, fired nearly all their 2,300, 30-mm rounds, and dropped three 500-pound bombs on the enemy force.

"That last gun runs must have made them give up," the two pilots agreed "because the firing stopped."

Shortly after the engagement was complete, an MC-12 aircraft specializing in intelligence, surveillance and reconnaissance arrived and began scanning the area for enemy forces that might be regrouping. Sometimes when close-air support leaves, enemy forces will attack again, so the A-10s remained on-station until all the Soldiers were safe.

"We wanted to make sure the area was safe because we had the pararescuemen from the 83rd Expeditionary Rescue Squadron coming to transport the injured to Bagram's hospital," said the second pilot. "The flight doctor assigned to our squadron treated the wounded in the emergency room. It was an example of a successful mission with contributions from all assets of our base."

After the pilots landed and debriefed, they went to the hospital to see the wounded Soldier.

"He was laying there and next to him was a picture of his high-school girlfriend," the lead pilot said. "We were glad knowing we helped get him home alive. He said, 'Thank you for shooting those bad guys'. Luckily we were only a few minutes away and all the friendlies made it out that day."

Providing close-air support is the squadron's main mission here, and is the specialty of the aircraft they fly, the A-10 Thunderbolt II nicknamed the "Warthog."

"This was one of the most intense sorties our squadron has come into contact with in the last four months in theater," the lead pilot said. "Afterward the Afghan National Army said they found 18 enemy dead, so I can only imagine how many were out there. This was close-air support and this is what we train for."

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Senator AYOTTE. I will ask you again: To your knowledge, has there been any decision made to divest the A-10? Because I'm not sure why these types of slides would be put out there by Air Combat Command if this decision hadn't already been made.

Ms. JAMES. Senator, first of all, I, too, look forward to visiting Pease and working with you on the base, the KC-46, and all of the other important issues that you and I talked about.

To the best of my knowledge, there is no decision on divesting A-10s or anything else, for that matter, because all of this is predecisional. However, it is my belief that planners and people who are looking at budget and possible scenarios are looking at options, and everything, including complete divestitures of aircraft fleet, these things are possibilities, they are on the table.

Senator AYOTTE. One of the issues that you and I talked about which I think is very important—I'm certainly a strong supporter of the F-35 and our fifth-generation fighter, but, until the F-35 is operational, we can't be giving up our capacity, particularly important capacity that protects our troops. What I would ask for you, as a nominee of this important position, will you agree to come and speak to Congress and brief us when the decisions are made, if there is a decision made to divest from the A-10 or any other airframe, so that we can weigh in on this important decision? Then we'll have the opportunity, of course, to ask you questions and for us to have a very important dialogue about this on all of the airframes.

Ms. JAMES. Yes, I will.

Senator AYOTTE. Thank you, I appreciate that.

I appreciated the meeting that we had, Mr. Klotz, in terms of the important positions that you've held for our country. One of the issues that is very important to me is the modernization of our nuclear deterrent. Certainly as part of the New Strategic Arms Reduction Treaty (START), many of the individuals—I wasn't here at the time—who agreed to endorse that treaty were very concerned about modernizing our nuclear deterrent.

In your position, when you're confirmed, will you be an advocate for making sure that we modernize our nuclear deterrent? How important do you believe that is, to make sure that we have a strong triad?

Mr. KLOTZ. Senator, I think it's absolutely essential that we modernize and extend the life and maintain the nuclear weapons that are currently in our arsenal for a triad of forces. We currently have the oldest stockpile, in terms of average age, that we've ever had as a Nation, and there needs to be scientific work and an awful lot of touch labor to ensure that those nuclear weapons that we retain are still fully safe, fully secure, and fully effective.

I will be an ardent champion for getting the resources, whether that's funding or people or facilities in our laboratories and in our plants, in order to carry out that most important mission, and hopefully will be persuasive with the administration and with the committees of Congress.

Senator AYOTTE. I appreciate that very much.

I also wanted to follow up, based on your prior experience in the important positions that you've held in the past that are so critical to our nuclear deterrent, you and I talked about this—there's been

some discussion of the potential for further reducing our nuclear deterrent. Certainly, the President has given some speeches that suggest that that may be a possibility. Would you recommend that we do that unilaterally?

Mr. KLOTZ. Senator, my view has always been, throughout my military career, that the best way to pursue any sort of arms control agreement is part of a negotiated treaty.

Senator AYOTTE. A treaty that would come before Congress so that Congress could weigh in on this important issue?

Mr. KLOTZ. Yes, Senator, a treaty that would come before the Senate for consent to ratification.

Senator AYOTTE. Absolutely. I appreciate that, and I think that's important, that we weigh in on it, but also that, if there's going to be any further efforts to reduce our nuclear arsenal, that certainly it not be done unilaterally, particularly with what we see happening right now around the world with some of the individuals and rogue actors who are also seeking to have their own nuclear capability. I appreciate that. You're taking on a very important position for the Nation. Thank you for your prior experience in this area, as well.

I want to thank all of you for being here.

Let me just reiterate, Mr. Lettre, that I very much look forward to the important work that I know that you are going to do in reviewing the security clearances. All of us on this committee are very troubled by what appears to be some significant lapses, in terms of a contractor getting access who had a fairly significant history of misconduct and other flags that worry us, in terms of the security clearances of our contractors and the safety of our personnel. I look forward to working with you on that, and this is a very important review that I know that you'll be a big part of. Thank you.

Mr. LETTRE. Thank you, Senator. I look forward to working with the committee on that.

Senator AYOTTE. Great.

Thank you all.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Donnelly.

Senator DONNELLY. Thank you, Mr. Chairman.

I want to give my sympathies, and that of everyone in Indiana, to the families and victims of those killed and injured at the Navy Yard. We owe a debt of gratitude to these patriots for their work on behalf of the United States and for sacrificing their lives in the service of our country.

To all the members of our panel, we want to thank you for the sacrifice you have made, and to your families for everything you have done for this Nation.

Secretary Wright, I thank you for taking the time for visiting with me earlier in this week to discuss the importance identifying servicemembers and veterans in need of mental health care. I have introduced the Jacob Saxton Military Suicide Prevention Act, and it seeks to improve identification of servicemembers at risk, and creates a career-long mental health history to help professionals provide the best possible care.

I just want to make sure of your commitment to work forward on this legislation, and to really dig deep in this area to make sure that we can end this scourge.

Ms. WRIGHT. Sir, you have my full commitment. It is not only the Department's job, but to work hand-in-glove with Congress and, truly, everyone. It's everyone's responsibility to work towards solving the suicide problem.

Senator DONNELLY. You've heard questions from my colleagues about the A-10s and about the Reserve Force. In fiscal year 2013, the Air Force submitted a budget in which 17 percent of the cuts came from the Active component, despite the fact that 67 percent of Air Force personnel is the Active component. We went through, in Indiana, as many of my colleagues have, a situation where we were providing services at 28 cents on the dollar, and were notified that there was going to be an effort to try to remove all of those services from what we were doing.

What we're looking for is, for want of a better way of putting it, a fair shake, that when a judgment is made, it is made on the numbers, it is made on who can provide the best service at the lowest cost. Obviously, I'm talking in reference to the Air Guard and others. I'm wondering what efforts you have undertaken and what you will do to ensure that DOD finds a balance between the Active Duty and the Air Guard.

Ms. WRIGHT. Sir, we are in on all the meetings that discuss the force structure as it relates to the budget and the balance and the mission prosecution that we have to do. Not only my office, but also the office that falls within my purview as in Reserve Affairs.

One of the other things that the Secretary has done is, he meets with the Council of Governors that represents the National Guard and, in turn, represents the Reserve components—the title 10 Reserve components within their State, and he has assured them that we will be transparent in what we decide to do, and he has personally met with them, and the Deputy has met with them, for the balance of the Reserve components, as it applies to the force structure and how we structure both the Reserve and the Active.

Senator DONNELLY. Ms. James, I'd like to hear your thoughts on this, as well.

Ms. JAMES. I certainly concur with what Ms. Wright just explained. I hope I, too, will get to meet with the Council of Governors. I think this kind of crosstalk is important, work with Members of Congress, and, very importantly, pull in the Guard, the Reserve, along with the Active, to include some of the adjutants general, so that we can put together a go-forward plan, which makes sense, both from the standpoint of the national mission that the Air Force has as well as responding when disaster strikes here at home. Both are very important.

Senator DONNELLY. I can tell you that, before, when this happened, it basically was just dropped in our laps and told us, "This is what's going to happen," and, "Good luck with it." Obviously, we were not willing to sit still for that kind of thing.

What I would like to also see, and I know my other colleagues have asked you this, as well, so you're going to have an active travel schedule, but we'd love to have you both come to Indiana and see the quality of the installations that we have so when you make

these judgments, that you're not just making it from a piece of paper, but you're making it from actual knowledge of what you're looking at.

Ms. WRIGHT. I would love to, sir.

Ms. JAMES. Me, too.

Senator DONNELLY. Thank you very much.

Mr.—and I apologize, I wasn't here at the start—"LaTray"?

Mr. LETTRE. "Leh'-truh," Senator.

Senator DONNELLY. "Leh'-truh," okay. I didn't know how French you are—[Laughter.]

Senator DONNELLY. Something of very significant concern to me is counterfeit microelectronics. A lot of work is done in our State, at Crane, on that. But, I think they're a troubling problem for the military supply chain. The committee has done a very comprehensive investigation of this, but one of the difficulties we face is in identifying manufacturing facilities or foundries that produce the counterfeit parts and then put them into the DOD supply chain. I'm wondering what efforts, that you can talk about here, that the Intelligence Community has taken to gather information on this, because one of our fighter planes is only as good as its worst part that is in the plane. I'd be interested in your comments on that.

Mr. LETTRE. Senator, the sourcing of counterfeit microelectronic parts and our intelligence assessments on that is not something I've had a chance to really dig deeply into. If confirmed, I would like to do so. I'm familiar with the committee's work on counterfeit parts over the last couple of years. It's been a serious contribution to shedding light on this important security risk. What I would like to do is continue the dialogue with the committee to make sure that we are putting the right capabilities to bear within the Intelligence Community to address this challenge.

Senator DONNELLY. Okay. Any efforts and emphasis you can put on this, I think, is critical to our national security.

Mr. Klotz, I was wondering what efforts you can talk to us about in regards to the partnering, for instance, that's undertaken at Crane between the Air Force and the Navy to reduce recapitalization costs as it modernizes strategic ballistic systems, working to make sure we have a stronger nuclear effort. How important do you think that is to be able to combine efforts, not only cost-saving, but also possibly having a stronger product, a stronger result, at the end of the day?

Mr. KLOTZ. Senator, I think that all options ought to be on the table, particularly as we begin the process of modernizing the warheads which are associated with both the Air Force and the Navy. I am aware that considerable work is already being done under the auspices of the Nuclear Weapons Council, which combines the efforts of both the Department of Defense and the Department of Energy and between the Air Force and the Navy, looking for ways in which they can achieve greater commonality and, in the process, perhaps make for more efficient use of our facilities and, at the same time, reduce costs of the life extension program.

I think this is an area which is ripe for a lot of work.

Senator DONNELLY. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you.

Just to follow up on the commitment you made, Mr. Lettre, to Senator Donnelly on the counterfeit parts. The law, as we wrote it, has certain requirements. First of all, it holds the contractors responsible for replacing parts. It can't be passed along to the Government to pay for those replacements. Second, we require that the parts have to be purchased from the original manufacturer. We're talking, here, about these microelectronic parts, but it applies broadly. You have to buy it from the original manufacturer or their certified suppliers and representatives or trusted vendors.

Now, there's an effort being made to weaken this provision. It has been, the provision that Senator Donnelly is referring to that we wrote into the law. We're going to need you to tell us, in the next—within a month after you're confirmed—as to whether or not those provisions in our law to address this issue are being implemented. As part of your response to Senator Donnelly's question for the record, we'd appreciate that.

Mr. LETTRE. Yes, Mr. Chairman, I will.

Chairman LEVIN. Senator Lee.

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

Thanks, to all of you, for being here today.

Ms. James, why don't we start with you. Thank you, first of all, for stopping by my office earlier this week. I enjoyed our visit a great deal.

I want to follow up on some of the conversations that we had. First, let's talk about the F-35 for a minute. I think the acquisition of this system, of this aircraft, is really important for the Nation's security and for the Air Force. I know that I and a lot of other people are looking forward to seeing it roll out. It has, of course, been a project that has been plagued with a lot of cost overruns and schedule delays. These things do happen, especially with a big long-term project, a very complex weapon system like this one. But, I'm really afraid that it could threaten the program, especially during a time like this, where we're dealing with a lot of really thorny budgetary issues. Those things tend to make everything much worse in this kind of economic climate than they might otherwise.

Can you just give me your assessment of where we are with this program, and what you could do, if confirmed, to make sure that everything proceeds as smoothly as possible within the cost parameters and the timeframes contemplated?

Ms. JAMES. Senator, this is, of course, one of the top three most important modernization programs that the U.S. Air Force has today. It's critical that we maintain the air superiority and the capability that we have had for the last 50 years. This particular program is an integral part of all of that.

First of all, one thing I'll do, if confirmed, is, I'll continue to advocate for this program, the importance of it, and be a spokesman for the fact that the threats out there are real and that we need this program to help us counter those threats.

As far as the cost growth, the schedule slips and whatnot, I agree with you, it's been a long time, it's an enormously expensive program, and we owe the taxpayers our very best.

What I know so far about recent times with this program is that things are trending in the right direction. That is to say that the program manager, General Bogdan, has reported that the costs are

coming down. Can more be done? I hope so. I don't know yet. But, it's at least trending in the right direction. We're starting to come up on some important, I'll call it, "developmental decisions," I think, particularly software. There's a software decision that will have to be made soon. Software is critically important. It can make or break a program. Ensuring that that is done correctly is another important facet.

If confirmed, in addition to advocating for this program, I will do my best, from my perspective as the Secretary of the Air Force, to work with the Under Secretary for Acquisition, Technology, and Logistics, to work with the program manager of the program, and with the Secretary of Defense, to make sure that we give value back to the taxpayer, that we watch those costs, that we birddog it every single day, have dialogue with industry—that's another important thing that's been happening lately—so that industry takes on its fair share of the risk, going forward.

Senator LEE. Thank you. Following up on that, with the F-35—we talked a little bit the other day about the F-35 basing decision; specifically, the record of decision pertaining to basing of the F-35 OPS-1. As I mentioned the other day, I was disappointed in the multiple delays in the decision. I was told, in January, that we would have a decision by March. Then I was told, a month or 2 after that, that we would have a decision either sometime this summer or, at the latest, I was told, by October. Recently, there was some indication that it might not happen in October.

I was encouraged to hear General Welsh state, yesterday, that we can still expect a decision sometime this fall. It still makes me a little bit nervous. There's still a fair amount of wiggle room in that.

Can you just tell me, as best you understand of the situation, what the reason is for the multiple delays and when, specifically, you anticipate the record of decision might be announced?

Ms. JAMES. I, too, Senator, believe that it is the fall, so that's October-November timeframe, I would say. That's based on my best understanding.

I don't know why there have been so many delays, other than, of course, it is a complex decision, there's input from a variety of sources, a lot of data has to be reviewed. But, I know it's been a frustration, and I hope it won't be too much longer.

Senator LEE. Okay. Thank you. Given your experience both within Government and outside of government, this does have all kinds of ramifications, especially for the warfighter community, as a result of the uncertainty all of this creates. I'm also worried about all of the related decisions, the military construction actions that have to be taken, all of which turn on the record of decision issuing, with regard to the basing decision.

My time's running short. Let's turn to General Klotz. Thank you, as well, for coming by my office recently. I enjoyed my visit with you, as well, General.

Congress continues to have some serious concerns with regard to cost growth and delays, as well as planning issues, at the NNSA. I assume you're familiar with the recent Government Accountability Office report that said that the NNSA has \$16 billion in cost overruns across 10 major projects, and that that could result in a

combined 38-year backlog. I assume you don't intend to be in this job for 38 years. But, a Member of Congress should never accuse an agency of doing that, because, by some measures, we're more like 1,000 or 1,500 years behind what we need to do in Congress. I just want to ask: If confirmed, how will you address some of these issues related to backlog and cost overrun?

Mr. KLOTZ. Senator, I, too, have read a number of different reports that have been written over the past 10–12 years that have taken to task the NNSA for shortcomings in program management, cost estimation, and large capital construction. I've been encouraged, as I have been preparing for the possibility of being confirmed, to learn that some significant steps have been taken in the past year or so, and since Secretary Moniz has been confirmed and entered into office as the Secretary of Energy, that are designed to enhance the internal skills of the NNSA to do cost estimation and program management, to include bringing in a lot of people who have had experience in the past with large capital construction, say, in the Navy or with the Corps of Engineers, into its own workforce.

There have also been efforts to work more closely with the Department of Defense, particularly in the area of cost estimation, to share best practices and to get an independent review of what the NNSA is anticipating will be the case with costs and as well as the scope of what the Department of Defense expects, in terms of its own requirements and the requirements of our military.

My objective will be to continue this process that has begun, to drill down even further into the processes by which we do cost estimation, project managing, and capital construction, to ensure that all alternatives are laid out and carefully vetted, and that we hold both Federal employees and contractors responsible and ensure that there are clear lines of authority and responsibility for them doing their task.

Senator LEE. Thank you very much. Thanks, to all of you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Lee.

Senator King.

Senator KING. Thank you, Mr. Chairman.

I'd like to address a general question to—I guess it would be the right side of the panel: Ms. Wright, Ms. James, and Mr. Klotz.

Is the budgetary chaos around here threatening the national security of the United States?

Ms. James?

Ms. JAMES. I think it's a very, very serious concern. If I may echo something I said earlier, it is extremely time-consuming and unsettling to be executing the way that we are executing. We're not making as good a judgments as we otherwise could if we had a fixed number to work with and the flexibility to implement. That's number one: execution is not what it could or should be.

Then, trying to plan for the future is incredibly difficult and enormously time-consuming when you are trying to plan for different scenarios.

To get beyond this point, to come to an agreement for the entirety of our Government, which I would hope could lift sequestration, give each of our Departments a new number—I'll speak for

the Air Force; I hope to be able to speak for the Air Force—we would like to know what we are really executing for and planning for, and have a greater degree of certainty than what has been the case.

Senator KING. Ms. Wright?

Ms. WRIGHT. Yes, sir, I will add to what Ms. James has said. Frankly, yesterday, the Service Chiefs testified, and, really, what they said was that they all voiced their grave concern over the readiness of our force, based upon the sequestration, the potential continuing resolution (CR), and the budget, that we—

Senator KING. Does that make the answer to my question “yes”?

Ms. WRIGHT. Yes, sir, it does. We clearly focus on those individuals that we are sending into harm’s way. We make sure they’re trained, we make sure they’re the best-equipped, and that they have what they need. But, we have a very unready force, because of the sequestration that we have just gone through, and because of the potential sequestration and the CR in 2014.

Senator KING. “An unready force” is a term that should strike fear into everyone that is listening to us today and everyone in this enterprise around here. “An unready force.”

Ms. WRIGHT. Yes, sir. Readiness is just not training; readiness is equipment modernization, readiness is equipment repair, readiness is collective and individual training, readiness is personnel risk reduction—the suicides, the family programs. That whole ball of readiness is affected because of the uncertainty of the budget.

Senator KING. Lack of readiness, lack of training, lack of all those things that you just listed, put American lives at risk, do they not?

Ms. WRIGHT. I would agree. Yes, sir.

Senator KING. General Klotz, you’ve been in this business for a long time. Have you ever seen anything like what we’re in right now?

Mr. KLOTZ. No, Senator, I don’t believe I have, except perhaps for the immediate years after the end of the Vietnam war, when there was a significant drawdown; there was a lot of pressure.

I would concur with what my two colleagues said. I also think there is an important personal dimension to that; and that is, the civilian employees of the Department of Defense, who are stalwart patriots and have given, in many cases, their entire adult lives to serving our Nation through service as civilian employees. To the extent that they were adversely affected, both in terms of the number of days they had to take furlough, but, more importantly, the hit that they took in terms of their morale and sense of importance to the mission, I think is something that we ought to bend over backwards never to repeat again, and to continuously remind them of the extraordinary contribution that they and their families make to the Department of Defense and to our national security.

Senator KING. Would you concur that the current chaos threatens national security?

Mr. KLOTZ. It certainly makes it extraordinarily difficult for those people who are responsible for carrying it out to do the work that they need to do, whether it’s operations and maintenance day-to-day on a flight line, or whether it’s developing the plans and pro-

grams that are going to position our Services and the NNSA for contributing to the national security in the future.

Senator KING. I think, Ms. James, you said something very important, and that is, it's not only the number, it's the uncertainty; it's the not knowing what the number is. I used to be in business. If we know what the rules are, you can manage to those rules. If the rules are unclear or change or uncertain, that's as much of a problem as whatever the number turns out to be.

Ms. JAMES. Absolutely, Senator. In direct answer to your question, I think this current uncertainty and, as you said, chaos does threaten our national security, because, again, I will say what I believe about the Air Force. We have the best air force in the world, and I have complete confidence in them that they will step up to the plate and do whatever we ask of them. But, in situations where you have not been able to put the resources into readiness that otherwise should have been put, it means that there's increased risk.

Senator KING. I think what's going on around here is an insult to the word "chaos". Chaos is too mild a term.

Ms. WRIGHT, one quick, not really a question, but a suggestion. A lot of effort is put into recruiting people into the armed services; not as much effort, in my judgment, is put into helping them get out. We have a huge problem, in Maine and across the country, of veterans who are unable to navigate the system, the kind of outplacement counseling, if you will, that would be equivalent to the recruiting. I hope you'll pay some attention to that. I know that there are programs, but I think that's a place where we can improve, because the system is complex. A young man or young woman leaves the Service at the age of 22 or 23, how to navigate that and the interplay with the Veterans Administration, I hope is something you'll pay some close attention to.

Ms. WRIGHT. Sir, may I answer?

Senator KING. Yes, ma'am.

Ms. WRIGHT. We've worked diligently on it, and I agree with you, that is something that we really needed to do. We have 206 transition sites across the Nation where servicemembers are required to go through a Transition Assistance Program. As they go through that program, we have married up with the Department of Labor and Department of Veterans Affairs (VA), to the point where we make the servicemembers fill out—it's mandatory that they fill out a financial sheet so we know what their finances will be when they transition, we know if they have an education, we know if they have a job lined up. If they are in that at-risk category of not having those things that would create a livelihood, the Veterans Affairs community does a warm handoff.

The example of that is, if they get out at Fort Hood, but they're going back to Maine, we do a warm handoff to the veterans community that is in Maine, so they can get the benefits that they have worked hard for and that they deserve.

We have started this program, and we are in the process of making very positive changes, and have, now, some classes that will be effective, 1 October, for them to be involved with, should they need to learn how to write a resume, should they need to get a job. Again, sir, we're doing it with the Department of Labor and VA.

Senator KING. Excellent, thank you very much.

I know I'm out of time, Mr. Chairman. I'd like to submit a question for the record to Mr. Lettre involving better coordination between the military intelligence and the rest of the Intelligence Community. We're spending \$75 billion in 2012 on intelligence, over \$20 billion in the military, over \$50 billion in the rest of the Intelligence Community. I would hope that there will be opportunities for working together, cooperation, coordination, and maybe saving a little of that money.

I'll submit the question for the record.

Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator King.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

I thank the witnesses.

Ms. James, I share your concern, and that of the other witnesses, about the chaos that my friend and colleague from Maine just pointed out. It makes it a little harder for me to make that argument when the F-35 is now the first trillion-dollar weapon system in history, a consistent series of cost overruns that have made it worse than a disgrace. It's hard for me, when a aircraft carrier, the USS *Gerald R. Ford*, is \$2 billion over the estimated cost, and no end in sight.

I keep hearing that we have reduced the F-35, and the next batch we have will have significant controls. It's still one of the great national scandals that we have ever had, as far as the expenditure of taxpayers' dollars are concerned.

I hope that you will stay on top of these cost overruns. They're throughout the Services, and I can tell you, my constituents, when they hear about the fact that the F-35 has consistently, over many years, exceeded any cost estimate that was ever begun, it's a little hard for me to get the kind of support and concern that the Senator from Maine and I share. It is still not under control.

I'm sure you know, we still have not had an audit of the Department of Defense. Yet, time after time, we mandate it here in our Defense authorizations bills, and yet, that audit is never able to be completed. The American people at least deserve an audit of what the United States military is doing.

Now, I want to say, one of your major tasks, as has probably already been mentioned in the hearing—I'm sorry I had to bounce back and forth—is the whole issue of sexual assaults. Can this committee have confidence that this is one of your highest priorities and that you can come to this committee and present to all of us a plan and a policy that will put this issue on a sharp decline and lead to a renewed confidence in the American people that young women who join the United States Air Force will have confidence that they will not be subject to a sexual assault?

Ms. JAMES. This will be one of my top priorities. I intend to work on it very, very hard, and I absolutely welcome the opportunity for that.

Senator MCCAIN. Got any ideas?

Ms. JAMES. One I put forth, and the Chairman says that you all are actively considering it, and that is to hold commanders more accountable, to include in their performance assessments a meas-

ure of the climate within their unit and how well they're doing. Because, sir, being a commander, it's not an entitlement, it's an honor and a privilege; and if they're not living up to the measure, they need to go. That is an idea that the DACOWITS has put forth, and I'm a member of that DACOWITS, so I offered that up as one suggestion.

Senator MCCAIN. Thank you. There was a time in the military where we had severe racial problems, and we embarked on a very long and exhaustive period of indoctrination of the men and women who were serving in the military. Not only that, that if there was racism exhibited, the punishment was swift and sure. That has to be part of any program that you will propose in order to cure this terrible situation which dishonors all of us.

Ms. JAMES. I absolutely agree with you.

Senator MCCAIN. Secretary Wright, in 2010, then-Defense Secretary Robert Gates said the Pentagon needed to cut staff sizes. He made this part of his efficiency initiatives. That was August 9, 2010. In 2010, the Joint Staff was 1,286 people. That was in 2010. Now we have 4,244 in 2012, a 230-percent increase. Now Secretary Hagel, I understand, is ordering a 20-percent cut in uniform and civilian personnel, officers on military command staffs. Now, where's the credibility, here, Secretary Wright?

Ms. WRIGHT. Sir, I will tell you that Secretary Hagel was very serious about cutting 20 percent of his force.

Senator MCCAIN. What's your plan?

Ms. WRIGHT. What is my personal plan for personnel and readiness?

Senator MCCAIN. What will be your plan—not your personal plan—what will be the plan that will be implemented by the Department of Defense to achieve the 20-percent cut that Secretary Hagel is advocating?

Ms. WRIGHT. Each one in the Department has the responsibility to turn in to the Deputy Secretary, Secretary Carter, an understanding and specific methods of where we are cutting. The cut comes from dollars, so we have a dollar account, it will be cut 20 percent, and we will match full-time equivalents, we will match military to that cut, by name, of positions that we will cut that will equal 20 percent. In our other items, in our travel account, in our other accounts—

Senator MCCAIN. What would be the time target for when this 20-percent cut would be completed?

Ms. WRIGHT. Sir, I have to give Secretary Carter, by the end of the month, this 20-percent cut. I believe the 20-percent cut will go into effect 2015 to 2019.

Senator MCCAIN. We can plan on this taking until 2019 to enact a 20-percent cut in a increase that is a 230-percent increase between 2010 and 2012?

Ms. WRIGHT. Sir, I would like to get back to you on the specific timeline. I don't want to say something that is incorrect, so I will make sure—

Senator MCCAIN. You're waiting until 2019 before completing a 20-percent cut. That is totally unsatisfactory, Madam Secretary. What I would like to hear from you is a plan and a date certain for when this plan would be executed. If there's skepticism on the

part of members of this committee, it goes back to 2010, when the Secretary of Defense said that there would be a 20-percent cut; in fact, we have had a dramatic increase. The Joint Staff is just one small example. I can show you—U.S. Africa Command, 15-percent increase; U.S. Central Command, 19-percent increase; the Office of the Secretary of Defense, 9.5. Not a single decrease has taken place in any of the major commands. One of the great charades, of course, was when the Joint Forces Command in Norfolk was closed; they just shifted everybody over to another command. That wasn't reduction in staffs, that was a movement in staffs.

I would appreciate it if you would submit to this committee a plan that we can count on that doesn't take until 2019 to implement.

Ms. WRIGHT. Yes, sir, I understand.

[The information referred to follows:]

The Secretary of Defense recently directed a 20 percent reduction in funding for certain headquarters (HQ) activities (Office of the Secretary of Defense, Joint Staff, Service Secretariats, and military staffs, and most 3/4-star commands). This HQ reduction is to be taken in addition to civilian reductions already reflected in the fiscal year 2014 President's budget. This 20 percent HQ reduction will be implemented beginning in fiscal year 2015 and completed by fiscal year 2019; it will be reflected in the Department's submission to the fiscal year 2015 President's budget.

Senator MCCAIN. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCain.

Senator VITTER.

Senator VITTER. Thank you, Mr. Chairman.

Thanks to all of the nominees, for your commitment to service.

Ms. James, I have a question for you. A lot of us are very concerned about what, in our opinion, is political correctness run amuck on steroids, quashing legitimate exercise and expression of religion in the military. Things like: not quashing active proselytizing, but telling somebody they can't have a Bible on their desk; that's a documented case. Telling a Christian chaplain he can't end a prayer, "In Jesus' name": that's a documented case.

Do you think these sort of issues are a problem? If so, what would you do about it?

Ms. JAMES. Senator, actually, Senator Lee talked to me about this, as well.

Senator VITTER. I apologize. I wasn't here.

Ms. JAMES. No, no, I mean in the office call.

Senator VITTER. Yes.

Ms. JAMES. I've heard about this in the last few days. Here's what I know. I have actually read the policy of the Department of Defense, and I know what that policy says. It says that the open ability to worship, there shall be freedom of all religions, as long as within good order and discipline. I know that the chaplains, the whole point that they put forth is that there shall be dignity and respect for everyone in the force.

He mentioned the same point that you mentioned—I'm not familiar with those cases. Of course, it's a question of—you have a policy, the policy seems good, to me, but then you have some people who don't follow the policy. These individual cases, we'll have to look into.

Senator VITTER. To take my two examples, let's say they're hypotheticals, not specific cases. Do you think those actions should be barred in the military?

Ms. JAMES. Having a Bible on your desk? That doesn't seem like it should be barred, to me, no.

Senator VITTER. A Christian chaplain ending a prayer, "In Christ's name"?

Ms. JAMES. It does not seem bad, to me, and if you'll allow me to consult with the Chaplaincy Corps to find out if there is some reason I'm not thinking about—but, no, it certainly does not trouble me.

Senator VITTER. Okay. We're going to give you about 42 specific examples as a followup, and I'd really urge you to look into these, because many of us, a majority on this committee, according to a vote we had recently, think this is a real issue. Thank you.

Mr. Klotz, I just have a couple of questions for you. I appreciate your experience with Global Strike Command, and I think that's very valuable. I am concerned that DOD may be weighing some major realignment and the possible restructuring of smaller commands, like Global Strike. Have you seen anything to indicate that current or future threats would not require the benefits of a strong Global Strike Command?

Mr. KLOTZ. Senator, I have to admit a fair degree of bias on this issue, as one of the individuals who helped stand up that command, and had the great privilege and honor of being the first commander. The reason we stood up the command in the first place was, at the end of the Cold War, we had divested responsibility for the Air Force's nuclear delivery systems between two different commands, commands which had an extraordinary workload and were not able to provide dedicated, focused attention to the nuclear enterprise. As a result of that, we lost focus.

As I indicated earlier, we're going to have nuclear weapons for a very long time. They must be safe, secure, and effective, and it requires focused, dedicated leadership to ensuring that is being done. That is the role of Air Force Global Strike Command.

Senator VITTER. Great, thank you.

Also, as part of the discussions about the New START treaty, the President made a very specific commitment to modernize or replace our strategic triad, and a specific dollar commitment. Unfortunately, that dollar commitment has not come close to being met, where he, in his proposals, is at least a third short. Is that a problem for our nuclear structure?

Mr. KLOTZ. If confirmed, Senator, my role will be to be the principal advocate for taking those steps that are necessary to ensure that the stockpile that we have is, as I said, safe, secure, and effective, and that we're taking all the steps, in terms of modernizing and extending the life of the nuclear weapons that we currently have.

I will certainly be a champion for every dollar, every person, every capability with a facility to make that happen, and hopefully, as I said earlier, will be persuasive with other agencies of the administration, as well as with committees of Congress, in making that case.

Senator VITTER. Great. Again, just for the record, I want to underscore—this was a clear commitment made as part of the New START treaty passage through the Senate discussions, and it just hasn't been kept. There are no big surprises. Everybody who was part of that discussion knew the budget climate. That isn't something that came up in the last 6 months; everybody knew it was a tough budget climate. But, the commitment was made for these dollars for modernization, which is essential to keep the nuclear arms we do retain safe and effective as a deterrent. We're 34 percent short of that. That really, really concerns me. I urge you to help rectify that.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Vitter.

On one of the questions which Senator Vitter raised about the allegation that somebody was not allowed to have a Bible on their desk, we've tried to get that information, and it's important that it be found so that it can be corrected if it's accurate. Ms. James, as part of your commitment to Senator Vitter, I hope that, on that one, in particular, you would see if you can identify the event and see what action was taken to correct it, because we've had difficulty confirming it. That doesn't mean it didn't happen; our staff has been unable to get that done.

In terms of the reference to, in a prayer, I think, depending on where a prayer is made—if it's made to a general audience, it could be a different responsibility on a chaplain than if it's made to an audience of his own religion, for instance. But, this is a very sensitive area, because we want to protect freedom of religion for chaplains and for our troops, but we also want to protect the freedom of religion for people who are listening to chaplains.

Ms. JAMES. Right.

Chairman LEVIN. It's a very serious subject which has been raised, and it's deserving of all of our attentions. It's gotten a lot of attention from some of us. Hopefully you'll look into the issue that Senator Vitter has raised in his—I think he said there'll be—what?—40 examples or 42 examples. If you'll get back to the full committee on what you find in that regard, we would appreciate it.

Ms. JAMES. I absolutely will, Senator.

Senator Vitter, if you have a specific example, please, give it to me, and I will ask the Air Force, as well, for information.

With respect to the other point, Senator, I totally agree with you that something that may or may not be troubling to me, personally, may be to others, and the idea of dignity and respect for all religions, to include those who have no religion at all, it's all equally important. I agree with you very much.

Chairman LEVIN. Thank you.

[The information referred to follows:]

While I am unfamiliar with the specific cases you have cited, to my knowledge there is no Air Force Instruction or policy prohibiting military members from displaying a Bible on their desk. Additionally, for Federal employees, the U.S. Equal Opportunity Commission Compliance Manual explicitly allows for the display of religious texts for use during breaks. By itself, this act would not be considered religious harassment and would not create an impermissible or hostile work environment. With regard to public prayer, I do not have a problem with chaplains ending prayer's with "in Jesus' name" and I understand chaplains are trained to respect others while leading prayer. If confirmed, I will work with the Chaplain Corps re-

garding these issues to ensure all Air Force members are abiding by and are afforded freedom of religion under all applicable laws, regulations, and policies.

Chairman LEVIN. Now, you've been asked about force structure of the Air Force and the problem which occurred here when there was just a proposal that was dropped on us and the rest of the country on the restructuring and on force structure changes. We've been hearing the Air Force from time to time, or at least members, say that this was a "messaging problem," and that a better rollout strategy would have avoided the problems that they had in presenting or selling their proposals.

Now, this was not a problem of messaging, it was a problem with the substance of the Air Force decision in addition to the problem with the process, the decisionmaking process, where most of the stakeholders are just left out of the decisionmaking process.

You've indicated that you're going to take steps to restore confidence within Congress about the quality of Air Force decisions and decisionmaking process. I just want to add my voice to that issue, because it had a huge effect, I think, on almost all of our States, the way it was done and the substance of what was done.

Now, there's a national commission on the structure of the Air Force. A report is due in February 2014. Would you let us know, as soon as you're confirmed, which we hope will be prompt for you and all of our nominees today, whether or not, in your judgment, that date is going to be met? I'm not asking for you now; I'm saying, after you're confirmed, if you would let us know that.

Do you have a question, Senator Vitter? Senator King?

Secretary Wright, just a question on the Integrated Disability Evaluation System (IDES) and the transition of wounded warriors. We, in our wounded warrior legislation, really took some major steps to integrate the DOD and the VA disability systems. The processing time under the integrated program was established in order to reduce the processing time, but also to get the right standard applied, which would be the more liberal standard from the perspective of the veteran, in our judgment. That was the VA standard. We wanted that to be uniform between DOD and the VA.

There were some additional encouraging reports about processing time, but now our servicemembers and our veterans are mired in long VA disability rating and case disposition wait times, and the VA's portion of the system now appears to be overloaded.

Have you gotten into this, as Acting Secretary? What are you going to do to ensure that the collaboration between DOD and the VA takes place to achieve the objective of providing a timely transition of wounded, ill, and injured servicemembers? Not only that, but also the most favorable standard to our vets?

Ms. WRIGHT. Yes, sir, absolutely, I have gotten into it. We have about 33,000 members within the entire IDES, presently. The Army is our biggest customer. The Army had a large group of individuals going through IDES that they worked diligently to make sure that they got the benefit they deserved and also the medical treatment that they deserved. They processed them through the system of the Medical Evaluation Board and the Physical Evaluation Board. The next step after that is the VA, and the way the VA is set up, all Army records go to a Seattle site, where they are processed in the VA section of the IDES.

Yes, there is a backlog within the VA, and I will tell you, the VA is working diligently to work through this backlog. But, one of the things that we, DOD, has done to help the VA is, we have sent soldiers, at their request, up to the Seattle VA site. Now, the soldiers cannot process the disability claims, but they can work to do the administrative work that, if the claim adjusters were not doing the disability claims, they had to do all of the administrative work, too. What we have done is take that burden, if you will, off of the claim adjusters so they can focus in on the disability claims that the Army is sending to the Seattle site.

In addition, the VA has recognized that the Seattle site is overwhelmed and cannot necessarily handle all of them in a timely manner, so they are now sending these claims out to other sites that can adjudicate the claims on a quicker, faster timeframe for the individual that is getting out of the system.

Chairman LEVIN. Okay, thank you.

Senator King.

Senator KING. Just one quick fact you might pass on to the VA, in terms of their backlog. Eisenhower retook Europe in 9 months. I don't see any reason that this shouldn't be cleared up in 9 months.

Thank you.

Chairman LEVIN. Thank you, Senator King.

Now, Senator Gillibrand was here for a long time, but she had to leave. She's going to be submitting her questions for the record. A number of us will be submitting questions for the record. Whoever takes that opportunity, I think we should express the hope that they would get questions for the record in by, let's say, next Monday—close of business, Monday. If that doesn't work for somebody, let our staff know.

If there are no further questions, we want to thank our witnesses. We hope that the committee can take up your nominations very promptly and that you would all be promptly confirmed. That's always a chairman's dream. Let's hope it takes place.

Thanks to you, your families, and your friends who are all here today, and those who aren't here because they had to go to school. [Laughter.]

We'll stand adjourned.

[Whereupon, at 12:10 p.m., the committee adjourned.]

[Prepared questions submitted to Hon. Deborah Lee James, 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 the chain of command by clearly delineating the combatant commanders' responsibilities and authorities and the role of the Chairman of the Joint Chiefs of Staff. These reforms have also vastly improved cooperation between the Services and the combatant commanders, among other things, in joint training and education and in the execution of military operations.

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

Answer. I agree with the goals of these defense reforms; indeed they have yielded a demonstrated improvement in the joint warfighting capabilities of the U.S. military. I do not currently see the need for any modifications.

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

Answer. None at this time.

Question. Do you believe that the role of the Service Chiefs under the Goldwater-Nichols legislation is appropriate and the policies and processes in existence allow that role to be fulfilled?

Answer. Yes.

Question. Do you see a need for any change in those roles, with regard to the resource allocation process or otherwise?

Answer. No.

RELATIONSHIPS

Question. Section 8013 of title 10, U.S.C., discusses the responsibilities and authority of the Secretary of the Air Force. 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 Secretary of the Air Force to the following officials:

The Secretary of Defense.

Answer. The Secretary of Defense is responsible for all matters within the Department of Defense (DOD). The Secretary of the Air Force is subject to the authority, direction, and control of the Secretary of Defense. If confirmed, I look forward to working closely with the Secretary of Defense.

Question. The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense assists the Secretary of Defense in carrying out his duties and responsibilities and performs those duties assigned by the Secretary of Defense or by law. If confirmed, I will work closely with the Deputy Secretary of Defense on all matters.

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

Answer. The Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) is DOD's most senior acquisition official. If confirmed, I look forward to working with this official on all matters related to acquisition, technology, and logistics programs impacting the Department of the Air Force.

Question. Chief of Staff of the Air Force.

Answer. The Chief of Staff of the Air Force is subject to the authority, direction, and control of the Secretary of the Air Force, presides over the Air Staff, and is a principal advisor to the Secretary. In addition, as a member of the Joint Chiefs of Staff he is a military adviser to the President, the National Security Council, and the Secretary of Defense. The relationship between the Secretary and the Chief of Staff is extremely important. If confirmed, I would foster a close working relationship with the Chief of Staff to ensure that policies and resources are appropriate to meet the needs of the Air Force and respect his additional responsibilities as a member of the Joint Chiefs of Staff.

Question. The Under Secretary of the Air Force.

Answer. The Under Secretary of the Air Force is authorized, subject to the Secretary of the Air Force's direction and control, to act for and with the authority of the Secretary of the Air Force on all matters for which the Secretary is responsible; that is, to conduct the affairs of the Department of the Air Force.

Question. The Chairman of the Joint Chiefs of Staff.

Answer. The Chairman of the Joint Chiefs of Staff is the principal military adviser 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 Staff of the Air Force on all joint matters affecting the Air Force.

Question. The Combatant Commanders.

Answer. I will work with the Chief of Staff to ensure that the Air Force is properly organized, trained, and equipped to provide the capabilities the combatant commanders need to execute their missions. This goal can be achieved through forthright dialogue which I will encourage.

Question. The Chief of the National Guard Bureau.

Answer. The Chief of the National Guard Bureau is a member of the Joint Chiefs of Staff and in this capacity serves as a military adviser to the President, Secretary of Defense, National Security Council, and is the DOD's official channel of communication to the Governors and State Adjutants General on all matters pertaining to the National Guard. He is responsible for ensuring that Army and Air National Guard personnel are accessible, capable, and ready to protect the homeland and to provide combat resources to the Army and Air Force. If confirmed, I will work with the Chief of the National Guard Bureau to find ways for the Air Force to capitalize

on the talent available in the Reserve components in order to strengthen the Total Force.

Question. The Director the Air National Guard.

Answer. The Director of the Air National Guard serves as the principal advisor on guard matters to the Secretary of the Air Force and the Air Force Chief of Staff and is responsible for formulating, developing, and coordinating all policies, plans, and programs affecting more than 108,000 Guard members and civilians in more than 88 flying wings and 175 geographically separated units across 213 locations throughout the 50 States, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands. If confirmed, I will work with the Director of the Air National Guard to find ways for the Air Force to capitalize on the talent available in the Reserve components in order to strengthen the Total Force.

Question. The Director of the Air Force Reserve.

Answer. The Chief of the Air Force Reserve serves as the principal advisor on Reserve matters to the Secretary of the Air Force and the Air Force Chief of Staff. As commander of Air Force Reserve Command, he has responsibility for the supervision of all U.S. Air Force Reserve units around the world. If confirmed, I look forward to working with the Chief of the Air Force Reserve in a continued effort to maximize the effectiveness and efficiency of the Total Force.

Question. The Assistant Secretary of the Air Force for Acquisition.

Answer. The Assistant Secretary of the Air Force for Acquisition is the Service Acquisition Executive (SAE) for the Air Force. However, the position is currently vacant and the former Secretary of the Air Force, Michael Donley, delegated SAE authority to the Principal Deputy, Assistant Secretary of the Air Force (Acquisition). If confirmed, I will work closely with the Principal Deputy on acquisition matters until the Assistant Secretary position is filled.

Question. The General Counsel of the Air Force.

Answer. The General Counsel is the chief legal officer and chief ethics official of the Department of the Air Force and serves as the senior legal advisor to Air Force leaders. He is responsible, on behalf of the Secretary of the Air Force, for the effective and efficient provision of legal services in the Air Force. If confirmed, I would look forward to developing a good working relationship with the General Counsel.

Question. The Judge Advocate General of the Air Force.

Answer. The Judge Advocate General (TJAG), per title 10 U.S.C. § 8037, is the legal advisor of the Secretary of the Air Force and of all officers and agencies of the Department of the Air Force. He is also responsible for directing judge advocates in the performance of their duties. If confirmed, I will endeavor to maintain the close working relationship the Secretary of the Air Force has historically enjoyed with the Judge Advocate General.

Question. The Superintendent of the U.S. Air Force Academy.

Answer. The Academy functions as a separate field operating agency, reporting through the Chief of Staff to the Secretary of the Air Force. If confirmed, I will work closely with the Superintendent to address issues faced by the Academy and to promote the Academy's sustained commitment to excellence and fulfillment of its mission to train and educate future Air Force leaders.

Question. The Director of the National Reconnaissance Office.

Answer. Under current organizational relationships, the Under Secretary of the Air Force is no longer dual-hatted as the Director, National Reconnaissance Office (NRO). However, a strong collaborative relationship between the Air Force and the NRO remains essential to facilitate continuing Air Force technical and personnel support for the NRO's mission. If confirmed, I would be dual hatted as the Executive Agent for Space and I would chair the Defense Space Council where I would have the responsibility of achieving unity of effort across the DOD space enterprise. I would use these and other forums to maintain a close relationship with the Director, NRO, to increase cooperation on space matters.

Question. The Director of National Intelligence.

Answer. It is also vital that a strong collaborative working relationship exist between the Air Force and the Director of National Intelligence. If confirmed, I will work with the Director of National Intelligence to foster that relationship, particularly in coordination of national security space matters.

DUTIES

Question. What is your understanding of the duties and functions of the Secretary of the Air Force?

Answer. Pursuant to title 10 U.S.C. § 8013 and subject to the authority, direction, and control of the Secretary of Defense, the Secretary of the Air Force is responsible for and has the authority necessary to conduct all affairs of the Department of the

Air Force. These functions include organizing, supplying, equipping, training, maintaining, and administering the Air Force.

Question. Assuming you are confirmed, what duties and functions do you expect that the Secretary of Defense would prescribe for you?

Answer. If confirmed as the Secretary of the Air Force, I would expect the Secretary of Defense to assign duties to me consistent with the responsibilities outlined above.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the Secretary of the Air Force?

Answer. Title 10 provides for two staffs in the same headquarters, a predominantly military Air Staff and a predominantly civilian Secretariat. My intention is that these two staffs will function effectively together as a single headquarters team supporting the needs of both the Chief of Staff and the Secretary, while protecting the Chief of Staff's independent advisory role as a member of the Joint Chiefs of Staff. I will foster close working relationships between the civilian and military staffs and work with them on matters within their areas of responsibility in order to more effectively lead and manage the Department of the Air Force.

QUALIFICATIONS

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

Answer. I have worked for more than 3 decades as a civilian in support of our military—from the executive branch, to Capitol Hill, to the world of think tanks, to the defense industry, and as a volunteer in some of the wonderful non-profits which help our military, veterans and their families in ways that government cannot.

Specifically, I served 17 years in the Government, first for the Department of the Army, followed by service on the House Armed Services Committee Staff, and then in the Pentagon as the Assistant Secretary of Defense for Reserve Affairs. Subsequently, I worked for 15 years in the private sector with United Technologies Corporation, the Business Executives for National Security and, Science Applications International Corporation (SAIC). Throughout this time, I served on boards as a volunteer with the USO, the Tragedy Assistance Program for Survivors, the Pentagon Federal Credit Union Foundation, and other military charities, as well as serving on the Defense Advisory Committee on Women in the Services (DACOWITS), an advisory body to the Secretary of Defense on matters affecting our women in uniform.

I am absolutely committed to keeping the U.S. Air Force the very best Air Force in the world.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront the Secretary of the Air Force?

Answer. The top challenges for the next Secretary of the Air Force are near-term readiness and building the most capable, affordable Air Force for 2023. The Air Force must always be prepared to answer the Nation's call, and that means we need airmen with the right training and the right equipment that can complete the difficult tasks and missions they are asked to do when they are asked to do them. If confirmed, I will do everything in my power to ensure our Air Force is ready to take on near term missions as well as build toward the challenges of the future.

The next Secretary of the Air Force will also face challenges with regard to strategy and execution in today's difficult fiscal reality. If confirmed, I will work to ensure Air Force strategy is focused on supporting the President's National Security Strategy, the Defense Strategic Guidance, and within budgets provided, I will work to ensure the ability to execute the strategy. At this time in our country's history—when airmen have been in the fight for more than 2 decades, as aging aircraft and other critical equipment have reached or will soon reach the point of needing modernization or replacement, and as Federal budget resources decline—program and budget decisions and tradeoffs cannot be avoided.

No matter what challenges confront us, our force must be confident that leaders are focused on taking care of our airmen and their families. If confirmed, my approach to decisionmaking will always keep an eye toward taking care of our airmen.

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

Answer. If confirmed, I will work with the Chief of Staff of the Air Force, the commanders of the Service's major commands, and the Headquarters Air Force staff to identify the most urgent readiness concerns in the short-, medium-, and long-term. We must address these concerns in tandem with a realistic assessment of the Service's ability to execute the defense strategy, coupled with a realistic assessment of

the current fiscal environment. We must take these issues into account during future program and budget planning.

Question. What do you consider to be the most serious problems in the performance of the functions of the Secretary of the Air Force?

Answer. I am impressed with the professionalism and expertise of the men and women who serve in the U.S. Air Force. If confirmed, I will gather data to understand priorities and work with leaders to determine solutions. Additionally, I will strive to foster an environment that encourages communication within the Air Force and DOD, across the interagency, and with the legislative branch. Good communication is an important part of any effort to addressing issues that affect our airmen and our Nation.

Question. If confirmed, what management actions and timelines would you establish to address these problems?

Answer. If confirmed, I will begin an extensive internal Air Force communication effort on my first day. From that point on, I will seek to establish a stronger communications foundation that builds on existing relationships with external stakeholders, including Congress, national security experts, and airpower advocates.

PRIORITIES

Question. If confirmed, what broad priorities will you establish?

Answer. If confirmed, I will focus on three broad priorities. First, I will be committed to taking care of people. This priority includes: recruiting and training a quality force; focusing on ending the blight of sexual assault in the Air Force; finding the right balance between the Active Duty, Reserve component, and civilian airmen who make up the Total Force; and taking care of airmen and military families.

Second, if confirmed, I will make it a priority to balance today's readiness with tomorrow's modernization needs, while supporting the requirements of combatant commanders. The nuclear enterprise will receive special attention as will increasing confidence in the acquisition process.

Third, if confirmed, I will work to ensure that the world's best Air Force is the most capable and at the lowest possible cost to the taxpayer.

READINESS LEVELS

Question. What is your assessment of the current readiness of the Air Force to execute its assigned missions?

Answer. It is my understanding that readiness has suffered, particularly under sequester. Reductions to the fiscal year 2014 President's budget would further harm readiness.

Question. How do you believe sequestration may have affected readiness?

Answer. I am aware the Air Force stood down 13 Active Duty combat squadron equivalents and 18 institutional squadrons in fiscal year 2013. I have been briefed that recovering the readiness levels of these units will take well into fiscal year 2014. The Air Force cancelled one of two Weapon Instructor Courses and curtailed or cancelled three of six Red Flag exercises. This advanced training is critical to gain and maintain readiness at the high-end of training requirements.

Curtailing and or cancelling this advanced training results in a readiness deficit "bathtub"—the Air Force cannot make up these events.

Question. Can the Air Force meet all combatant command requirements with its current readiness status?

Answer. Air Force leadership has said no, the Air Force cannot currently meet all combatant command requirements. Air Force leadership has also stated the Air Force can meet current combatant commander requirements only with the use of rotational forces. In doing so, the Air Force has few if any ready forces for emergent combatant command requirements.

Question. What do you view as the other major readiness challenges that will have to be addressed by the Air Force over the next 5 years, and, if confirmed, how will you approach all of these issues?

Answer. In addition to working toward a restoration of full spectrum training levels, the next 5 years will be critical for building the readiness and capabilities of tomorrow. Capability includes the requisite technology and weapons necessary to prevail in a highly-contested, anti-access/area-denial environment. If confirmed, I will focus on the critical and unique capabilities the Air Force provides to our Nation and the joint warfighters.

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 recruiting and retention in the Air Force for 2014? What would be the impact of a 1 percent pay raise in 2015 through 2017?

Answer. I believe military compensation is, and must remain, competitive to sustain the recruitment and retention of high caliber men and women to meet readiness requirements and accomplish the national security mission; however, in light of the current economic crisis and overall reductions in defense spending, the Air Force must look at balancing personnel costs to avoid reductions to force structure and modernization efforts critical to support the warfighter and national defense.

In the short term, I am hopeful that a 1 percent pay raise will have a negligible impact upon overall recruiting and retention. I believe that sustained pay raises below ECI warrant close monitoring of the force, given the expected improvements in the economy.

FORCE STRUCTURE CHANGES

Question. For fiscal year 2013, the Air Force proposed major changes in the force structure, with the cuts falling more heavily in the Air National Guard. These proposals were soundly rejected by Congress, based on both the content of the decisions and the way the decisions were made.

If you are confirmed as Secretary of the Air Force, what steps would you propose to take to restore confidence within Congress about the quality of the Air Force's decisions and decisionmaking process?

Answer. If confirmed, I will work closely with Congress on all issues relating to the Total Force. I believe the Air Force is committed to the Total Force (Active, Guard, Reserve) and, through efforts like the Total Force Task Force and a detailed, analytically rigorous Force Composition Analysis process, the Service will strengthen its decisionmaking in this area.

If confirmed, I plan to ensure that the decisionmaking process is highly collaborative and involves all key stakeholders from the Active component, the Air National Guard, and the Air Force Reserve. The components are key participants throughout the development, integration, and defense of the Air Force Program Objective Memorandum and implementation of the congressionally-approved budget. Additionally, a newly established consultative process involving DOD, Council of Governors, and individual States promises an even more enhanced, interactive relationship. Taken collectively, I believe these efforts will help the Air Force continue to improve the quality and transparency in its' decisionmaking process and will help restore Congress's confidence in the Air Force's firm commitment to the Total Force. Finally, I look forward to working with the National Commission on the Structure of the Air Force to provide a Total Force solution.

Question. If sequestration continues through 2018, what would be the impact, in your view, on the Active Duty and Reserve end strengths of the Air Force and how would the mix between the Active and Reserve Forces be affected?

Answer. I cannot make an assessment at this time on the future mix between Active and Reserve Forces, but if confirmed, I will work closely with Congress, State Governors, and the Reserve components to determine the right balance between Active and Reserve Forces to most efficiently satisfy force structure requirements. If sequestration continues, I would expect the end strength of both the Active Duty and the Reserve to decrease.

RESERVE DEPLOYMENT AND MOBILIZATION

Question. We understand that the Air Force may be implementing a policy of filling deployments assigned to Air Guard and Air Reserve units by ordering those units to Active Duty while specifically excluding the use of volunteers from outside those units.

What effect do you believe this policy will have on the ability of the Air Force Reserve and Air Guard to meet deployment commitments and fulfill combat missions?

Answer. I have been briefed that this new construct does not impact the ability of the Reserve component to meet their deployment commitments. If confirmed, I will dig more deeply in to this approach.

Question. Do you support assigning any support missions exclusively to the Reserve?

Answer. At this time I cannot definitively answer this question.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Question. In 2012, for the fourth year in a row, there were more than 3000 reported cases of sexual assault in the military, including 2558 unrestricted reports, and an additional 816 restricted reports. Moreover, a recent survey conducted by DOD 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. The Air Force recently addressed numerous allegations of sexual misconduct by Military Training Instructors at Basic Military Training at Joint Base San Antonio-Lackland. The Air Force addressed similar allegations of sexual misconduct at the Air Force Academy nearly a decade ago.

What is your assessment of the Air Force response to the allegations of sexual assault at Basic Military Training at Joint Base San Antonio-Lackland?

Answer. Sexual assault is an egregious and horrific crime wherever and whenever it occurs. The instances and allegations of sexual assault, unprofessional relationships, and other misconduct at Basic Military Training have been particularly troubling to me.

My assessment is that the Air Force acted aggressively to investigate, prosecute, punish perpetrators; and hold leaders accountable for the incidents at Lackland. Although we were able to take decisive action once senior leaders became aware of the crimes, I am concerned about that many victims did not feel comfortable reporting and there was a substantial delay in reporting many of the incidents at Lackland.

Over the past year, there appears to have been steady and positive progress. To the best of my knowledge, there has not been an allegation of recent Military Training Instructor sexual misconduct for more than 13 months. If confirmed, I look forward to working with Air Force leadership to ensure that Basic Military Training is a safe, secure environment and the most professionally executed training program in the world for Air Force trainees. I am committed to ensuring that the Air Force training environments foster a culture of respect where this behavior is not tolerated and victims are empowered to report any crime.

Question. What is your assessment of the Air Force's implementation of the Secretary's new policies?

Answer. It is my understanding of the Secretary's 6 May initiatives, the Air Force has implemented a legal advocacy program for victims, required that judge advocate general officers conduct pre-trial investigations and provide commanders the option to temporarily remove members accused of sexual assault from the unit. The Air Force is on track to complete the remaining three additional reforms in the next year. These include standardizing processes by which sexual assault allegations are elevated to a general or flag officer, ensure consistent standards prohibiting inappropriate conduct by trainers and recruiters, and submit to regular audits to ensure military investigations of sexual assault cases meet DOD-wide standards. I will work with the other Services and the Secretary of Defense to ensure we implement these coordinated efforts as soon as possible. One of these key reforms, the Special Victims Counsel program, was an Air Force program and illustrates the innovative and progressive efforts to enhance victim advocacy and protection. The Air Force established this as a pilot program in January 2013 and the 14 August Executive Action memo directed its adoption across DOD.

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. In my view, the chain of command has, and should retain, ultimate responsibility for the morale, welfare, good order, discipline, and effectiveness of military units. In the past the chain of command has been effective in dealing with issues such as racial integration, drug use during the Vietnam war, and the "Don't Ask/Don't Tell" policy. We need to ensure they place the same focus and emphasis on sexual assault. The chain of command must be held directly responsible for the climate and behavior of their airmen and women. They must be given both the incentives and the tools to ensure a climate of respect permeates their 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. I have not found sufficient evidence to support the proposal that removing commanders from the Uniform Code of Military Justice (UCMJ) process and replacing them with judge advocates outside the chain of command will improve the sexual assault response or accountability processes.

Judge advocates are already a huge part of the process. I have been briefed that in nearly every case in the last 3 years Air Force commanders agreed with their staff judge advocates' recommendations to send allegations of sexual assault to court-martial. Therefore, it does not appear that removing commanders from their UCMJ disposition role will result in a large increase in prosecutions.

Additionally, I do not believe we can solve the sexual assault problem by reducing commanders' authority to hold airmen accountable. The challenge we face regarding sexual assault in the military is complex and requires commanders be fully involved in its solution. Rather than remove commanders' authority to send airmen to a court-martial for committing sexual assault, I believe commanders must be held more accountable for failing to adequately respond to sexual assaults in their units or for failing to maintain a healthy unit climate necessary to safeguard against the rise of sexual assault. Commanders must be fostering an environment in which victims are encouraged to report any crimes and feel safeguarded from any risk of reprisal or career consequences.

Question. What is your view of the protections afforded to victims who are required to testify at Article 32, UCMJ, investigations that are required before charges can be referred to a General Court-Martial?

Answer. I am not satisfied. I have been disturbed by recent press reports from the Article 32 process in the Naval Academy sexual assault case and I feel the Article 32 process needs to be improved to ensure better protection of victims' rights.

I would note that one improvement to the Article 32 hearing process is already being undertaken. Secretary Hagel has directed that all Article 32 Investigating Officers for sexual assault charges must be judge advocates. This has long been the practice in the Air Force. I believe we could enhance the effectiveness of judge advocates by ensuring they receive better training specifically tailored to the host of challenging issues in sexual assault cases.

Question. What is your understanding of the resources and programs the Air Force has in place to provide victims of sexual assaults the medical, psychological, and legal help that they need?

Answer. As I learned about the programs the Air Force provides for victims of sexual assault, I was impressed with the whole-person concept employed for healing. The Air Force recognizes resiliency is built through having a strong physical, mental, spiritual, and social core. In response to both restricted and unrestricted reports, the Air Force provides physical, psychological, spiritual, legal, and social support to victims. This support continues until the victim feels stronger in the healing process and decides they no longer require those services. The Air Force recognizes healing is unique to every person and provides victims the necessary time and resources to recover. Air Force medical personnel, lawyers, sexual assault response coordinators (SARC) and victim advocates (VA) are dedicated to victim well-being and returning the victim to a healthy state. This care is provided both in garrison and deployed.

Question. What is your view of the steps the Air Force has taken to prevent additional sexual assaults? In your view, are these steps adequate?

Answer. I believe the Air Force is absolutely committed to fighting sexual assault in its ranks. It has a new directorate-level sexual assault prevention and response (SAPR) office led by a two-star general with a team of cross-functional dedicated experts and is dedicating other resources to attack this crime. If confirmed, a top priority for me will be to focus on institutionalizing the changes passed by Congress and ordered by Secretary Hagel as well as any new tools Congress gives along the way. I will:

- Make sure victims know it's not their fault—report if it happens
- Take care of victims with compassion and without retaliation
- Aggressively weed out, investigate and prosecute offenders
- Hold commanders more accountable for what goes on in their units
- Make clear there are consequences for individuals who engage in violence and disrespect of other airmen. We don't want them in the Air Force
- Work with DOD and Air Force leaders, Congress, and the Panel on Military Justice to review other ideas

The Air Force implemented the Special Victims Counsel program which has proven to be a benchmark for all of DOD. The Air Force implemented new administrative discharge provisions in July 2013, under which commanders must initiate involuntary administrative discharge processing for any airman, officer or enlisted, who commits sexual assault, sexual assault of a child, or attempts to commit these crimes. Additionally, an Air Force member who engages in an unprofessional relationship while serving in a special position of trust (i.e., recruiter, faculty member, or staff member) is specifically subject to administrative discharge for misconduct. The Air Force is currently developing a Basic Military Training Transition Program

which will reinforce Air Force core values and emphasizes appropriate behavior. The Air Force developed the bill of rights for all airmen, ensuring they understand how they should be treated and how to treat others. The National Organization of Victim Assistance provides credentialing for Air Force counselors. Its continuing education requirements ensure ongoing support from diverse civilian as well as military institutions which will give our SARC and victim advocates (VA) expanded resources to stay abreast of best practices emerging in prevention and care.

Question. What is your view of the adequacy of the training and resources the Air Force has in place to investigate and respond to allegations of sexual assault?

Answer. It is my understanding every Air Force Office of Special Investigation (AFOSI) special agent is trained and credentialed at the Federal Law Enforcement Training Center to handle myriad felony investigations, including sexual assaults. In addition, the Air Force added 24 civilian AFOSI sexual assault trained special agents at high threat installations and designated 9 senior trial counsels with advanced training to prosecute these cases. The Air Force developed training in fiscal year 2013 that JAGs now attend jointly with AFOSI. These training courses are the Sex Crimes Investigation Training Program at the Federal Law Enforcement Training Center and the Advanced Sexual Assault Litigation Course at the Air Force JAG School.

AFOSI and JAGs attend both courses, focusing on the investigation and prosecution stages.

Question. Do you consider the Air Force's current sexual assault policies and procedures, particularly those on confidential reporting, to be effective?

Answer. The policies are broad and appear comprehensive yet not enough victim's report—so more needs to be done to ensure victims understand that if a crime occurs, the Air Force will hold those responsible accountable for their crime. The Air Force also needs to make clear that it is never the victim's fault and that in addition to prosecution, the Air Force is committed to providing compassionate care for victims and protecting them against any risk of retaliation.

Question. What is your view of the adequacy of resources in the Air Force to investigate allegations of sexual misconduct and to hold perpetrators accountable for their actions?

Answer. I am aware the Air Force has dedicated additional resources over the last few years; if confirmed, I will make a more complete assessment of adequacy.

Question. What problems, if any, are you aware of in the manner in which the confidential reporting procedures have been put into effect?

Answer. Not enough victims report—this is obviously a problem. I will need to dig more deeply into “why”, if I am confirmed. My experience says that victims fear they will not be believed, they feel ashamed and they may be worried that they will be ostracized or retaliated against by leadership and peers.

Question. What is your view of the appropriate role for senior military and civilian leaders in the Secretariat and the Air staff in overseeing the effectiveness of implementation of new policies relating to sexual assault?

Answer. Senior military and civilian leaders, beginning with the Secretariat and Air Staff, must focus on promoting an environment that does not tolerate sexual assault. Eliminating the stigma of reporting this crime is essential. Senior leaders must instill the belief that if an assault occurs, reporting is necessary and expected, whether unrestricted or restricted. Airmen need to believe their chain will support them through the legal and healing processes, while holding perpetrators appropriately accountable.

Currently, the Air Force's SAPR Council joins the most senior members from across the Service for monthly discussion of program initiatives, issues, and best practices. If confirmed, I will expect all leaders to be personally engaged in Sexual Assault Prevention and Response.

Question. Do you believe that sexual assault continues to be an underreported crime within the Department for the Air Force?

Answer. Sexual assault is likely a highly underreported violent crime in American society, and yes I believe it continues to be an underreported crime within the Air Force as well. The sexual assault prevalence survey performed by Gallup in 2010 also confirmed this view. The Air Force remains committed to improved reporting and will administer a follow-up prevalence survey this spring.

Question. If so, what are the barriers that discourage or prevent victims from coming forward?

Answer. Based on my experience from DACOWITS working groups and briefings, victims not wanting fellow airmen to know and victims not wanting their families to know are significant barriers to reporting. Victims may also fear for impact on their career if they report at about a fellow servicemember.

Question. If confirmed, what additional steps would you take to remove these barriers to reporting sexual assaults?

Answer. If confirmed, I will build on the core values of the Air Force by demanding an environment that identifies perpetrators and holds them appropriately accountable, a climate where victims feel empowered to come forward to report this crime.

Additionally, I believe commanders should be “graded” on their performance reports for the sexual assault reporting climate in their unit.

I think we can affect change; we have to stay on it each and every day. One of the greatest challenges will be helping airmen of all ranks assess personal roles in preventing this crime and understand how to improve decisionmaking. This will take time, but I will work closely with the Air Force team to focus on this complex issue.

AIR FORCE POLICIES REGARDING DRUG AND ALCOHOL ABUSE

Question. What is your understanding of the Air Force’s policy with respect to disciplinary action and administrative separation of soldiers who have been determined to have used illegal drugs? Do you agree with this policy?

Answer. Air Force policy states that drug abuse is incompatible with Military Service and airmen who abuse drugs one or more times are subject to administrative separation for misconduct. In fact, administrative separation processing is mandatory for drug abuse unless a waiver is granted. This seems to be the appropriate policy to me. The Air Force recently adopted the same discharge policy for sexual assault, which I also believe will help deter and combat sexual assault in the Air Force.

Question. What is your understanding of the Air Force’s policy with respect to rehabilitation and retention on active duty of soldiers who have been determined to have used illegal drugs or abused alcohol or prescription drugs? Do you agree with this policy?

Answer. It is my understanding that only in very limited circumstances does the Air Force retain airmen who we determine have used illegal drugs, including illegal use of prescription drugs. In order to be retained, airmen have the burden of proving that retention is warranted by meeting a number of criteria, to include such drug use was a departure from the airman’s usual behavior and is not likely to recur, does not involve recurring incidents, and does not involve distribution.

I would like to ensure that the Air Force has a robust Alcohol and Drug Abuse Prevention and Treatment (ADAPT) Program. If confirmed, I look forward to reviewing this program to determine its adequacy.

Question. Do you believe that the Air Force has devoted sufficient resources to implementation of its rehabilitation policies and objectives since 2001? If not, in what ways?

Answer. I cannot say at this time, but look forward to reviewing this program, if confirmed.

SUICIDE PREVENTION

Question. The number of suicides in the total Air Force continues to be of concern to the committee.

If confirmed, what role would you play in shaping suicide prevention programs and policies for the Air Force, the Air National Guard, and the Air Force Reserve, to prevent suicides and increase the resiliency of airmen and their families?

Answer. I believe that effective suicide prevention programs start at the top and require engaged leaders and communities to be effective. If confirmed I will champion the Air Force’s continuing efforts in building a strong wingman culture where leaders at every level establish a command climate where airmen know that they should seek help early, before problems become unmanageable.

Of the airmen lost to suicide over the last year, causes included relationship difficulties, legal and financial problems. These very personal factors highlight the need for continuing vigilance and an effective culture of airmen looking out for one another. When required, I will ensure that all of our airmen have access to the counseling and support services they need to help them through any difficult times.

If confirmed, I will work with Air Force and DOD leaders to ensure that we look for and adopt best practices in suicide prevention for all components of the Air Force, always emphasizing that concerned, engaged leaders and communities are the solution.

RELIGIOUS GUIDELINES

Question. In your view, do 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. I believe so. The policies are intended to protect both the free exercise of religion for all airmen and avoid the appearance of an official endorsement of any particular religion. Air Force policy presently communicates that all airmen have the freedom to choose to practice their particular religion or subscribe to no religious belief at all.

Question. Under current law and policy, are individual expressions of belief accommodated so long as they do not impact good order and discipline?

Answer. This is certainly my understanding. Current law and policies allow for accommodation of individual airmen's expressions of belief so long as such expressions do not adversely impact good order and discipline.

Question. In your view, do existing policies and practices regarding public prayers offered by military 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. It is my understanding Air Force chaplains are well trained to provide prayers offered in pluralistic settings. This requires sensitivity to their audience which includes individuals from various religious traditions as well as those who profess no religious belief at all. The guidance provided by Air Force leaders also makes clear that supervisors respect each chaplains' right to adhere to the tenets of his or her faith and thus not require chaplains to participate in religious activities, including public prayer, which are inconsistent with their faith tradition.

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 Air Force personnel and their families, and, if confirmed, how would you ensure that family readiness needs are addressed and adequately resourced?

Answer. I understand that a primary concern for airmen and their family members is their ability to do the mission and simultaneously support their families. Specific areas of concern include access to quality specialized child care and education. Also, for those transitioning to the civilian sector, military members are concerned about being prepared for employment and/or continuing their education. Families are concerned about the civilian spouse finding employment as they relocate from installation to installation. Finally, I believe the work/life balance is a major issue. If confirmed, I will ensure a thorough review of all available resources to support valuable family programs.

Question. How would you address these family readiness needs in light of global rebasing, deployments, and future reductions in end strength?

Answer. I understand the Airman and Family Readiness Centers serve as a resource hub for Air Force families prior-to, during, and following deployments. The deployment programs the Airman and Family Readiness Center have in place for the airmen and family members are crucial in supporting the Mission. If confirmed, I will seek input from a variety of sources including from family members themselves and will work to ensure the Air Force programs adequately support Air Force families.

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. The Air Force is a Total Force, and provides resources and support to all components through various Airman and Family and Child and Youth programs. Geographically separated servicemembers (and their families) have immediate access to many resources online that enable them to remain connected to their units and support services. I look forward to exploring the adequacy of existing programs in this area.

Question. If confirmed, what steps will you take to sustain Air Force family support, given current fiscal constraints?

Answer. If confirmed, I will work with the Chief of Staff and Chief Master Sergeant of the Air Force to engage Air Force families on the support they feel is most needed.

I will review current manpower and staffing for family programs and support programs that enhance Mission Readiness. I would like to see sufficient staffing and training for family readiness staff as we partner with community organizations to continue building support for airmen and their families.

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 Air Force MWR programs, particularly in view of the current fiscal environment, and if confirmed, are there any improvements you would seek to achieve?

Answer. MWR programs help the Air Force to maintain ready, resilient airmen and families, and sustained reductions to these programs may negatively impact future readiness and unit cohesion. If confirmed, my goal would be to determine how best to provide the most critical family and MWR programs and base-level support services possible in today's budget-constrained environment.

Regardless of constrained budgets, I am committed to supporting our airmen and their families and will make adjustments based on available funding in an effort to focus our resources where they are needed most.

MANAGEMENT AND DEVELOPMENT OF THE SENIOR EXECUTIVE SERVICE (SES)

Question. The transformation of the Armed Forces has brought with it an increasing realization of the importance of efficient and forward thinking management of senior executives.

What is your vision for the management and development of the Air Force's senior executive workforce, especially in the critically important areas of acquisition, financial management, and the scientific and technical fields?

Answer. I believe that the members of the Senior Executive Service are an integral and critical component to the continued success of these vital career fields.

Question. Over the last 10 years, the Air Force budget has almost doubled, but the number of senior executives in the Department of the Air Force has remained almost unchanged.

Do you believe that the Air Force has the number of senior executives it needs, with the proper skills to manage the Department in the future?

Answer. I have not yet had the opportunity to review the number of Air Force senior executives and their associated proficiency levels in critical competencies. If confirmed, I will look into the issue.

BALANCE BETWEEN CIVILIAN EMPLOYEES AND CONTRACTOR EMPLOYEES

Question. In recent years, the Air Force and DOD have become increasingly reliant on services provided by contractors. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as Federal employees.

Do you believe that the current balance between civilian employees and contractor employees is in the best interests of the Air Force and DOD?

Answer. It is difficult to make a macro-level statement about this issue at this time. I do believe we must continue to ensure that inherently governmental functions are not outsourced and scrutinize those areas where the distinction has been blurred. It is also important to step back and look at all work accomplished by military, civilian, and contractor to achieve the correct balance. If confirmed, I will work with leaders across the Air Force to assess this matter to ensure compliance with the law and with the President's policy.

Question. In your view, has the Air Force become too reliant on contractors to perform its basic functions?

Answer. Once again, I cannot offer a macro-level view at this time. I recognize this is an area of concern and will address it if confirmed.

Question. Do you believe that the current extensive use of personal services contracts is in the best interest of the Air Force?

Answer. The Federal Acquisition Regulation and title 10 U.S.C., section 129, restricts the use of personal services contracts. I believe these regulations best serve the interests of the Air Force. If confirmed, I would continue to work with leaders

across the Air Force to ensure compliance with applicable law and policy. I believe my experience in both the private and public sector can help in this area.

Question. Do you believe that the Air Force and DOD should undertake a comprehensive reappraisal of “inherently governmental functions” and other critical government functions, and how they are performed?

Answer. The Department’s “sourcing” of functions and work between military and civilians, or through contracted services, must be consistent with workload requirements, funding availability, readiness and management needs, as well as applicable laws and statutes. The Air Force should ensure that military or Federal civilians are performing all inherently governmental jobs, and that sufficient levels of civilians are available to perform critical oversight, management, and readiness functions of the Air Force. I am not convinced a comprehensive review of “inherently governmental functions” is necessary, but I do believe more rigorous oversight where we apply contracted services is necessary across the Department.

Question. If confirmed, will you work with other appropriate officials in DOD to address these issues?

Answer. If confirmed, I will continue to collaborate with other Air Force leaders to ensure these matters are addressed in the best interest of the Air Force and DOD.

Question. Section 808 of the National Defense Authorization Act for Fiscal Year 2012 requires DOD to implement a freeze on spending for contract services, comparable to the freeze on civilian personnel required by the efficiencies initiatives.

What is your understanding of the impact that the freeze on spending for contract services has had on the Air Force?

Answer. Specific to fiscal year 2012 and fiscal year 2013, the period covered by the NDAA, my understanding is the limitation is a broad brush that puts an overall ceiling on not only management support contracts, but also other mission critical contracts such as Weapon System Sustainment, Ranges, and Critical Infrastructure. If the limitation is so broad that it encompasses all contracts, there may be unintended consequences that we will need to monitor. If confirmed, I look forward to working with Air Force leaders to balance acceptable risks and available budgets to ensure future mission capability as freezes to civilian personnel and contract services are carried out.

Question. What is your understanding of Air Force plans for spending for contract services over the next 5 years?

Answer. At this time I am unfamiliar with the specifics of Air Force plans for contract services over the next 5 years. If confirmed, I will work with Air Force leaders to properly balance contract services spending with other Air Force priorities.

Question. What is your view on the feasibility and advisability of further reductions in spending for contract services over the next 5 years?

Answer. Without an understanding of specific Air Force plans for contract services over the next 5 years, I cannot at this time assess the feasibility and advisability of further reductions. Any budget adjustments must be made carefully and with full understanding of the accepted risks and impacts to mission capability.

AIR FORCE 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 Air Force’s civilian employee workforce plays a vital role in the functioning of the Department of the Air Force?

Answer. The U.S. Air Force would not be the best in the world without the daily contributions of civilian airmen as vital members of the Air Force family and the joint team. They are integral to nearly every part of the Air Force mission, from processing recruits and running family programs, to managing budgets and developing strategy. They fix airplanes, sustain infrastructure, design and develop future systems, and deploy to support combatant commanders. The Air Force could not get by without its civilians.

Question. Do you agree that if sequestration continues through fiscal year 2014 and beyond, the Air Force will need to further reduce the size of its civilian workforce?

Answer. This seems extremely likely, in my opinion.

Question. In your view, would it be preferable for the Air Force to make planned, prioritized reductions to its civilian workforce, or to downsize using arbitrary reductions based on hiring freezes and workforce attrition?

Answer. In my view, planned and prioritized reductions always are preferable to arbitrary reductions.

ACQUISITION ISSUES

Question. Major Defense Acquisition Programs (MDAPs) in the Air Force and the other Military Services continue to be subject to funding and requirements instability.

Do you believe that instability in funding and requirements drives up program costs and leads to delays in the fielding of major weapon systems?

Answer. Yes, instability in funding and requirements contributes to increases in program cost and schedule delays. A major imperative of mine would be to improve the acquisition process.

Question. What steps, if any, do you believe the Air Force should take to address funding and requirements instability?

Answer. I believe that it is incumbent on the acquisition community to work with the requirements and resource communities to ensure programs have clear, achievable requirements and realistic funding profiles. The acquisition community must bring its technical expertise to the discussion of requirements and funding throughout the acquisition progress to enable requirements and funding profiles that are inherently stable because they are realistic and affordable.

I support USD(AT&L)'s affordability initiative to establish goals and caps to ensure funding limitations are identified early and revalidated at milestone decisions. If confirmed I would work closely with the Air Force and DOD leadership to assess root causes and sources of instability, and work to put in place measures to limit their occurrence.

Question. The Government Accountability Office (GAO) has reported that the use of insufficiently mature technologies has resulted in significant cost and schedule growth in the MDAPs of the Air Force and the other military departments. Section 2366a of title 10, U.S.C., requires the Milestone Decision Authority for an MDAP to certify that critical technologies have reached an appropriate level of maturity before Milestone B approval.

Do you believe that the use of insufficiently mature technologies drives up program costs and leads to delays in the fielding of major weapon systems?

Answer. Yes, it is my understanding that premature pursuit of insufficiently mature technologies can result in schedule and cost growth. The growth would likely occur as one works to overcome technology challenges that were not adequately budgeted for at the outset of the development or production activity.

Question. What steps will you take, if confirmed, to make sure that the Air Force complies with the requirements of section 2366a?

Answer. If confirmed, I will advocate strongly for the nomination of a qualified acquisition executive. I will work to ensure we have the right people in place to oversee and address the maturity of technologies and work closely with USD(AT&L) on other initiatives.

Question. GAO has reported that the use of unrealistically optimistic cost and schedule estimates by the Air Force and the other military departments is a major contributor to cost growth and program failure.

Do you believe that the use of unrealistically optimistic cost and schedule estimates leads to program disruptions that drive up program costs and delay the fielding of major weapon systems?

Answer. Yes, I do. Ensuring we have realistic weapon system cost and schedule estimates, to include a comprehensive understanding of total life-cycle costs, better informs decisionmakers as they manage current acquisition programs. Realistic estimates are critical to prevent pursuit of systems that are later abandoned or reduced in capabilities because of an unacceptably high cost. Cost and schedule estimating methodologies that combine historical data with the best information available on new industry and government acquisition practices produce more accurate estimates, preventing cost growth and fielding delays.

Question. What steps do you believe the Air Force should take to ensure that cost and schedule estimates are fair and independent and provide a sound basis for Air Force programs?

Answer. Since the passage of Weapon Systems Acquisition Reform Act of 2009, I believe the Air Force has made progress in improving the quality of its cost estimates and also in more rigorously budgeting to the best cost estimates. New policy guidance and procedures have been adopted that require annual, independent cost

estimates on all major acquisition programs. This has resulted in more realistic, objective cost estimates in support of the budget process and acquisition decisions.

Question. The Under Secretary of Defense for Acquisition, Technology and Logistics has issued a memorandum directing the military departments to institute new "Configuration Steering Boards" to review and approve new requirements that could add significantly to the costs of major systems.

Do you support this process?

Answer. I am not familiar with the USD(AT&L) Configuration Steering Board (CSB) policy memorandum. I understand, however, that CSBs are important to good program oversight and cost control. I also understand they are legislated requirements. If confirmed I will ensure the Air Force complies with all Federal statutes.

Question. The Under Secretary of Defense for Acquisition, Technology, and Logistics has also issued a memorandum directing that the largest DOD acquisition programs undergo competitive prototyping to ensure technological maturity, reduce technical risk, validate designs, cost estimates, evaluate manufacturing processes, and refine requirements.

Do you support this requirement?

Answer. Yes, I support the requirement that the largest DOD acquisition programs undergo competitive prototyping, where practical and affordable.

Question. Numerous acquisition reviews over the last decade have identified shortcomings and gaps in the acquisition workforce of DOD. Section 852 of the National Defense Authorization Act for Fiscal Year 2008 established an Acquisition Workforce Development Fund to provide the resources needed to begin rebuilding the Department's corps of acquisition professionals.

Do you believe that a properly sized workforce of appropriately trained acquisition professionals is essential if the Air Force is going to get good value for the expenditure of public resources?

Answer. Yes, I do.

Question. How would such a priority compete within the context of implementing sequestration?

Answer. If confirmed, I will work to ensure the Air Force maintains a properly sized and well trained acquisition workforce, even in tough budgetary times.

CONTRACT MANAGEMENT

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 Air Force should take to improve the staffing, training, and management of its acquisition of services?

Answer. I understand the Air Force is focused on improving its acquisition of services but I am not familiar with specific initiatives. If confirmed, I will work with Air Force leaders to assess the state of services acquisitions.

Question. Do you agree that the Air Force 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. I agree in principle, as decisionmakers must have sound metrics that guide their decisionmaking throughout the life cycle a program, but I would need to better understand the current state before offering a specific view.

Question. The last decade has seen a proliferation of new types of government-wide contracts and multi-agency contracts. DOD is by far the largest ordering agency under these contracts, accounting for 85 percent of the dollars awarded under one of the largest programs. The DOD Inspector General (IG) and others have identified a long series of problems with interagency contracts, including lack of acquisition planning, inadequate competition, excessive use of time and materials contracts, improper use of expired funds, inappropriate expenditures, and failure to monitor contractor performance.

What steps, if any, do you believe the Air Force should take to ensure that its use of interagency contracts complies with applicable DOD requirements and is in the best interests of the Department?

Answer. If confirmed, I intend to dig more deeply into the analysis performed by the DOD IG and others or the specifics of their findings. If confirmed I would work with Air Force and DOD leaders to better understand the challenges associated with the implementation of interagency contracts, as well as the role and authorities of the Air Force in implementing them. I believe it is important to first understand the root causes of the challenges and the measures being implemented before offering any proposed solutions or corrective actions.

AIR FORCE ACQUISITION SYSTEM FLAWS

Question. Over the past several years, GAO protests have resulted in the reversal of a number of significant Air Force contract award decisions, including award decisions on the KC-X tanker replacement contract; the Combat Search and Rescue Helicopter Replacement Program (CSAR-X) contract; the C-130 Avionics Modernization Program (AMP) contract; the Small-Diameter Bomb contract; the Thunderbird video contract; and a contract for F-15 training simulators.

Do you believe that significant problems remain in the Air Force acquisition system today?

Answer. These reversals certainly point to problem areas. On the other hand, it is my understanding that the Air Force has made regaining acquisition excellence a top priority. I have seen strong evidence of this in its recent successes with the KC-46 Air Refueler, C-130J aircraft, Space Launch program and its rapid fielding of wartime capabilities, but this is an area that requires constant vigilance. If confirmed, I look forward to working with the Air Force Service Acquisition Executive to address these three issues and to make the pursuit of acquisition excellence among the Service's highest priorities.

Question. If so, what are those problems and how would you propose to address them?

Answer. It is my understanding that there are three major themes coming from the GAO protests of these programs. First, resources and requirements match. Achieving a high level of technology maturity by the start of system development is an important indicator of whether this match has been made. This means that the technologies needed to meet essential product requirements have been demonstrated to work in their intended environment. In addition, the developer has completed a preliminary design of the product that shows the design is feasible. Second, product design is stable. This point occurs when a program determines that a product's design will meet customer requirements, as well as cost, schedule, and reliability targets. A best practice is to achieve design stability at the system-level critical design review, usually held midway through system development. Completion of at least 90 percent of engineering drawings at this point provides tangible evidence that the product's design is stable, and a prototype demonstration shows that the design is capable of meeting performance requirements. Third, manufacturing processes are mature. This point is achieved when it has been demonstrated that the developer can manufacture the product within cost, schedule, and quality targets. A best practice is to ensure that all critical manufacturing processes are in statistical control—that is, they are repeatable, sustainable, and capable of consistently producing parts within the product's quality tolerances and standards at the start of production. I can assure you that going forward I would apply the lessons learned from previous challenges and continue to pursue excellence within the acquisition portfolio.

Question. If not, why do you believe that the Air Force has been the subject of so many adverse bid protest decisions?

Answer. Not Applicable. See above answer.

EXPEDITIONARY COMBAT SUPPORT SYSTEM

Question. An Air Force Acquisition Incident Review (AIR) team recently completed a report on the failure of the Air Force's Expeditionary Combat Support System (ECSS). The AIR report discusses root causes for ECSS's failure and includes several recommendations.

Does the Air Force agree with the AIR team's findings?

Answer. It is my understanding that the Air Force is in agreement with the AIR Team's findings. Several root causes and contributing problems were identified spanning near-to-long-term corrective actions related to governance and how the Air Force structures its business IT programs for success. If confirmed, I would ensure that the Air Force applies the lessons learned in the findings to current and future initiatives.

Question. What is your understanding of the steps that the Air Force plans to take to implement the report's recommendations?

Answer. It is my understanding that Air Force senior leaders are following through on the recommendations of the report. This includes a review of existing major Air Force business systems based on the AIR Team's specific findings and lessons learned.

ENCROACHMENT ON MILITARY INSTALLATIONS

Question. Various Air Force Bases have encroachment issues, some of which are significant. These include population growth near military installations, environmental constraints on military training ranges, airspace restrictions to accommodate civilian airlines, and conflicts with civilian users over the use of radio frequency spectrum.

In your opinion, how serious are these problems for the Department of the Air Force?

Answer. I believe these problems are quite serious. As I understand it, the Air Force is proactively working with State and local communities to address current and potential encroachment issues.

Question. If confirmed, what policies or steps would you take to curtail the various encroachment issues?

Answer. It is my opinion that encroachment issues are best resolved at the lowest level. The Air Force instituted an Air Force Encroachment Management (AFEM) program that provides an overarching framework to address potential impacts to Air Force missions, safety, the environment and critical infrastructure. This framework is designed to identify issues at the installation-community level; elevate when appropriate through Major Commands; then to the Headquarters Air Force staff which further assesses potential impacts and recommends ways to resolve or mitigate. If confirmed, I will emphasize to our installation leaders they must continue to proactively engage with local community leaders so they are aware of Air Force mission needs and identify ways to retain or improve mission compatibility.

Question. If confirmed, what role do you expect to play in addressing these challenges?

Answer. For those issues that are identified and assessed as posing significant adverse impact to critical Air Force missions; local, State, DOD, and other agency stakeholders will be made aware and I will provide guidance as appropriate.

ENERGY CONSERVATION AND USE OF ALTERNATIVE FUELS

Question. In the past year, the Department of the Air Force has assumed a leadership role within the Federal Government for the advocacy, research, and testing of alternative fuels for use in military aircraft. In addition, the Air Force has encouraged proposals for the use of Federal property to construct refineries and power plants to include nuclear power.

In your view, which energy alternatives, to include fossil fuels, offer the greatest potential for benefit to Air Force programs and operations?

Answer. The Air Force needs to have assured access to reliable supplies of energy and the ability to protect and deliver sufficient energy to meet operational needs. Because of this, it is important for the Air Force to be flexible in the types of energy it can use and secure the quantities necessary to perform its missions, both for near-term benefits and long-term energy security. This flexibility is important for both weapon systems and installations.

Question. Do you support the goals adopted by the Air Force related to the increased use of alternative fuels? Does this include alternative fossil fuels?

Answer. In principle, I support the Air Force's goal to broadly pursue alternative fuels that are cost competitive with traditional petroleum-based jet fuels and that meet environmental and technical specifications. I look forward to digging into this area more deeply, if confirmed.

Question. In your opinion, what constraints does the Air Force face in carrying out initiatives to reduce reliance on fossil fuels?

Answer. I feel that the benefits of energy investments should be carefully weighed against the initial and recurring costs. Doing so will allow energy initiatives to be evaluated and appropriately funded along with other Air Force priorities in order to maximize the use of Air Force resources.

INVESTMENT IN FACILITIES

Question. Air Force leaders have stated in testimony, "MILCON is an essential enabler of Air Force missions; however, due to fiscal constraints, we must reduce funding and accept greater risk in facilities and infrastructure in order to continue our efforts to recapitalize and modernize our aging aircraft and equipment."

In your opinion, at what point is the reduction of funding for facilities and infrastructure too much of a risk for the Air Force?

Answer. I believe Air Force installations are the platforms from which we fly, fight, and win in air, space, and cyberspace. Therefore, it is critical to balance risk to facilities and infrastructure against mission readiness. If confirmed, I will ensure

Air Force leadership has the tools it needs to assess and mitigate risk to facilities and infrastructure, as well as airmen and mission, while ensuring we can deliver the decisive combat power this country expects.

Question. If confirmed, would you support goals established by DOD for certain levels of funding dedicated to the recapitalization and sustainment of facilities?

Answer. If confirmed, I would support DOD goals with respect to funding the recapitalization and sustainment of facilities. I fully understand, however, that in a fiscally constrained environment, the Air Force will have to continue to make challenging decisions to strike the right balance with respect to infrastructure requirements, readiness, and mission capability.

Question. What is your position on the use of public-private ventures to address critical deficiencies in family housing and utility infrastructure?

Answer. I have seen this approach work very well in some localities. If confirmed, I will evaluate any and all opportunities available to bring airmen and their families the exceptional housing and installation infrastructure they deserve.

LONG-RANGE BOMBERS

Question. The B-1s, B-2s, and B-52s will begin to be retired in the 2030 timeframe.

When do you believe that the United States needs to develop a new manned bomber?

Answer. I understand the new bomber is in the top 3 of Air Force modernization priorities. Given the aging bomber fleet and what I understand about the nature of the future threat environment it is important that the Air Force make the appropriate investments today to ensure a viable warfighting capability in the mid-2020 timeframe.

Question. Do you believe the Air Force needs to continue to manage the Long-Range Strike-Bomber Program as a special access program? If so, why?

Answer. It is my understanding that enhanced security is important to protecting critical technologies and capabilities.

Question. Do you believe that, regardless, it needs a reporting structure in content similar to the Selected Acquisition Reports?

Answer. Yes. If confirmed, I will work with Air Force and DOD leaders to ensure the Service provides information on the Long-Range Strike-Bomber consistent with Selected Acquisition Reports at the Special Access Program level.

NRO AND THE AIR FORCE

Question. The responsibilities of the Director of the National Reconnaissance Office (NRO) were once included in the responsibilities of the Under Secretary of the Air Force. Dual-hatting the Under Secretary ensured that there was close cooperation between the NRO and the Air Force.

What steps would you take, if confirmed, to ensure that DOD space programs and NRO programs are managed in a coordinated fashion?

Answer. Currently there are various relationships and mechanisms in place that ensure DOD and NRO space programs are managed in a coordinated fashion. The Deputy Director of the NRO is an Air Force General Officer who in his role as the Commander, Air Force Element, manages all Air Force personnel and resources assigned to the NRO and serves as the senior adviser to the Director of the NRO on all military matters.

If confirmed, I would be dual hatted as the Executive Agent for Space and in that role would be responsible, in coordination with USD(I), for fostering a close working relationship between DOD and the Intelligence Community with regards to space programs. In the Secretary's role as the Executive Agent for Space I would also chair the Defense Space Council (DSC) where I would have the responsibility of achieving unity of effort across the DOD space enterprise. The National Reconnaissance Office is a member of the DSC while the Office of the Director of National Intelligence is also regularly represented. Other forums which meet several times a year, such as the Air Force/NASA/NRO Summit, reconfirm the mission inter-relationships and foster collaboration and synchronization in areas of mutual interest. As the Secretary of the Air Force and the DOD Executive Agent for Space I intend to continue to use these and other forums to maintain a close relationship with the NRO and the Intelligence Community.

Question. The Air Force rotates personnel through the NRO, which has proven useful in developing synergy between space programs serving both intelligence and military needs. Proposals have been given to develop a core set of personnel at the NRO which maintains core service functions and maintains a long term institutional memory and capability.

Would you support this proposal by putting a subset of Air Force personnel on a long term basis at the NRO?

Answer. The Air Force has historically had a close working relationship with the NRO. If confirmed, I look forward to continuing this working relationship with rotations of Air Force personnel through the NRO. Overall it is important to create a cadre of space professionals with breadth of knowledge across mission areas balanced with technical depth and focused mission expertise as required. I also look forward to working with Air Force and NRO leadership to determine the best balance of meeting mission needs while developing a robust space professional cadre.

SPACE ACQUISITION

Question. If confirmed, how would you propose to ensure that the space acquisition process is successfully revamped to deliver future systems within promised costs and schedules?

Answer. Continuing to improve the space acquisition process is a priority for the Air Force and for the DOD. If confirmed, I will continue to support space acquisition process improvement, in the spirit of the Weapon System Acquisition Reform Act and in cooperation with the USD(AT&L).

Question. Milestone decision authority for space programs currently resides with the Under Secretary of Defense for Acquisition, Technology and Logistics. If confirmed will you seek to return this authority to the Air Force or are you comfortable with this authority residing with the Under Secretary?

Answer. I am unfamiliar with the background associated with the decision to place the milestone decision authority for space programs with the USD(AT&L). I do understand many of these capabilities exist to support national security objectives. If confirmed, I look forward to working with the Under Secretary in managing and delivering space capabilities to the warfighter.

Question. The Air Force is developing a New Entrant strategy for medium and heavy launch of military and intelligence payloads. Do you support the NRO developing a separate new Entrant strategy different from what the Air Force is developing?

Answer. At this time, I am unfamiliar the specifics and current agreements associated with the Air Force and NRO new entrant strategies. If confirmed, I will make it a priority to understand the Air Force and NRO new entrant strategies, their differences and opportunities to partner together to ensure success in the Service and NRO missions.

AIR FORCE SCIENCE AND TECHNOLOGY

Question. What metrics will you use to assess the effectiveness of the Air Force science and technology programs?

Answer. I understand the Air Force Scientific Advisory Board (SAB) conducts in-depth reviews of the Air Force Research Laboratory's science and technology portfolio. If confirmed I will consult with the SAB to learn more about their ratings and seek their advice to help guide and improve the effectiveness of our Air Force science and technology programs.

Question. What metrics will you use to assess the effectiveness of the Air Force's basic research programs?

Answer. If confirmed, I would make it a priority to identify, nurture and harvest the best basic research to transform leading-edge scientific discoveries into new technologies with substantial military potential. Combined with this focus I would ensure the appropriate effectiveness metrics are in place.

Question. Do you believe the current balance between short- and long-term research is appropriate to meet current and future Air Force needs?

Answer. At this time, I am unfamiliar with the specifics of the Air Force's investment balance between short- and long-term research. If confirmed I look forward to assessing the Air Force's Science and Technology (S&T) Program investments to attain a balance between near-term quick-reaction capabilities; mid-term modernization technologies and long-term revolutionary technologies.

Question. What metrics will you use to assess the adequacy of investment levels in Air Force science and technology programs?

Answer. At this time, I am unfamiliar with the Air Force's investment levels in Air Force science and technology programs or the metrics used to assess the adequacy of those investments. If confirmed I would make it a priority to execute a balanced, integrated S&T program that supports the current fight while advancing breakthrough S&T for tomorrow's fight, ensuring adequate funding in basic research and the right level of investment to mature technologies for transition into acquisition programs.

Question. What role do investments in science and technology play in reducing costs and technical risk of acquisition programs?

Answer. It is my understanding that Air Force investments in science and technology leverage research and development efforts within academia and industry, including small businesses and government laboratories, all of which help lower risk in Air Force acquisition programs.

TEST AND EVALUATION

Question. What are your views on the effectiveness of the Air Force's test and evaluation activities?

Answer. I am not yet able to assess the effectiveness of the Air Force's Test and Evaluation (T&E) activities, but if confirmed, I would be committed to a sustaining a vibrant test and evaluation program. This capability is crucial to Air Force acquisition programs, tactics, techniques and procedures development, and assessing the combat capability of forces.

Question. What are the major weaknesses and deficiencies with the Air Force test and evaluation enterprise in meeting current and emerging Air Force testing requirements?

Answer. I am not in a position to assess major weaknesses and deficiencies in the Air Force T&E enterprise at this time. If confirmed, I will work with Air Force and DOD leadership to ensure the Air Force is prepared for current and emerging test and evaluation requirements.

Question. The Air Force has recently contemplated a number of steps to reorganize both development and operational test activities. Some of these proposals included significant government and contractor workforce reductions and potential closures of test assets.

If confirmed, what actions would you take to ensure that any reorganizations or closure of test assets or reductions in test workforce result in actual cost reductions and do not entail undue risk to Air Force or other DOD current or future acquisition programs?

Answer. If confirmed, I will work with the acquisition and T&E communities to establish a formal relationship between modernization priorities and T&E resources, so that the Air Force has a logical, defensible T&E program to fully support the needs of our highest priority acquisitions.

Question. What is your view of the role of the Director of Operational Test and Evaluation (DOT&E), the Deputy Assistant Secretary of Defense (DASD(DT&E)), Developmental Test and Evaluation and the Director of the Test Resource Management Center (TRMC) in ensuring that such reductions do not undermine the ability of the Air Force to carry out needed test programs?

Answer. It is my understanding that the DASD(DT&E) and the Director, TRMC for developmental testing, and DOT&E for operational testing, play an important role in ensuring the Air Force T&E program is responsive to the needs for Developmental and Operational Testing (DT and OT) for the Department's oversight acquisition programs. If confirmed, I will work closely with these oversight organizations to ensure the Air Force provides all of the support necessary to ensure successful DT and OT for acquisition programs.

Question. The Air Force has some unique requirements with regard to prompt global reach and affordable, responsive space lift missions.

In your view, are changes in current test range structure, operations, and mission assurance parameters required to accommodate Air Force experimentation and small launch needs?

Answer. I am not familiar with this area at this time. If confirmed, I will evaluate launch ranges with respect to the Air Force's experimentation and small launch needs.

AIR FORCE RESEARCH LABORATORIES

Question. What are the major challenges facing the Air Force Research Laboratory?

Answer. If confirmed, I look forward to learning more about specific Air Force Research Laboratory challenges and providing my leadership to help overcome them.

Question. How do you plan to address these challenges?

Answer. If confirmed, I will actively work with Science and Technology and Laboratory leadership to address challenges and encourage continued innovation.

Question. Are you supportive of efforts of the Air Force Research Laboratory to expand and enhance their unique laboratory personnel demonstration program to ensure that they can attract and retain the finest technical workforce?

Answer. Yes. While I am not aware of the specifics of the Lab Demonstration Program, from past experiences it is clear the Air Force Research Laboratory operates in a very competitive market for highly-qualified scientist, technologist, engineer, and mathematician (STEM) talent. With domestic and international competition for people with these skills intensifying, I support efforts to actively attract and retain STEM talent.

AIRBORNE INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE

Question. The airborne intelligence, surveillance, and reconnaissance (ISR) assets developed and operated by the Air Force form an indispensable part of the Nation's overall intelligence architecture. These assets are often referred to as high demand, low density systems because of the extensive number of requirements and high operational tempo on their systems and crews.

In your view, does the Air Force have sufficient airborne ISR assets to meet current and projected requirements?

Answer. My understanding is there are not enough assets to meet all the requests of the combatant commanders (COCOMs). However, the Air Force meets the highest priority demands.

Question. What changes would you recommend, if confirmed, to current plans for the development and acquisition of airborne ISR platforms? Will these changes remove ISR platforms from the "high-demand, low-density" category?

Answer. In this fiscal environment, my goal would be to ensure we maintain our ISR capabilities to provide decisive advantages to COCOMs. I would also enhance, if fiscally possible, our current ISR capabilities with advanced technologies and improved interoperability between existing ISR systems, to include those in the joint arena, to ensure our ISR dominance. However, it still may not be possible to satisfy all COCOM ISR demands.

U.S. AFRICA COMMAND

Question. On numerous occasions, the committee has expressed concern that the Commander of U.S. Africa Command (AFRICOM) lacks the necessary air support to execute effectively his mission in a continent comprised of 53 countries, spanning a geographic area larger than the United States, China, and Western Europe combined. The Commander of AFRICOM recently indicated before the Air Force Defense Strategy Seminar this shortage of aircraft remains.

If confirmed, what would you do to support AFRICOM, given the demand on existing assets within other geographic combatant command AORs?

Answer. If confirmed, I look forward to working closely with AFRICOM and the other combatant commanders to ensure requirements are met.

The demands for airpower are likely to continue to exceed the resources available. The requirements of each combatant commander are adjudicated through what I understand to be a fair and consistent process based on national priorities.

NUCLEAR MATTERS

Question. Based on the 2007 Minot incident, Air Force has exhaustively studied and made strong organizational changes to its management of the nuclear weapons it is charged with maintaining and deploying.

What will you do to strengthen the nuclear programs at the Air Force Weapons School for airmen who choose a long term career to maintain and deploy nuclear weapons beyond the few that currently attend it?

Answer. The nuclear mission is vital to the Air Force and the Nation and we cannot succeed in it without highly trained personnel. If confirmed, I will explore ways to strengthen the nuclear programs at the Air Force Weapons School. Additionally, I look forward to visiting the Intercontinental Ballistic Missile Weapons Squadron in the near future.

Question. The Air Force is the primary maintainer and implementer of the Nuclear Command, Control and Communications (NC3) System. This NC3 system is aging, yet it is vitally important to ensuring the President has direct control over nuclear weapons and their use. The cost overruns and failure in deploying the Family of Beyond Line of Sight Terminals (FAB-T) on nuclear capable airborne delivery platforms reflects poorly on the Air Force's first foray with a new generation of NC3 acquisition programs.

What actions will you take to ensure the FAB-T acquisition program corrects its cost over runs and eventually is deployed on airborne platforms?

Answer. Strengthening the Nuclear Enterprise is a top Air Force priority. I also understand that NC3 systems are important to the effectiveness of that mission. If confirmed, I look forward to working with Air Force leaders to learn more about

FAB-T and other NC3 acquisition programs and to ensure that they are properly executed in this tight fiscal environment.

Question. What actions will you take to ensure there is a long term road map and acquisition strategy to ensure the NC3 system meets requirements consistent with the President's recent Nuclear Employment Strategy?

Answer. I understand the Air Force is currently working with DOD in support of its effort to develop an NC3 architecture to support the President's recently updated nuclear employment strategy. Once finalized, the Air Force will develop an Air Force specific roadmap that supports the new architecture. In the meantime, the Air Force is refining a NC3 Sustainment Roadmap to provide a more comprehensive approach to sustaining current Air Force NC3 systems.

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 Secretary of the Air Force?

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 communications, 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 MARK UDALL

AIR FORCE MODERNIZATION

1. Senator UDALL. Ms. James, you mentioned in your advance policy questions that one of your priorities is to balance today's readiness with tomorrow's modernization needs. Would you expand on some of the ways you'd propose to achieve that balance?

Ms. JAMES. I am concerned about today's readiness and believe we need to reinvest in this area to make up for the impacts of fiscal year 2013 sequestration. Keeping a ready force today is essential to ensure the Air Force can answer the call. At the same time, I believe the Air Force should continue its long-term recapitalization effort with an emphasis on developing the capabilities the Service uniquely provides to the Joint Force; such as, global/long-range and non-permissive capabilities, exemplified in the F-35, Long-Range Strike Bomber, and KC-46A programs.

2. Senator UDALL. Ms. James, what do you see as the Air Force's core missions—and are there any missions or systems that you believe the Air Force should divest?

Ms. JAMES. Airmen bring to the Nation's military portfolio, five interdependent and integrated core missions that have endured since President Truman originally assigned airpower roles and missions to the Air Force in 1947. These are: air and space superiority; intelligence, surveillance, and reconnaissance; rapid global mobility; global strike; and command and control. Although the way the Air Force performs these mission will constantly evolve, the Air Force will continue to perform these missions so that our military can respond quickly and appropriately to unpredictable threats and challenges. If confirmed, I will carefully review all systems.

AIR FORCE SPACE SYSTEMS

3. Senator UDALL. Ms. James, for fiscal year 2013 the administration proposed terminating the Operationally Responsive Space program, which the Senate Armed

Services Committee (SASC) rejected. In fiscal year 2014, the administration again proposed to terminate the office and once again, SASC rejected this proposal. I understand that we are in a stark fiscal crisis but I hope the Air Force takes into account that this office is the one that first proposed low cost, quick to build satellite coupled with a low cost launch. If confirmed, I want you to realize that from the SASC perspective it does not look good to terminate one of the few programs that may actually reduce the cost of space systems in a time of sequestration. Will you commit to re-examine any such proposals for fiscal year 2015?

Ms. JAMES. Yes, I give you this commitment, if confirmed.

4. Senator UDALL. Ms. James, General Shelton has mentioned previously to the Strategic Forces Subcommittee that space systems and ground systems are usually contracted for and managed separately. This has resulted in disconnects between two programs that should be fully integrated. As we look to reduce costs and redundancies, will you agree to take a hard look at how we do space acquisition in order to achieve savings and speed up delivery?

Ms. JAMES. Yes. Although I am not familiar with General Shelton's comments, I believe that continuing to improve the space acquisition process is a priority for the Air force and for the Department of Defense (DOD).

QUESTIONS SUBMITTED BY SENATOR KAY R. HAGAN

FUTURE SCIENTISTS AND ENGINEERS FOR DOD AND THE DEFENSE INDUSTRY

5. Senator HAGAN. Ms. James, DOD and the defense industry are facing challenges seeking new graduates with advanced degrees in scientific and technical fields to help develop complex military systems. Some of these challenges include a lack of interest in traditional defense sectors by new graduates, Federal hiring issues, budget pressure, the length that typical defense programs take to execute, and competition for talent with other government agencies. If confirmed, what would you do to ensure that DOD has access to the best and brightest future scientific and technical talent?

Ms. JAMES. I have been made aware of the science, technology, engineering and mathematics (STEM) workforce challenges facing our Nation and particularly the U.S. Air Force. If confirmed, I will convey to airmen the need to improve technical skills and do my best to inspire youth to pursue STEM disciplines and an Air Force career.

It's my understanding that the former Air Force Secretary and Chief signed an Air Force STEM Workforce Strategic Roadmap called Bright Horizons and that the Air Force is currently updating that document to capture progress made and new initiatives. If confirmed, I plan to review the Air Force's updated plan and ensure the Service implements a STEM Roadmap which optimizes its scientific and technical skills base.

6. Senator HAGAN. Ms. James, how would you measure the effectiveness of these efforts?

Ms. JAMES. I understand that the Air Force tracks the number of publications accomplished linked to research funding, as well as students supported by our funding outreach activities. If confirmed, I will make sure such measurements continue so as to drive business behaviors across the Air Force that are consistent with the vision and goals of the updated Air Force STEM Workforce Strategic Roadmap.

MODULAR AIRBORNE FIRE FIGHTING SYSTEM

7. Senator HAGAN. Ms. James, the Air Guard and the Air Force Reserve have been successfully flying and controlling the Modular Airborne Fire Fighting System (MAFFS) mission to combat wildfires for over 40 years. One reason this mission is so successful is the fact that Reserve component personnel have had the opportunity to volunteer in a variety of statuses, most importantly under title 32. However, the Assistant Secretary of Defense for Homeland Defense (and his deputy) are now attempting to make MAFFS a title 10 mission, not a title 32 502(f) status National Guard controlled mission, even if/when a Dual Status Commander is available for 2014. This would bring numerous negative personnel issues and command and control issues, possibly compromising the mission. All three States that fly MAFFS: North Carolina, Wyoming, and California, and the National Guard Association oppose this move as needlessly restrictive. Seeing as the National Guard has been flying and controlling this mission for 40 years and the Air Force has determined

MAFFS is best suited for the Reserve component, will you support continuing the use of title 32 as the primary duty status for the MAFFS mission?

Ms. JAMES. I am not familiar with this program. However, if confirmed I will work closely with the Assistant Secretary of Defense for Homeland Defense and America's Security Affairs to resolve the personnel and command and control issues to ensure Air Reserve component airmen have the flexibility and proper authority to support the MAFFS mission.

INFORMATION SUPPORT SQUADRONS

8. Senator HAGAN. Ms. James, with the constant threat of cyber attacks upon governmental organizations and commercial enterprises, there is a high demand for personnel with the training and experience to successfully protect our Nation's secrets and infrastructure. This demand leads to a very competitive market for such expertise, a market in which the playing field is certainly not level for Government agencies, such as DOD, in terms of matching compensation with civilian competitors. But there is one positive option for DOD in attracting and retaining such personnel, and that is with the National Guard, where its servicemembers can aspire to have a civilian career while simultaneously serving one's country. In this environment, will you support the placement of Information Support Squadrons for cyber operations within the National Guard?

Ms. JAMES. As a general principle, I believe Guard and Reserve personnel in our Total Force bring cyber expertise from private industry that is critical to our Nation's and Air Force cyber operations. The 262nd Network Warfare Squadron, a guard squadron supporting the Active 688th Cyberspace Wing, is an example of an Air National Guard (ANG) unit that is one of our Air Force's premier cyber operations squadrons made up of personnel who work in the commercial IT industry and also serve as a guardsman. I will explore the opportunity of doing more, if confirmed.

QUESTIONS SUBMITTED BY SENATOR KIRSTEN E. GILLIBRAND

MENTAL HEALTH

9. Senator GILLIBRAND. Ms. James, if confirmed, what will you do to ensure the Air Force is providing appropriate mental health care to airmen and their families?

Ms. JAMES. The Air Force's focus is on provision of quality and timely mental health support for airmen and their families. This same support extends to all military servicemembers and families wherever they are supported by Air Force hospitals and clinics. Meeting the operational mental health needs of our servicemembers will be one of my top priorities. I will ensure integration of mental health support with our community partners to identify sources of stress and help reduce the impacts of stress to promote health and family wellness. I will place strong emphasis on a tightly coordinated program of mental health support between the three military medical services, the TRICARE network, and the Department of Veterans Affairs to provide a full scope of mental health services for our airmen and their families.

CYBER

10. Senator GILLIBRAND. Ms. James, the Air Force is scheduled to add more than 1,000 cyber professionals between fiscal years 2014 and 2016. In light of sequestration and current budgetary constraints do you foresee being able to meet these goals?

Ms. JAMES. I certainly hope so, as I believe this to be an important area. However, the Air Force could face significant challenges depending on the outcome of budget deliberations and whether there is a continuing resolution or full appropriation in fiscal year 2014.

11. Senator GILLIBRAND. Ms. James, do you see room for cost savings in using more of the National Guard and Reserves to build your cyber force?

Ms. JAMES. The cyber mission strikes me as a good one for the National Guard and Reserve. If confirmed, I will delve into this more deeply. I also would like to explore ways to better identify new recruits who may have a particular aptitude for the cyber mission. Finally, it may be appropriate to target bonuses and advertising resources to this career area.

12. Senator GILLIBRAND. Ms. James, the cyber field is a fast-paced, ever-changing arena. If confirmed, what steps will you take to ensure we are recruiting the best and the brightest to this field?

Ms. JAMES. I am aware the Air Force advocates and supports cyberspace and computer training and education programs nationwide to encourage high school and college students towards technical career fields. This strikes me as a good start. I look forward to working on this area, if confirmed.

13. Senator GILLIBRAND. Ms. James, what authorities will be needed to keep the U.S. military on the cutting edge of cyber?

Ms. JAMES. I am not aware of any current gaps in authorities; however, if confirmed, I will need to review this area fully.

QUESTIONS SUBMITTED BY SENATOR MAZIE K. HIRONO

READINESS

14. Senator HIRONO. Ms. James, what are the impacts of sequestration on recruitment and retention for the uniformed military?

Ms. JAMES. I don't have the exact figures, and it may be too early to tell, but I would expect some adverse impacts to Air Force recruiting in light of budget cuts to advertising, marketing and outreach programs.

15. Senator HIRONO. Ms. James, for our valued civil servants in DOD, the furloughs have created difficult situations for many. What are the impacts on recruitment and retention of our civil service employees?

Ms. JAMES. I believe the most significant immediate impact of furlough has been on morale of the workforce. I also understand the Air Force expects a surge in retirements that could lead to one of the largest retirement years in recent memory. Furloughs, continued pay freezes, and reductions in force could have long-term effects on the workforce and recruitment if future furloughs occur.

REBALANCE TO THE PACIFIC

16. Senator HIRONO. Ms. James, the Air Force will continue to play a significant role within the U.S. Pacific Command team as we move forward with the Pacific rebalance. What is your view of the Air Force's role in the future?

Ms. JAMES. The U.S. Air Force will rebalance toward the Asia-Pacific region in conjunction with other regional and global commitments. The Air Force will continue to play a vital role in securing U.S. economic and security interests in the Pacific region. Specifically, the preservation of peace, stability, and the free flow of commerce in the Pacific region will be a top U.S. priority.

17. Senator HIRONO. Ms. James, how important will total force integration be to continue and where possible expand the partnership between the Active Duty and Reserve components?

Ms. JAMES. Total Force Integration is essential to reinforce the interdependencies between Active and Reserve components of the Air Force. Collaboration between Air Force leadership from both the Active and Reserve components is and will remain vital to building a Total Force Air Force that delivers air, space, and cyber power that the Nation and the joint force have come to expect from our Air Force; this is especially true in an environment of decreasing resources.

COMMAND CLIMATE

18. Senator HIRONO. Ms. James, a command climate survey can go a long way in determining how effective a unit is and whether or not negative actions such as sexual harassment are tolerated and/or reported. What is your opinion of the current climate surveys?

Ms. JAMES. I understand that the Air Force Climate Survey is conducted biennially and, if confirmed, the results will be briefed to me and released to the units. Commanders with 10 or more respondents are provided survey results along with a guide containing specific recommendations and lists of resources to improve their unit climate. If confirmed, I will review the survey more fully to see if there are needed improvements.

19. Senator HIRONO. Ms. James, should climate surveys be kept to monitor potential long-term issues?

Ms. JAMES. I believe so. Unit Climate Assessments are essential to monitoring the engagement of the organization, and electronic copies of organizational climate surveys are maintained by the Equal Opportunity Office. Additionally, climate surveys should be maintained by commanders to monitor trends, to track progress on recommended actions, and to address long-term issues which cannot be promptly resolved. Commanders are encouraged to pass climate survey results to incoming commanders to ensure continuity on long-term issues.

20. Senator HIRONO. Ms. James, should climate surveys be tied to the commander's permanent personnel records so as to monitor performance as a leader? What about other assessments such as 360 evaluations?

Ms. JAMES. I am very interested in tying climate surveys to performance reviews and I am told DOD is currently evaluating the methods used to assess the performance of military commanders for establishing command climates of dignity and respect and incorporating Sexual Assault Prevention and Response into their commands to ensure standardization across the Services.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

AIR FORCE READINESS

21. Senator INHOFE. Ms. James, what are your thoughts on tiered readiness and the ability of the Air Force to meet combatant commander (COCOM) requirements, maintain overall readiness, and the impact to morale and retention of personnel?

Ms. JAMES. According to the briefings I have received so far, I am told the Air Force cannot maintain a tiered-readiness posture and still meet the current defense guidance. That said, the Air Force may have reached a point where large force structure cannot be sustained at requisite readiness levels while also preserving critical modernization programs needed for the future. This is a very difficult problem to resolve going forward and one that I will need to study carefully, if confirmed.

22. Senator INHOFE. Ms. James, based on current and projected readiness levels of the Air Force, do you believe the Air Force can meet current COCOM Operational Plan requirements? You may provide a classified answer for the record if you chose.

Ms. JAMES. The Chief of Staff stated in a September 16 interview with Air Force Times, "There is not a mission that the Nation could ask that the Air Force would not be capable of doing." I believe this statement is accurate. However, I am concerned that if readiness is lessened the Air Force may have to perform missions with greater risk, and I prefer this not happen.

23. Senator INHOFE. Ms. James, depot maintenance has been delayed on our aircraft—equipment that is on average over 20 years old and worn down by over a decade of war. Based on your experience both in DOD and out in industry, how does this impact the readiness and safety of the Air Force?

Ms. JAMES. Based on my experience, I believe the impacts caused by fiscal year 2013 reduction in depot maintenance will likely impact future aircraft availability/sortie generation rates, thereby negatively affecting overall readiness recovery efforts. The depot recovery from sequestration will likely require a multi-year effort and additional funding to halt the decline in aircraft availability.

Regarding safety, I know the Air Force considers safety a top priority in all operations and strives to mitigate and manage risk.

24. Senator INHOFE. Ms. James, has DOD budgeted additional money in fiscal year 2014 to pay for delayed fiscal year 2013 Air Force depot maintenance?

Ms. JAMES. My understanding is the Air Force has not budgeted additional money in fiscal year 2014 to pay for delayed fiscal year 2013 depot maintenance requirements. The delayed requirements have been added to the overall 2014 depot maintenance program and will be prioritized against the remaining weapon system sustainment portfolio to best maximize warfighter readiness based on available fiscal resources.

25. Senator INHOFE. Ms. James, what is your assessment of the F-35 program as it is executing today based on budget and schedule?

Ms. JAMES. It is my understanding that the program went through a technical baseline review a few years ago and since then has been tracking well to its planned schedule baseline. It has been reported that the recent Low Rate Initial Production contract awards have resulted in reductions to air vehicle costs. Based upon that, it would seem the program should be executing below cost. Efforts to address technical issues and life cycle costs are encouraging, but I understand that software remains a watch-item. Additionally, I'm aware that the DOD Inspector General conducted a quality assurance assessment on the program. In their report, they assessed the Government's oversight of the contractor as inadequate and ineffective which is a concern to me. If confirmed, I look forward to reviewing the program to see firsthand how well it is executing to its cost, schedule, and technical performance baselines.

26. Senator INHOFE. Ms. James, is the F-35 needed to meet U.S. national security requirements?

Ms. JAMES. Yes. The F-35 represents the future of the Air Force fighter fleet. It will provide critical capabilities required to accomplish Air Force missions in the threat environment of the future, and enables true Joint and Coalition operations. The air superiority this Nation has enjoyed for 60 years is not an accident and gaining and maintaining it is not easy. It requires trained proficient and ready airmen and it requires credible, capable and technologically superior aircraft. The F-35 is essential to ensuring we can provide that air superiority in the future.

27. Senator INHOFE. Ms. James, what is the impact if the United States cuts the number of F-35s it plans to procure?

Ms. JAMES. It is my understanding that a cut in the procurement of F-35s will increase the per-unit cost. Therefore, the impact to the overall cost will depend upon the final number of aircraft to be procured.

QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

SMALL BUSINESS CONTRACTS

28. Senator CHAMBLISS. Ms. James, while I appreciate and support the objectives and intent of the Small Business Act, I am concerned that often the requirement to reach a small business percentage goal outweighs the requirement to produce the most effective products and services for our warfighters. This goal to achieve a certain percentage quota for small businesses can lead to inappropriate pressure being brought to bear on defense contracting officers to make decisions which result in the government buying a product or service at higher total procurement cost.

In some instances, these pressures are contrary to existing provisions of the Federal Acquisition Regulations (FAR) that contain specific exceptions allowing contracting officers' greater flexibility for specified contract tasks. Unfortunately, I am aware of cases in which these exceptions are not considered or are improperly excluded during the contract review process.

In particular, FAR 6.302.3 (Exception 3) applies specifically to engineering, research, or development capabilities that are provided to the Government by an educational or other nonprofit institution or a Federally Funded Research and Development Center. These contracts do not compete with large or small businesses and are well-recognized by the Air Force as providing unique capabilities at very low costs. Often, these Exception 3 contracts deliver a work product that is itself used to generate contract solicitations for small businesses.

In this climate of tight budgets, the Air Force must take full advantage of the best products or services at lower costs. University research, engineering, or development centers which are non-profit can provide these lower costs with greater continuity in expertise, unbiased analysis, along with advanced academic training. The Air Force has long acknowledged that we must improve the training available to both current and future government employees so that they will be better prepared to do their jobs. That is another reason that the Exception 3 academic component is part of the FAR provisions.

To this end, the Air Force should establish a plan in which contracts awarded under a valid FAR Exception 3 are not counted against the percentage of total awards made to small businesses when determining small business set-aside, award goals.

Furthermore, the Secretary of the Air Force, through the Small Business Programs office, should immediately direct local Air Force commands to educate, emphasize, and enforce the intent of FAR exceptions and make it clear to both local

Procurement Contracting Officers and Small Business Offices that valid FAR 6.302 Exception 3 contracts are not subject to Small Business disapproval because they are viewed as detracting from small business contracting goals.

If confirmed, do you believe that you can create a system where awards made under a FAR Subpart 6.302 Exceptions 3 will not count against Air Force small business percentage goals?

Ms. JAMES. As I understand it, the methodology for what is or is not counted in the Small Business Goaling percentage is established by the Small Business Act and its implementing regulations and policies. The type of action you propose may require a change in legislation (i.e., Small Business Act). If confirmed, I will look into the issue more closely.

29. Senator CHAMBLISS. Ms. James, if confirmed, will you and your Small Business Programs office, in the next 90 days, work directly with my staff to craft a solution that ensures the Air Force will actively enforce the intent of FAR 6.302 Exceptions 3 so that we are not excluding a valid process that results in lower total procurement costs?

Ms. JAMES. If confirmed, I will look into FAR 6.302-3 sole source exceptions to ensure processes are being followed according to all laws and regulations.

30. Senator CHAMBLISS. Ms. James, within 180 days, will you establish a Service-wide directive where awards made under FAR 6.302 Exception 3 are not subject to local Small Business office review for approval and allocation to small business contracting quotas if this valid exception is considered to be in the best interest of the Government as determined by the Government requirements and procurement personnel?

Ms. JAMES. I will certainly review the policies under the Small Business Act, Section 8, 15, and 31 and FAR 19.402 and consult with the Small Business Administration regarding their statutory and regulatory policies on this issue.

31. Senator CHAMBLISS. Ms. James, in accordance with FAR 19.702, since subcontracting plans are required for solicitations greater than \$650,000 (\$1.5 million for construction), and because prime contractors are required to electronically submit subcontractor reports (SF 294 and SF 295) after award, will the Air Force include dollar totals from these subcontractor reports towards the small business goals since the subcontracts are also federally funded and the data is already available?

Ms. JAMES. As I understand it, IAW FAR 19.702, they will count towards the Subcontracting Goals.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

A-10 WARTHOG

32. Senator AYOTTE. Ms. James, has the Air Force made the decision to divest A-10s from the Air Force inventory?

Ms. JAMES. To the best of my knowledge, no final decisions have been made. This question is predecisional (and I am not privy to predecisional matters).

33. Senator AYOTTE. Ms. James, has General Welsh signed the fiscal year 2015 program objective memorandum (POM) and does it call for the divestment of A-10s by 2015?

Ms. JAMES. I don't know. However, I do know that Air Force budget decisions are not final at this point, as they have yet to go through the full process.

34. Senator AYOTTE. Ms. James, is the divestment of the A-10 primarily a budget-driven decision or does the Air Force believe the A-10 is no longer needed for the close air support mission? If the Air Force believes the A-10 is no longer needed, please provide a detailed justification.

Ms. JAMES. I have not been briefed on the fiscal year 2015 POM, but in my understanding there are other weapon systems in the Air Force inventory that provide capabilities similar to that of the A-10. If confirmed, I will explore the matter thoroughly.

35. Senator AYOTTE. Ms. James, does the Air Force believe it will need congressional authority or appropriations to divest A-10s?

Ms. JAMES. Any Air Force divestiture proposals will be forwarded as part of the President's budget for congressional consideration. If confirmed, I will take no action on fleet divestitures without consulting all stakeholders.

36. Senator AYOTTE. Ms. James, have the Army and Marine Corps provided an opinion to the Air Force on any potential plan to divest the A-10s?

Ms. JAMES. I don't know. However, the normal process would be for the Air Force to brief the Army and Marine Corps as well as the other DOD components on the Air Force's fiscal year 2015 budget recommendations. Additionally, DOD leads an extensive review of each Service's budget proposals as part of the annual Program Budget Review. This process has not yet fully played out.

37. Senator AYOTTE. Ms. James, has the Army expressed a desire to maintain and operate the A-10?

Ms. JAMES. I don't know. Personally, I have not communicated with the Army about this program.

38. Senator AYOTTE. Ms. James, how does the Air Force plan to replace the capabilities that will be lost if the A-10 is divested by fiscal year 2015?

Ms. JAMES. I am told that the A-10 capabilities already exist on multi-role platforms. The evolution of targeting pods, precision-guided munitions, and the refinement of tactics, techniques, and procedures have enabled other platforms to provide the capabilities once considered unique to the A-10. I will delve into this more deeply if confirmed.

39. Senator AYOTTE. Ms. James, how does the Air Force plan to replace the A-10s role in close air support, combat search and rescue (CSAR) support, strike coordination and reconnaissance (SCAR), and as a forward air controller (airborne)?

Ms. JAMES. I am told that these missions are already accomplished using multiple aircraft in the Air Force inventory. Multi-role fighter platforms already perform most of these missions. I agree that this is a critical question to review more thoroughly if confirmed.

40. Senator AYOTTE. Ms. James, if the A-10 is divested, does the Air Force anticipate a degradation of capability in any of these areas?

Ms. JAMES. If the A-10 is divested, it will be critical that these capabilities be provided through alternate means. I would be committed to this if confirmed.

41. Senator AYOTTE. Ms. James, what would be the timeline for A-10 divestments?

Ms. JAMES. I do not have any information on this.

42. Senator AYOTTE. Ms. James, will F-35s come into the inventory at the same rate or faster than A-10s would be divested?

Ms. JAMES. I don't know.

43. Senator AYOTTE. Ms. James, are Air Force F-35 pilots receiving formal training for the following missions: close air support, CSAR support, Special Operations Forces support, air interdiction, armed reconnaissance, forward air controller (airborne), non-traditional intelligence, surveillance, and reconnaissance, and SCAR?

Ms. JAMES. My understanding is that pilots either are, or will be trained, in all these areas.

44. Senator AYOTTE. Ms. James, has the Air Force developed plans to end or curtail A-10 pilot training?

Ms. JAMES. I have not been briefed on this.

45. Senator AYOTTE. Ms. James, is the Air Force curtailing A-10 pilot training in fiscal year 2014? If so, how?

Ms. JAMES. I have not been briefed on this area.

46. Senator AYOTTE. Ms. James, would all bases that lose the A-10 receive a new airframe? If not, which bases will not receive replacement airframes?

Ms. JAMES. I have no information on this.

47. Senator AYOTTE. Ms. James, which operations plans (OPLANS) explicitly call for the use of A-10s and how will these OPLANS be supported without the A-10? (a classified response is acceptable)

Ms. JAMES. I have not been briefed on classified matters. I can provide, if confirmed.

48. Senator AYOTTE. Ms. James, has the Air Force sought the formal opinions of COCOMs regarding the potential divestment of the A-10?

Ms. JAMES. I do not know specifically, but if not, it should be part of the normal process.

49. Senator AYOTTE. Ms. James, what have COCOMs said?

Ms. JAMES. I have not been briefed on this.

50. Senator AYOTTE. Ms. James, have they expressed concerns about the ability to support OPLANs?

Ms. JAMES. I have not been briefed on classified matters.

51. Senator AYOTTE. Ms. James, will every A-10 removed from South Korea be replaced by an F-35?

Ms. JAMES. I have not been briefed on this.

52. Senator AYOTTE. Ms. James, in South Korea, would there be any gap between the removal of A-10s and their replacement with F-35s?

Ms. JAMES. I have not been briefed on this.

53. Senator AYOTTE. Ms. James, what are the strategic assumptions that are guiding the Air Force's decision to potentially divest the A-10?

Ms. JAMES. My understanding is that the Air Force is looking to achieve savings where possible in single mission aircraft when multi-mission aircraft can fulfill that mission.

54. Senator AYOTTE. Ms. James, how has the A-10 performed in Afghanistan?

Ms. JAMES. As far as I know, the A-10 performed superbly in Afghanistan.

55. Senator AYOTTE. Ms. James, how did the A-10 perform in Iraq?

Ms. JAMES. Superbly, to the best of my knowledge.

56. Senator AYOTTE. Ms. James, what is the best Air Force close air support platform in Afghanistan?

Ms. JAMES. I don't have information on this, but I have been briefed that the following additional aircraft provide close air support in Afghanistan: F-15E, F-16, B-1, B-52, AC-130.

57. Senator AYOTTE. Ms. James, how much does it cost to operate and maintain the current fleet of A-10s?

Ms. JAMES. I am told that in fiscal year 2012, the Air Force owned 346 A-10C aircraft that flew a total of 101.6K hours. The associated operational costs were \$1.8 billion (based on Air Force Total Ownership Cost fiscal year 1303 data).

58. Senator AYOTTE. Ms. James, what is the potential Future Years Defense Program (FYDP) savings associated with divesting the A-10 fleet?

Ms. JAMES. I have not received any FYDP briefings.

59. Senator AYOTTE. Ms. James, what is the FYDP savings associated with divesting only the Active Duty A-10s while maintaining all the ANG/Air Force Reserves (AFRES) A-10 fleet?

Ms. JAMES. I don't know.

60. Senator AYOTTE. Ms. James, how does the planned A-10 Programmed Flying Training (PFT) for fiscal year 2014 compare to the PFT in fiscal year 2013? How does this change compare with other aircraft?

Ms. JAMES. My understanding is that the fiscal year 2014 A-10C PFT is reduced 18 percent from the fiscal year 2013 levels. The Air Force has explained to me that this is a result of the fiscal year 2013 National Oceanic and Atmospheric Administration-directed conversion of a Formal Training Unit (FTU) squadron to Air Force Reserve component and flying hour reductions associated with current fiscal challenges. Apparently, while other FTUs may have seen small flying hour reductions, no other FTUs are showing a noticeable difference in production between fiscal year 2013 and fiscal year 2014.

61. Senator AYOTTE. Ms. James, when has Headquarters (HQ) Air Combat Command (ACC) directed that the last scheduled Active Duty A-10 FTU "B Course" occur? Please provide start and end dates.

Ms. JAMES. Based on my understanding, A-10 B-courses are still funded and planned.

62. Senator AYOTTE. Ms. James, has HQ ACC canceled any Active Duty B Courses programmed for fiscal year 2014?

Ms. JAMES. To the best of my knowledge—no.

63. Senator AYOTTE. Ms. James, is the Air Force still assigning new pilots to A-10 formal training and operational units?

Ms. JAMES. As I understand it, the Air Force is still assigning new pilots to the A-10.

64. Senator AYOTTE. Ms. James, when does the Air Force assignment system currently project the last A-10 pilots will enter formal training?

Ms. JAMES. Logically speaking, it would seem that the Air Force would only cease A-10 B-course training if the A-10 fleet is to be removed from the inventory.

65. Senator AYOTTE. Ms. James, is the Air Force maintaining the health of the A-10 fleet commensurate with other major weapons systems in terms of personnel flow, and logistics, and operations and maintenance (O&M) funding? Please include a side-by-side comparison with other major weapons systems.

Ms. JAMES. As I understand, yes. A-10 funding levels and aircraft availability (AA) rates are commensurate with other legacy fighter/attack weapon systems. However, the A-10 manning levels decreased approximately 10 percent from fiscal year 2010 to fiscal year 2012. This is partly due to the closing of the A-10 squadron at Spangdahlem AB, Germany. Overall, the health of the A-10 fleet, in terms of AA, improved from fiscal year 2010–2012. Total O&M costs less MILPERS are included in the comparison below.

	FY2010		FY2011		FY2012	
	O&M Costs	AA Rates	O&M Costs	AA Rates	O&M Costs	AA Rates
A-10	~\$1.2B	53.97%	~\$1.2B	58.58%	~\$1.1B	66.52%
F-15E	~\$1.4B	63.18%	~\$1.3B	66.70%	~\$1.3B	69.80%
F-16C/D*	~\$3.3B	65.54%	~\$3.3B	63.90%	~\$3.1B	64.42%

Note: A-10, F-15E and F-16C/D figures are Total Force.

** F-16C/D fleet is approximately 3 to 4 times the size of the A-10 and F-15E fleets, respectively.*

66. Senator AYOTTE. Ms. James, in the event of A-10 fleet divestment, will the Air Force mobilize ANG/AFRES A-10 units to fulfill this gap?

Ms. JAMES. Logically speaking, it would seem that a fleet divestment would include ANG and AFRES units.

67. Senator AYOTTE. Ms. James, how long will they be mobilized?

Ms. JAMES. Divestiture, if it were to happen, would include the ANG, AFRES and the active units.

68. Senator AYOTTE. Ms. James, what was the cause of the F-15E mishap that occurred during the Libya operations? (a classified response is acceptable)

Ms. JAMES. I have not been briefed on this, but I will look in to it, if confirmed.

69. Senator AYOTTE. Ms. James, which legacy close air support (CAS) platforms have a Common Missile Warning System installed?

Ms. JAMES. My understanding is that there are no Air Force legacy CAS platforms that have this specific system installed. However, legacy Air Force platforms are equipped with a number of systems to protect against missile threats to include infrared and radar warning receivers, countermeasures, jammers and decoys. The F-35 will also have advanced warning and defensive systems.

70. Senator AYOTTE. Ms. James, which legacy CAS platforms are considered "threshold" for the ALQ-131 Pod Upgrade Program (PUP)?

Ms. JAMES. I have not been briefed on the PUP.

F-35 JOINT STRIKE FIGHTER

71. Senator AYOTTE. Ms. James, do you believe that our Nation needs the F-35 Joint Strike Fighter? If so, why?

Ms. JAMES. Yes, we need a fifth generation fighter aircraft to ensure air dominance.

72. Senator AYOTTE. Ms. James, do you believe it is important to execute the planned increase in production in fiscal year 2015 and beyond?

Ms. JAMES. I am unfamiliar with Air Force 2015 budget plans or specific F-35 production buy profiles. Intuitively an increase in production should continue to drive down unit cost, address legacy fleet recapitalization needs and provide capability sooner to help address threats. If confirmed, I look forward to reviewing the Service 2015 budget plans. From what I understand, the Air Force, like the rest of DOD, is reviewing all programs closely as it develops its future budgets against the backdrop of an uncertain fiscal environment.

AUDITABILITY

73. Senator AYOTTE. Ms. James, Secretary Hagel has said that DOD needs “auditable statements . . . to reassure the public, and Congress, that we are good stewards of public funds”. Do you share Secretary Hagel’s belief that we need auditable statements to ensure the Air Force is a good steward of our tax dollars—especially in this period of difficult budget cuts?

Ms. JAMES. Yes. Auditable financial statements provide Congress and the American public confidence that the Air Force is producing useful and reliable fiscal information, as well as spending taxpayer funds judiciously. Our current budget environment makes this effort even more urgent. Audit readiness will improve the efficiency and effectiveness of the funds entrusted to the Air Force.

74. Senator AYOTTE. Ms. James, do you understand that submitting an audit-ready statement of budgetary resources by September 30, 2014 is not just a goal, but it is the law?

Ms. JAMES. Yes. I fully understand that the September 30, 2014 deadline for validating the audit readiness of the statement of budgetary resources was mandated in National Defense Authorization Act (NDAA) for Fiscal Year 2013.

75. Senator AYOTTE. Ms. James, in light of the cancelation late last year of the failing Expeditionary Combat Support System, do you believe the Air Force is on track to meet the 2014 and 2017 audit deadlines?

Ms. JAMES. While I don’t have detailed insight into the current Air Force audit readiness plan, I know the Air Force is committed to meeting the near- and long-term audit readiness goals. I intend on ensuring this remains a priority for the Air Force, if confirmed.

76. Senator AYOTTE. Ms. James, what are the greatest challenges in meeting the audit readiness requirement and how can Congress help?

Ms. JAMES. I look forward to becoming more knowledgeable about Air Force audit readiness plans and goals. The “longest pole in the tent” likely will be legacy systems. Without doubt, the effort is substantial and impacts the entire enterprise. I am committed to identifying the most significant challenges, as well as practical solutions to overcoming those challenges.

77. Senator AYOTTE. Ms. James, do I have a commitment from you that the Air Force will meet the 2014 statement of budgetary resources deadline, as required by the 2013 NDAA?

Ms. JAMES. You have my full commitment to work this hard. I understand this is a legal requirement and will give it full attention and priority. Once confirmed, I will look more closely into where the Air Force stands today.

SEQUESTRATION AND ITS IMPACT ON READINESS

78. Senator AYOTTE. Ms. James, General Welsh has recently said that under sequestration, the Air Force would be unable to execute the 2012 Strategic Planning Guidance that requires the military to fight one major adversary and deter another. General Welsh also told airmen stationed in Japan that the Air Force would “not

be as ready as we would like" if ordered to take action against the Syrian regime. Do you agree with General Welsh's assessments?

Ms. JAMES. I agree with General Welsh especially with respect to those forces that stopped flying due to sequestration.

79. Senator AYOTTE. Ms. James, what are your greatest readiness concerns if sequestration goes forward in 2014?

Ms. JAMES. If confirmed, I will focus on returning units stood down in fiscal year 2013 to operational levels of readiness.

80. Senator AYOTTE. Ms. James, General William Shelton, Commander of Air Force Space Command, recently said that sequestration threatens to "break every program" in the U.S. military space enterprise. Do you share his concern?

Ms. JAMES. I have not been briefed fully on space programs, but I agree in principle sequestration is very damaging.

QUESTIONS SUBMITTED BY SENATOR MIKE LEE

RELIGION IN THE MILITARY

81. Senator LEE. Ms. James, the current Air Force Instruction (AFI) 1-1, Section 2.12.1 regarding the free exercise of religion states that airmen are free to practice the religion they choose. It goes on to state that they may "confidently practice beliefs while respecting others whose viewpoints differ from their own". What action or actions by airmen would you consider show a lack of respect for the viewpoints of others?

Ms. JAMES. Ridiculing someone because of their religion or because they are non-religious would be contrary to the AFI you reference and counter to the wingman culture the Air Force values. It would also be disrespectful to continue pressing an unwelcome religious discussion on someone.

82. Senator LEE. Ms. James, can you please describe when the practice of faith may be restricted by the viewpoints of others?

Ms. JAMES. The practice of faith should never be restricted by the personal viewpoints of others. Accommodation of particular religious practices will be granted unless a commander determines military necessity justifies limitation of the requested accommodation. Commanders and supervisors at all levels are expected to ensure that requests for religious accommodation are dealt with fairly.

83. Senator LEE. Ms. James, what do you understand to be the difference between evangelizing, which is allowed by DOD, and proselytizing, which is not allowed?

Ms. JAMES. My understanding is that the Air Force and DOD have no policy that directly addresses religious evangelizing and proselytizing. However, there is an Air Force policy on Free Exercise of Religion and Religious Accommodation. Basically, servicemembers may share their faith with other servicemembers, but may not forcibly attempt to convert others of another faith or no faith to their own beliefs. Concerns that may arise regarding these issues are handled on a case by case basis by the leaders of the unit involved, in consultation with chaplains and legal advisors.

84. Senator LEE. Ms. James, how are these differences explained to commanders in the military, and do you believe it is consistently applied?

Ms. JAMES. I believe that Air Force Chaplains are directly involved in the training of squadron and wing commanders. This training includes a discussion of the commander's role in ensuring the religious freedoms of airmen. It also includes a discussion of the commanders own religious practices. If confirmed, I look forward to discussing this area more with the Chief of Air Force Chaplains and to inquire about consistency.

[The nomination reference of Hon. Deborah Lee James follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
August 1, 2013.

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

Deborah Lee James, of Virginia, to be Secretary of the Air Force, vice Michael Bruce Donley, resigned.

[The biographical sketch of Hon. Deborah Lee James, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF DEBORAH LEE JAMES

Education:

Duke University

- 1976–1979
- Bachelor of Arts Degree, Comparative Area Studies, awarded 1979

Columbia University, School of International and Public Affairs

- 1979–1981
- Master of International Affairs Degree, awarded 1981

Employment record:

Science Applications International Corporation (SAIC)

- President for Technical and Engineering Sector
- February 2013–present
- Executive Vice President for Communications and Government Affairs
- August 2010–February 2013
- Senior Vice President/Business Unit General Manager
- February 2004–August 2010
- Senior Vice President
- January 2002–February 2004
- Senior Vice President and Director for Homeland Security
- January 2002–January 2002 (1 month)

Business Executives for National Security

- Executive Vice President and Chief Operating Officer
- May 2000–December 2001

United Technologies

- Vice President of International Operations and Marketing
- April 1998–May 2000

U.S. Department of Defense

- Assistant Secretary of Defense, Reserve Affairs
- May 1993–April 1998

U.S. House of Representatives

- Professional Staff Member
- 1983–1993

Department of the U.S. Army

- Presidential Management Intern, Army Materiel Command
- September 1981–April 1983

Honors and awards:

Profiles in Diversity Journal “Women Worth Watching” 2010 and 2012

Secretary of Defense Medal for Outstanding Public Service, 1997 and 1998

Meritorious Civilian Service Medals awarded by Army, Navy, Air Force, and Coast Guard

[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 Hon. Deborah Lee James 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.)

Deborah Roche Lee James.

Deborah Lee James.

Deborah Roche Lee.

Deborah Lynn Roche.

2. **Position to which nominated:**

Secretary of the Air Force.

3. **Date of nomination:**

August 1, 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:**

November 25, 1958; Long Branch, NJ.

6. **Marital Status:** (Include maiden name of wife or husband's name.)

Married to Frank Joseph Beatty.

7. **Names and ages of children:**

Samuel Phillips Lee II, 29.

Regina Blair Lee, 27.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.

Rumson Fair Haven Regional High School, High School Diploma, June 1976.

Duke University, A.B. Comparative Studies, May 1979.

Columbia University, MIA (International Affairs), May 1981.

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.

President, Technical and Engineering Sector (SAIC), McLean, VA, February 2013–present.

Executive Vice President, Communications and Government Affairs (SAIC), McLean, VA, August 2010–February 2013.

Senior Vice President/Business Unit General Manager (SAIC), McLean, VA, February 2004–August 2010.

Senior Vice President (SAIC), McLean, VA, January 2002–February 2004.

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.

Member, Defense Advisory Committee on Women in the Services, 2010–Present (Special Government Employee)

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corpora-

tion, company, firm, partnership, or other business enterprise, educational, or other institution.

- Trustee, Deborah R. Lee James Revocable Trust (my personal trust)
- Advisory Board Member, Pentagon Federal Credit Union Foundation (2008–Present), Alexandria, VA
- Advisory Board, Woman’s Memorial Science, Technology, Engineering and Math (STEM) Campaign (2010–Present), Arlington, VA
- Advisory Board, College of Charleston School of Language, Culture and World Affairs (2010–Present), Charleston, SC
- Member, Board of Directors, Tragedy Assistance Program for Survivors (TAPS) (2011–Present), Washington, DC
- Member, Advisory Board, Citadel School of Engineering Advisory Board (2010–Present), Charleston, SC
- Board Member, Women in International Security (WIIS) Executive Circle (2012–Present), Washington, DC
- Board Member, Atlantic Council of the United States (2012–Present), Washington, DC
- Advisory Member, Business and Professional Women’s Foundation—Joining Forces for Women Veterans Mentoring Advisory Council (2011–Present), Washington, DC

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

Member, Executive Mosaic 4x24 Leadership Program, Potomac Officers’ Club (2013–Present), McLean, VA (note: this is not a charity)

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.

Debbie James Political Contributions - 4–15–13

Date	Amount	Candidate/PAC
4/16/2008	\$500	SAIC Inc.-Voluntary Political Action Committee of SAIC
5/9/2008	\$250	Ketner, Linda
10/21/2008	\$2,300	Obama, Barack
10/31/2008	\$500	Ketner, Linda
8/12/2009	\$1,000	SAIC Inc.-VPAC
9/2/2010	\$3,000	SAIC Inc.-VPAC
10/25/2010	\$500	Skelton, Ike
9/30/2011	\$250	Douglass, John
3/19/2012	\$1,000	Connolly, Gerry
4/17/2012	\$4,000	SAIC Inc.-VPAC

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

Secretary of Defense Medal for Outstanding Public Service (1997 and 1998)

Meritorious Civilian Service Medals awarded by Army, Navy, Air Force, and Coast Guard

Profiles in Diversity Journal “Women Worth Watching,” 2010 and 2012

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

N/A

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.

N/A

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.

DEBORAH L. JAMES.

This 5th day of September, 2013.

[The nomination of Hon. Deborah L. James was reported to the Senate by Chairman Levin on September 24, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on December 13, 2013.]

[Prepared questions submitted to Hon. Jessica G. Wright 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 for any modifications. I believe that the Goldwater-Nichols Act has significantly contributed to the strong framework for today’s joint warfighting capabilities. It has considerably improved inter-service and joint relationships, promoting greater effectiveness of the military departments and combatant commands.

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

Answer. Currently I am unaware of any areas where modifications are needed. If I am confirmed, I will continue to assess any further need to legislative modifications.

QUALIFICATIONS

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

Answer. In October 2012, I was designated as the acting Principal Deputy Under Secretary of Defense for Personnel and Readiness. Further, in December 2012, I was named the acting Under Secretary of Defense for Personnel and Readiness. In both of these roles, I supported the Secretary and Deputy Secretary of Defense in the areas of Total Force Management as it relates to readiness; National Guard and Reserve component affairs; health affairs; training; and personnel requirements and management, including equal opportunity, morale, welfare, recreation, and quality of life matter. I have been responsible for the recruitment, career development, pay and benefits of 1.4 million Active Duty military personnel, 1.3 million Guard and Reserve personnel, 680,000 DOD civilians, and was responsible for overseeing the overall state of military readiness.

In addition, I served this country in uniform for over 35 years, a large part of that time in key leadership positions as an Active Guard Reserve officer as well as a traditional Reserve component member. My last assignment for over 7 years was as The Adjutant General of the Commonwealth of Pennsylvania and Commander of the Pennsylvania National Guard where I worked with a wide variety of officials at the Federal, State, and local levels. During that time, I was responsible for a vast array of programs including the personnel, equipping, training, mobilizations, deployment and demobilizations of over 20,000 guards men and women, the management and implementation of the PA National Guard responsibility for the National Special Security Event G-20, the role the PA National Guard played in providing support to Hurricane Katrina, and several aspects of the Presidential Inauguration in January 2009, to name just a few. I was also responsible for all of the Veterans programs within the Commonwealth as well as our Family support networks, Yellow Ribbon and Employer Support of the Guard and Reserve (ESGR) Programs.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the next Under Secretary of Defense for Personnel and Readiness (P&R)?

Answer. This year marks the 40th anniversary of the All-Volunteer Force and it must remain our highest priority to maintain the quality and readiness of our Nation's Total Force. With shifting operational needs abroad and the difficult fiscal realities at home, we will need to rebalance, adapt and evolve our workforce to meet these challenges. We must do this also by providing commensurate compensation, benefits, support and medical care to our servicemembers and their families. As we face programmed reductions in military end strength, civilian workforce, and contract services, we must be vigilant in order to sustain force readiness and retain our high quality military and civilian personnel that have made our military the strongest, most capable, and respected fighting force in the history of the world.

The Department leadership is collectively focused on eliminating sexual assault from the Total Force. Even one sexual assault is one too many and out of step with the core values of the American military. Likewise, P&R must keep, at the forefront, preventing suicide and addressing mental health as we complete our mission in Afghanistan and assist our transitioning servicemembers to be successful and productive in their civilian life.

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

Answer. If confirmed, I will continue to support the force readiness and personnel risk reduction priorities of Secretary Hagel and Deputy Secretary Carter. I will further assess range of challenges and issues confronting the Department in these areas. I fully recognize this is a team effort and that significant progress cannot be made without leadership and close partnerships. I intend to continue to work closely with Congress; colleagues in the Office of Secretary of Defense, Joint Staff, and the Military Departments and Services; as well as with critical partners across the interagency and advocacy groups to make progress on these challenges.

DUTIES

Question. Section 136 of title 10, U.S.C., provides that the Under Secretary of Defense for Personnel and Readiness shall perform such duties and exercise such powers as the Secretary of Defense may prescribe in the areas of military readiness, total force management, military and civilian personnel requirements, military and civilian personnel training, military and civilian family matters, exchange, commissary, and non-appropriated fund activities, personnel requirements for weapons support, National Guard and Reserve components, and health affairs.

Assuming you are confirmed, what duties do you expect to be assigned to you? Answer. If confirmed, I intend to carry out my responsibilities, functions, relationships, and authorities, in accordance with the law and consistent with DOD Directive 5124.2, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))." I would be the Secretary of Defense's principal staff assistant and advisor in all matters relating to the management and well-being of military and civilian personnel in the DOD Total Force and for oversight of the readiness of this force. I would develop policies and provide oversight for the direction of plans and programs governing Total Force management as it relates to manpower; force management; planning; program integration; readiness; National Guard and Reserve component affairs; health affairs; training; personnel requirements and management; and compensation. This also includes equal opportunity, morale, welfare, recreation, and quality of life matters for both civilian and military personnel and their families.

Question. In carrying out these duties, what would be your relationship with the following officials?

The Secretary of Defense.

Answer. If confirmed, I expect to serve the Secretary as his principal advisor and advocate for Total Force Management as it relates to readiness; National Guard and Reserve component affairs; health affairs; training; and personnel requirements and management, including equal opportunity, morale, welfare, recreation, and quality of life matters.

Question. The Deputy Secretary of Defense.

Answer. If confirmed, I would expect my relationship with the Deputy Secretary to be fundamentally the same as that with the Secretary of Defense.

Question. The Assistant Secretary of Defense for Health Affairs (ASD(HA)).

Answer. If confirmed, ASD(HA) will be my principal advisor for all DOD health policies, programs, and force health protection activities.

Question. The Assistant Secretary of Defense for Reserve Affairs (RA).

Answer. If confirmed, ASD(RA) will be my principal advisor for all Reserve component matters in the Department of Defense (DOD).

Question. The Department of Defense General Counsel.

Answer. If confirmed, I would anticipate regular communication, coordination of actions, and exchange of views with the General Counsel and the attorneys assigned to focus on personnel policy matters. I would expect to seek and follow the advice of the General Counsel on legal and procedural matters pertaining to the policies promulgated from the offices of the USD(P&R) office.

Question. The Department of Defense Inspector General.

Answer. The DOD Inspector General is in charge of promoting integrity, accountability, and improvement of DOD personnel, programs and operations to support the Department's mission and serve the public interest. If confirmed, I will fully assist in any investigations or issues that relate to personnel and readiness.

Question. The Service Secretaries.

Answer. If confirmed, I would hope to work closely with the Secretaries of the Military Departments on all matters relating to the management, well-being, and readiness of military and civilian personnel in the DOD Total Force structure.

Question. The Service Chiefs.

Answer. If confirmed, I would hope to work closely with the Secretaries of the Military Departments on all matters relating to the management, well-being, and readiness of military and civilian personnel in the DOD Total Force structure.

Question. The Assistant Secretaries for Manpower and Reserve Affairs of the Army, Navy, and Air Force.

Answer. If confirmed, I would intend to further strengthen the partnership with these officials in carrying out the human resource obligations of the Services for the Total Force.

Question. The Deputy Chiefs of Staff of the Army and Air Force for Personnel, the Chief of Naval Personnel, and the Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs.

Answer. If confirmed, I intend to partner in effective working relationships with these officers to ensure that DOD attracts, motivates and retains the quality people it needs.

Question. The combatant commanders.

Answer. If confirmed, I would hope to work closely with the Combatant Commanders on all matters relating to the management, well-being, and readiness of the DOD Total Force.

Question. The Joint Staff, particularly the Director for Manpower and Personnel (J-1).

Answer. If confirmed, I intend to partner a close coordinating relationship with the Joint Staff regarding manpower and personnel policy issues.

Question. The Chief of the National Guard Bureau.

Answer. The Chief, National Guard Bureau is a principal advisor to the Secretary of Defense, through the Chairman of the Joint Chiefs of Staff, on matters involving non-Federalized National Guard forces and on other matters as determined by the Secretary of Defense. If confirmed, I look forward to a continued strong relationship, through ASD(RA), to ensure effective integration of National Guard capabilities into a cohesive Total Force.

Question. Director, Defense Health Agency.

Answer. If confirmed, I plan to work closely with the Director of the Defense Health Agency (soon to be established), through ASD(HA), in all matter relating to the Military Health System and common medical services shared across all Services.

Question. Director, Office of Personnel Management.

If confirmed, I intend to partner a close coordinating relationship with the Director, Office of Personnel Management on matters regarding civilian personnel policies.

SYSTEMS AND SUPPORT FOR WOUNDED WARRIORS

Question. Servicemembers and civilians who are wounded or injured in combat operations deserve the highest priority from their Service 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 after 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 DOD and the Services to improve the care, management, and transition of seriously ill and injured servicemembers and their families?

Answer. DOD and Department of Veterans Affairs (VA) continue to make progress in this area. We have reduced the overall disability evaluation time from over 500 days to 400 days and are reducing the post-separation wait for VA disability determination. We are also actively collaborating on the establishment of joint DOD/VA policy guidance, processes, and metrics for coordination of case management and care coordination programs within the two Departments related to the delivery of care, benefits and services to wounded, ill or injured servicemembers and their families. Efficiencies we have made toward expediting the paperless transfer of medical, personnel and financial data to VA and the electronic exchange of information to the Veterans Benefits Management System have both contributed to elimination of the current backlog of disability benefit claims and will benefit future Veterans by enabling VA to process claims faster and more accurately, thereby allowing those Veterans to receive earned benefits more quickly.

If confirmed, I will continue to ensure an electronic and seamless transition from recovery to reintegration for our wounded, ill or injured servicemembers. Additionally, I would continue the Department's collaborative efforts with the VA on compensation and benefits, transition assistance and care coordination.

Question. What are the strengths upon which continued progress should be based?

Answer. The greatest strength is the DOD's commitment to take care of its wounded warriors and their families. That commitment will guide continued efforts by DOD and VA. Fine tuning case management and automation of certain aspects of the process will aid in reducing processing times.

Question. What are the weaknesses that need to be corrected?

Answer. The DOD and VA have undertaken a total review and revamping of our approach to case management—policy, process and IT. For example, DOD, VA and the Military Departments Care Coordinators are piloting a case management tool in the National Capital Region and Texas. The goal is to gain insights, and use these insights; to integrate non-medical and medical case information to assist recovering wounded, ill and injured servicemembers obtain a new-normal life outcome; link data transfer between recovery care and disability evaluation; and ensure quality assurance across the continuum of care. The pilot is ongoing and will conclude by summer 2014.

Question. If confirmed, are there additional strategies and resources that you would pursue to increase support for wounded servicemembers and their families, and to monitor their progress in returning to duty or to civilian life?

Answer. If confirmed, working closely with Congress and the military departments, I will continue to evaluate what additional support, including resources and/or authority, is necessary to address the needs of the wounded servicemembers, their families and caregivers. For example, in addition to the above pilot, we are taking first steps to expand our Operation Warfighter and Education and Employment Initiative opportunities beyond the government sector to include the private

sector. Additionally, we have a robust adaptive sports and rehabilitation program, including such activities as gardening, arts, and team and individual sports.

Question. Studies conducted as a result of the revelations at Walter Reed Army Medical Center in 2007 pointed to the need to reform the disability evaluation system. The Integrated DES (IDES) program was established to integrate the DOD and Department of Veterans Affairs (VA) disability systems to improve and expedite processing of servicemembers through the disability evaluation system. While the processing times under the IDES were initially encouraging, servicemembers are now mired in long VA disability rating and case disposition wait times, and the VA's portion of the system appears to be overloaded.

What is your assessment of the need to further streamline and improve the IDES?

Answer. DOD has made great progress in increasing staffing and improving the performance of our portions of the IDES processes. DOD is completing its IDES core processes in 148 days against a 105-day goal. Our sustained improvement has resulted in moving a large case load downstream to VA increasing their IDES backlog. As a result, VA's inventory of cases awaiting preliminary rating has increased 46 percent since January 2013, to 9,192 cases and the VA IDES core process timeliness has increased to 272 days against a 100-day goal.

We are helping VA improve service delivery by ensuring the case files presented to them are as complete as possible. DOD is piloting an electronic case file capability to eliminate mailing and accounting of paper records by the VA and the Army has stationed 20 servicemembers at VA's Seattle rating site to help fill the gaps in DOD case files when they are identified. The intended affect is to help VA have cases "ready to rate" to allow them to adjudicate IDES cases more quickly. If confirmed, I plan to continue to look at all aspects of the system to see where opportunities exist for improvement.

Question. If confirmed, how will you address any need for change?

Answer. DOD continues to work toward a more efficient IDES using senior-level work groups and leadership councils as well as capitalizing on the information presented to us by the Recovering Warrior Task Force, Government Accountability Office, and Military Department Inspector Generals. DOD is currently undertaking several congressional studies that will give us further opportunities to enhance IDES processes. Where there are efficiencies that can be achieved by changing policy, we will do so. Additionally, we will continue our work with our VA partners to align our programs and resources together to agree on the proper paperless IT system and streamlined process changes and appropriately address them across our Departmental boundaries.

Question. If confirmed, what role would you expect to play in ensuring that the Departments of Defense and Veterans Affairs achieve the administration's objectives in DOD and VA collaboration?

Answer. In my capacity as Acting Under Secretary, I have been personally involved with DOD and VA collaborative efforts to achieve the administration's objectives and all other joint efforts with VA. If confirmed, I expect to continue to take a personal role. I will continue to provide oversight and strategic guidance, and require the staff to maintain constant contact with their VA counterparts at all echelons. I will continue to personally meet with my VA counterpart on a regular and frequent basis, formally and informally, and engage with the Secretary and Congress, and the White House staff.

REPEAL OF "DON'T ASK, DON'T TELL"

Question. What is your assessment of the effect on the force of the repeal of the Don't Ask, Don't Tell policy?

Answer. The repeal of "Don't Ask, Don't Tell" has had no impact on military readiness, effectiveness, unit cohesion, recruiting, or retention of the Armed Forces. We attribute this success to our comprehensive pre-repeal training programs, combined with the discipline of our servicemembers and continued close monitoring and enforcement of standards by our military leaders at all levels.

Question. What military benefits are currently being provided to same-sex spouses and to same-sex partners?

Answer. It is the Department's policy to treat all married military personnel equally. Therefore, the same benefits are available to all military spouses, regardless of whether they are in same-sex or opposite-sex marriages. No benefits are provided to domestic partners, regardless of whether they are in same-sex or opposite-sex domestic partnerships.

Question. Are there any additional military benefits that should be considered for same-sex spouses and partners?

Answer. No, it is the Department's policy to treat all married military personnel equally. The same benefits are available to all military spouses, regardless of whether they are in same-sex or opposite-sex marriages.

Question. What is your assessment of the current and projected future impact to resourcing that will be required to provide military benefits to same-sex spouses and partners?

Answer. The costs associated with same-sex benefits are not significant from a cost perspective and will be absorbed within the existing Department budget.

Question. If confirmed, what actions, if any, would you pursue in this regard?

Answer. If confirmed, I will continue to ensure that all military personnel and their spouses are treated equally with access to the same benefits.

Question. According to press accounts, two States—Texas and Mississippi—are refusing to allow same-sex spouses to apply for Federal benefits in State-supported facilities, citing conflicts with State law.

If confirmed, what actions would you take to ensure that members of the National Guard of the United States will receive the Federal benefits to which they are entitled?

Answer. Identification cards are currently available in all Federal facilities for all military spouses, regardless of whether they are in same-sex or opposite-sex marriages. The Department is currently examining the matter of those National Guard sites that are not issuing identification cards to same-sex spouses with our legal counsel and evaluating options to address the issue. In the meantime, we are asking same sex spouses desiring cards to go to the nearest Federal facility.

Question. On September 4, 2013 you signed a policy memorandum that authorized "administrative absence to obtain a legal marriage" when a member is part of a couple that desires to get married and is assigned to a duty station located more than 100 miles from a U.S. State, the District of Columbia, or other jurisdiction that allows the couple to get married. This memorandum revoked an August 13, 2013 change to DOD Instruction 1327.06 that authorized uncharged leave for same-sex couples to travel from the area of a permanent duty station for the purpose of obtaining a legal marriage. The authority established in your September 4th memo, while neutral on its face, appears to only benefit same sex couples who want to be married and not heterosexual couples.

What is your understanding concerning whether there are any circumstances in which heterosexual members who want to obtain a legal marriage would be eligible for uncharged leave under the policy set forth in your September 4, 2013 memorandum?

Answer. We have identified several situations in which heterosexual members who want to obtain a legal marriage would be eligible for administrative absence under the current policy. The nature of military service often involves short notice deployments and temporary duty to far off or foreign locations. That Service does not always allow a member to meet the requirements necessary to obtain a marriage license in the State in which the member is assigned. Some States have age restrictions which require that one or both members of a couple be of a certain age or to obtain a parent's or guardian's permission before marrying. This permission may not be obtainable within the limited timeframe that military service sometimes allows. Finally, several States impose a waiting period to obtain a marriage license which may not be achievable for a deploying member of the Armed Forces. All of these are examples in which a commander may grant an administrative absence to facilitate a legal marriage.

Question. In your view is the use of regular leave accrued by all members of the Armed Forces at the rate of 2½ calendar days for each month of Active service, as authorized by title 10, U.S.C., section 701(a), inadequate for the purpose of allowing leave for all servicemembers who want to be married?

Answer. The current accrual rate of annual leave is sufficient for most servicemembers who choose to obtain a legal marriage. This policy however, was crafted to allow flexibility for those members who cannot obtain a legal marriage within 100 miles of their assignment. Because laws differ around the globe, providing members time to ensure their relationships are recognized under law is a reasonable accommodation. In addition, the Department has committed to conduct annual reviews to determine if this policy remains necessary.

Question. What is your understanding of the authority of the Secretary of Defense to create a new category of administrative absence, for 7 to 10 days in a paid status, for members of the armed services in circumstances where the member could otherwise use earned leave?

Answer. The authority for approved absences from duty already exists under current OSD policy (DODI 1327.06), and there is longstanding precedent that commanders have discretionary authority to grant administrative absence to service-

members. Examples of similar administrative absences include house hunting, attendance at professional meetings, and time off to officiate at a retirement ceremony.

Question. How does the policy in your September 4 memorandum promote the express goal of treating all military personnel equally and making the same benefits available to all qualified members?

Answer. In an effort to treat everyone equally, and after careful consideration and consultation with the Chiefs and Secretaries of the Services, as well as the Chairman of the Joints Chiefs of Staff, our September 4th policy was expressly crafted so that it applied equally to both same sex and opposite sex couples.

RELIGIOUS GUIDELINES

Question. In your view, do DOD 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. Yes, in my view, current DOD policies appropriately accommodate the free exercise of religion for all servicemembers in the pluralistic environment that is the U.S. military. DOD does not endorse any one religion or religious organization, and provides free access of religion for all members of the Military Services. The Department respects (and supports by its policy) the rights of others to their own religious beliefs, including the right to hold no beliefs.

Question. Under current law and policy, are individual expressions of belief accommodated so long as they do not impact good order and discipline?

Answer. Current law and policy ensure servicemembers' rights to observe the tenets of their respective religions, as well as to hold no specific religious conviction or affiliation. The Chaplaincies of the Military Departments advise and assist commanders in the discharge of their responsibilities to provide for the free exercise of religion in the context of military service as guaranteed by the Constitution, assist commanders in managing Religious Affairs and serve as the principal advisors to commanders to ensure these expressions of belief do not adversely impact mission accomplishment, including good order and discipline.

Question. In your view, do existing policies and practices regarding public prayers offered by military 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. Existing DOD policies provide military chaplains with sufficient guidance that allows them to balance to the extent their religious beliefs allow, in both formal and informal settings, their own faith practices with the rights of others who may hold different or no religious beliefs. The Chaplaincies of the Military Departments train and equip chaplains with the knowledge and skill to help them make this proper balance.

Question. Section 533 of the National Defense Authorization Act (NDAA) for Fiscal Year 2013 (P.L. 112-239) protects rights of conscience of members of the Armed Forces and chaplains of such members, and prohibits, so far as possible, use of such beliefs as the basis of any adverse personnel action, discrimination, or denial of promotion, schooling, training, or assignment. Members of some religious denominations have sincerely held beliefs in opposition to same-sex marriage.

In your view, may a member of the armed forces who has a sincerely held belief in opposition to same-sex marriage be subject to adverse personnel action or similar other adverse action, if he or she shares those personal views on the subject in an official capacity?

Answer. The issue—a servicemember expressing personal views when speaking in his/her official capacity, is significant. Servicemembers speaking in their official capacities are expected to express official views, especially when dealing with subordinates. Expressing personal views while speaking in an official capacity can create confusion, and may give the impression of encouraging disagreement with DOD policy or the law. Servicemembers are entitled to have personal views and to express them in personal conversations; however, servicemembers are not entitled to use their official capacity as a forum to express their personal views. Servicemembers who express personal views when speaking in an official capacity may be held accountable for what they say.

Question. Can he or she be subject to adverse personnel action if they express personal views on same sex marriage in their personal capacity?

Answer. Expressions of personal views by servicemembers in their private capacities generally are permissible because they are integral to the free speech and the

free exercise of religion. Traditionally, private conversations in the barracks have included expressions of views contrary to DOD policy. However, personal expressions which disrupt the mission or have an adverse impact on good order and discipline may cause the member to be counseled by his/her chain of command, not for the views but for the disruption to the mission.

Question. The Independent Review Related to Fort Hood observed that “DOD policy regarding religious accommodation lacks the clarity necessary to help commanders distinguish appropriate religious practices from those that might indicate a potential for violence or self-radicalization.” Recommendation 2.7 of the Final Recommendations urged the Department to update policy to clarify guidelines for religious accommodation and Recommendation 2.8 urged the Department to task the Defense Science Board to “undertake a multi-disciplinary study to identify behavioral indicators of violence and self-radicalization . . .”.

What action has the Department taken with respect to these recommendations?

Answer. Ensuring appropriate accommodations for the free exercise of religions and protecting servicemembers from violence and harm are both of vital importance. Pursuant to Recommendation 2.7, the Department updated its policy on religious accommodation to ensure religious freedoms and practices are accommodated to the fullest extent possible considering mission readiness, discipline and unit cohesion. This policy is in the final stage of revision to incorporate language from the NDAA for Fiscal Year 2013, section 533, which protects the rights of conscience of members of the Armed Forces and chaplains. Regarding Recommendation 2.8, the Department did task the Defense Science Board (DSB) to undertake a study.

PREVENTION OF AND RESPONSE TO SEXUAL ASSAULTS

Question. What additional steps would you take, if confirmed, to address the problem of sexual assaults in the military?

Answer. We recognize there is no single solution to solving the problem of sexual assault and have adopted a multi-disciplinary approach that includes a variety of initiatives in prevention, investigation, accountability, victim assistance and assessments. If confirmed, I will continue to work to ensure our program prevents crimes from occurring in the first place. But, when crimes do occur, we must have comprehensive, effective, accessible and responsive investigative and victim assistance services available. I will work to ensure that our program continues to educate all servicemembers, frontline commanders and leaders and hold them accountable in establishing a culture of dignity and respect; fully implements our DOD Sexual Assault Prevention and Response Strategic Plan and the 16 recently-announced Secretary of Defense directives; and sustains our current level of attention, focus, and emphasis throughout the entire Department.

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, a recent survey conducted by the DOD 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.

What is your assessment of the scientific accuracy of the DOD survey?

Answer. The Defense Manpower Data Center’s (DMDC) survey division has conducted surveys of the military and DOD community using stratified random sampling for over 20 years, subscribing to methodological best practices promoted by the American Association for Public Opinion Research. The scientific method of stratified random sampling is the principal method used by government statistical agencies and private survey firms that conduct surveys, such as the Army Research Institute (ARI), Census Bureau, the Bureau of Labor Statistics, Gallup, RAND, WESTAT, RTI, Pew, and Roper.

For this survey, DMDC worked with DOD’s legal experts here at Headquarters and in the field to ensure behaviors prohibited in the Uniform Code of Military Justice (UCMJ) were appropriately captured in the unwanted sexual contact (USC) survey question. The behaviorally-based question includes a range of physical behaviors prohibited by the UCMJ (from unwanted sexual touching of the breasts or buttocks through completed sexual intercourse), but does not include unwanted touching of non-sexual areas of the body (e.g., the shoulder, back, legs, or arms) or offensive verbal remarks or gestures (these behaviors are captured separately).

Question. What is your assessment of the scientific accuracy of the interpretation of the results of that survey in the 2012 report?

Answer. The accuracy of survey results are dependent on whether the sample used is randomly drawn and conforms to scientific “best practices” for sampling and weighting procedures. Criticism of the 2012 Workplace and Gender Relations Survey of Active Duty Members (WGRA) as “unscientific” and unreliable is uniformly false and based on a basic lack of understanding of the scientific sampling and weighting methods employed by DMDC. DMDC uses state-of-the-art scientific statistical techniques to draw conclusions from random, representative samples of the active duty population and can accurately generalize to the full active duty population using a complex, but precise, scientific weighting process that accounts for sampling error, nonresponse, and the necessary oversampling of smaller populations within the sample. In conducting this research, DMDC has a decided advantage over many public and private opinion pollsters since DMDC is the DOD repository for all military personnel data and is able to use demographic data to inform the sampling and weighting process. It also allows respondents the ability to answer sensitive questions without disclosing identifying demographic information—a strategy strongly encouraged by experts in the field, but rarely available to other polling organizations.

Question. If confirmed, what actions will you take to obtain better data on sexual assaults in the military?

Answer. DMDC is already working closely with the Sexual Assault Prevention and Response Office, the Services, and senior DOD leaders to look for ways to continue to improve the 2014 WGRA survey and refine the metrics and measures that scientifically and effectively evaluate sexual assault within DOD. DOD is also working with other agencies, such as CDC, to help increase the comparability of DOD data to other sexual assault victimization data collected about civilians across the United States.

I have also directed that DMDC and the Services coordinate their survey efforts to minimize burden on servicemembers and maximize the sharing of information from each survey effort. Coordination of survey efforts to minimize respondent burden is critical as we must recognize the adverse impact from over-surveying the same population, which has caused a decline in response rates across DOD surveys.

DMDC is also currently conducting a scientific review of non-response to these DOD surveys. This analysis will identify whether those who did not respond to the survey would have provided significantly different answers than those who did respond. Findings from this analysis may contribute to improving the sampling methodology for future WGRA surveys. If confirmed, I will continue to ensure we use the most scientific and effective survey methods to assess sexual assault in DOD.

Question. What is your assessment of the current DOD sexual assault prevention and response program?

Answer. Our Sexual Assault Prevention and Response program is dynamic and we are consistently assessing it and striving to benefit from our lessons learned, best and promising practices, and inputs from stakeholders across our Nation. When methods are identified that can advance our efforts to build trust and improve our response, we act to implement these upgrades when they are within the Department’s authorities; when a best practice is identified, we work to make it a common practice throughout the Department. If confirmed, I will continue to work closely with Members of Congress to assess current policy and identify needed changes.

Question. What is your view of the provision for restricted and unrestricted reporting of sexual assaults?

Answer. When a victim makes the difficult decision to come forward and report, we need to provide multiple reporting options. I support offering victims two reporting options, based on previous studies and commissions that found that some victims choose to forgo reporting and support services for fear of automatically initiating a criminal investigation. To address this barrier, the Department instituted two reporting options: Restricted and Unrestricted Reporting. Initiated in 2005, the Restricted Reporting option allows victims to confidentially access medical care and advocacy services without initiating an official investigation or command notification. This differs from the Unrestricted Reporting option, in which when a victim makes an Unrestricted Report, it is referred for investigation, and command is notified. As with Restricted Reporting, victims may receive healthcare, counseling, and advocacy services. Since 2005, over 5,000 servicemembers have used the Unrestricted Reporting option.

Question. What is your view of the adequacy of DOD oversight of military service implementation of the DOD and Service policies for the prevention of and response to sexual assaults?

Answer. In my view, we are providing extensive oversight and accountability of this important mission, and are continuing to employ multiple accountability tools to assess the issue of sexual assault prevention and response (SAPR) in DOD. The

Department publishes two accountability reports on sexual assault each year: the DOD Annual Report on Sexual Assault in the Military and the Annual Report on Sexual Harassment and Violence at the Military Service Academies (MSA). These comprehensive reports serve as the Department's primary means for evaluating and communicating oversight of its SAPR program, and provide transparency and accountability for every report of sexual assault.

In addition, DOD Inspector General (DOD IG) reviews are a valuable tool used to ensure accountability, integrity, and efficiency. To date, the DOD IG has conducted three separate reviews to assess different aspects of how the overall system responds to and handles sexual assault cases. Additionally, in 2011, the DOD IG formed a new Violent Crime Division focused on evaluating and improving the quality of the Department's violent crime investigations, including sexual assault. This unit evaluates the sexual assault investigation training and compliance with DOD policy in the Military Criminal Investigative Organizations.

The Secretary of Defense hosts weekly meetings of the senior leaders in this Department to hold the entire prevention and response system accountable. Also, the Director of the SAPR Office chairs an Executive Integrated Product Team consisting of General and Flag Officers and members of the Senior Executive Service from OSD, the Military Departments, and the Services every other month providing detailed review and oversight of the SAPR program. Finally, OSD provides subject matter expertise and analysis to a quarterly SAPR Joint Executive Council convened by the Joint Chiefs of Staff and designed to review SAPR program performance and effectiveness across each of the Military Services.

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. As we have seen in other recent military culture changes, culture change starts at the top with commanders and leaders leading by example and enforcing standards of conduct. The role of the chain of command in changing the military culture is paramount. Central to our approach is requiring leaders at all levels to foster a command climate where sexist behaviors, sexual harassment, and sexual assault are not condoned or ignored; where dignity and respect are core values we live by and define how we treat one another; where victims' reports are treated with the utmost seriousness, their privacy is protected, and they are treated with sensitivity; where bystanders are motivated to intervene to prevent unsafe behaviors; and where offenders know they will be held appropriately accountable by a strong and effective system of justice. Commanders and leaders at every level are the key to eliminate and enforce standards and in achieving these goals as we have seen in other culture change in the military as the repeal of "Don't Ask Don't Tell."

Question. What is your view about the role of the chain of command in providing necessary support to the victims of sexual assault?

Answer. Commanders and frontline leaders are responsible for mission accomplishment and for caring for the women and men assigned to their commands. This is a core axiom of leadership in the profession of arms. Commanders and leaders at all levels are responsible and must be held accountable for supporting victims' full range of timely and responsive care, as well as for establishing a command climate where victims are treated with the sensitivity and privacy they deserve. If confirmed, I will continue to emphasize these central elements of leadership.

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. In my view, taking the disposition decision in the administration of military justice from the commander would undermine readiness and leave the chain of command without the necessary tools to develop a cohesive fighting force by enforcing good order and discipline. I agree with Secretary Hagel that this authority must remain in the command structure and that we must continue to make it more accountable. We need commanders more involved not less involved to solve the issue of sexual assault. That said, we look forward to the report of the Response Systems Panel's review of this issue.

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. In my view, we must continue to work on building victim confidence, and that includes process improvements to prevent potential revictimization during the Article 32 process. Recently, the Secretary directed a number of changes that I support, including ensuring that Judge Advocates serve as investigating officers for all Article 32 hearings on sexual assault charges and providing legal representation to victims of sexual assault in an attorney-client relationship, similar to the Air Force pilot program begun in January of this year.

SERVICE ACADEMIES

Question. What do you consider to be the policy and procedural elements that must be in place at each of the Service Academies in order to prevent and respond appropriately to sexual assaults and sexual harassment and to ensure essential oversight?

Answer. Sexual assault has no place at the Military Service Academies and is antithetical to their core values and missions. Prevention and response to sexual assault must be completely integrated into the full spectrum of Service Academy life and learning. The Department will continue to assess the Academies efforts to develop and refine prevention and response programs in order to establish a culture free of sexual harassment and assault. If confirmed, I will review those programs and partner with the Academies to continue to better educate and train the cadets and midshipmen, and to ensure the Department provides appropriate response and support for the victim if a crime does occur.

Question. What is your assessment of measures taken at the Service Academies to ensure religious tolerance and respect, and to prevent sexual assaults and sexual harassment?

Answer. The Academies continue to put considerable effort into the development and implementation of policies and procedures designed to address religious tolerance. The Academies do not endorse any one religion or religious organization, and provide free access of religion for all members of the Military Services. In the past few years, the Academies' leadership has emphasized the need for greater respect for the rights of others to their own religious beliefs, including the right to hold no beliefs.

While the Service Academies have made great efforts, more needs to be done to reduce the level of sexual harassment and sexual violence. It will require continued persistence and innovative measures at each institution. If confirmed, I will remain committed to ensuring that prevention efforts are strong, victims receive care, offenders are held appropriately accountable and proper support is offered to cadets and midshipmen throughout their academic career.

ASSIGNMENT POLICIES FOR WOMEN IN THE MILITARY

Question. The Department in January rescinded the policy restricting the assignment of women to certain units which have the primary mission of engaging in direct ground combat operations, and has given the military services until January 1, 2016, to open all positions currently closed to women, or to request an exception to policy to keep a position closed beyond that date, an exception that must be approved by the Chairman of the Joint Chiefs of Staff and the Secretary of Defense. The services are working now to develop gender-free physical and mental standards for all military occupations, presumably with the goal of allowing individuals, regardless of gender, to serve in those positions if they can meet those standards.

If confirmed, what role will you play in the development of these standards?

Answer. The Services and U.S. Special Forces Command (SOCOM) are working with various scientific and research agencies (Ex: U.S. Army Research Institute for Environmental Medicine, Center for Naval Analyses, Air Education and Training Command, and RAND) to review and validate occupational standards to ensure they are occupationally and operationally relevant and are applied gender-neutrally by September 2015.

Along with the Chairman of the Joint Chiefs of Staff and the Service Chiefs, I will monitor the progress the Services and SOCOM are making toward integration of females into previously closed occupations and positions. The Department will provide notification to Congress before opening any additional positions.

Question. If confirmed, will you ensure that the standards are realistic and preserve, or enhance, military readiness and mission capability?

Answer. DOD is aware of Public Law 103-160, section 543, which prohibits the Department from changing an occupational performance standard for the purpose of increasing or decreasing the number of women in that occupational career field. We are working with RAND to ensure physical standards are gender neutral and accurately correlate with the requirements of the position or occupation.

Question. Do you believe that decisions to open positions should be based on bona fide military requirements? If so, what steps would you take to ensure that such decisions are made on this basis?

Answer. It is in the best interest of the Department to allow both men and women who meet the standards for military positions and units to compete for them. Rescission of the 1994 policy provides a way forward to fully integrate women without compromising our readiness, morale, or warfighting capacity. By removing gender

as a disqualifier for certain positions, all servicemembers will have the opportunity for assignment to positions for which they qualify.

Question. Some family members have expressed concerns about assigning women to what are currently male-only combat units.

To what extent do you believe that this will be a problem in the implementation of this policy?

Answer. I understand, and appreciate, family members may have these concerns for their loved ones. I expect our commanders to select the best qualified personnel, male or female, and create a command climate that focuses on mission accomplishment and treat each person with dignity. We have had a number of women in newly opened units since mid-2012, and have already experienced successful integration of women into formerly male-only units. We will leverage this experience moving forward.

Question. If it is a problem, what steps would you take to address it?

Answer. We require the Services to provide us feedback on their elimination of gender-restrictive policies, including the status of women in these newly opened positions. If problems are encountered, I will, if confirmed, examine the issue and address it considering all dimensions and all recommendations consistent with sustaining readiness.

RISING COSTS OF MEDICAL CARE

Question. In testimony presented to Congress in February, 2009, the Assistant Director of the Congressional Budget Office asserted that “medical funding accounts for more than one-third of the growth projected for operations and support funding between 2009 and 2026.” In April 2009, Secretary Gates told an audience at Maxwell Air Force Base that “health care is eating the Department alive.” In recent years, the Department has attempted to address this growth through fee increases for military retirees, while also attempting to identify and implement other means to ensure the viability of the military health system in the future.

What is your assessment of the long-term impact of rising medical costs on future DOD plans?

Answer. I realize the health care benefit contributes to the retention of our men and women in service. But the reality is that health care costs are a serious problem for the Department, consuming nearly 10 percent of the budget. Simply stated, rising health care costs pose a real threat to our readiness and modernization efforts. If confirmed, I will continue to work with beneficiaries, advocacy groups, Congress and our medical establishment to find workable solutions to sustain the benefit in a realistic and affordable way without breaking faith with our troops and their families.

Question. If confirmed, what actions will you initiate or recommend to the Secretary of Defense to mitigate the effect of such costs on the DOD top-line?

Answer. Managing health care costs is a shared responsibility among the government, providers and the beneficiary. In addition to seeking reasonable beneficiary cost share reforms, if confirmed I will work with key stakeholders to pursue promising cost saving initiatives such as emphasizing wellness and prevention and working with our medical leadership to capitalize on internal efficiency opportunities.

Question. What reforms in infrastructure, benefits, or benefit management, if any, do you think should be examined in order to control the costs of military health care?

Answer. I firmly believe that we must adopt a holistic approach to addressing the rising costs of health care. Responsible benefit reform should be one part of the solution, but not the only solution. If confirmed, I will continue to look for ways to optimize our medical infrastructure to include leveraging the work of the recent Modernization Study. I see great opportunities to reduce overhead through the implementation of the Defense Health Agency and shared services. Finally, there are numerous cost saving opportunities in such areas as logistics, provider payment reform, and anti-fraud efforts, just to name a few.

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 recruiting and retention for 2014? What would be the impact of a 1 percent pay raise in 2015 through 2017?

Answer. I recognize the sacrifices made by the men and women in our Armed Forces. A 1.0 percent military basic pay increase ensures their pay continues to compare favorably with that of American workers. The Department does not believe a 1 percent military basic pay raise will materially affect recruiting and retention in 2014. At this time, the Department does not have sufficient data to determine the long-range impacts of a 1 percent pay raise beyond 2014 on retention and recruiting.

Question. Some have suggested that the difference between the 1 percent pay raise requested by the administration, and the 1.8 percent increase based on the ECI could be paid for by realizing efficiencies within DOD.

What is your assessment of the ability of the Department to fund the full 1.8 percent increase in basic pay through efficiencies?

Answer. The Department is continually searching for efficiencies, and the pay raise proposal was a tough decision reached by our senior leaders after carefully weighing other options and efficiencies for savings. The Department is working diligently to ensure our servicemembers receive fair compensation that recognizes the sacrifices they make for our country, while still adhering to our budgetary constraints.

Answer. Currently, military compensation compares favorably with compensation in the private sector. The Department believes a 1 percent military basic pay increase is preferable to having to reduce military end strength by thousands of additional troops on top of the drawdown already planned, or further cut funds for training and equipping our forces to achieve these savings.

Question. The Department has traditionally compared Regular Military Compensation against comparable civilian salaries to devise a percentile as a way to assess the relative attractiveness of military pay versus civilian pay.

What is the current comparable percentile of military pay versus civilian pay for officers and enlisted personnel?

Answer. The Department's most recent study, performed by the 11th Quadrennial Review of Military Compensation, compared regular military compensation for officers and enlisted members with pay for civilians with comparable education and experience levels. Its report found that, on average, regular military compensation for officers was at the 83rd percentile and for enlisted members the 90th percentile.

Question. How do these percentiles compare to the base level at which the Department feels military compensation must be to effectively recruit and retain the highest quality personnel possible for military service?

Answer. The Report of the 9th Quadrennial Review of Military Compensation evaluated military compensation levels and found that compensation at approximately the 70th percentile of comparably educated and experienced civilians was necessary to enable the military to recruit and retain the appropriate quantity and quality of personnel. Measured against that benchmark, current military compensation compares favorably with private-sector compensation.

MENTAL HEALTH CARE

Question. Senior military leaders have long recognized the need to reduce the stigma for military personnel and their families and veterans in seeking mental health care, yet we continue to hear from servicemembers that the stigma persists.

If confirmed, what actions will you take to reduce the stigma associated with seeking mental health care by military personnel and their families?

Answer. If confirmed, I would support ongoing Department efforts to combat stigma and increase help-seeking behavior among servicemembers, their families, and affected civilians. Both the Department and the Services are currently heavily engaged in this effort. I am also prepared to provide the Service Chiefs with whatever resources are necessary to expand the breadth of the outreach efforts. I fully support the Department's efforts to improve health and mental healthcare services, and reduce the stigma of mental healthcare for our men and women in uniform, their families, and affected civilians.

Question. In your view, are DOD's current mental health resources adequate to serve all active duty and eligible Reserve component members and their families, as well as retirees and their dependents?

Answer. Yes, after making significant investments in infrastructure and capacity over the last decade, DOD's current mental health resources are adequate to serve our active duty, family and veteran populations. Within DOD, strategies for hiring and retention of mental health providers resulted in a 40 percent increase in mental health providers over the last 3 years. This includes a 40 percent increase in the number of psychologists, a 26 percent increase in the number of psychiatrists, a 42 percent increase in the number of social workers, and a 27 percent increase in the

number of mental health nurses. This represents a fill rate of 99 percent of funded positions, which compares favorably to industry averages.

SUICIDE PREVENTION

Question. The numbers of suicides in each of the services continue to be of great concern to the committee, though military suicide rates appear to remain lower than suicide rates for the same age groups in the civilian sector.

If confirmed, what role would you play in shaping DOD policies to help prevent suicides both in garrison and in theater and to increase the resiliency of all servicemembers and their families?

Answer. If confirmed, I will continue to collaborate with the Services, VA, and other public and private organization and experts to further foster best practices in the prevention of suicide and build resilience within our force. During my tenure as Acting Under Secretary of Defense for Personnel and Readiness, the first DOD-wide comprehensive suicide prevention policy was issued. We recently established a Peer Crisis Hotline in Afghanistan to support our servicemembers in theater and expanded our Military Crisis line to Europe and Korea. I have ensured that the Vets4Warriors peer support program continued and was extended to all servicemembers and their families this year. I also implemented a program evaluation methodology aligning the DOD's suicide prevention strategy with the National Strategy for Suicide Prevention to ensure its effectiveness and efficiency. I will continue to work with the Department of Veterans Affairs (VA) and the Centers for Disease Control and Prevention (CDC) regarding our joint Suicide Data Repository, which now hosts mortality data on all who have served dating back to 1979.

Increasing the resiliency of all DOD Personnel—military and civilian—and their families remains one of the key factors in the prevention of suicide and one of the central tasks assigned to the newly established Defense Suicide Prevention Office under my purview.

Question. Recent media articles have raised concerns about the possible role of Servicemembers Group Life Insurance (SGLI) proceeds to survivors as a contributing factor in suicide attempts by servicemembers.

Has the Department examined whether SGLI proceeds, or other monetary benefits associated with the death of servicemember, could impact a servicemember's decision to commit suicide?

Answer. The Department has examined the issue and found that the research on the association between insurance coverage and suicide is not conclusive. The Department of Veterans Affairs, which oversees the SGLI program, adheres to a determination standard that suicide victims were not of sound mind and adjudicates insurance claims based on that policy. Hence, there should not be any restrictions on coverage to the survivors.

READINESS RESPONSIBILITIES

Question. Section 136 of title 10, U.S.C., gives the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) certain responsibilities for military readiness. Some important issues that affect military readiness, however, such as logistics and materiel readiness, have been placed under the jurisdiction of the Under Secretary for Acquisition, Technology, and Logistics.

What is your assessment of the impacts and challenges to DOD readiness as a result of sequestration?

Answer. Sequestration has significantly limited the Services' ability to generate ready forces to meet a broad range of mission requirements. We are meeting current operational requirements with well trained and equipped units, but this is getting more difficult. The brunt of the sequester effects is in our ability to generate forces to meet contingency surge requirements and this is a serious concern. Some of these effects will take considerable time and resources to reverse.

Question. What is your assessment of how the recent DOD furloughs have impacted readiness?

Answer. A ready unit is the product of myriad personnel, training, and equipment pipelines. Our DOD civilian labor force keeps these pipelines moving. They are the technicians at our depots, the support for our training ranges, and the instructors at our schools—we cannot generate ready forces without them. We know that furloughs just completed increased maintenance backlogs at our depots and reduced the quantity and quality of our training. These effects will take time to resolve. We are concerned that as the budget uncertainty persists, the most skilled of this workforce will simply leave Federal service, thereby creating permanent degradations in critical skill areas.

Question. What is your assessment of the current readiness of our Armed Forces to execute the National Military Strategy?

Answer. Today our forces are postured globally, conducting counterterrorism, stability, and deterrence operations, maintaining a stabilizing presence, conducting bilateral and multilateral training to enhance our security relationships, and providing the crisis response capabilities required to protect U.S. interests. The investments made in our Armed Forces have helped maintain our military's standing as the most formidable force in the world.

We remain able to meet the most critical ongoing operational and presence requirements that the Nation asks of us, however this is getting more difficult as the effects of sequester materialize. What is at risk is our ability to generate the surge required for a high-end emergent crisis and this is a serious concern.

Question. In your view, what are the most significant challenges to the current readiness of our Armed Forces?

Answer. The defense strategy requires that our force meet a growing number of global security concerns as it recovers from 12 years of direct combat. We are concerned that current budget constraints will thwart the Services' efforts to regain full-spectrum readiness in order to successfully meet the tenets of the defense strategy. The Services made deliberate plans to shift from counterinsurgency (COIN) focused operations to address more globalized, full spectrum warfighter requirements. Those plans are at risk if sequestration remains in effect. Specifically, training opportunities and equipment condition are our primary concerns in preserving readiness across the force.

Question. What is your understanding of the responsibilities of the USD(P&R) and relationship to the Assistant Secretary of Defense for Logistics and Materiel Readiness in ensuring military readiness, including materiel readiness?

Answer. The responsibilities of the USD(P&R) are to develop policies, plans, and programs for the Total Force to ensure efficient and effective support of wartime and peacetime operations, contingency planning, and preparedness. The Assistant Secretary of Defense for Logistics and Materiel Readiness oversees materiel readiness. Force readiness and materiel readiness have a symbiotic relationship, and as such, I have actively sought to sustain and strengthen this relationship in my current capacity. If confirmed, I will continue to work closely with my Department counterpart in this area.

Question. What are the most critical objectives to improve readiness reporting and monitoring of the military forces, and if confirmed, how would you work with the Military Departments as well as other Office of the Secretary of Defense offices to achieve them?

Answer. The most critical element of readiness management is the ability to monitor not just the status of unit readiness, but the health of the pipelines that support it. These downstream metrics not only provide a more complete picture of readiness, but they are also the key to forecasting problems. In my current capacity, I have overseen dramatic improvements in the Department's ability to monitor readiness along these lines.

If confirmed, I will continue partnering with the Services, the Joint Staff, the combatant commanders, and other OSD partners to systematically monitor these pipelines, articulate the likely operational consequences, and provide mitigation options.

Question. Do you believe the current readiness reporting system accurately shows if our forces are not only "ready" but "ready for what"?

Answer. Yes. The Defense Readiness Reporting System directly addresses the "ready for what" question by focusing on mission capability. It assesses the readiness of all organizations throughout the Department to perform their assigned missions.

Question. What is your understanding of the responsibilities of the USD(P&R) with respect to the Global Response Force?

Answer. The USD(P&R) provides policy guidance for monitoring the readiness levels of units assigned to the Global Response Force. USD(P&R) also collaborates with the Joint Staff to identify readiness deficiencies within the Global Response Force and recommends mitigation options for the Secretary's consideration. Finally, as the resource sponsor for the Department-wide joint training, exercise and engagement program, the USD(P&R) also facilitates the leveraging of Service or Combatant Command training events to exercise the Global Response Force.

END STRENGTH REDUCTIONS

Question. The Department last year laid out a defense strategy that proposes eventual end strengths of 490,000 for the Army and 182,000 for the Marine Corps over the next 5 years.

What is your understanding of the Army's and Marine Corps' ability to meet these goals without forcing out many soldiers and 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. Based on the current rate of drawdown and projected losses, I am confident the Army and Marines Corps will meet their fiscal year 2018 prescribed end strengths. Unfortunately, due to many years of war, the size of our personnel reductions, and deep budget cuts, it may be difficult for the Services to properly shape their force without separating some of our combat veterans. Voluntary and involuntary separations may be necessary to ensure the military is postured correctly for mission readiness and to meet national security objectives during this time of budgetary constraints. As we become a leaner Force, it is imperative the Services have the best qualified individuals available to ensure mission success.

Question. What programs are in place to ensure that separating and retiring servicemembers are as prepared as they can be as they enter a struggling economy?

Answer. The 2011 Vow to Hire Heroes Act requires a pre-separation counseling assessment and counseling, Department of Veterans Affairs (VA) benefits briefing and Department of Labor employment workshop (with some exceptions). This has been in place since November 2012. An enhanced Transition Assistance Program (TAP), which will be completed in March 2014, provides a 2-day higher education track (complete college application); a 2-day technical track (complete technical training application); and a 2-day entrepreneurship and business plan education track.

Question. How fast can the Army and Marine Corps responsibly and fairly reduce end strength while maintaining the integrity and readiness of combat units?

Answer. The Department expects a significant drawdown in Army and Marine Corps forces over the next several years. I understand that sequestration cuts will likely force the consideration of even steeper reductions than we've previously planned. Regardless of the actual target, my concern remains the same—in making the forces leaner, the Department should take care to learn the lessons of previous drawdowns. Our military must remain able to respond to any large-scale contingency operation. This will require careful consideration by Services about their organizational structures and their ability to reconstitute and mobilize forces. These reductions must be done with an eye toward those who have already served in combat and for those with families who have experienced extended separations, by maximizing voluntary programs and using the full range of authorities provided by Congress.

Question. If sequestration continues through 2018, what will be the impact on the Active Duty and Reserve end strengths of all the Services, and how would the mix between the Active and Reserve Forces be affected?

Answer. Future rounds of sequestration will be devastating and will limit our ability to generate healthy, prepared forces especially in the near term. It is also forcing a difficult decision between a larger unready force, or a smaller ready force. Neither option is without concern. It is too soon to tell exactly how these decisions will manifest across capabilities or components.

I do know that a healthy Reserve Force is an absolutely critical element of both homeland and overseas operations. We cannot revert back to past practices of gutting the capabilities of our Reserves. If confirmed, this is a concern that I will follow closely.

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. The Department has been granted the Total Force shaping tools necessary to meet the drawdown in its current plan. However, continued budget reductions may make it necessary to revisit the size of all components of the Total Force—Active Duty military, Reserve component military, DOD civilians, and contractors. Future assessment may require requesting additional congressional authorization for force shaping tools to meet reduced end strengths.

MEDICAL PERSONNEL RECRUITING AND RETENTION

Question. DOD continues to face shortages in some critically needed specialty medical personnel in both the Active and Reserve components. A recent USA Today article asserts that over 3,000 civilian medical doctors, nurses, and other health

workers decided to leave their jobs this year during the period of time when furloughs were either being threatened or being carried out.

What is your understanding of the current shortages of health care professionals in DOD, the true effects of sequestration on the retention of medical professionals, and the sufficiency of plans to meet recruiting and retention goals?

Answer. DOD is in the midst of evaluating ongoing requirements for medical professionals in the context of a military drawdown and a modernization study. Preliminary information from the Army indicates civilian losses may have increased to a rate of 2–3 times greater than expected during the period of sequestration-related furloughs. We are polling all of the Services to see whether this trend is more widespread, and plan to continue monitoring medical personnel losses as related to Military Health System needs.

Question. What legislative and policy initiatives, including bonuses and special pays, do you think may be necessary to ensure that the Military Services can continue to meet medical support requirements?

Answer. With the Authority to Consolidate Special Pay provided by the NDAA for Fiscal Year 2008, we have adequate financial tools to improve retention and recruitment of our uniformed health professions officers. We have some flexibility to improve compensation for our uniformed providers, if needed, under current authorities. For non-uniformed military civilian physicians, we have the Physicians and Dentists Pay Plan (PDPP). The PDPP allows us to compensate our physicians and dentists at rates consistent with VA because we are allowed to use their pay table under delegation agreement by OPM. The agreement is not limited to physicians and dentists. We will closely monitor health compensation trends and coordinate with other Federal agencies, to see if we must make adjustments to our future pay plans.

MILITARY ACCESSIONS VITAL TO NATIONAL INTEREST PROGRAM

Question. Under the Military Accessions Vital to National Interest (MAVNI) program, the Services may recruit non-permanent resident aliens who have certain high-demand medical or linguistic skills for service in the armed forces, and offer them an expedited path to citizenship. Although the Services have enjoyed extraordinary recruiting and retention in recent years, some specialties remain under strength. While limited in scope, the program appeared successful and worthy of expansion, but was halted after the initial quota was reached so the Department could assess its utility and perform a security review. The program was to restart last summer for 2 additional years.

What is the status of the MAVNI program?

Answer. The MAVNI program was reinstated in May 2012 following required security reviews by Office of the Under Secretary of Defense for Intelligence. The pilot will continue through fiscal year 2014.

Question. How many individuals have been recruited under the program since its restart, and in what occupations?

Answer. Since the program reopened in May 2012, Army has recruited 43 healthcare professionals and 1,024 critical language speakers.

MEDICAL MARIJUANA

Question. What is your assessment on the need for legitimate scientific study of the efficacy of medical marijuana in alleviating the symptoms of post-traumatic stress disorder (PTSD) experienced by servicemembers and veterans?

Answer. DOD does not have any plans to sponsor research on the use of marijuana to treat wounded, ill, or injured servicemembers. The Army Medical Research and Materiel Command, which leads our Defense Health Program PTSD research, has not reviewed any proposals to investigate the use of marijuana for the treatment of PTSD. However, it is important to understand that for research studies to be helpful, they must be rigorously designed, scientifically sound, and meet the requirements for the protection of human subjects. If research were proposed that met these criteria, was feasible, and was aligned with programmatic requirements, then the study would be considered. DOD is supportive of any scientifically rigorous, lawful research efforts that have the potential to help improve the lives of patients who have been adversely affected by PTSD.

MOBILIZATION AND DEMOBILIZATION OF NATIONAL GUARD AND RESERVES

Question. Over the past 12 years, the National Guard and Reserves have experienced their largest and most sustained employment since World War II. Numerous problems arose in the planning and procedures for mobilization and demobilization, e.g., inadequate health screening and medical readiness, monitoring, antiquated pay

systems, limited transition assistance programs upon demobilization, and lack of access to members of the Individual Ready Reserve. Reserve Force management policies and systems have been characterized in the past as “inefficient and rigid” and readiness levels have been adversely affected by equipment stay-behind, cross-leveling, and reset policies.

What is your assessment of advances made in improving Reserve component mobilization and demobilization procedures, and in what areas do problems still exist?

Answer. Over the past 12 years, the Department has implemented policy changes governing the utilization of the Guard and Reserves and expanded pre- and post-benefits for Active Duty periods which have served to enhance predictability and morale among servicemembers. Providing Reserve component personnel the ability to anticipate and plan for periods of utilization as well as periods of inactive duty at home contributes to readiness and improves communication among servicemembers, their families and employers.

Question. What do you consider to be the most significant enduring changes to the administration of the Reserve components aimed at ensuring their readiness for future mobilization requirements?

Answer. Significant enduring changes include the new title 10, section 12304b mobilization authority provided by Congress in the NDAA for Fiscal Year 2012, enabling continued focus on readiness and Reserve component (RC) utilization for non-named contingencies. Other enduring features include the exceptional RC performance record and support of the American people and employers. In my opinion, the readiness for future mobilization by Reserve and National Guard members has its greatest support in the actions of the American people and employers. This willingness has been borne through the long-term adoption of standardized policies and procedures governing Reserve mobilization combined with adequate dwell periods that have served to increase confidence and overall morale on the part of servicemembers and their families.

Question. Do you see a need to modify current statutory authorities for the mobilization of members of the National Guard and Reserves?

Answer. Current authorities are appropriate, and enable effective National Guard and Reserve utilization. I appreciate the authorities and support this committee has provided in this matter.

Question. What is your assessment of DOD programs to assist members of the National Guard and Reserves as they transition from a mobilized status?

Answer. Predictability and open communications are two key elements in the sustainment of readiness and morale of Reserve component servicemembers and their families. Since 2008, the Yellow Ribbon Reintegration Program (YRRP) has provided invaluable deployment and reintegration support for the Reserve components. Its efforts, in collaboration with partners like Employer Support of the Guard and Reserve, Transition GPS (Goals, Plans, Success), the Department of Veterans Affairs and the community-based network of care, provide information, access, referrals and outreach to military members, their families, employers, and immediate support network.

ENHANCED RESERVE MOBILIZATION AUTHORITIES

Question. In the NDAA for Fiscal Year 2012, Congress authorized the Service Secretaries to mobilize units and individuals in support of pre-planned combatant command missions for up to 365 consecutive days. In the current defense strategy, the President and Secretary of Defense have stated that while conventional ground forces will be reduced, Special Forces will be increased over the next 5 years, and a key component of the new strategy seems to be the establishment of a rotational presence in Europe, the Middle East, and anywhere U.S. interests are threatened. Some in the press have called this a “lily pad” approach, and it potentially dovetails with an operational view of the Reserve components.

What is your assessment of the operational reserve and how it will fit into this paradigm of smaller, more lethal forces rotating into and out of many locations of strategic interest?

Answer. The operational reserve has a role in a paradigm of smaller, more lethal rotational forces. Services should fully leverage the new authorities that allow for planned Reserve component mobilizations when making decisions on restructuring and employing their forces. Utilization of the Guard and Reserve in the rotational support to COCOMs will not only reduce the infrastructure required of a permanent presence in theater but also relieve stress on the Total Force, thereby making the Reserve component an economical and viable partner in the force mix. I consider this critical to sustaining the readiness that we have achieved in the past 12 years.

Question. What is your understanding of the appropriate size and makeup of the Reserve components in light of the defense strategy?

Answer. The Department continues to coordinate closely with the Services to determine the correct/appropriate mix. Both Active and Reserve component forces are essential to supporting the national defense strategy, and the Reserve components continue to provide trained, ready, and cost-effective forces that can be employed on a regular operational basis, while also ensuring strategic depth for large-scale contingencies or other catastrophic national crises. The Department will further examine the appropriate size and makeup over the next several months during the Quadrennial Defense Review and the fiscal year 2015 program reviews.

MILITARY QUALITY OF LIFE

Question. The committee is concerned about the sustainment of key quality of life programs for military families, such as family support, child care, education, employment support, health care, and morale, welfare, and recreation services, especially as DOD's budget declines.

How do you perceive the relationship between military recruitment and retention and quality of life programs and your own top priorities for the Armed Forces?

Answer. The emphasis and resources the Department dedicates to our quality of life programs reflect the importance we place on our most valuable resource—our people. If I am confirmed, the programs that support our people will remain one of my top priorities. If we do not care for our people, our ability to continue to recruit and retain the best America has to offer will become increasingly more challenging.

Question. If confirmed, what military quality of life programs would you consider a priority, and how do you envision working with the Services, combatant commanders, family advocacy groups, and Congress to sustain them?

Answer. If confirmed, I will continue to focus on the well-being and resilience of our servicemembers, their families, and their survivors, including access to non-medical counseling programs such as Military OneSource and Military and Family Life Counselors aimed at preventing the development or exacerbation of mental health conditions that detract from military and family readiness. I will also promote Morale, Welfare, and Recreation fitness opportunities and child care support to help minimize stress on the force. The Department leadership is working together with advocacy groups and Congress to efficiently close gaps and reduce overlaps in programs and to communicate effectively to ensure that families know how to access available support when they need it.

FAMILY READINESS AND SUPPORT

Question. Servicemembers 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 servicemembers and their families, and, if confirmed, how would you ensure that family readiness needs are addressed and adequately resourced?

Answer. The most important family readiness issue for servicemembers and their families is ensuring that we continue to deliver the support they need at the right time using the most effective method. Following 12 years of war and the impending surge of servicemembers transitioning from military to civilian life, it is critically important that servicemembers, their families, and their survivors receive information about available support services and resources, when they need it, through communication vehicles they prefer and trust. Therefore, we must leverage technology as a means to communicate and engage our families. It is imperative that the Department continues outreach, education, awareness and engagement strategies to promote servicemember and family readiness programs. If confirmed, I will continue to be a strong advocate to ensure family support programs are properly resourced and effectively managed in DOD.

Question. How would you address these family readiness needs in light of global rebasing, BRAC, deployments, and future reductions in end strength?

Answer. I will continue to work closely with the Services to identify and deliver the right balance of family readiness programs and support when and where it is needed. Our ongoing mission is to enable services, staff, and resources to be surged or evolved, as needed, to respond swiftly and effectively to the changing needs of servicemembers and their families during peacetime, war, periods of force structure change, relocation of military units, base realignment and closure, crisis, natural disaster, and other emergency situations. Sharing information with the Services on

family support needs and best practices to address them will ensure that we continue to provide timely support while finding the most effective and efficient ways of doing so.

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. If confirmed, I will continue to work with the Services and the National Guard Bureau to ensure that we continue to be responsive to the needs of geographically dispersed military families to include those who serve in the Reserve component. The Joint Family Support Assistance Program that began in 2007 continues to lead our support efforts to this population. While the frequency and tempo of Reserve component deployments may slow, we know that the needs of these families will continue to emerge and evolve. For that reason, part of our work through the Joint Family Support Assistance Program entails building capacity to identify and meet evolving needs at the local community level where these families live, work, and attend school, focusing on local institutions they naturally turn to for support when they need it. To augment and enable that local support, Military OneSource will continue to provide support to all military families, military leadership, and military and civilian service providers through delivery of information, referrals, and non-medical counseling.

Question. If confirmed, what steps will you take to sustain family support programs, given current fiscal constraints?

Answer. If confirmed, I will continue to encourage the implementation of flexible family support programs that communicate and coordinate with interagency and nongovernmental family services to meet the enduring needs of our servicemembers and their families whether they live on, near, or far from military installations.

Question. In your view, does the U.S. Special Operations Command have unique family readiness and support requirements? If so, in your view, are those needs adequately being met by each of the Military Services at this time? If they are not adequately being addressed, if confirmed, how would you address these unique needs?

Answer. We expect U.S. Special Operations Command's operating tempo will continue to be significant as their units continue to deploy throughout the world conducting joint missions. If confirmed, I will work with SOCOM to identify family support requirements that are unique to this community, offer an analysis of current support provided by the Services, and identify gaps in family support provided to the SOF community

DEPARTMENT OF DEFENSE SCHOOLS IN CONUS

Question. Some have questioned the continuing need for DOD-operated schools for military dependent children within the continental United States (CONUS).

In light of the administration's request for additional Base Realignment and Closure authorities and fiscal constraints, should DOD establish or update its criteria for the continued operation of DOD schools within CONUS?

Answer. The President and the Department view preserving and strengthening military families as critical to our national security. Military families bear an extraordinary burden for our freedom and education is a critical quality of life factor affecting readiness and retention.

DOD is committed to providing educational opportunities for all military children—balancing quality and cost while exploring all options and alternatives.

Therefore, the Department is in the process of commencing a study to evaluate the mission of continuing the operation of DOD schools within CONUS. The study will examine and provide alternatives that most effectively balance cost and quality considerations for the education of kindergarten through 12th grade students at 15 CONUS installations where the Department operates schools or contracts the education for military dependents. DOD Schools in Guam and Puerto Rico are not included in this study.

Question. If so, and if confirmed, how would you approach this task?

Answer. The Department is currently evaluating the need to continue the mission of DOD Schools in the United States. This comprehensive, deliberate, and objective study will include input from all stakeholders. The study will consider the full range of options for meeting the elementary and secondary educational needs of military dependents. We owe it to our military families to ensure that the decisions concerning the education of our military-connected children are the result of sound research findings. The research findings and recommendations will be reviewed by OSD senior officials, in consultation with the Military Departments. If confirmed, I look forward to discussing the recommendations of the study with you.

OFFICE OF COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL NEEDS

Question. In the NDAA for Fiscal Year 2010, Congress required the establishment of an Office of Community Support for Military Families with Special Needs within the Office of the USD(P&R). The purpose of this office is to enhance and improve DOD support for military families with special needs, whether educational or medical in nature.

In your view, what should be the priorities of this Office of Community Support for Military Families with Special Needs?

Answer. A key priority for the Office of Community Support for Military Families with Special Needs should be and is to strengthen personal readiness for military families with special needs through a comprehensive policy, oversight of programs that support military families with special needs, identification of gaps in services to such families, and the accessibility to appropriate resources. Presently, over 126,000 military family members are enrolled in the Exceptional Family Member Program (EFMP). The EFMP supports military families with special medical and/or educational needs in three component areas: identification/enrollment, assignment coordination to determine the availability of services at a projected location, and family support to help families identify and access programs and services.

The Department has recently completed a detailed functional analysis of the EFMP to standardize the three components of the Program across the Military Services. Standardization will enable military families with special needs to have the same level of access to services in the three areas of the EFMP regardless of Service affiliation and location (for example, at a joint or sister Service installation).

Question. If confirmed, how would you ensure outreach to those military families with special needs dependents so they are able to obtain the support they need?

Answer. Communication with military families with special needs and the provision of information about the EFMP is a major focus of DOD. If confirmed, I will continue ensure that we implement a comprehensive communication and marketing plan designed to deliver consistent information about the EFMP to families, service providers, and leadership. We will also continue to solicit input from families through a variety of outreach methods.

VOLUNTARY EDUCATION PROGRAMS

Question. The Department continues to seek ways to improve oversight of its tuition assistance programs, including standardizing eligibility criteria among the Services and requiring all schools who accept tuition assistance funding, whether for online courses or on-post, to sign a Memorandum of Understanding with the Department which will, among other things, subject online schools to Departmental audits.

What is your assessment of the tuition assistance program in light of the needs of the Services and the current budget environment?

Answer. The Tuition Assistance program is important to DOD because it enables the professional and personal development of our servicemembers and facilitates their transition to the civilian workforce when they are ready to leave the military. If confirmed, I will work with the Services to sustain the appropriate level of resources for this program.

Question. What is your view of tuition assistance as a transition benefit for servicemembers to obtain civilian licenses and credentials?

Answer. The Tuition Assistance program currently facilitates the transition of our servicemembers to the civilian workforce after they separate or retire. In 2012, over 47,000 servicemembers earned college degrees which are especially important to those servicemembers whose military specialty does not have a direct civilian counterpart. In addition, Tuition Assistance supports the academic coursework in preparation for any exams required of specific certifications or licenses, and over 1,700 servicemembers earned certificates that were not related to a degree program. All of these were from institutions of higher learning accredited by an accrediting body recognized by the Department of Education.

Question. What is your view of proposed changes to the so-called 90/10 rule that would require academic institutions to derive no more than 85 percent of their revenue from Federal sources, including DOD tuition assistance and VA GI Bill funding?

Answer. I have no objection to the proposal to include title 10 Tuition Assistance funds in the Federal portion of the 90/10 calculation. However, it is appropriate for technical assistance and oversight of any statutory changes to the proposed 90/10 rule to reside with the Department of Education.

MEDICAL RESEARCH PROGRAMS

Question. What do you see as the highest priority medical research investment areas for DOD?

Answer. The highest priority areas of medical research investments are: hemorrhage control and resuscitation; traumatic brain injury diagnosis and treatment; Post-Traumatic Stress Disorder prevention, diagnosis, and treatment; suicide prevention and intervention; and rehabilitation and regenerative medicine.

Question. How will you assess the amount of investment made in these research areas to determine if they are sufficient to meet DOD goals and requirements?

Answer. The Military Health System has implemented a plan to conduct annual reviews and analyses of the different research portfolios, ensuring research efforts are aligned to capability gaps and requirements, assessing the current state of research and science, and identifying research gaps and needs that require future funding strategies to achieve DOD goals.

Question. How will you ensure that DOD medical research efforts are well coordinated with similar research programs within the private sector, academia, the Services, DARPA, the Department of Veterans Affairs, and the National Institutes of Health?

Answer. Critical to the development of our medical research investment strategy is an understanding of the related research activities in other Federal agencies. This is accomplished by annual joint reviews of Federal-agency-specific research portfolios in which research investments and results are presented and shared to best inform future DOD research investments. Agency participation includes the DOD, the Department of Veterans Affairs, the Department of Education, and the National Institutes of Health.

Question. How will you ensure that new medical technologies (including drugs and vaccines) are independently and adequately tested before their use by DOD organizations and personnel?

Answer. DOD requires that products be used in a manner consistent with FDA rules and procedures. The ASD(HA), under the USD(P&R) direction, has the primary responsibility for the oversight of this policy's compliance.

Question. There have been growing privacy and security concerns raised about the use of online social networks for medical research purposes.

How will you ensure that the increasing use of social networking media for medical research purposes will protect the privacy and security of patients?

Answer. The Department has policies in place that ensure that DOD conducted, contracted, sponsored, supported, or managed research involving human subjects is conducted in accordance with Federal, DOD, and international regulatory requirements. Research protocols, including internet research protocols, must be reviewed and approved by Institutional Review Boards, and privacy protection is a key element of that review. At present, there is no DOD policy regarding the protection of privacy for internet research beyond the current privacy protections for human subjects of research. The ASD (Research & Engineering) who is the DOD lead for the human research protection portfolio intends to update the policy that governs human research protection to include a section on internet research (including recruitment of subjects as well as collection of data).

Question. What are your biggest concerns related to the DOD medical research enterprise?

Answer. The biggest concern is the impact of instability of medical research funding due to budget uncertainty. Stability and thoughtful management in medical research funding are necessary to maintain a robust scientific community to improve health care outcomes in the vital areas of hemorrhage control and resuscitation, traumatic brain injury, post-traumatic stress disorder, suicide prevention, extremity injury and amputee care and rehabilitation.

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 deployments. These programs should be relevant and attractive to all eligible users, including Active Duty and Reserve personnel, retirees, and their families.

What challenges do you foresee in sustaining MWR programs, particularly in view of the current fiscal environment and, if confirmed, are there any improvements you would seek to achieve?

Answer. Changes in our basing, deployment patterns and force structure will continue to have a significant impact on our ability to deliver quality of life programs to our military families. With more than 75 percent of military families now living off installation, there is an increasing need for partnerships and support from local

governments, school systems, and businesses to ensure we continue to provide comprehensive, accessible, and affordable quality of life programs. Additionally, we are conducting a major assessment of MWR programs to ensure they are being operated in as efficient and cost-effective manner as possible.

The continued vitality and relevance of MWR programs depend on sound management, meeting command and customer needs, a predictable stream of non-appropriated revenue and solid appropriated fund support of mission essential and community support programs. We must develop and maintain a strong network of community-based providers and maximize our information and referral resources through internet and social networking avenues. We also have the opportunity to improve the effectiveness of outreach programs, to better meet military families where they live. If confirmed, I will evaluate these opportunities, and how we can better coordinate efforts among the various entities providing support to our military members and their families.

COMMISSARY AND MILITARY EXCHANGE SYSTEMS

Question. Commissary and military exchange systems are significant quality of life components for members of the Active and Reserve Forces, retirees, and their families.

What is your view of the need for modernization of business policies and practices in the commissary and exchange systems, and what do you view as the most promising avenues for change to achieve modernization goals?

Answer. Both the Defense Commissary Agency (DeCA) and the military exchanges are progressive organizations seeking to reduce costs within their respective businesses. DeCA, for example, has a proven history of reducing the costs of the commissary system without decreasing the value of the benefit provided. Since its beginning in 1991, efficiencies have allowed DeCA to reduce its workforce by 6,700 full time equivalent positions and operating costs by approximately \$1.4 billion in constant fiscal year 1992 dollars, which include savings due to BRAC closures and inventory reduction. In fact, when measured in constant dollars, DeCA's operating costs are only slightly more than one-half of what they were when the Agency was created.

Today's exchanges have gone beyond the traditional brick and mortar environment, embracing e-commerce and mobile retail channels to satisfy customer demands. The exchanges continue to exceed the DOD Social Compact on savings for servicemembers. For the Exchanges, there are mechanisms for modernization through the Cooperative Efforts Board. Promising areas for change include non-resale procurement, logistics and distribution, exchange select/private label, and seasonal and one time buys. If confirmed, I will continue to look for ways to modernize business policies and find efficiencies in the commissary and exchange systems.

Question. What is your view of the proposals by some to consolidate or eliminate Commissaries and Exchanges in certain areas where they are underused or duplicative of services readily available at reasonable cost in the community?

Answer. If confirmed, I would review any proposals aimed at reducing overhead, which may include closing underutilized locations or eliminating duplicative services. I recognize that commissary and exchange programs are an important element of the servicemembers' compensation package and contribute to the quality of life of military personnel and their families. In fact, commissaries are repeatedly rated by military personnel as one of their most valued non-pay benefits. Selling groceries at cost means that the customer pays the same price DeCA pays its supplier plus a 5 percent surcharge which pays for replacing, maintaining, and renovating commissaries.

There are currently 247 commissaries; 55 percent of these commissaries are small stores located in remote or overseas locations, but they account for only 20 percent of sales. These stores are often the most appreciated stores because there are generally limited options available outside the gate of the military installation. With over 98 million shopper visits annually and approximately \$6 billion in sales it is evident that people are using this benefit. Eliminating commissaries in some areas may be possible but we must fully appreciate the impacts on the servicemembers and the community.

Question. In the Ronald W. Reagan NDAA for Fiscal Year 2005, Congress required the Secretary of Defense to establish an executive governing body for the commissary and exchange systems to ensure the complementary operation of the two systems.

What is your understanding of the purpose and composition of the executive governing body?

Answer. To fulfill the requirement of the law, the Department established the DOD Executive Resale Board as the governing body to provide advice to the USD(P&R) regarding the complementary operation of the commissary and exchange systems. The Board reviews and advises on cross-functional matters important to the military resale system. The Board is invaluable in leading cooperative efforts and resolving issues of concern resulting in increased efficiency and effectiveness of the overall system.

The Board is chaired by the Assistant Secretary of Defense for Readiness and Force Management, and members include both the senior military officers and civilians who oversee and manage the commissary and exchanges systems.

Question. If confirmed, what would your role be with respect to the governing body, and what would your expectations be for its role?

Answer. If confirmed, I would ensure the Board meets regularly to review operational areas of mutual interest to the military resale system.

CIVILIAN PERSONNEL SYSTEMS

Question. Section 1113 of the NDAA for Fiscal Year 2010 provides DOD with extensive personnel flexibilities for its civilian employees that are not available to other agencies. In particular, section 9902(a) of title 5, U.S.C., as added by section 1113, directs the Department to establish a new performance management system for all of its employees. Section 9902(b) directs the Department to develop a streamlined new hiring system that is designed to better fulfill DOD's mission needs, produce high-quality applicants, and support timely personnel decisions.

What is your understanding of the current status of the Department's efforts to implement the authority provided by section 1113?

Answer. The Department's plans for the performance management system, workforce incentives, and hiring flexibilities were informed by recommendations developed by DOD employees, supervisors, and managers representing labor and management from across the Department and submitted to the Armed Services Committees at the end of March 2013. The collaborative labor-management pre-decisional recommendations for the personnel authorities were widely adopted by the Department.

The Department continues to make good progress on the personnel authorities. We are developing the new appraisal system, which will be a multi-level rating pattern characterized by a uniform appraisal period for covered employees, and the ability to make meaningful distinctions in levels of performance. If confirmed, I will continue to support the work that is underway to comply with statute.

Question. If confirmed, will you make it a priority to implement these flexibilities in a manner that best meets the needs of the Department and promotes the quality of the Department's civilian workforce?

Answer. Yes, if confirmed, I will make it my priority to implement those flexibilities that would promote the quality of the Department's civilian workforce to ensure accomplishment of the Department's missions.

Question. Section 1112 of the NDAA for Fiscal Year 2010 directs the Department to develop a Defense Civilian Leadership Program (DCLP) to recruit, train, and advance a new generation of civilian leaders for the Department. Section 1112 provides the Department with the full range of authorities available for demonstration programs under section 4703 of title 5, U.S.C., including the authority to compensate participants on the basis of qualifications, performance, and market conditions. These flexibilities are not otherwise available to DOD.

Do you agree that the Department needs to recruit highly qualified civilian personnel to meet the growing needs of its acquisition, technical, business, and financial communities?

Answer. I completely agree that recruiting highly qualified civilian personnel both in mission critical occupations, such as acquisition, information technology, and financial management, and in leadership positions across the Department is essential to mission success.

Question. In your view, has the existing civilian hiring process been successful in recruiting such personnel and meeting these needs?

Answer. Although I believe the Department currently has a highly talented workforce, I wholeheartedly support the initiatives to streamline the civilian hiring process. The Department embraces a simplified, transparent hiring system that meets the needs of stakeholders, attracts quality candidates, and reduces fill-time. We are making progress, but there is still work to be done in this area. If confirmed, I will ensure the Department continues to actively engage in aggressively pursuing continued improvements in the civilian hiring process.

Question. If confirmed, will you make it a priority to implement the authority provided by section 1112 in a manner that best meets the needs of the Department and promotes the quality of the Department's civilian workforce?

Answer. If confirmed, I will make it a priority to implement the authority provided by section 1112. The Department recognizes the need for a sound leader-development model to attract, retain, and develop civilian leaders to support pipeline readiness, enhance bench strength, and promote the quality of the Department's civilian workforce. The Department has successfully completed two pilot cohorts under the authority provided in section 1112 from which approximately 240 leaders have graduated, and who are now credentialed to lead teams and projects. If confirmed, I will continue implementing the authority provided to ensure a successful framework for developing the next generation of innovative leaders to meet the Department's future needs.

HUMAN CAPITAL PLANNING

Question. Section 115b of title 10, U.S.C., as added by section 1108 of the NDAA for 2010, requires the Secretary of Defense to develop and update in every even-numbered year a strategic human capital plan that specifically identifies gaps in the Department's civilian workforce and strategies for addressing those gaps. Section 115b requires that the plan include chapters specifically addressing the Department's senior management, functional, and technical workforce and the Department's acquisition workforce.

Would you agree that a strategic human capital plan that identifies gaps in the workforce and strategies for addressing those gaps is a key step toward ensuring that the Department has the skills and capabilities needed to meet future challenges?

Answer. Yes. I believe such planning would well position the Department to acquire, develop, and maintain the workforce it needs to meet current and future mission challenges.

Question. Do you see the need for any changes in the requirements for a strategic human capital plan under section 115b?

Answer. At this time we appreciate the help of past legislation that put the Department on a biennial reporting cycle. We continue to progress on meeting the requirements for a strategic human capital plan under section 115b, and will continue to institutionalize our processes and assess the need for any changes as we continue in this important endeavor.

Question. If confirmed, will you ensure that DOD fully complies with these requirements?

Answer. Yes, if confirmed, I will continue to work toward ensuring the Department fully complies with statutory strategic workforce planning requirements.

Question. Since the time that the Department's most recent strategic human capital plan was issued, its civilian workforce plans have been significantly altered by the changed budget environment and extensive efficiencies initiatives.

What role do you believe human capital planning should play in determining where reductions in the civilian workforce can be taken with the lowest level of risk?

Answer. Any reductions in the civilian workforce should be informed by the Department's long-term strategic workforce plan to determine where reductions can be taken with the lowest level of risk, with the understanding that short-term exceptions may be necessary due to emerging dynamics in the budget environment. Forecasts for the Department's workforce must be based on validated mission requirements and workload, both current and projected, and any reductions in the civilian workforce must be made in the context of the Total Force and directly linked to workload so as to not adversely impact overall mission capabilities.

Question. Would you agree that the strategic human capital plan required by section 115b should be updated to more accurately reflect the Department's current workforce plans and requirements?

Answer. Yes. The plan should be updated to be more aligned and integrated with the Department's programing and budget process, and meet the requirements for a total force mix and competencies assessments. In preparing for fiscal year 2013 through 2018, we conducted a pilot study that examined the total force mix based on the workforce requirement and relationships in high risk mission critical occupations. We are also testing and preparing to launch a tool to collect competency gap information that will lead to strategies to mitigate identified gaps. These processes will take several planning cycles, and functional communities are preparing for further assessment and implementation.

Question. What steps if any will you take, if confirmed, to ensure that civilian workforce levels are determined on the basis of careful planning and long-term requirements, rather than by arbitrary goals or targets?

Answer. If confirmed, I will continue to emphasize that civilian workforce levels must be planned based on long-term strategic planning requirements. Forecasts for the Department's workforce must be based on validated mission requirements and directly linked to workload so as to not adversely impact overall mission capabilities.

DOD CIVILIAN PERSONNEL WORKFORCE

Question. Section 955 of the NDAA 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 as a result of sequestration. As a result, the DOD civilian personnel workforce is substantially smaller than it was on the date of enactment or at the time the plan was submitted.

Do you agree that DOD's civilian employee workforce plays a vital role in the functioning of the Department?

Answer. Yes, the DOD's civilian employee workforce plays an instrumental role in the functioning of the Department as part of the Total Force across a range of missions. The civilian workforce performs key enabling functions for the military, such as critical training and preparation to ensure readiness, equipment reset and modernization. Civilians also provide medical care, family support, and base operating services—all vital to supporting our men and women in uniform. Additionally, civilians are on the “front lines” supporting missions such as intelligence, cyber, reconstruction, and security force assistance.

Question. Do you agree that if sequestration continues through fiscal year 2014 and beyond, the Department will need to further reduce the size of its civilian workforce?

Answer. While there is some flexibility afforded the Department in managing the steep reductions to the budget required by sequestration, the across the board impact of those reductions would likely require the Department to further decrease the size of its civilian workforce. If confirmed, and to the extent allowed by the sequester, I will work to ensure that any reductions to the civilian workforce are balanced and executed in the context of the Department's Total Force management principles, ensuring the appropriate and most cost effective alignment of work.

Question. In your view, would it be preferable for the Department to make planned, prioritized reductions to its civilian workforce, or to continue with arbitrary reductions based on hiring freezes and workforce attrition?

Answer. Planned and prioritized reductions to the civilian workforce are preferred, such as those reflected in the Department's budget request for fiscal year 2014. Those proposed reductions were based on a comprehensive workforce to workload analysis. Unfortunately, the across the board impact of the sequester along with continued budget uncertainty surrounding the Department's annual appropriations request has resulted in the need to take extraordinary actions, such as the implementation of hiring freezes and furloughs.

BALANCE BETWEEN CIVILIAN EMPLOYEES AND CONTRACTOR EMPLOYEES

Question. In recent years, DOD has become increasingly reliant on services provided by contractors. As a result of the explosive growth in service contracts, contractors now play an integral role in the performance of functions that were once performed exclusively by government employees, including the management and oversight of weapons programs, the development of policies, the development of public relations strategies, and even the collection and analysis of intelligence. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as Federal employees.

Do you believe that the current balance between civilian employees and contractor employees is in the best interests of DOD?

Answer. I believe the Department must have a properly sized and highly capable civilian workforce that guards against an erosion of critical, organic skills and an overreliance on contracted services, particularly in such areas as acquisition program management, information technology, and financial management. If confirmed, I will continue to support the administration's and Department's focus on reducing inappropriate or excessive reliance on contracted support, particularly for work that is critical in nature or closely associated with inherently governmental functions.

Question. What steps if any will you take, if confirmed, to ensure that DOD is not excessively reliant on contractors to perform its basic functions?

Answer. If confirmed, I will continue to support the administration's and Department's focus on gaining a better accounting of contracted services. We will review such services annually and reduce inappropriate, excessive, or more costly reliance on such services. This is of particular importance in instances where contractors are found to be performing work that is critical in nature or closely associated with inherently governmental functions.

Question. Section 2330a of title 10, U.S.C., requires DOD to maintain an inventory of contract services. Section 321 of the NDAA for Fiscal Year 2011 amended this provision to give the USD(P&R) a key role in implementing this provision.

What is your understanding of the current status of the Department's efforts to implement the requirements of section 2330a?

Answer. Since 2011, the Department has made significant improvements to its Inventory of Contracts for Services to implement the requirements of title 10, U.S.C., section 2330a. Specifically, we have improved the accuracy of the required data set by directing cross-functional (acquisition, financial management, manpower, and requiring activities) involvement in the process. We have issued data collection guidance and, as recommended by Congress and deployed the Army's proven Contractor Manpower Reporting Application software across the entire Department. We have also issued specific guidance on how components are to review their inventories in order to reduce inappropriate, excessive, or more costly reliance on contract services. Also, beginning in fiscal year 2014, contractors supporting all components will be able to report their labor dollars and related cost information, as required by law. We still have more to do. If I am confirmed, in order to make the best use of our resources, we will continue working with AT&L to improve visibility and accountability of contracts for services.

Question. What additional steps if any will you take, if confirmed, to ensure that the Department fully implements the requirements of section 2330a?

Answer. If confirmed, I will continue working with my colleagues in AT&L and Comptroller to improve visibility and accountability of our contracted services as required by title 10, U.S.C. section 2330a. We will soon finalize a governing instruction for managing contract services as a part of the Total Force, and, as requested by Congress, implement across DOD the Army's standardized service contract approval process to be used when considering funding contract support. I will also continue to work, as requested by Congress, on implementing the Army's automated Contract Manpower Reporting Application across the Department, which will help ensure a comprehensive inventory review and permit component heads to make greatly improved budget projections for contracted services.

ACQUISITION WORKFORCE

Question. Section 852 of the NDAA for Fiscal Year 2008 established an Acquisition Workforce Development Fund to help DOD address shortcomings in its acquisition workforce. The fund provides a continuing source of funds for this purpose.

Do you believe that the DOD acquisition workforce development fund is still needed to ensure that DOD has the right number of employees with the right skills to run its acquisition programs in the most cost effective manner for the taxpayers?

Answer. The acquisition workforce development fund has been instrumental in the Department's efforts to recapitalize its acquisition workforce and improve oversight, management, and accountability in the procurements of goods and services. The fund is still necessary to further enhance and sustain the training and expertise of our dedicated acquisition workforce.

Question. If confirmed, what steps if any will you take to ensure that the money made available through the workforce development fund is spent in a manner that best meets the needs of DOD and its acquisition workforce?

Answer. While the management and execution of the acquisition workforce development fund is a joint responsibility of AT&L and Comptroller, if confirmed, I will work with those offices to ensure that the application of resources is done in a manner that is consistent with the training, development, and sustainment needs of the acquisition workforce.

Question. Section 872 of the Ike Skelton NDAA for Fiscal Year 2011 codifies the authority for DOD to conduct an acquisition workforce demonstration project and extends the authority to 2017.

Do you believe it would be in the best interest of the Department to extend and expand the acquisition workforce demonstration project?

Answer. DOD components have expressed a strong interest in an expansion of the acquisition workforce demonstration project to better meet the workforce challenges

they are facing under current budget constraints. Testing alternative personnel authorities and processes under these difficult conditions will be a true test of their effectiveness and I believe there is value in extending and expanding this demonstration project. Our role in P&R is to provide the warfighter and support staffs with the manpower and personnel authorities, processes and tools they need to enable them to carry out their missions. If confirmed, I will continue to work with and support AT&L in ensuring the demonstration project supports the needs of the components and mission of the Department.

Question. What steps would you take, if confirmed, to implement section 872?

Answer. If confirmed, I will continue to work closely with the USD(AT&L) and other Department components to ensure the Department is effectively positioned to appropriately extend and expand the Acquisition Demonstration project.

GI BILL BENEFITS

Question. Congress passed the Post-9/11 Veterans Educational Assistance Act in 2008 ("Post-9/11 GI Bill") that created enhanced educational benefits for servicemembers who have served at least 90 days on Active Duty since September 11. The maximum benefit would roughly cover the cost of a college education at any public university in the country. One purpose of the act was to recognize and reward the service of those who served voluntarily after September 11, particularly those who do not serve full careers and qualify for retirement benefits.

What is your assessment of the impact of the Post-9/11 GI Bill on recruiting and retention, including the provision of transferability for continued service?

Answer. While the Post-9/11 GI Bill program is only 4 years old, there are strong indications the program has already had a profound, positive impact on recruiting and retention. In fact, as of September 4, 2013, over 368,875, career servicemembers have transferred their Post-9/11 GI Bill benefits to over 795,000 family members.

PERSONNEL POLICY IMPLEMENTATION

Question. What is your understanding of your responsibility, if confirmed, to inform and consult with this committee and other appropriate committees of Congress on the implementation of policies directed by law?

Answer. I understand that I must comply with all requirements to inform and consult with requisite congressional committees on the implementation of personnel and readiness policies as directed by law.

Question. What is your understanding of the Department's obligation and authority to implement personnel policies to improve efficiency within the Department?

Answer. I understand that the Department, under the direction of the Secretary, has both the authority and obligation to evaluate and implement personnel policies to improve efficiency within the Department. That these policies must not compromise mission readiness or essential support of the Total Force.

Question. What is your understanding on the timeframe in which personnel policies directed by law must be implemented by the Department?

Answer. I understand that personnel policies directed by law must be implemented by the Department in the timeliest manner possible given the available resources and while ensuring the most effective and efficient outcome for the Total Force.

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 USD(P&R)?

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 com-

mittee, 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 CARL LEVIN

LIVING QUARTERS ALLOWANCE FOR CIVILIAN EMPLOYEES OVERSEAS

1. Senator LEVIN. Secretary Wright, the committee is aware that the Department of Defense (DOD) directed an audit of the pay accounts of many employees in overseas locations who were receiving a Living Quarters Allowance (LQA), and that the audit found that a total of 659 DOD civilian employees were erroneously paid LQA after having been hired overseas. While the authority to provide LQA is found in Department of State Standardized Regulations (DSSR), in a May 15, 2013 memo you announced that DOD would continue to provide LQA for up to 1 year for affected employees due to unusual circumstances. In addition, DOD is providing relief for past LQA debts if employees seek a waiver of indebtedness. Did DOD consider extending the waiver of recovery of an advance payment of LQA for unusual circumstances beyond the 1-year currently granted?

Ms. WRIGHT. Yes, we considered the LQA eligibility beyond the 1 year currently granted. However, we also considered that granting eligibility for LQA beyond that time could be viewed as an abuse of discretion with respect to taxpayer dollars being spent on incentives for which employees are otherwise ineligible. We believe that 1 year of LQA eligibility is a sufficient period for affected employees to make personal decisions in this situation.

2. Senator LEVIN. Secretary Wright, are there any legal impediments to providing such an extension for the duration of an employee's term overseas, and in your view, would it be appropriate to do so?

Ms. WRIGHT. Up to 1 year of temporary eligibility for LQA has been authorized as a means to provide adequate time for employees to make arrangements to adjust to the loss of LQA. Continuing beyond that period is not appropriate as the affected employees do not meet the standard eligibility criteria under the DSSR, DOD Instruction 1400.25, Volume 1250, or both.

QUESTIONS SUBMITTED BY SENATOR JACK REED

MILITARY LENDING ACT

3. Senator REED. Secretary Wright, the Military Lending Act (MLA) authorizes the Secretary of Defense to write regulations defining the types of consumer credit products to which the law's 36 percent annual percentage rate cap applies, and DOD is currently in the process of updating its regulations to close loopholes. These loopholes, such as structuring a credit product as an open ended one, have allowed predatory lenders to evade the protections afforded to our servicemembers under the MLA and, in some cases, charge our servicemembers exorbitant triple digit effective interest rates. Are these predatory loans that currently fall out of the MLA's purview problematic in terms of assuring military readiness?

Ms. WRIGHT. Predatory lending and abusive lending practices compromise our readiness and are of great concern to the Department. The passage of the MLA curbed many abusive industry practices. We recognize, however, the credit market has changed since our initial regulation was published. The Department is, therefore, working closely with the prudential regulators including the Federal Deposit Insurance Corporation, Consumer Financial Protection Bureau, and the Federal Trade Commission, along with other consumer and enforcement agencies. We are conducting a top to bottom review of our MLA rules, with a view towards strengthening the protections available to military families.

This rigorous interagency rulemaking process is being further informed by public comment and a survey of DOD personnel, legal assistance officers, and financial counselors to identify appropriate statutory, regulatory, and training responses to problematic practices. We anticipate the revised rule will be ready for public comment by the end of the calendar year. We are committed to directing servicemembers and their families away from potentially harmful credit products and towards educational, training, and personal counseling resources that the Department provides to support their financial stability.

4. Senator REED. Secretary Wright, do you agree that DOD should provide our servicemembers with the greatest level of protection under the MLA by closing these loopholes?

Ms. WRIGHT. The Department has revisited and is revising these regulations to ensure servicemembers and veterans are protected against the credit products that they use most. We recognize the current definitions of credit in the regulation are no longer adequate to cover the products that are potentially causing concern. Accordingly, DOD has organized and led an interagency working group, including all of the prudential lenders, to review the regulation with a view toward strengthening protections for military consumers. This process is well underway and we are making substantial process.

Our rulemaking efforts are being further informed by public comment and a survey of DOD personnel, legal assistance officers, and financial counselors to identify appropriate statutory, regulatory, and training responses to problematic practices. Relying on this comprehensive data from our "boots-on-the-ground" subject matter experts in the field, we anticipate the revised rule will be ready for public comment by the end of the calendar year.

The Department is also fully engaged in educating servicemembers concerning their rights as consumers, so that they are familiar with their protections under Federal consumer law, the Servicemembers Civil Relief Act, and the MLA. Our efforts to educate servicemembers and their families center around installation readiness facilities, predeployment and redeployment process facilities, and Reserve component mobilization and demobilization processing centers. This comprehensive education and training is more sophisticated and detailed than it has even been. Therefore, we are confident that our interagency rulemaking process, combined with our ongoing financial readiness campaign, will provide greater safeguards for our servicemembers and their families against predatory and abusive lending practices.

QUESTIONS SUBMITTED BY SENATOR BILL NELSON

LIVING QUARTERS ALLOWANCE

5. Senator NELSON. Secretary Wright, in response to the loss of overseas LQA for Government civilians, DOD offered those affected the opportunity to transfer to the United States under the Priority Placement Program (PPP). Can you confirm the priority placement level granted to the civilians affected by the erroneous payments of LQA?

Ms. WRIGHT. Affected employees are being enrolled in the PPP as Priority 3 registrants. Priority 3 is generally assigned to registrants who are not facing involuntary separation. Higher priority registrants are being involuntarily separated, i.e., losing employment altogether. As of September 26, 2013, the DOD components have reported that 71 affected employees have registered in PPP, 4 have accepted job offers, and 1 has declined an offer.

We have taken additional steps for affected employees who choose to return State-side in the absence of LQA. Specifically, we have authorized a temporary exception to standard PPP clearance requirements that allows DOD components to reassign LQA-affected employees directly to State-side vacancies that would otherwise not be filled due to a hiring freeze. As of September 26, 2013, the DOD components have reported that nine employees have accepted management-directed reassignments under this special exception.

6. Senator NELSON. Secretary Wright, does this category grant the affected constituents any advantages over civilians who are not affected by the LQA?

Ms. WRIGHT. Affected employees who choose to register in the PPP are registered as a Priority 3. Priority 3 is generally assigned to registrants who are not facing involuntary separation. Higher priority registrants are being involuntarily separated, i.e., losing employment altogether. Unlike other Priority 3 registrants, LQA-affected employees may register in the PPP at any time. In order to facilitate as many placements as possible, PPP registration procedures were modified to accelerate expansion of the registrant's area of referral. Further, the Department has authorized a temporary exception to standard PPP clearance requirements that allows DOD components to reassign LQA-affected employees directly to State-side vacancies that would otherwise not be filled due to a hiring freeze. As of September 26, 2013, the DOD components have reported that nine employees have accepted management-directed reassignments under this special exception to PPP. Also, the components reported that 71 affected employees have registered in PPP, 4 have accepted job offers, and 1 has declined an offer.

7. Senator NELSON. Secretary Wright, in light of the sequester and hiring freeze, can DOD guarantee available positions for all who choose this option?

Ms. WRIGHT. In an effort to further mitigate the effects of LQA cessation, the Department has developed special PPP procedures to facilitate the timely rotation of those affected employees who choose to return Stateside in the absence of LQA. Most notably, we have authorized a temporary exception to standard PPP clearance requirements that allows DOD components to reassign LQA-affected employees directly to State-side vacancies that would otherwise not be filled due to a hiring freeze. As of September 26, 2013, the DOD components have reported that nine employees have accepted management-directed reassignments under this special exception to PPP. In addition, the components have reported that 71 affected employees have registered in PPP, 4 have accepted job offers, and 1 has declined an offer.

8. Senator NELSON. Secretary Wright, will all affected constituents who participate in the PPP be able to do so by May 1, 2014?

Ms. WRIGHT. Yes. We expect affected employees who indicate in a timely manner that they wish to return Stateside will be offered positions either through PPP or other DOD component reassignment action by May 1, 2014. Employees identified in the audit as receiving LQA erroneously who choose to return Stateside in the absence of LQA became eligible to register in the PPP on June 27, 2013. As of September 26, 2013, the DOD components reported that 71 employees have registered in PPP, 4 have accepted job offers, and 1 has declined an offer. In addition to placement through PPP registration, the Department has authorized a temporary exception to standard PPP clearance requirements that allows DOD components to reassign LQA-affected employees directly to State-side vacancies that would otherwise not be filled due to a hiring freeze. As of September 26, 2013, the DOD components have reported that nine employees have accepted management-directed reassignments under this special exception to PPP.

QUESTION SUBMITTED BY SENATOR KAY R. HAGAN

CITIZEN SOLDIER SUPPORT PROGRAM

9. Senator HAGAN. Secretary Wright, section 706 of last year's National Defense Authorization Act (NDAA) authorized the Secretary of Defense to carry out a pilot program to work with community partners on this critical health issue. We need to work with local authorities and local programs to more effectively tackle this problem. North Carolina has such a program—the Citizen Soldier Support Program. Can you please assure this committee that you will support and vigorously carry out this pilot program that was part of last year's NDAA?

Ms. WRIGHT. We greatly appreciate the intent of section 706 of the NDAA for Fiscal Year 2013 to improve the care for the National Guard and Reserve members through community partnership. The Department is actively working with the Departments of Veterans Affairs (VA) and Health and Human Services to respond to the President's Executive Order #13625, "Improving Access to Mental Health Services for Veterans, Servicemembers, and Military Families," dated August 31, 2012. Under the Executive order, the VA is developing enhanced partnerships and fielding pilot programs with community providers to enhance mental health services. In addition, DOD and the VA published a National Research Action Plan in August 2013, which, among other things, recommends strategies, evaluates current efforts, and ensures mental health providers in communities nationwide are trained in the most current evidence-based methodologies.

Due to severe budget limitations under the Budget Control Act, the Department has not made plans to initiate a separate competitive and merit-based award process for a new program under the discretionary authority of section 706.

QUESTIONS SUBMITTED BY SENATOR JEANNE SHAHEEN

LIVING QUARTERS ALLOWANCE

10. Senator SHAHEEN. Secretary Wright, please explain DOD's reason for not employing the "unusual circumstances" clause beyond May 1, 2014 to enable the 659 civilians to receive LQA until the end of their assignment or until DOD is able to place the person via PPP.

Ms. WRIGHT. While we consider that 1 year of LQA eligibility is a sufficient period for affected employees to make personal decisions concerning this situation, we also consider that granting LQA beyond that time could be viewed as an abuse of discre-

tion with respect to taxpayer dollars being spent on incentives for which employees are otherwise ineligible. We expect that employees indicating in a timely manner their desire to return State-side will be placed before their LQA terminates.

11. Senator SHAHEEN. Secretary Wright, would DOD consider putting those affected into a higher PPP category than level 3? If not, please explain.

Ms. WRIGHT. Enrolling the affected employees with a higher priority was considered but not adopted. Priorities 1 and 2 in the PPP are reserved for employees who are being involuntarily separated through no fault of their own, which is not the case of employees identified in the audit as receiving LQA erroneously.

However, in an effort to mitigate the effects of LQA cessation, the Department has authorized a temporary exception to standard PPP clearance requirements that allows DOD components to reassign LQA-affected employees directly to State-side vacancies that would otherwise not be filled due to a hiring freeze. As of September 26, 2013, the DOD components have reported that nine employees have accepted management-directed reassignments under this special exception to PPP. In addition, the components have reported that 71 affected employees have registered in PPP, 4 have accepted job offers, and 1 has declined an offer. The Department has also committed to re-evaluating these procedures, as needed, to determine if more aggressive measures are necessary to affect the return of these employees from overseas.

12. Senator SHAHEEN. Secretary Wright, please provide specifics regarding the mechanisms in place that would allow DOD to fill vacant positions during a hiring freeze. Are human resources (HR) professionals able to see those jobs listed and effectively match someone from this group to those jobs?

Ms. WRIGHT. The Department has authorized a temporary exception to standard PPP clearance requirements that allows DOD components to reassign LQA-affected employees who choose to return Stateside in the absence of LQA directly to State-side vacancies that would otherwise not be filled due to a hiring freeze. Operational guidance regarding these PPP flexibilities was distributed to the Department's human resources community on June 27, 2013. As of September 26, 2013, the DOD components have reported that nine employees have accepted management-directed reassignments under this special exception to PPP. In addition, the components reported that 71 affected employees have registered in PPP, 4 have accepted job offers, and 1 has declined an offer. DOD components are responsible for procedures that will result in assignments for their employees.

13. Senator SHAHEEN. Secretary Wright, other than being an LQA recipient, were there any additional parameters and guidelines used to select a target population for erroneous LQA?

Ms. WRIGHT. Yes. By memorandum of January 3, 2013, I directed DOD components to complete an audit of the pay accounts of all locally hired employees currently receiving LQA.

14. Senator SHAHEEN. Secretary Wright, are the details of the audit publicly available to this group under the Freedom of Information Act?

Ms. WRIGHT. Yes, an employee may request the details of the audit as it affects the employee through the Freedom of Information Act process.

15. Senator SHAHEEN. Secretary Wright, has *Thomas v. United States* (September 7, 2011) played any role in how DOD is handling the current LQA issue?

Ms. WRIGHT. No. *Thomas v. United States* has not played a role in how the Department is addressing the LQA issue. However, we agree with the Thomas opinion that if an employee satisfies all the eligibility requirements for receiving LQA as established in the DSSR, as well as the supplemental criteria established by the DOD in its LQA regulations (DODI 1400.25, Volume 1250), that employee may be eligible to receive the incentive provided that the Department has made a determination that there is a need for the incentive. As noted in *Roberts v. United States* (April 30, 2012), the DSSR expressly delegates authority to heads of Federal agencies to implement additional regulations in this area. Under that delegation, the Secretary of Defense issued DOD Instruction 1400.25, volume 1250, which includes LQA eligibility conditions in addition to those outlined in the DSSR. In this situation, affected employees either did not meet the DSSR eligibility requirements, or those established in Volume 1250, or both.

QUESTIONS SUBMITTED BY SENATOR KIRSTEN E. GILLIBRAND

AUTISM

16. Senator GILLIBRAND. Secretary Wright, during our meeting we discussed the various options for care for special needs dependents, especially those on the autism spectrum. I consider this a readiness issue when we start to see servicemembers leave the military in order to find better care for their children. After our discussion I still have concerns with the level of commitment from TRICARE to adequately address the needs of our special needs dependents. If confirmed, do I have your commitment to work with me to reform and improve upon the way that TRICARE cares for special needs dependents?

Ms. WRIGHT. I agree that this is a readiness issues and, if confirmed, I will work closely with you and other Members of Congress on improving TRICARE programs for special needs dependents. DOD provides one of the most generous autism benefits in the United States through the TRICARE program. All TRICARE family members with a diagnosis of Autism Spectrum Disorder are eligible for autism services. Active Duty family members are also eligible for Applied Behavior Analysis (ABA) reinforcement under the ECHO Autism Demonstration.

I want to assure you that the Department fully recognizes that having a child diagnosed with autism can present significant challenges to any family and burden them with changes to nearly every aspect of daily family life. TRICARE will continue to pursue efforts to take care of our families with special needs and will proceed accordingly based on analysis of the best medical evidence available and the results of our own demonstration and pilot project.

17. Senator GILLIBRAND. Secretary Wright, more than once I have heard the excuse that medical data is not available to prove the necessity of a specific autism treatment option that is routinely used in the civilian sector. Will you commit to reviewing the way TRICARE makes these determinations to ensure TRICARE is routinely reviewing the latest medical data available?

Ms. WRIGHT. Yes, we are committed to routinely reviewing the latest medical data available. As you may be aware, TRICARE completed the most recent review on June 28, 2013. However, TRICARE has deferred a final decision pending reassessment based on experience under the ABA Pilot and any other pertinent new information. During this interim period, TMA will continue ABA coverage under the Basic Program per existing policy as well as continue periodic reviews as new data and evidence become available.

MENTAL HEALTH

18. Senator GILLIBRAND. Secretary Wright, the last issue we discussed was the issue of mental health, including the stigma surrounding post-traumatic stress disorder (PTSD), as well as the rates of suicide in our Services. I receive the monthly suicide data and am saddened to see the number of servicemembers who fall through the cracks in the system. If confirmed, what are your plans to improve upon suicide prevention throughout DOD?

Ms. WRIGHT. At every level of leadership, DOD recognizes the complex nature of suicide and the widespread outreach effort that is needed to tackle this problem. My plan to improve suicide prevention across the Department has already begun on several fronts. First, we are working closely with the Department of Veterans Affairs on a standard and consistent message for the Military Crisis Line, which is available in the United States, Europe, Korea and Afghanistan. I plan on adding Japan.

We have adopted a peer support model through Vets4Warriors that offers case management, referrals, and support to all who need it. We have provided a multitude of training and educational events worldwide to prevent suicide and build resilience among our military and civilian workforce and to involve their families. I intend to continue our support for these events and will ensure that the Defense Suicide Prevention Office (DSPO) is fully engaged in providing materials and resources. Suicide prevention research is a priority and efforts to better understand the nature of military suicide risk factors and interventions are underway. Finally, I am committed to working with the Services to ensure that access to care is available for all who seek it, regardless of where they are located.

19. Senator GILLIBRAND. Secretary Wright, I am also concerned about the reports of suicide among military dependents. What is DOD doing to prevent these suicides?

Ms. WRIGHT. The Department is equally concerned and extremely saddened by these reports. We are moving quickly with our outreach efforts to increase aware-

ness and ensure that the right resources and programs are brought to bear at the right time to address the challenges of our families. Our military families have done all that has been asked of them, serving honorably and faithfully in support of their servicemember. Now it is part of the Department's solemn commitment to them that we do everything in our power to reach out and help those family members.

The provisions of the NDAA for Fiscal Year 2014 section on Suicide and Military Families helped focus the efforts of the Defense Suicide Prevention Office (DSPO) to determine the prevalence of and prevention strategies for military family member suicides. DSPO facilitates a working group of subject matter experts charged with developing a deliberate and comprehensive strategy for measuring the prevalence and incidence of suicides among military dependents. DSPO has identified several surveillance options that would give us a clearer understanding of the risk factors involved and is continuing to work with the Defense Manpower Data Center and the Centers for Disease Control and Prevention (CDC) to also examine a possible relationship between military dependent and servicemember suicides. This critical work will inform what the suicide prevention needs of our military families are to better align programs and resources to help those in need. The results of these efforts and a plan to assess suicide among military families and its impact on servicemembers will be presented in a report to Congress due by April 1, 2014.

In addition to providing a full spectrum of resources available to help military families with the stressors they face before they face a crisis, DOD is directing both servicemembers and families to the "Supporting Military Families in Crisis" guide which provides family members with information on suicide warning signs and risk factors, actions to take when a family member is in crisis, and available resources to promote a healthy lifestyle and build a resilient family. The guide is available online at www.suicideoutreach.org.

20. Senator GILLIBRAND. Secretary Wright, what resources are needed to improve suicide prevention among military dependents?

Ms. WRIGHT. DOD is committed to providing and promoting a wide range of programs and services that enhance Service and family member resilience which help eliminate or manage many of the stressors that can contribute to crisis behaviors including suicidal ideation. This multidisciplinary approach includes Morale, Welfare, and Recreation (MWR) programs that alleviate stress; financial readiness counseling, child care solutions, relationship management and spouse employment initiatives; as well as suicide prevention support, crisis counseling, and direct intervention programs to rescue and restore families in crisis. We are currently assessing these programs to determine what additional efforts are required to provide the most effective suite of resources to our servicemembers and their families. We will continue to inform and work with Congress if we need additional resources or authorities to better support our servicemembers and dependents.

21. Senator GILLIBRAND. Secretary Wright, just this week General Dempsey said, "Men and women should have the opportunity to overcome their mental disorders or their mental health challenges and shouldn't be stigmatized. A man or woman should have the ability with treatment to overcome their challenges and then to have a fruitful life and gain employment, including inside the military." What is being done to ensure our servicemembers are getting the appropriate screening for PTSD and the appropriate follow-up care?

Ms. WRIGHT. DOD enacted a deployment mental health assessment process that requires comprehensive person-to-person mental health assessments at four time points: (a) within 120 days of deployment; (b) between 90 and 180 days after return from deployment; (c) between 180 days and 18 months after return from deployment; and (d) between 18–30 months after return from deployment. These assessments comply with requirements in the NDAA for Fiscal Year 2012, section 702, and NDAA for Fiscal Year 2013, section 703, and are performed either by licensed mental health professionals or by designated individuals trained and certified to perform the assessments. To date, more than 9,000 providers have been trained and certified to administer deployment mental health assessments.

The deployment mental health assessments include an analysis of self-reported responses to mental health questions on symptoms of depression, PTSD, and alcohol misuse; detailed follow-up on positive responses to previous mental health diagnoses and medication use; and exploration of other reported emotional, life stress, and mental health concerns. During a confidential dialog with the servicemember, the provider conducts an assessment of the risk for suicide or violence, offers education on relevant mental health topics, administers brief interventions, and makes recommendations for follow-up assessment and care, when indicated. Servicemembers who are identified as needing additional assessment or treatment for PTSD are re-

ferred for appropriate follow-up care at a military medical treatment facility, Veterans Affairs Medical Center or Vet Center, through the TRICARE Purchased Care Network, or in the community, depending on the servicemember's duty status and personal preference.

In addition to these pre- and post-deployment mental health assessments, symptoms of PTSD, depression, alcohol abuse, and other mental health concerns are routinely assessed during annual health assessments and during regular medical appointments with primary care providers. DOD has increased mental health staffing by 35 percent over the last 3 years, and has embedded mental health providers within primary care clinics to increase access to care and support early identification of PTSD and other mental health concerns.

CYBER

22. Senator GILLIBRAND. Secretary Wright and Ms. James, the cyber field is a fast-paced, ever-changing arena. If confirmed, what steps will you take to ensure we are recruiting the best and the brightest to this field?

Ms. WRIGHT. The growth, sustainment, and long-term career progression of a talented cyberspace workforce is critical to defend the Nation in this domain. If confirmed, I will continue to support ongoing initiatives for identifying and recruiting personnel with the appropriate cyberspace talents. I will also review current recruiting and retention challenges and explore options for meeting these challenges. My focus will include both military and civilian workforce concerns.

23. Senator GILLIBRAND. Secretary Wright and Ms. James, what authorities will be needed to keep the U.S. military on the cutting edge of cyber?

Ms. WRIGHT. The Department is currently reviewing the authorities required to maintain superiority in this domain.

If confirmed, I will explore human capital or specialty shortfalls in the cyberspace defense career fields and, where needed, pursue recruiting and retention authorities which allow the Department to ensure we are recruiting and keeping the best and brightest in this field.

DOD-VA RECORDS TRANSFER

24. Senator GILLIBRAND. Secretary Wright, in your advance policy questions you were asked several questions about how DOD is coordinating with the Department of Veterans Affairs (VA) on records transfers. I am grateful for your strong commitment to this issue, and would like to continue to work with you to ensure our transitioning servicemembers do not fall through the cracks. While I understand that each side has issues to work through in coordinating with the other, what more can DOD do to ensure our veterans have a smooth transition from DOD to the VA?

Ms. WRIGHT. The most important thing DOD can do to assist VA is to ensure the information needed to reduce disability claims processing times is available in a timely and accurate manner. We have done everything VA has asked us to, and we continue to meet regularly with them to seek ways to further refine information exchange processes. We have a number of key information sharing enablers, which include the electronic health record and the Health Artifact and Image Management Solution, and the paperless DD Form 214 initiative, that are being developed for both personnel and medical record data. As these enablers become available, we will continue to collaborate with VA to refine processes to realize the full potential of these initiatives.

We work closely with VA to ensure servicemembers understand the benefits for which they are eligible and how to apply for and access those benefits. We have recently implemented a new Transition Assistance Program and VA is a key part of that curriculum. We continue to register new recruits and transitioning servicemembers for DOD Self-Service (DS) Logon Accounts that allow access to the VA eBenefits portal.

We anticipate that these enhancements to data exchange and greater servicemember access to the benefits for which they are eligible will be smooth and make their transition from the military a seamless experience. If confirmed, I will continue to monitor these efforts as one of my priorities.

25. Senator GILLIBRAND. Secretary Wright, is there a need for increased resources?

Ms. WRIGHT. No, not at the current time. However, we will continue to inform and work with Congress if we need additional resources or authorities to better support our servicemembers and dependents.

INTEGRATED ELECTRONIC HEALTH RECORDS

26. Senator GILLIBRAND. Secretary Wright, I would also like an update on where plans stand for an integrated electronic health records system. I know that earlier plans for a shared system were scrapped in favor of finding a way to link the existing systems at DOD and the VA. Has there been progress in this new plan?

Ms. WRIGHT. Yes. Under the leadership of the Under Secretary of Defense for Acquisition, Technology, and Logistics, we have established both a program office and appointed a full-time, dedicated Program Executive Officer to ensure timely and efficient execution of our Integrated Electronic Healthcare Records (IEHR) near-term efforts and our Defense Healthcare Management System Modernization (DHMSM) program. In addition to continuing the near-term IEHR efforts, we are aggressively working on the DHMSM acquisition and contracting strategy with a goal of releasing an initial draft of the Request For Proposal by the end of this calendar year.

The Department is committed to the seamless transfer of electronic health care data between DOD and VA. Continuity of care is a key component of quality health care, and interoperability between DOD and VA's electronic health record data is essential to enabling this continuity. Achieving health record data interoperability and exchange is possible regardless of the software systems used by DOD and VA. A critical near-term effort we are undertaking is the data interoperability "accelerators" initiative. The first increment of these "accelerators" is on track to complete by December 2013, so providers have improved access to data. Near-term progress includes:

- In partnership with the VA, we identified the national standards-based data formats and initiated the DOD and VA data mapping required to standardize patient data for seven of the highest priority data domains.
- DOD and VA have agreed to use a common Health Data Dictionary as a mechanism to translate current DOD and VA medical information into national standards. This will further increase our data sharing and interoperability moving forward.
- We have completed the deployment of the Janus Joint Viewer to nine sites, including the five VA Polytrauma and Rehabilitation Centers and two Level-5 Military Treatment Centers, and expanded the use of the Joint Viewer at two additional sites. This viewer provides clinicians with easier access to healthcare data from all the sites where the patient has been treated in the DOD or VA.

Modernizing both Departments' legacy clinical information systems is the next step in providing seamless interoperability. VA is planning to modernize its VistA system and use it as the basis of its future health care management system core software. There are logical business reasons for VA's decision to stay with VistA: VA has a large installed VistA base, a large in-house staff that maintains and programs software for VistA, and a workforce that is experienced and trained to manage the system. DOD is not in the same position and has operational requirements that differ from those of the VA. Under the restructured DHMSM program, DOD will pursue a competitive process to select its core from the vibrant EHR marketplace to deliver a best-value solution. DOD will leverage national standards and open architecture design principles to preserve flexibility, and help foster a thriving, competitive marketplace. It is worth noting that our recent market analysis has identified some VistA-based offerings from multiple companies. These offerings are technically mature EHR solutions, and we will like see proposals from them for DOD consideration.

QUESTIONS SUBMITTED BY SENATOR MAZIE K. HIRONO

RECRUITING AND RETENTION

27. Senator HIRONO. Secretary Wright, what are the impacts of sequestration on recruitment and retention for the uniformed military?

Ms. WRIGHT. Recruiting and retaining the All-Volunteer Force requires the commitment to adequately resource our efforts. Sequestration has created a level of budget uncertainty that makes this much more challenging. The improving economy will provide potential recruits and members currently serving in the military greater opportunities to work or serve outside the military. This, compounded by reduced

discretionary funds for enlistment and retention bonuses, will make attracting and retaining the highest quality force more challenging.

Furthermore, the negative impact of sequestration on operations and training may discourage the best and brightest from joining the military and discourage retention of our most talented service men and women. Any negative impacts to recruitment and retention will impact the ability of our servicemembers to execute our national security strategy, which is hinged upon being the most technologically advanced, best equipped, and most highly trained force in the world.

IMPACTS OF FURLOUGH

28. Senator HIRONO. Secretary Wright, for our valued civil servants in DOD, the furloughs have created difficult situations for many. What are the impacts on recruitment and retention of our civil service employees?

Ms. WRIGHT. Although the full effects may take time to materialize, but we know sequestration has negatively impacted the morale of our civilian workforce and caused significant stress for them and their families. We also expect that the continued budget uncertainties the Department faces will inhibit our ability refresh the workforce and may cause our most experienced workers to consider leaving the Department. The impact on recruitment and retention will affect readiness across the Department. The Department hopes that Congress will enact a balanced deficit reduction plan that the President can sign that eliminates sequestration and the resulting impact to our civilian workforce.

COMMAND CLIMATE

29. Senator HIRONO. Secretary Wright, a command climate survey can go a long way in determining how effective a unit is and whether or not negative actions such as sexual harassment are tolerated and/or reported. What is your opinion of the current climate surveys?

Ms. WRIGHT. The Defense Equal Opportunity Climate Survey (DEOCS) is designed specifically for the purpose of assessing organizational climate and works exceedingly well. The survey can be administered in different ways (on-line or paper/pencil) and the results are produced in minimum time. The DEOCS has evolved over several years and was developed by the Defense Equal Opportunity Management Institute in coordination with the Defense Manpower Data Center.

The DEOCS is well-validated and continues to evolve to address current human relations issues. It is currently the survey instrument of choice by the Army, Navy, and Marine Corps. Air Force, which has used its own unit climate assessment instrument in the past, plans to begin using DEOCS in the near future.

30. Senator HIRONO. Secretary Wright, should climate surveys be kept to monitor potential long-term issues?

Ms. WRIGHT. The Department currently maintains historical survey data which help us identify potential long-term issues and provide organizational-wide insight into the effectiveness of leadership actions. We would expect climate survey to be used in the same manner by component leadership.

31. Senator HIRONO. Secretary Wright, should climate surveys be tied to the commander's permanent personnel records so as to monitor performance as a leader? What about other assessments such as 360 evaluations?

Ms. WRIGHT. I do not believe it is necessary to include climate survey results or assessments in an officer's permanent record. With the recent Secretary of Defense mandate requiring that annual command climate survey results be provided to the next level up in the chain of command we will be better postured to assess unit climate. Additionally, there are other measures in evaluation and performance reports that give us a clear understanding of individual's leadership capability and potential. For example, an officer's overall annual performance evaluations which are tied to effectiveness with regard to meeting organization objectives and goals.

Currently used by some DOD organizations, 360 evaluations also provide a comprehensive feedback of overall management style and assess broad competencies such as teamwork, leadership skills, and communication effectiveness; however are used primarily for assessing future professional development and are not generally included in permanent personnel records.

COMMISSARY BENEFIT

32. Senator HIRONO. Secretary Wright, what is your assessment of the current state of the Defense Commissary System?

Ms. WRIGHT. The commissary continues to be one of the most popular non-pay compensation benefits enjoyed by military members and their families. As an integral element of the total compensation package, commissaries enhance quality of life for military families and provide an excellent return on investment. Last fiscal year, the commissary provided direct savings to customers of over \$2.8 billion for a taxpayer cost of \$1.4 billion.

However, between the Department-wide hiring freeze and employee furloughs, commissary customer service has suffered. With the high turnover rate of lower-graded employees in commissaries, the hiring freeze quickly reduced the manning in 69 percent of stores below the 90 percent level. Over a dozen stores fell below 75 percent manning; and two were manned at 60 percent or lower. The recent sequestration-driven furlough, which led to the closing of most stores for 1 day a week for 6 weeks, further impacted customers. Customer complaints rose by over 50 percent and hit an all-time high during the furlough. Excellent commissary customer service suffered as customers found long check-out lines, empty shelves, and employees dealing with their own personal economic challenges due to a 20 percent pay reduction. That reduction was particularly hard on store-level employees, many of whom are part-time employees.

33. Senator HIRONO. Secretary Wright, what is the benefit as a value in terms of recruiting and retention?

Ms. WRIGHT. A number of surveys have concluded that commissaries rate highly among quality of life factors contributing to retention in the military. A GAO survey found that commissaries ranked #2 by enlisted personnel and #3 by officers as a reason to stay in the military. In our 2009 Status of Forces Survey, 90 percent of Active Duty personnel report they use the commissary, and 81 percent of those who use the commissary shop monthly or more frequently. Our surveys also show a majority of Active Duty members believe the commissary offers better safety and security than other stores in the community.

The commissary gives military personnel peace of mind, particularly when we place them in harm's way, knowing that their families have the support they need in a safe and secure shopping environment. Also, the commissary employs a large number of military dependents and provides a sense of community. Military personnel appreciate that commissary managers and employees understand the challenges and sometimes difficult life borne by military families. Therefore, I believe that this benefit has a great value to our servicemembers and their families.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

SEXUAL ASSAULT SURVEY

34. Senator INHOFE. Secretary Wright, if confirmed, will you commit to directing that an independent survey be conducted on sexual assault in the military, using an experienced outside organization that specializes in surveys, to design, conduct, and analyze survey results, with a goal of establishing clear, objective data and metrics that can be used to measure progress on eliminating sexual assault in the military?

Ms. WRIGHT. If confirmed, I agree to look at this issue. I am firmly committed to improving the Department's efforts to prevent and respond to sexual assaults in the military. If confirmed, I will look at how the Department conducts its sexual assault survey, to include the methodology used.

HOLLOW FORCE

35. Senator INHOFE. Secretary Wright, are you concerned about the reemergence of a hollow force?

Ms. WRIGHT. The potential for hollowing of the force is always a concern in times of fiscal constraint and drawdown. Readiness degradations driven by manpower, equipment and training shortfalls are of prime importance to us and we work constantly with the Joint Staff and Services to monitor trends and indicators related to potential hollowing. "Hollowness" in the 1970s and 1990s was driven primarily by excess force structure, recruiting/retention shortfall, increased optempo, and un-

derfunded training accounts. If confirmed, I intend to monitor these potential problems closely to ensure we do not hollow our great force.

36. Senator INHOFE. Secretary Wright, as the President's nominee what guidance or instruction, if any, were you provided on how to address the onset of a hollow force?

Ms. WRIGHT. The Secretary of Defense made readiness an imperative as we began planning for lower budgets and reduced endstrength nearly 3 years ago. Since then, the imperative to monitor, manage, and protect both near- and long-term readiness remains strong. If confirmed, I will be responsible for providing the Secretary and Deputy Secretary a regular accounting of our current readiness status, the associated risks, and options for mitigating that risk. In executing this responsibility, I would be required to focus not only the status and risks of the units, but also the status and the risks associated with the pipelines that support our ability to properly man, train, and equip our forces. Historically, it has been problems in these pipelines that create the most durable readiness degradations.

37. Senator INHOFE. Secretary Wright, if confirmed, what measures would you use to identify the extent of a hollow force for the Secretary of Defense?

Ms. WRIGHT. In order to preserve the health and viability of our All-Volunteer Force, we must ensure that our readiness, force structure and modernization remain balanced. If confirmed, I will work closely with the Services to ensure their force management plans fully optimize both short-term readiness and long-term modernization/procurement efforts as they implement force structure reductions.

Additionally, we must give particular attention to protecting the Services' pipeline processes that are critical to generating warfighting capabilities. Metrics gauging the health of these pipelines are the most valuable readiness/hollowness metrics because they cover the breadth of man/train/equip concerns and typically provide our best forecasts. Manpower metrics include measures of individual training, recruit quality, experience, and manning levels for critical occupations. Equipment metrics include availability rates, failure rates, repair rates, spares fill, unit fill, and depot throughput. Training metrics include individual and unit proficiency, graduate-level (collective training) unit/individual training accomplishment, and even range viability metrics.

CIVILIAN WORKFORCE

38. Senator INHOFE. Secretary Wright, how will DOD manage the civilian workforce in the next fiscal year under sequestration?

Ms. WRIGHT. The Department must continue to effectively manage our civilian workforce to ensure we maintain the appropriate mix of skill sets, and related experience, to maintain the readiness of our military. Our goal is to shape the workforce in a manner that minimizes adversity to our valued and talented civilian workforce. The Department hopes that Congress will enact a balanced deficit reduction plan that the President can sign which eliminates sequestration.

39. Senator INHOFE. Secretary Wright, what workforce management tools may DOD use if faced with another year of a sequestered budget—more furloughs, reductions in force, or early retirements?

Ms. WRIGHT. The Department must continue to effectively manage our civilian workforce to ensure we maintain the appropriate mix of skill sets, and related experience, to maintain the readiness of our military. Our goal is to shape the workforce in a manner that minimizes adversity to our valued and talented civilian workforce.

The Department is currently operating under hiring restrictions and will continue to do so under sequestration. Workforce management tools such as Voluntary Separation Incentive Pay and Voluntary Early Retirement Authority, have been authorized and encouraged, both of which are valuable in reducing involuntary separations and associated costs.

The Department hopes that Congress will enact a balanced deficit reduction plan that the President can sign which eliminates sequestration.

40. Senator INHOFE. Secretary Wright, will DOD consider exempting working capital fund employees from furloughs if it still faces a sequestered budget in fiscal year 2014?

Ms. WRIGHT. At the present time there is no plan to administratively furlough DOD employees in fiscal 2014. The Department hopes that Congress will enact a

balanced deficit reduction plan that the President can sign which eliminates sequestration.

41. Senator INHOFE. Secretary Wright, pay freezes and furloughs may cause young people not to consider a career in DOD. What tools can DOD use to incentivize young professionals to choose a career of service in DOD?

Ms. WRIGHT. The Department continues to use available recruiting methods and programs, such as Pathways, to attract young professionals. In addition, the Department continues to offer the Student Loan Repayment Program, Training and Professional Development opportunities, and many other benefits that promote a healthy work life balance.

42. Senator INHOFE. Secretary Wright, does DOD need additional recruiting authorities to compete for top young talent in the current job market?

Ms. WRIGHT. The Department has adequate authorities in place to assist us with competing for top young talent in the current job market. However, the time it takes to hire Federal employees as well as hiring restrictions under which the Department is currently operating, impact our ability to compete for top talent. The Department is continuously reviewing our authorities and programs so that we remain an employer of choice among young professionals.

43. Senator INHOFE. Secretary Wright, we have received reports of medical professionals leaving DOD because they are fed up with pay freezes and furloughs. We also hear that DOD doctors and nurses have chosen to leave DOD to work for the VA. If confirmed, will you advocate for exemption of civilian medical professionals from furloughs if DOD faces another year under sequestration?

Ms. WRIGHT. During the past furlough period, I asked my staff to carefully monitor Medical Treatment Facility operations and advise me if they saw any evidence that we were experiencing challenges in meeting our health care obligation to our beneficiary population, including Wounded Warriors. After the first few furlough days, a need to request additional furlough exceptions began to take shape. At the same time, due to a combination of Congressional approvals and Departmental budget management efforts, we were able to reduce furlough for most DOD civilians from 11 days (88 hours) to 6 days (48 hours). Our civilian medical professionals are back to their pre-furlough schedules providing all of the critical services.

We are still assessing the extent of damage caused by sequestration and the associated furloughs and, while no decisions have been made about the need for future furloughs or exceptions at this time, I will continue to be vigilant in maintaining our health care obligations and apply the lessons learned from the past furlough experience. I am committed to our patients and our staff and seek to minimize their inconvenience and maintain an exceptional "care experience" and "work experience" for both groups. This commitment will remain the Department's core theme as we address financial challenges in the future.

44. Senator INHOFE. Secretary Wright, in your opinion, does DOD need additional pay authorities to better compete with the VA civilian medical professionals?

Ms. WRIGHT. The Department does not need additional pay authorities to better compete with the VA civilian medical professionals. DOD has the authority of section 1599c of title 10, and DOD and the Office of Personnel Management have a July 31, 2006, Delegation Agreement authorizing the use of title 38 (VA) pay tables for DOD civilian health professionals.

RELIGIOUS EXPRESSION

45. Senator INHOFE. Secretary Wright, in your answer to the advance policy questions, you responded that "[s]ervicemembers are entitled to have personal views and to express them in personal conversations; however, servicemembers are not entitled to use their official capacity as a forum to express their personal views. Servicemembers who express personal views when speaking in an official capacity may be held accountable for what they say." Is it your understanding of DOD policy that sincerely held beliefs cannot be expressed if they differ from DOD policy?

Ms. WRIGHT. Expressions of sincerely held religious beliefs in personal conversations are permissible and considered as protected religious speech until such expressions disrupt the mission, have an adverse impact on good order and discipline, have the appearance of coercion, or can reasonably be regarded as suggesting DOD endorsement of religion.

SAME SEX BENEFITS

46. Senator INHOFE. Secretary Wright, you stated in your confirmation hearing that the September 4 same-sex policy memorandum would only apply to opposite-sex couples in very rare cases. What important military interest is advanced by a policy that benefits same-sex couples but not opposite-sex couples?

Ms. WRIGHT. The September 4 memorandum on the policy clarification, which applies to same-sex couples and opposite-sex couples, allows administrative time off for individuals who cannot get legally married within 100 miles of where they are assigned. As I acknowledged during my confirmation hearing, there may well be a few occasions where an opposite-sex couple would run up against this issue, but that does not invalidate my belief that the policy is fair and equitable to all.

We have bases and installations in all 50 States and around the globe. However, many servicemembers are assigned in remote or isolated locations, and we learned that not all local laws are equal when it comes to marriage—regardless of sexual orientation. While this policy may apply in fewer situations for opposite sex couples than it might for same sex couples, it facilitates travel for any disadvantaged servicemember seeking a legal marriage, when local laws or policies prevent that member from obtaining a legal marriage locally.

PAY

47. Senator INHOFE. Secretary Wright, what would be the impact on readiness if Congress authorizes a 1.8 percent pay increase instead of the 1 percent requested by the administration?

Ms. WRIGHT. The 1 percent basic pay raise requested in the President's budget recognizes the sacrifices by the men and women in our Armed Forces, while adhering to the current budget constraints faced by DOD. This pay raise proposal was a tough decision reached by the senior leaders of the Department (including the uniformed military leadership) after carefully weighing other options for saving the \$0.6 billion in fiscal year 2014 and nearly \$3.5 billion through fiscal year 2018 generated by this 0.8 percent pay raise adjustment. If Congress authorized the full 1.8 percent military basic pay increase, the Department would have to impose deeper reduction to troop levels as well as to readiness and modernization accounts for training or equipping our forces.

48. Senator INHOFE. Secretary Wright, what would you do, if confirmed, to mitigate the impact of a 1.8 percent pay increase for military personnel and a 1 percent increase for civilian personnel, on overall military readiness?

Ms. WRIGHT. The administration requested a 1.0 percent basic pay increase for military personnel. Because military compensation today compares favorably with compensation in the private sector, the Department does not believe the additional 0.8 percent military basic pay increase is necessary to sustain recruiting and retention. If Congress were to authorize an additional 0.8 percent increase in basic pay for military personnel, it would cost an additional \$580 million in fiscal year 2014 (including \$40.0 million for Contingency Operations funding) and nearly \$3.5 billion through fiscal year 2018. As these costs are not offset, the Department would be forced to pay for this additional military pay increase by reducing military end strength beyond the drawdown already planned and further cutting funds for training and equipping our forces. At a time when statutory spending caps require defense reductions, there is no viable means to mitigate these readiness impacts if the higher pay raise is enacted.

In regards to a 1.0 percent increase for civilian personnel, the administration included this increase in its budget for fiscal year 2014, the Department does not believe it will adversely affect military readiness, thus mitigation will not be necessary. However, if confirmed I will work with my staff to ensure any impacts to overall military readiness are mitigated.

FAMILY SUPPORT PROGRAMS AND SERVICES

49. Senator INHOFE. Secretary Wright, what impact has sequestration had on: (1) child development center programs; (2) child and youth programs; (3) commissary and exchange services; (4) recreation programs; and (5) civilian spouse employment programs?

Ms. WRIGHT. (1) (2) Child development center programs at the installation level were excepted from civilian furloughs and child and youth programs continued to operate with no change in service. The Military Services reduced the weekly cost

of care for families affected by the furlough. Child and youth recreation programs saw little to no effect since these programs are primarily funded through Non-appropriated Funds (NAF).

(3) Sequestration had a direct impact on our commissary patrons and employees. With the Department-wide hiring freeze and employee furloughs, commissary customers often found long checkout lines, closed registers, and empty shelves. The closure of most stores for 1 day a week for 6 weeks because of the furloughs impacted customers further. Customer complaints rose by over 50 percent and hit an all-time high during the furlough. While Defense Commissary Agency employees struggled to continue their previously excellent customer service, they could not always overcome the challenges. The impact of sequestration on the exchange services has been minor because they operate as nonappropriated funded activities and receive little appropriated fund support.

(4) Sequestration has caused sustained reductions to recreation programs (MWR) that negatively impact future readiness, resilience, and retention. The Military Services indicate they are energetically working to identify economies and efficiencies to minimize the fiscal uncertainty created by sequestration driven funding cuts, and are focusing the limited appropriated fund dollars available on their most essential programs and services. However, we are seeing reductions to hours of operation and staff, increased user fees, and consolidation of similar facilities and programs. Installation MWR programs are also collaborating with local communities, schools, and business entities to maximize the availability of programs and services, and many are evaluating low usage programs for potential elimination.

(5) Spouse employment programs at military installations were not able to provide full career and education services due to a shortage of personnel and reduced operating hours resulting from civilian furloughs and hiring freezes. Services for military spouses provided by the Spouse Education and Career Opportunities Program were generally not impacted by civilian furloughs because it is under an already funded contract.

50. Senator INHOFE. Secretary Wright, how will family support programs and services be affected if sequestration continues in the future?

Ms. WRIGHT. We have seen the impacts of sequestration across all programs through reduced levels of service, hours, and higher prices directly impacting our servicemembers and their families. We will strive to protect family programs; however, the continuation of sequestration will limit our ability to maintain the current levels of family support and to respond to new requirements resulting from continued deployments and the downsizing of forces. Programs that promote well-being and enhance readiness are often provided by civilian employees who are especially vulnerable to hiring freezes, furloughs, and reduced funding.

A symbiotic relationship exists between the commissaries, exchanges, and MWR programs that comprise the complex interdependent military resale system. MWR programs depend on the dividends generated through the exchange services. Appropriated fund reductions in any area would have negative impacts on the entire military resale system jeopardizing the availability, quality, and savings of these to the military servicemembers and their families.

We continue to review more efficient and cost effective ways of doing business while providing the programs and services valued by our servicemembers and their families. No one wants to negatively impact the lives of servicemembers and their families; however, the fiscal realities of sequestration are forcing the Department and the Military Services to make some very tough decisions.

MILITARY HEALTH SYSTEMS

51. Senator INHOFE. Secretary Wright, earlier this year, DOD issued a Resource Management Decision directing the Assistant Secretary of Defense for Health Affairs to conduct a comprehensive review of Military Health System's (MHS) capabilities and requirements. Recently, the Navy advised the committee that it plans to realign eight medical treatment facilities to enhance efficiency, improve quality of care, and enhance provider training opportunities. When will this committee receive a briefing on the outcome of the comprehensive review of MHS capabilities and requirements?

Ms. WRIGHT. The review of the MHS's capabilities and requirements is ongoing and the results will feed into the fiscal year 2015 Program Review. The results of this review of capabilities and requirements will be available during the rollout of the fiscal year 2015 President's budget. We look forward to briefing the committee

of the review outcome after the submission of the fiscal year 2015 President's budget.

52. Senator INHOFE. Secretary Wright, was the Navy's decision to realign facilities a result of this review?

Ms. WRIGHT. The Navy's assessment of their facilities was completed prior to the start of the MHS's capabilities and requirements review. Their results were included as a part of the review's deliberations. The Navy, along with the Army and Air Force, continuously evaluate the match between beneficiary demand and medical capabilities. Our assessments and results will be included in the fiscal year 2015 President's budget.

53. Senator INHOFE. Secretary Wright, how has this review impacted the medical facilities of the Army and Air Force?

Ms. WRIGHT. The assessment is still ongoing and the final results will be included in the fiscal year 2015 President's budget.

54. Senator INHOFE. Secretary Wright, will any Army or Air Force medical facilities be realigned in the future?

Ms. WRIGHT. The assessment is ongoing and the final results will be included in the fiscal year 2015 President's budget.

INTEGRATED DISABILITY EVALUATION SYSTEM

55. Senator INHOFE. Secretary Wright, in your opinion, what can DOD and the VA can do to further reduce disability claims processing times?

Ms. WRIGHT. The most important thing DOD can do to assist VA is to ensure the information needed to reduce disability claims processing times is available in a timely and accurate manner. In order to meet this goal we will actively pursue a long-term vision of a paperless record keeping environment. If confirmed, I will continue to work closely with the VA to refine processes to take full advantage of information sharing we are putting in place.

QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

LIVING QUARTERS ALLOWANCE

56. Senator CHAMBLISS. Secretary Wright, my staff is working with several Georgia constituents who are DOD civilians affected by a January 2013 DOD audit which determined they were no longer eligible to receive a LQA. The audit determined that, through no fault of their own, 659 DOD civilians in Europe "erroneously" received this incentive pay and that DOD would attempt to recover the overpayments, in many cases in the hundreds of thousands of dollars. Most of these civilians accepted their Federal positions with an understanding that LQA, and other associated benefits, were a term or condition of employment—they would not have accepted the job otherwise. Moreover, this incentive pay was certified, and often certified multiple times, by HR personnel who are intimately familiar with governing regulations and policies.

As you can imagine, this determination is having significant impact on the affected employees and their families. While I appreciate DOD efforts to mitigate the impact—an expedited process to waive the debt, exceptions to the hiring freeze under the PPP, and a 1 year extension of LQA through May 2014—the worst case scenario would find us in June 2014 with a sizable number of affected civilian employees still at the current duty station, unable to find suitable employment elsewhere due to hiring restrictions, responsible for moving their families and personal property at their own expense, and living under the shadow of repaying a large debt. In my opinion, this is not how we should treat our civilian employees, in particular on the heels of the fiscal year 2013 DOD civilian furlough.

If confirmed, will you make it a personal priority to ensure that the affected employees are extended every possible opportunity to secure follow-on employment with return travel and transportation agreements covered under Joint Federal Travel Regulations?

Ms. WRIGHT. Yes, if I am confirmed this will continue to be a high priority of mine and has the full attention of my office. So far, the waiver process is proving successful in alleviating debt for employees who file requests for relief of the debt. Additionally, we have offered a temporary exception to the PPP to facilitate return placements. Return travel and transportation may still be provided to employees meeting

the return transportation conditions upon hiring or, alternately, though management-directed reassignment or PPP placement.

57. Senator CHAMBLISS. Secretary Wright, ultimately the error for this overpayment falls on DOD—either through an incorrect policy determination or by the officials who incorrectly certified LQA eligibility. How did this happen and who is being held accountable?

Ms. WRIGHT. This situation occurred through process errors made at a local DOD component servicing human resources offices. We are in the process of addressing the matter. Looking forward, we want to ensure that our LQA regulations are clear. To that end, by the end of this year, my staff will complete a comprehensive review of the Department's overseas benefits and allowances regulation. Further, the DOD components with the responsibility to train servicing human resources specialists on making benefits and pay determinations must ensure they are doing so correctly through audits or similar oversight means.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

NATIONAL GUARD YOUTH CHALLENGE PROGRAM

58. Senator AYOTTE. Secretary Wright, what is your plan to provide standardized, national training for the frontline staff of the National Guard Youth Challenge Program (NGYCP) in fiscal year 2014?

Ms. WRIGHT. I understand the importance of frontline staff training; therefore, if I am confirmed, the Office of the Assistant Secretary of Defense for Reserve Affairs will continue to work with the Office of the Chief of the National Guard Bureau and the State Adjutant Generals to identify ways to provide standardized training to the NGYCP staff in an efficient and cost-effective manner. During these difficult budgetary times and uncertainty, the Department's first priority is to try to fully support funding of the NGYCP at the maximum DOD cost share of 75 percent to ensure continued operations and cadet development. This work will involve reviewing all current methods implemented by the National Guard Bureau for delivering NGYCP staff training, including existing training programs funded by DOD and other Federal, State, and local agencies that may be provided to NGYCP staff. Once requirements are validated, we will be able to determine best method, schedule, and provider.

59. Senator AYOTTE. Secretary Wright, for years, mental health training was provided to National Guard Youth mentors but now that is no longer the case. Will you examine the possibility of restoring mental health training for National Guard Youth Challenge mentors?

Ms. WRIGHT. Yes, as part of our fiscal year 2014 review of the standardized training for the NGYCP, we will work with the Office of the Chief of the National Guard Bureau and the State Adjutant Generals to examine the possibility of restoring mental health training for mentors participating in the NGYCP.

SEQUESTRATION AND ITS IMPACT ON READINESS

60. Senator AYOTTE. Secretary Wright, General Welsh has recently said that under sequestration, the Air Force would be unable to execute the 2012 Strategic Planning Guidance that requires the military to fight one major adversary and deter another. General Welsh also told airmen stationed in Japan that the Air Force would "not be as ready as we would like" if ordered to take action against the Syrian regime. Do you agree with General Welsh's assessments?

Ms. WRIGHT. I agree with General Welsh's assessments regarding the Air Force's ability to respond to emerging contingencies. The Air Force entered sequestration at historically low readiness levels. This steady readiness decline resulted from over 20 years of high operational tempo supporting combatant commanders' requirements fighting the "low-end" wars of the last decade, coupled with reduced funding to their readiness accounts. Sequestration made this situation worse by forcing combat units to stand down and the cancellation of exercises and training courses.

61. Senator AYOTTE. Secretary Wright, what are your greatest readiness concerns if sequestration goes forward in 2014?

Ms. WRIGHT. My primary concern is the Department's ability to maintain a force that can satisfy both our current operational commitments as well as provide ready forces for contingencies that are critical for responding to an emergent major theater

operation. So far, we have gone to great lengths to protect our ability to do current operations; our risk and my main area of concern lies with our ability to surge a ready force.

In keeping with this concern, we know that sequestration has forced the Department to make hard choices between drawing down force structure and paring back modernization programs. Furthermore, reductions in our training and professional development programs will have a long-term detrimental effect on maintaining proficiency and experience within our ranks. These short-term effects will have longer-term implications that will not be easily reversed even with additional resources.

62. Senator AYOTTE. Secretary Wright, General William Shelton, Commander of Air Force Space Command, recently said that sequestration threatens to “break every program” in the U.S. military space enterprise. Do you share his concern?

Ms. WRIGHT. I share General Shelton’s concerns regarding the effects sequestration may have on numerous Defense programs. The immediate effects of sequestration are beginning to be felt and are impacting programs throughout the Department.

LIVING QUARTERS ALLOWANCE

63. Senator AYOTTE. Secretary Wright, DOD has been working with Congress and the employees in U.S. European Command to achieve a workable solution to the LQA issue. I am concerned that the employees’ concerns are not being addressed completely. Many of the employees are concerned with future employment opportunities and the cost associated with moving back to the United States. How many employees have been given Priority 3 or 3a status?

Ms. WRIGHT. All employees identified in the audit as receiving LQA erroneously who choose to return Stateside in the absence of LQA have been eligible to register in the PPP since June 27, 2013. As of September 26, 2013, the DOD components have reported that 71 affected employees have registered in PPP, 4 have accepted job offers, and 1 has declined an offer.

The Department has also authorized a temporary exception to standard PPP clearance requirements that allows DOD components to reassign LQA-affected employees directly to State-side vacancies that would otherwise not be filled due to a hiring freeze. As of September 26, 2013, the DOD components have reported that nine affected employees have accepted management-directed reassignments under this special exception to PPP.

In addition, an affected employee generally will be eligible for a paid move back to the United States if returned Stateside as a result of a directed reassignment by the employee’s DOD component, if placed through the PPP, or if the employee is a retired military member whose final authorization for return travel has not expired.

64. Senator AYOTTE. Secretary Wright, how many employees have been given Priority 1 or 2 status?

Ms. WRIGHT. All employees identified in the audit as receiving LQA erroneously have been eligible to register in the PPP since June 27, 2013, as a Priority 3. Priorities 1 and 2 are reserved for employees who are being separated involuntarily, i.e., losing employment completely. As of September 26, 2013 the DOD components have reported that 71 affected employees have registered in the PPP, 4 have accepted job offers, and 1 has declined an offer. This is not the only procedure to facilitate the timely rotation of those affected employees who choose to return Stateside in the absence of LQA. Most notably, the Department has authorized a temporary exception to standard PPP clearance requirements that allows DOD components to reassign employees directly to Stateside vacancies that would otherwise not be filled due to a hiring freeze. As of September 26, 2013, the DOD components have reported that nine affected employees have accepted management-directed reassignments under this special exception to PPP.

65. Senator AYOTTE. Secretary Wright, in *Thomas v. United States* (Sept. 7, 2011), the court ruled that “The Court disregards the other regulations and guidance’s implemented pursuant to the DSSR insofar as they conflict with the DSSR. DODI [Department of Defense Instruction], the Army Corps Memorandum, and AER 690–500.592 conflict with the DSSR because they give the agency discretion to disallow a living quarters allowance when the DSSR provisions would otherwise mandate the allowance.” Did the *Thomas* case play a role in how DOD is addressing the LQA issue?

Ms. WRIGHT. No. *Thomas v. United States* has not played a role in how the Department is addressing the LQA issue. However, we agree with the Thomas opinion that if an employee satisfies all the eligibility requirements for receiving LQA, and if the Department makes a determination that there is a need for LQA, the incentive may be properly paid, as evidenced by those employees properly granted LQA after being recruited from the United States. Eligibility criteria include that which is stated in the DSSR, as well as the criteria established by the DOD in its LQA regulations. In a subsequent opinion to Thomas, the Court noted in *Roberts v. United States* (April 30, 2012), that the DSSR expressly delegates authority to heads of Federal agencies to implement additional regulations in this area. Under that delegation, the Secretary of Defense issued DOD Instruction 1400.25, volume 1250, which includes LQA eligibility conditions in addition to those in the DSSR. In this situation, affected employees either did not meet the DSSR eligibility requirements, or those established in volume 1250, or both.

66. Senator AYOTTE. Secretary Wright, given the Office of Personnel Management Compensation Claim Decision (OPM File No. 12-0020), is DOD concerned about pecuniary liability due to the Thomas ruling?

Ms. WRIGHT. No, as affected employees in this situation either did not meet the DSSR, or those established in DOD Instruction 1400.25, Volume 1250, or both.

67. Senator AYOTTE. Secretary Wright, has DOD received any reimbursement claims related to Thomas? If so, how many?

Ms. WRIGHT. To my knowledge, there have been no reimbursement claims received by the Department.

68. Senator AYOTTE. Secretary Wright, has DOD estimated potential liability due to the Thomas case? If so, what is the cost estimate?

Ms. WRIGHT. The Department has not estimated potential liability. However, we have estimated that it will cost approximately \$23 million to grant temporary LQA eligibility to affected employees for 1 year.

69. Senator AYOTTE. Secretary Wright, in *Roberts v. United States* (April 30, 2012), the Court stated that the LQA-granting authority has been further delegated within DOD, but in addition to having met the DSSR requirements, the DOD agency “must first designate the position as eligible for LQA”. Were any of the positions held by the employees, who were deemed to have erroneously received LQA payments, designated as LQA eligible?

Ms. WRIGHT. DOD Instruction 1400.25, volume 1250, delegates authority to the Heads of DOD components to make LQA determinations. Each DOD component may determine in advance of filling an overseas position whether there is a need for LQA, and which is normally based on an ability to fill the position without the incentive. However, employees filling positions deemed appropriate for LQA must meet the eligibility requirements in order to receive the incentive.

70. Senator AYOTTE. Secretary Wright, in both the DSSR and DODI 1400.25 there is an allowance for a waiver based upon “unusual circumstances”. Was this the basis for the 1-year waiver that you granted to all LQA audit affected employees?

Ms. WRIGHT. Yes, the DSSR provision for waivers based on unusual circumstances was used for authorizing temporary LQA eligibility for affected employees. I believe that 1 year is sufficient time for the employees to make personal decisions concerning their situations, and to be placed in a State-side position, if they so choose. Providing the incentive beyond that time could be viewed as an abuse of discretion with respect to taxpayer dollars being spent on incentives for which employees are otherwise ineligible.

71. Senator AYOTTE. Secretary Wright, does the DSSR or the DODI 1400.25 place any time condition or constraints upon this waiver?

Ms. WRIGHT. No. To mitigate the financial effects of loss of LQA, I granted all employees identified in the audit as receiving LQA erroneously temporary eligibility for LQA for up to a 1-year time period to allow them opportunity to plan a future without the incentive. This period was determined to be reasonable under the circumstances. Further, the Department has supported individual employee requests for waivers of the indebtedness as long as there is no evidence of misrepresentation, fraud, or deception on the part of the employee to receive LQA initially; delayed collection of the indebtedness created by the receipt of LQA erroneously (for those employees who choose to request a waiver) until the waiver process is complete; and authorized flexibilities under the PPP to assist employees who choose to return

Stateside in the absence of LQA. As of September 26, 2013, 400 waiver requests have been submitted, 112 full waivers have been approved, and no requests have been disapproved.

72. Senator AYOTTE. Secretary Wright, is there any legal reason that would stop you from utilizing this waiver in order to solve this issue on a more long-term basis?

Ms. WRIGHT. To mitigate the financial effects of loss of LQA, I granted all employees identified in the audit as receiving LQA erroneously temporary eligibility for LQA for up to a 1 year time period to allow them opportunity to plan a future without the incentive. This period was determined to be reasonable under the circumstances. Further, the Department has supported individual employee requests for waivers of the indebtedness as long as there is no evidence of misrepresentation, fraud, or deception on the part of the employee to receive LQA initially; delayed collection of the indebtedness created by the receipt of LQA erroneously (for those employees who choose to request a waiver) until the waiver process is complete; and authorized flexibilities under the PPP to assist employees who choose to return State-side in the absence of LQA. As of September 26, 2013, 400 waiver requests have been submitted, 112 full waivers have been approved, and no requests have been disapproved.

73. Senator AYOTTE. Secretary Wright, U.S.C. title 10, chapter 163, section 2773a, gives DOD the authority to hold processing officials pecuniary liable. DOD Regulation 7000 further states that "The Secretary of Defense may subject a departmental official to pecuniary liability for an improper or incorrect payment made by DOD, if the Secretary determines that such payment resulted from information or services provided" to a certifying official. Has DOD scrutinized the certifying or authorizing officials who made, according to a DOD Inspector General report, \$57 million in erroneous payments?

Ms. WRIGHT. The DOD Financial Management Regulations (FMR) 7000.14R, volume 5, chapter 33, section 3309, which states a certifying officer is pecuniarily liable for payments resulting from improper certifications, is not applicable in this situation. A certifying officer as defined in the FMR does not certify the supporting document authorizing the LQA entitlement, and thus is not liable for these erroneous payments.

74. Senator AYOTTE. Secretary Wright, when an individual who received the erroneous payments signs the waiver form, does this waiver also release DOD officials from any liability in association with that payment?

Ms. WRIGHT. No, signing of the waiver form by an individual only affects the individual employee.

QUESTIONS SUBMITTED BY SENATOR MIKE LEE

RELIGION IN THE MILITARY

75. Senator LEE. Secretary Wright, what do you understand to be the difference between evangelizing, which is allowed by DOD, and proselytizing, which is not allowed?

Ms. WRIGHT. DOD has no policy that directly addresses religious evangelizing and proselytizing. Servicemembers may exercise their rights under the First Amendment regarding the free exercise of religion unless doing so adversely affects good order and discipline, or some other aspect of the military mission; even then, the Department seeks a reasonable religious accommodation for the servicemember. In general, servicemembers may share their faith with other servicemembers in unofficial settings, but may not forcibly attempt to convert others to their own beliefs. Concerns that may arise regarding these issues are handled on a case-by-case basis by the leaders of the unit involved, in consultation with Chaplains and legal advisors.

76. Senator LEE. Secretary Wright, how are these differences explained to commanders in the military, and do you believe it is consistently applied?

Ms. WRIGHT. Chaplains from the Military Departments are directly involved in the training of commanders. This training includes discussion and guidelines concerning the balance of freedoms for servicemembers with religious beliefs as well as those with no religious belief. Due to this training, expressions of free speech and religious practice are consistently applied across the Military Departments.

ERRONEOUS LIVING QUARTERS ALLOWANCE

77. Senator LEE. Secretary Wright, the Office of the Secretary of Defense and your office have stated that the erroneous payments to civilian employees living overseas and receiving LQA payments were made “through no fault of the individual”. Why did DOD give these payments erroneously and who is being held at fault for the erroneous payments?

Ms. WRIGHT. This situation occurred through errors made by individual employees assigned to a DOD component servicing human resources offices, and we are in the process of addressing the matter. Looking forward, we want to ensure that our LQA regulations are clear. By the end of this year, my staff will complete a comprehensive review of the Department’s overseas benefits and allowances regulation. Further, the DOD components with the responsibility to train servicing human resources specialists on making benefits and pay determinations must ensure they are doing so correctly through audits or similar oversight means.

78. Senator LEE. Secretary Wright, when the employee who has received erroneous payments signs the waiver for their debts, does the waiver also release DOD officials from any liability in association with the payment?

Ms. WRIGHT. No, signing of the waiver form by an individual only affects the individual employee.

[The nomination reference of Hon. Jessica G. Wright follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
July 18, 2013.

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

Jessica Garfola Wright of Pennsylvania, to be Under Secretary of Defense for Personnel and Readiness, vice Erin C. Conaton, resigned.

[The biographical sketch of Hon. Jessica G. Wright, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF JESSICA L. (GARFOLA) WRIGHT

Education:

Alderson Broaddus College, September 1971–June 1974

- Bachelor of Arts Degree awarded June 1974
- Honorary doctorate in Public Service awarded 2004

Webster University, St Louis, MO, School of Business and Technology

- Masters Degree in Management awarded June 1993

Army War College, Carlisle Barracks, PA

- Military Fellowship at the Center for Strategic and International Studies, Washington, DC, June 1997

Employment record:

U.S. Department of Defense, Office of the Secretary of Defense

- Acting Under Secretary of Defense for Personnel and Readiness
- January 2013-present
- Acting Principal Deputy Under Secretary of Defense for Personnel and Readiness
- October 2012–January 2013
- Assistant Secretary of Defense (Reserve Affairs)
- May 2012–October 2012
- Acting Principal Deputy Assistant Secretary of Defense (Reserve Affairs)
- Deputy Assistant Secretary of Defense for Reserve Affairs (Manpower and Personnel)
- November 2010–May 2012

Commonwealth of Pennsylvania, Army National Guard

- Adjutant General of Pennsylvania and Commander of the Pennsylvania National Guard
 - February 2004–November 2010
 - Assistant Adjutant General/Deputy Adjutant General-Army, Pennsylvania Joint Force Headquarters
 - May 2000–February 2004
 - State Army Aviation Officer, Headquarters, State Area Command
 - October 1998–May 2000
 - Commander, 28th Combat Aviation Brigade, 28th Infantry Division, Fort Indiantown Gap, PA
 - June 1997–November 1998
- U.S. Army War College
- Military Fellowship at the Center for Strategic and International Studies, Washington, DC
 - August 1996–June 1997
- National Guard Bureau, Headquarters
- Chief of the Personnel Service Division, Army National Guard personnel directorate
 - Chief of the Tours Management Office, Army National Guard personnel directorate
 - Executive Officer and Chief of the Budget and Services Branch
 - Personnel Staff Officer
 - February 1989–August 1996
- State of Georgia, Army National Guard
- Assistant Professor of Military Science, Georgia Southern College, Statesboro, GA
 - November 1986–January 1989
- State of Georgia, Army National Guard
- 1160th Transportation Company (Heavy Helicopter), Flight Operations Platoon Commander
 - September 1985–November 1986
- Commonwealth of Pennsylvania, Army National Guard
- 1028th Transportation Company (Heavy Helicopter), Flight Operations Platoon Commander
 - Eastern Army National Guard Aviation Training Site, Assistant Operations and Training Officer and Flight Operations Officer
 - January 1982–September 1985
- Commonwealth of Pennsylvania, Army National Guard
- 228th Aviation Company, UH-1 and CH-47 pilot
 - 28th Aviation Battalion, Adjutant
 - September 1979–December 1981
- Commonwealth of Pennsylvania, Army National Guard
- CH-47 Aviator Qualification Course
 - CH-54 Aviator Qualification Course
 - Officers Rotary Wing Aviator Course at Fort Rucker, AL
 - February 1977–August 1979
- Commonwealth of Pennsylvania, Army National Guard
- Headquarters and Headquarters Detachment, Press Officer, Recruiting and Retention/Equal Opportunity Operations Officer, Staff Advisor
 - Women's Army Corps Officer Orientation/Officer Candidate School at Fort McClellan, AL
 - January 1975–January 1977
- Honors and awards:*
- Distinguished Public Service Medal
 - Distinguished Service Medal
 - Legion of Merit (with Oak Leaf Cluster)
 - Meritorious Service Medal (with one Bronze Oak Leaf Cluster)
 - Army Commendation Medal
 - Army Achievement Medal
 - Army Reserve Component Achievement Medal (with one Silver Oak Leaf Cluster and one Bronze Oak Leaf Cluster)
 - National Defense Service Medal (with one Bronze Star)

Global War on Terror Service Medal
 Armed Forces Reserve Medal (with Gold Hourglass)
 Army Service Ribbon
 Army Staff Identification Badge
 Senior Army Aviator Badge
 Pennsylvania Commendation Medal
 Pennsylvania Service Ribbon (with two Silver Stars)
 Pennsylvania 20 Year Medal (with two Silver Stars)
 Major General Thomas R. White Jr. Medal
 General Thomas J. Stewart Medal
 Governor's Unit Citation
 Lithuanian Medal of Merit
 Order of St. Michael
 Order of St. Joan of Arc
 ATHENA Recipient
 Gold Medallion - Chapel of the Four Chaplains
 Law and Justice Award - Sons of Italy
 Gold Medal Award - Pennsylvania Association of Broadcasters
 Honorary Doctorate - Peirce College
 Haym Solomon Award
 Military Person of the Year - Veteran Community Initiatives, Inc.
 Distinguished Soldier Award - Union League of Philadelphia
 Founders Day Award - Lebanon Valley College

[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 Hon. Jessica G. Wright 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.)
 Jessica Lynn Wright, Maiden Name: Garfola.
2. **Position to which nominated:**
 Under Secretary of Defense (Personnel and Readiness).
3. **Date of nomination:**
 July 18, 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:

November 2, 1952; Charleroi, PA.

6. Marital Status: (Include maiden name of wife or husband's name.)

Married to Charles Edwin Wright.

7. Names and ages of children:

Philip Michael Wright, age 23.

8. Education: List secondary and higher education institutions, dates attended, degree received, and date degree granted.

Alderson-Broadus College. 1970–1974, BA, May 1974

Webster University, 1991–1993, MA, June 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.

1 January 2013–Present: Acting Under Secretary of Defense (Personnel and Readiness), The Pentagon

16 Oct 2012–31 Dec 2012: Acting Principal Deputy, Under Secretary of Defense (Personnel and Readiness), The Pentagon

25 May 2012–15 Oct 2012: Assistant Secretary of Defense for Reserve Affairs, The Pentagon

08 November 2010–24 May 2012: Department of Defense Deputy Assistant Secretary of Defense, RA (Manpower and Personnel); 1 June 2011 also assumed the duties "Acting" Principal Deputy Assistant Secretary of Defense, Reserve Affairs, The Pentagon

February 2004–November 2010: The Adjutant General Commonwealth of Pennsylvania, Fort Indiantown Gap, PA

June 2000–February 2004, Deputy Adjutant General—Army Commonwealth of Pennsylvania, Fort Indiantown Gap, PA

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.

None.

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

National Guard Association of the United States—Member

Pennsylvania National Guard Association of the United States—Member

Association of the U.S. Army—Member

Army Aviation Association of America—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.

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.

Distinguished Public Service Medal

Distinguished Service Medal

Legion of Merit (with Oak Leaf Cluster)

Meritorious Service Medal (with one Bronze Oak Leaf Cluster)

Army Commendation Medal

Army Achievement Medal

Army Reserve Component Achievement Medal (with one Silver Oak Leaf Cluster and one Bronze Oak Leaf Cluster)

National Defense Service Medal (with one Bronze Star)

Global War on Terror Service Medal

Armed Forces Reserve Medal (with Gold Hourglass)
 Army Service Ribbon
 Army Staff Identification Badge
 Senior Army Aviator Badge
 Pennsylvania Commendation Medal
 Pennsylvania Service Ribbon (with two Silver Stars)
 Pennsylvania 20 Year Medal (with two Silver Stars)
 Major General Thomas R. White Jr. Medal
 General Thomas J. Stewart Medal
 Governor's Unit Citation
 Lithuanian Medal of Merit
 2000 ATHENA Recipient
 2004 Honorary Doctorate - Alderson Broaddus College
 2005 Gold Medallion - Chapel of the Four Chaplains
 2005 Law and Justice Award - Sons of Italy
 2006 Gold Medal Award - Pennsylvania Association of Broadcasters
 2008 Honorary Doctorate - Peirce College
 2009 Military Person of the Year - Veteran Community Initiatives, Inc.
 2009 Distinguished Soldier Award - Union League of Philadelphia
 2010 Founders Day Award - Lebanon Valley College

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

One article on ARNG Aviation published in the National Guard Association of the United States magazine. (2010)

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 gave multiple speeches during my time as Adjutant General of the PA National Guard. I do not have copies. I have given speeches as ASD-RA and Acting USO-PR from talking points and notes.

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.

JESSICA G. WRIGHT.

This 12th day of September, 2013.

[The nomination of Hon. Jessica G. Wright was reported to the Senate by Chairman Levin on September 24, 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 Mr. Frank G. Klotz by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DUTIES AND QUALIFICATIONS

Question. What background and experience do you possess that you believe qualify you to perform the duties of the Under Secretary for Nuclear Security and Administrator of the National Nuclear Security Administration (NNSA)?

Answer. I served on Active Duty in the U.S. military for nearly 39 years. The majority of my assignments dealt either with nuclear field operations—including maintenance, security, and safety—or with nuclear policymaking at the national and international levels.

I have also had extensive experience leading large organizations with technically-complex missions and a diverse, highly-skilled workforce. As the first commander of Air Force Global Strike Command, I helped establish and lead a brand new organization that merged responsibility for all U.S. nuclear-capable bombers and missiles under a single chain-of-command. Within the space of only 14 months, we defined the organization's vision and values, recruited 800 highly-talented professionals into a new headquarters, took charge of 5 major installations and 23,000 people; and strengthened accountability at all levels. Earlier in my career, I was second in command of Air Force Space Command when it had responsibility for the Nation's intercontinental ballistic missile force. At that time, AFSPC comprised 39,400-persons charged with responsibility for developing, acquiring and operating a global network of launch, satellite control, communications, and missile warning facilities.

Since retiring from Active Duty, I have worked as a Senior Fellow at the Council on Foreign Relations and participated in several "Track 2" conferences and workshops, most notably with the Committee on International Security and Arms Control of the U.S. National Academy of Sciences. These activities have deepened my understanding of the nuclear capabilities and policies of other nations, as well as the dangers posed by nuclear proliferation, regional arms races, and the threat of nuclear terrorism.

All of these experiences bear directly on NNSA's broad mission set, as well as the challenges of leading an organization of its size and scope. I am grateful to President Obama and Secretary Moniz for their trust and confidence in providing me an opportunity to continue to serve and contribute to the critically important tasks of ensuring that our Nation's nuclear arsenal remains safe, secure, and effective, and enhancing nuclear security across the globe.

Question. What changes, if any, do you anticipate in these duties, if you are confirmed for the position?

Answer. I do not anticipate any changes to these duties of Under Secretary for Nuclear Security or NNSA Administrator if I am confirmed.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform the duties of the Under Secretary for Nuclear Security?

Answer. Based on my previous operational and policymaking positions within the Nation's nuclear enterprise—including leadership of large, technically complex organizations—I personally believe that I am ready now to assume the duties of Under Secretary for Nuclear Security. However, I have always believed in the need for and value of life-long learning and constantly seeking new, innovative solutions. If confirmed, I will immediately and continuously engage with all elements of the NNSA enterprise—specially the directors of the national security laboratories, plants, headquarters, and field offices—to broaden and deepen my understanding of NNSA's capabilities, requirements, and challenges. I also intend to regularly consult

with Members of Congress and their staffs to better understand their concerns and to benefit from their insights on NNSA, its mission, and its issues.

Question. Assuming you are confirmed, what additional or new duties and functions, if any, do you expect that the Secretary of Energy would prescribe for you other than those described above?

Answer. The Secretary of Energy has not indicated to me that he intends to prescribe any additional or new duties and functions. However, if confirmed, I would serve at the pleasure of the President and Secretary of Energy and in accordance with the laws enacted by Congress, and would obviously perform any additional or new duties and functions they might assign.

RELATIONSHIPS

Question. If confirmed, how will you work with the following officials in carrying out your duties:

The Secretary of Energy.

Answer. I share Secretary of Energy Moniz's strong belief in the importance of NNSA's mission and its many contributions to the Nation's security, as well as the urgent need to address program management, cost overruns, and security. If confirmed, I will work with him in a collaborative manner and, as stipulated in the NNSA Act, "subject to the authority, direction, and control of the Secretary."

Question. The Deputy Secretary of Energy.

Answer. If confirmed, I will also work closely with Deputy Secretary Dan Poneman and subject to the "authority, direction and control" delegated by the Secretary to the Deputy Secretary in accordance with the NNSA Act.

Question. The Deputy Administrators of the National Nuclear Security Administration.

Answer. I consider the Deputy Administrators—along with the directors of the national security laboratories, plants, and field offices—as an integral part of NNSA's leadership team. If confirmed, I will work with the Deputy Administrators and Associate Administrators to promote better internal communication and collaboration; clarify lines of authority, responsibility and accountability; eliminate duplication of effort and streamline processes; and, professionally develop the NNSA workforce and recognize its employees for their important contributions to the organization and to the Nation.

Question. The Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)).

Answer. If confirmed, I expect to work closely with the USD(AT&L) on a wide range of issues, including sustaining a safe, secure, and effective nuclear deterrent; countering the threat of nuclear terrorism and nuclear proliferation; and, enhancing capabilities to manage nuclear incidents both domestically and abroad. Additionally, I am committed to fostering a renewed sense of trust and partnership between the NNSA and the Department of Defense, both through the effective operation of the Nuclear Weapons Council, as well as open and collaborative interaction by the staffs of both departments. I have worked closely with OSD(AT&L) in the past and have enormous respect for the expertise and professionalism of its leadership and personnel.

Question. The Under Secretary of Defense for Policy (USD(P)).

Answer. If confirmed, I will work closely with the USD(P) in providing technical advice on nuclear weapons systems and capabilities to help inform their recommendations to the Secretary of Defense on issues related to the Nation's current and future nuclear weapons requirements, countering the threat of weapons of mass destruction, and providing assistance and extending deterrence to allies and partner nations. I have worked closely with the USD(P) in the past, including Under Secretary Jim Miller, and have enormous respect for the expertise and professionalism of its leadership and personnel.

Question. The Secretaries of the Navy and the Air Force.

Answer. If confirmed, I will work closely with the Navy and Air Force. Both are major "customers" of NNSA. In addition to formal interaction through the Nuclear Weapons Council (NWC) and the NWC's Standing and Safety Committee, I will emphasize the importance of maintaining open lines of communications between NNSA headquarters, the national security laboratories, and the plants, on the one hand, and the military services, on the other, to ensure the latter's requirements are fully understood and properly met in NNSA's plans, programs, and operations.

Question. The Commanders of U.S. Strategic Command and U.S. Northern Command.

Answer. If confirmed, I will work closely with the Commander of U.S. Strategic Command (STRATCOM) and U.S. Northern Command (NORTHCOM) by building

upon past associations and understanding of their mission, and promoting collaboration in dealing with current and future requirements.

During the course of my military career, I worked extensively with STRATCOM on several different levels, including as commander of its Task 214 and as commander of a major service component. I also previously worked with NORTHCOM in developing plans for nuclear/radiological incident response and consequence management, and participating in NORTHCOM-led exercises.

In addition to formal interaction with the Vice Chairman, Joint Chiefs of Staff, and STRATCOM through the NWC, I will emphasize the importance of maintaining open lines of communications between the NNSA, the national security laboratories and the plants, on the one hand, and STRATCOM and NORTHCOM, on the other, to ensure the latter's requirements are fully understood and properly met in NNSA's plans, programs, and operations.

Question. The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD(SOLIC)).

Answer. If confirmed, I expect to work closely with the ASD(SOLIC) on matters related to joint DOD-NNSA capabilities to counter the threat of nuclear terrorism. Though I have not yet been briefed on the details, I understand that the partnership between the special operations community and NNSA is unique in government, and vital to protecting our national security interests.

Question. The Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs (ASD(NCB)).

Answer. If confirmed, I will work closely with the ASD(NCB) on key issues on the agenda of the NWC and its Standing and Safety Committee. I have worked closely with ASD(NCB) in several past assignments, including Assistant Secretary Andy Weber, and have enormous respect for the expertise and professionalism of its leadership and personnel.

Question. The Director of the Defense Threat Reduction Agency (DTRA).

Answer. As the implementation arm of the DOD's Cooperative Threat Reduction Program and as a major research and development partner, it will be essential to maintain a close and productive working relationship with the Director of the Defense Threat Reduction Agency. I understand that cooperation between NNSA and DTRA is facilitated through regular program coordination meetings under which a variety of working groups collaborate on specific program development, ranging from joint research to developing the most effective ways to implement border security programs. I have worked closely with DTRA in the past, including its Director Ken Myers and have enormous respect for the expertise and professionalism of DTRA's leadership and personnel.

Question. The Director of National Intelligence and other senior leaders of the Intelligence Community.

Answer. I understand that NNSA has a close and longstanding relationship with the Intelligence Community based on NNSA's unique understanding of nuclear weapon capabilities and the contributions of the national security laboratories to broader national security missions. If confirmed, I will continue and strengthen this relationship.

Question. Officials in the Department of Homeland Security with responsibilities for nuclear homeland security matters.

Answer. I understand that NNSA has a close and longstanding relationship with the Department of Homeland Security based on NNSA's unique understanding of nuclear weapon capabilities and the contributions of the national security laboratories to broader national security missions. If confirmed, I will work closely with DHS officials on nuclear counterterrorism issues, radiological/nuclear incident consequence management, and support to National Operations Center (NOC).

Question. Officials in the Department of State with responsibility for nuclear non-proliferation matters.

Answer. If confirmed, I will coordinate closely with the Department of State on issues related to arms control, nuclear nonproliferation, export controls, securing nuclear and radiological materials worldwide, and border security. I have worked closely with the State Department in the past, including serving as Special Assistant to the Deputy Secretary of State, two assignments to overseas diplomatic posts (U.S. Mission to NATO and U.S. Embassy Moscow), as a consultant to Acting Under Secretary of State Rose Gottemoeller, and currently as a member of the Secretary of State's International Security Advisory Board. I have enormous personal respect for the expertise and professionalism of its leadership and personnel.

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges confronting the Under Secretary for Nuclear Security and Administrator of the NNSA?

Answer. The NNSA has a unique responsibility for pursuing two different, but complementary principles that have traditionally guided American nuclear weapons policy. The first is that the United States must continue to lead international efforts to limit and reduce nuclear arsenals, prevent nuclear proliferation and terrorism, and secure nuclear materials across the globe. The second is that appropriately-sized nuclear forces still play an essential role in protecting U.S. and allied security interests, even as the United States seeks to reduce the overall number and role of nuclear weapons in our national security policy. As President Obama and leaders in Congress have repeatedly emphasized, as long as nuclear weapons exist, the United States will maintain a safe, secure, and effective nuclear arsenal.

In discharging this responsibility, NNSA performs enormously important work each and every day. Its successes go largely unheralded. It has made tremendous progress in helping to achieve the President's goal of securing vulnerable nuclear materials around the globe. It is delivering the life-extended W76-1 warhead to the Navy on schedule. It is currently transferring work at the Kansas City plant into a new, modern facility that will greatly improve efficiency—and that was constructed on time and on budget.

That said, escalating costs in several major programs and capital construction projects are cause for serious concern, especially as pressures on government spending continue to mount. Additionally, a widely-publicized security lapse at a key NNSA facility last year raises questions about the overall health of the security and safety culture within the broader enterprise.

Restoring trust in NNSA's ability to deliver on its commitments requires strong leadership focus on managing costs to deliver capability for less expense. It also requires rebuilding partnerships between the headquarters and the field; between Federal employees and the contractor workforce at the laboratories and plants; and between NNSA and Congress and the Department of Defense.

It is critical that all of these issues are addressed while placing a strong priority on improving security and safety across the NNSA enterprise.

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

Answer. To accomplish those things, NNSA must improve its accountability; performance—including project management, planning and cost estimating processes; improve the way it does business; and invest in the future of its enterprise. The NNSA must meet a host of nuclear security requirements while ensuring the best value for taxpayer dollars and balancing priorities among many unique nuclear security activities.

I expect to draw upon my recent experience as the first commander of Air Force Global Strike Command. In the wake of security incidents and cost overruns, NNSA currently faces a situation similar in many respects to what the Air Force encountered in 2007 when several widely-publicized lapses raised concerns about its stewardship of the nuclear enterprise. When we subsequently established Global Strike Command, our first task was to establish clear lines of authority, responsibility, and accountability. We also placed strong emphasis on strengthening the safety and security culture, while at the same time streamlining processes and eliminating needlessly burdensome, non-value-added activities that stood in the way of our people and their incentive to innovate. Finally, we continually emphasized that everyone in the organization, regardless of job, or rank, or seniority was a valued member of the team and that her or his work was absolutely essential to success. If confirmed, this is the leadership approach I intend to bring to NNSA.

The Military Services often say that people are their most important asset. It's true; and, it applies to NNSA as well. Highly trained, experienced and motivated scientists, engineers, technicians, and security personnel are essential to performing the many highly complex and technically challenging tasks associated with the nuclear security enterprise. If confirmed, I will be guided by the principle of "Mission first, people always." To this end, I will be an unrelenting champion for the professional development and personal welfare of everyone associated with NNSA—including recruiting and mentoring the next generation of leaders and experts.

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

Answer. If confirmed, I will place immediate emphasis in working with the Secretary, as well as the directors of the national security laboratories, plants and field offices, to: (1) clarify lines of authority, responsibility, and accountability within the entire NNSA enterprise, and (2) identify steps to streamline business processes and

eliminate needlessly burdensome, non-value-added activities that stand in the way of NNSA's people and their incentive to innovate. I will likewise focus with intensity on adopting measures to dramatically improve NNSA's capabilities for cost estimation, program management, and oversight of capital construction projects. I will ensure full attention is being devoted at all levels to ensuring the safety and security of NNSA's people and facilities, particularly in light of the security breach at Y-12 National Security Complex last summer. Finally, I will personally reach out to as many NNSA employees as possible and in as short a time as possible to communicate the continued importance of NNSA's work, to hear their views and concerns, and to thank them for their contribution to our Nation's security.

Question. Do you believe it is important to ensure a unique organizational identity for the NNSA within the Department of Energy (DOE)? What steps would you take to ensure such an identity if confirmed?

Answer. I do. Through the NNSA Act, Congress established NNSA as a semi-autonomous part of DOE. In my past assignments, I have always been an ardent champion of the organizations and people entrusted to my leadership and care. I am committed to doing the same as Under Secretary for National Security and NNSA Administrator. At the same time, I also believe that common, enterprise-wide standards and best practices that reduce costs and improve efficiency, safety and security should be adopted and implemented when they make sense. I will work closely with the Secretary of Energy and consult with Members of Congress and their staffs in considering such opportunities while at the same time and ensuring that NNSA fulfills its unique role and responsibilities.

PRIORITIES

Question. If confirmed, what broad priorities would you establish to address the issues that confront the Under Secretary for Nuclear Security and Administrator of the NNSA?

Answer. If confirmed, my highest priority will be to ensure that NNSA delivers on its commitments to national security objectives. This includes ensuring the Nation's nuclear weapon stockpile is safe, secure, and effective now and in the future. It also includes working to ensure the NNSA is conducting leading-edge scientific research, preventing nuclear materials from falling into the hands of terrorists and would-be proliferators, supporting the Navy's nuclear reactor program, modernizing NNSA's capabilities and organization in today's fiscally constrained environment, and in protecting the safety and security of its sites, its employees, and the public.

OVERALL MANAGEMENT

Question. What is your view on the relationship and the relative duties and responsibilities of the Secretary of Energy as found in the Atomic Energy Act and the Administrator of the NNSA?

Answer. By statute, the Secretary of Energy is responsible for establishing policy for the NNSA and may also direct the DOE officials who are not within the NNSA to review the programs and activities of NNSA and to make recommendations to the Secretary regarding administration of those programs and activities, including consistency with similar programs and activities of DOE. The provisions governing the duties and responsibilities of the NNSA Administrator provide broad authority to manage the administration, under the authority, direction, and control of the Secretary. I fully share Secretary Moniz's strong commitment to ensure that NNSA fulfills mission tasks enumerated in section 3211 of the NNSA Act, while ensuring that all operations and activities are consistent with the principles of protecting the environment and safeguarding the safety and health of the public and workforce of NNSA.

Question. Do you believe that there are any organizational structure issues in the NNSA that should be addressed to improve management and operations of the NNSA, or that you would address if confirmed?

Answer. NNSA faces several challenges, from concerns with project management and cost overruns to serious security lapses, which will need to be addressed. If confirmed, I plan to draw upon my recent experience as the first commander of Air Force Global Strike Command to establish clear lines of authority, responsibility and accountability, while also placing a strong emphasis on strengthening the safety and security culture. Additionally, I believe the partnerships between the headquarters and the field, and between Federal employees and the laboratories and plants must be strengthened.

Question. The NNSA and DOE have been plagued by cost overruns and project cancellations related to the construction of nuclear facilities, nuclear weapons modernization programs, and nuclear stockpile stewardship facilities.

How serious are these cost overruns in your view?

Answer. It is critical that NNSA's weapons modernization and infrastructure modernization efforts, including capital asset projects, deliver on cost and schedule; otherwise, it puts at risk its fundamental ability to execute its mission.

I understand that NNSA has recently taken steps designed to improve acquisition and project management for capital asset projects, and that projects less than \$750 million have been removed from the Government Accountability Office's High Risk List. If confirmed, I will focus on how the NNSA can apply the same acquisition and project management rigor to projects over \$750 million.

With regard to weapons modernization, the United States now has the oldest stockpile in its history and the smallest stockpile since the Eisenhower administration. As the NNSA enters a period increased work activity not seen since the Cold War, it must incorporate sound engineering judgments in even its earliest cost estimates. If confirmed, I will remain committed to these project management principles across all of NNSA's acquisitions and projects.

Question. What steps will you take, if confirmed, to ensure they are not repeated in the future?

Answer. If confirmed, and in following the Secretary's vision, I will support strengthening and improving contract and project management across NNSA by:

- Strengthening rigorous and well-justified alternative assessments and evaluations;
- Strengthening cost estimating;
- Providing independent dedicated acquisition, project management, and oversight that aligns contract incentives with taxpayer interests;
- Providing clear lines of authority and accountability for Federal and contractor personnel;
- Managing assigned projects within the original scope and cost baselines, ensuring completed projects meet mission requirements; and
- Improving cost and schedule performance.

Question. Do you believe that the expertise of DOE personnel serving outside the NNSA can be helpful to you if confirmed? If so, how do you expect to utilize this expertise if you are confirmed?

Answer. Yes. DOE possess a wealth of talent and innovative ideas across its entire enterprise. Its laboratory, plant, and Federal employees work on some of the most technically complex projects in the Nation, delivering high quality projects safely. The NNSA should draw on DOE best practices, especially in the areas of planning, cost control, and project delivery.

Question. Are you aware of any limitations on your authority, if confirmed, to draw on that expertise?

Answer. I am not aware of any limitations on my authority, if confirmed, to draw upon that expertise.

Question. What is your view of the extent to which the NNSA is bound by the existing rules, regulations, and directives of DOE and what flexibility, if any, do you believe you would have in implementing such rules, regulations, and directives?

Answer. I understand the DOE has an order that governs program and project management for the acquisition of capital assets. While I have not been briefed, pending confirmation, on its detailed application to NNSA activities, I certainly agree with the precept that rigorous project management principles should be applied and that the Federal staff must be given the tools they need and then be held accountable and responsible for delivering the work.

Question. NNSA, in large measure, was created in response to security lapses at the Los Alamos National Laboratory. However, security lapses, particularly in 2012 at the Y-12 nuclear plant, have continued to occur. Section 3212(b)(10) of the National Defense Authorization Act for Fiscal Year 2000 provides that "the Administrator has authority over, and is responsible for all programs and activities of the administration, including administration of contracts, including the management and operations of the nuclear weapons production facilities and the national security laboratories."

If confirmed, what would be your plan to make sure that security lapses do not continue at the NNSA facilities?

Answer. The 2012 security incident at Y-12 was totally unacceptable. The accounts of the DOE Inspector General, the "three wise men," and Major General Sandy Finan describe a security culture in which responsibility for the protective force and the physical security system was divided, security equipment was not repaired in a timely fashion, compensatory measures were inadequate and improperly executed, multiple nuisance alarms led to an attitude of complacency, and security was neither rigorously nor routinely exercised and evaluated. Security and safety

are, in my opinion, paramount. If confirmed, strengthening security at NNSA facilities will be the top priority. I intend to draw on my experience as the first Commander of Air Force Global Strike Command to address the security culture that exists at NNSA. Working with the Secretary of Energy, I will ensure that authority is aligned with responsibility and effective communication exists between the NNSA headquarters and the field, and that there is accountability for performance at all levels. My understanding is NNSA is in the process of implementing improved oversight mechanisms, which include clarifying roles, authorities, and functions for the organization.

Question. If confirmed, what policies would you institute to improve the manner in which managers of NNSA facilities deal with security matters?

Answer. Security of the nuclear enterprise is the responsibility of every employee of NNSA, regardless of job or rank, or in the field or headquarters. If confirmed, I will insist on strict adherence to DOE security standards and clarify lines of authority, responsibility, and accountability for meeting and maintaining those standards. The status of security systems (including all outages and estimated time of repair) will be monitored daily at NNSA headquarters; security deviations and corresponding compensatory measures will be reviewed by Federal officials both at the field and headquarters levels; security procedures and responses to alarms will be rigorously trained, exercised, and evaluated.

DEFENSE NUCLEAR NONPROLIFERATION PROGRAMS

Question. What do you see are the highest priorities of the nuclear nonproliferation programs at the NNSA?

Answer. One of the NNSA's most critical roles and responsibilities is developing policies and programs with other departments on behalf of the U.S. Government to prevent the proliferation of nuclear weapons, materials, technology, and expertise. This includes international and domestic activities such as removing and eliminating excess weapons usable material; consolidating and securing vulnerable nuclear material; strengthening physical protection and material control; implementing a second line of defense to interdict nuclear trafficking; and controlling the export and proliferation of weapons of mass destruction (WMD) expertise. The NNSA is nearing completion of a remarkable 4-year effort to implement the vision and call to action by President Obama and the Nuclear Security Summits. I understand NNSA is intently focused on a strategy and game plan for nuclear nonproliferation program for the coming years. If confirmed, I will fully support and champion these critically important mission.

Question. The United States recently renewed the bilateral agreement with Russia for joint nuclear nonproliferation activities but a growing number of programs are focused on states other than the former Soviet Union.

Do you believe that there are additional opportunities for cooperation with states outside of the former Soviet Union, particularly the Middle East and North Africa? If confirmed what would be your priorities in these areas?

Answer. Yes. I understand that NNSA is actively engaged in more than 120 countries, including in the Middle East and North Africa, with projects to secure and remove nuclear and radiological materials; convert civilian research reactors and medical isotope production facilities from highly enriched uranium (HEU) to low enriched uranium; safeguard and secure nuclear materials from theft; control the spread of WMD-related material and expertise; cooperate on Nuclear Security Centers of Excellence; and detect and interdict nuclear and radiological trafficking. If confirmed, I would continue to prioritize nonproliferation efforts and ensure that NNSA programs achieve sustainable threat reduction.

Question. What do you believe is the greatest challenge in the nuclear nonproliferation programs with Russia?

Answer. The greatest challenge with Russia is to ensure that Moscow fully assumes responsibility for all aspects of its own nuclear security by the end of 2017 (a deadline for the CTR Russia programs established in the National Defense Authorization Act for Fiscal Year 2011). While Russia has made, and continues to make, significant improvements in its support for nuclear security, there is concern about the long-term ability and willingness of the Russian government to adequately fund nuclear security needs at the site and national levels. The level of risk-reduction achieved with U.S. support is significant and has been maintained through continued U.S. engagement and sustainability assistance. Continued engagement at the highest levels of government will be extremely important. If confirmed, I will ensure that NNSA continues to work with its Russian counterparts to prepare as fully as possible for the phase-out of U.S. financial assistance.

Question. What do you believe are the greatest challenge in nuclear nonproliferation programs with countries other than Russia?

Answer. I believe there are a number of challenges outside of Russia, including significant stockpiles of HEU, global inventories of plutonium, and high-activity radiological sources that remain vulnerable to theft around the world. The existence of this material, in combination with the increasing sophistication of trafficking networks and the continued interest by states and non-state actors in acquiring nuclear materials, poses a serious threat to the security of the United States and its allies and partners.

Another significant challenge lies in promoting the benefits of peaceful nuclear energy while reducing the risks of nuclear proliferation. To this end, NNSA works in over 70 countries around the globe to strengthen nuclear safeguards and security and works closely with DOE's Office of Nuclear Energy to ensure that new technology and security advance together.

Finally, a major challenge NNSA faces in many of its international programs is the lack of infrastructure, resources, and technical capabilities in partner countries that often inhibit the level of cooperation or amount of assistance a country can or is willing to absorb.

Question. In your view what are the three greatest unmet nuclear nonproliferation problems? Would you propose to address these needs if confirmed? What resources or cooperation would you need to meet such needs?

Answer. In my view, the three greatest unmet nuclear nonproliferation problems are: (1) non-compliance with international agreements and U.N. Security Council Resolutions, particularly by Iran, North Korea, and Syria; (2) ensuring terrorists never acquire a nuclear weapon or weapons-usable material; and (3) minimizing the proliferation risks associated with the expansion of nuclear energy, including limiting the spread of sensitive enrichment and reprocessing technology and ensuring that newcomer states have the resources and training to develop safe and secure nuclear programs.

If confirmed, I will work hard to ensure that NNSA maintains the technology, policy, and implementation competencies needed to inform and support a whole-of-government nonproliferation strategy as well as the rapid-response ability needed to mitigate threats at a moment's notice. The national security laboratories play a critical role in this regard.

MEGAPORTS

Question. The megaports program is coordinated with other work that the Department of Homeland Security (DHS) is carrying out in foreign ports.

In your view are there opportunities to improve cooperation with DHS?

Answer. I understand that NNSA's Office of the Second Line of Defense (SLD) and DHS' Container Security Initiative (CSI) closely coordinate on their complementary yet distinct efforts at foreign seaports. To formalize this cooperation, SLD and CSI developed and implemented a Standard Operating Procedure (SOP) document in December 2012. This SOP outlines areas of cooperation and specific actions that each program can undertake to ensure continued close cooperation and coordination. If confirmed, I will monitor this SOP to ensure it provides the necessary framework to ensure close cooperation between the SLD and CSI programs.

Question. One of the continuing challenges to the megaports program, as well as other programs designed to detect nuclear and radiological materials, is that the materials that could pose the greatest risk, plutonium and highly enriched uranium, are the most difficult to detect. NNSA has the responsibility for basic detection research and development programs. While other agencies, such as DHS, have responsibility for near term development efforts, and the Department of Defense has responsibilities as well.

Are the various detection efforts fully coordinated, or do you believe that additional efforts at coordination are needed?

Answer. If confirmed, I will work to ensure that NNSA's detection efforts are well coordinated among NNSA, DHS, and DOD. I understand that NNSA maximizes the equipment it currently deploys to focus on this type of material.

NONPROLIFERATION RESEARCH AND DEVELOPMENT

Question. In addition to the detection technologies mentioned above, NNSA has responsibility for a broad range of research and development efforts.

If confirmed what would be your nonproliferation research and development priorities?

Answer. If confirmed, I will ensure that NNSA will continue to prioritize research and development that supports implementation of the President's nuclear security

priorities and the 2010 Nuclear Posture Review. This research and development includes developing technical capabilities to detect foreign nuclear weapons development, detect nuclear detonations, detect the movement or diversion of special nuclear materials, monitor compliance with nuclear arms control and nonproliferation agreements, discourage the unnecessary spread of enrichment technology, and inform policymakers of current and future technical capabilities available for meeting potential nuclear nonproliferation and arms control treaty objectives.

Question. Do you believe that there are research and development areas that need more attention or funding?

Answer. NNSA seeks to sustain commitment levels for research and development of both unilateral and multilateral technical capabilities to detect, identify, and characterize foreign nuclear weapons programs, the illicit diversion of special nuclear materials, and foreign nuclear detonations. For this last focus area, NNSA must sustain funding that permits production of nuclear detection satellite payloads at a rate in accordance with the delivery schedule negotiated with the Air Force.

FISSILE MATERIALS DISPOSITION

Question. The United States and Russia have each committed to the disposition of 34 tons of weapons grade plutonium so that it will not be used for weapons purposes. This is a very expensive program and has had many difficulties associated with it.

What is your understanding of the current status of the U.S. and Russian efforts to agree upon a mutual date to complete disposition of the respective 34 tons of weapons grade plutonium?

Answer. The United States is fully committed to eliminating surplus nuclear material and to the U.S.-Russian Plutonium Management and Disposition Agreement (PMDA). While I understand that the PMDA provides a target start date and minimum annual rate of disposition, it is silent on a completion date.

Question. What plans are there to dispose of additional amounts of weapons grade plutonium?

Answer. I am aware of the U.S. 2007 declaration of additional surplus plutonium beyond the 34 MT covered by the PMDA and that the PMDA does include provisions whereby the United States and Russia could dispose of additional material. However, I am not personally aware of any agreement between the United States and Russia to dispose of additional material above the 34MT.

WEAPONS PROGRAMS PERSONNEL

Question. If confirmed, what specific steps would you take to retain critical nuclear weapons expertise in both the NNSA and the contractor workforce?

Answer. The key to recruiting and retaining top-flight personnel, in my mind, is to provide them challenging and intrinsically interesting work, as well as world-class laboratory equipment and diagnostic tools. Additionally, leaders at all levels—both in Washington and in the field—must regularly communicate the importance of NNSA's mission and that they value the contribution NNSA people make to the organization and to the Nation. NNSA also needs to support a strong connection with the academic community to ensure future generations are trained in technical areas relevant to NNSA's mission.

Question. Do you support retaining the capability to remanufacture every component expected to be found in the stockpile in the near term?

Answer. Nuclear deterrence and responsiveness depend on the immediate capabilities of NNSA's people and infrastructure. Many components can be re-used to support stockpile requirements in the near-term, and in those instances I will advocate for that option. However, the current stockpile is the oldest in the Nation's history and may require a cost-effective option to re-manufacture certain components to meet specific needs. As such, NNSA must preserve the fundamental capability to re-manufacture components, when necessary to support a lean, modern, and reliable nuclear weapons stockpile.

Question. What is your understanding of the most pressing remanufacturing needs?

Answer. Today, NNSA faces several critical needs (in terms of its total remanufacturing capability). However, it is my understanding that the most pressing capability at this point is the means to re-manufacture plutonium pits. Additionally, the 2010 Nuclear Posture Review confirmed the need for a modern physical infrastructure that can support the base workload and provide a modest capacity to surge production if directed to do so by the President. NNSA has implemented management strategies, to include improved energy sustainability that ensures existing facilities and infrastructure are sustainable, safe, efficient, and reliable. These facilities in-

clude the recently constructed Kansas City Responsive Infrastructure Manufacturing and Sourcing; the High-Explosive (HE) Pressing Facility (which will become the DOE Center of Excellence for HE pressing when complete in 2016); the planned Uranium Capabilities Replacement Project; and implemented Tritium Responsive Infrastructure Modifications.

STOCKPILE STEWARDSHIP PROGRAM

Question. The Stockpile Stewardship program has successfully supported the annual nuclear weapons certification effort for the last 20 years.

What impact do you believe not achieving sustained ignition or burn at the National Ignition Facility (NIF) will have on the stockpile stewardship program?

Answer. Scientific experiments that probe the physical properties and dynamics of nuclear weapons are vital to ensuring confidence in the safety, security, and reliability of the stockpile. A broad range of experimental facilities develop the data that underpin the assessments of the current health of the stockpile and approaches to life extension programs. These include NNSA's Inertial Confinement Fusion facilities—the NIF at Lawrence Livermore National Laboratory and Z machine at Sandia. The ability to correctly model ignition processes is an important part of that evaluation. While ignition has not yet been achieved at NIF, experiments conducted at the facility are still vitally important to developing the scientific understanding of the nuclear weapons characteristics that is essential to successfully implementing the stockpile stewardship program.

Question. If confirmed, what are your long-term plans for the NIF?

Answer. NIF will remain an essential experimental capability for understanding of the physical properties and characteristics of nuclear weapons that cannot otherwise be accessed short of a resumption of nuclear testing.

Question. Other than the NIF what capabilities, if any, would be needed to ensure that the stockpile is safe, secure, and reliable without nuclear weapons testing?

Answer. I am aware that the directors of the national laboratories rely on the data provided by a wide array of capabilities located throughout the enterprise to assess different aspects nuclear weapons and their safety, security and effectiveness. While on active duty, I had an opportunity to visit several of these facilities, including NIF; Los Alamos National Laboratory's DARHT; the Nevada National Nuclear Security Site's U1a complex, JASPER and Device Assembly Facility; and Sandia National Laboratory's Z facility. These and other NNSA capabilities are essential to ensuring that the stockpile is safe, secure, and reliable without nuclear weapons testing.

Question. In your view is the Stockpile Stewardship program fully coordinated with the Department of Defense?

Answer. It is my understanding the NNSA is meeting its customer's requirements in partnership with DOD and through the Nuclear Weapons Council, while managing scope requirements and fiscal constraints. NNSA has continued to issue the biannual Stockpile Stewardship and Management Plan, the most recent version having been signed out by Secretary Moniz in June 2013.

Question. The Nuclear Weapons Council has laid out a schedule over the next 20 years that involves numerous demands on the NNSA, these are the B-61 life extension program (LEP), the interoperable warhead, the W-88/87 joint fuse program, the warhead for the long-range stand-off weapon, in addition to the maintenance of the existing stockpile systems (W-88, W-87, W-76, W78, B-61, B-83, and W-80).

What issues do you see in this ambitious schedule that concern you?

Answer. Our Nation is currently facing an acute dilemma brought on by the need for continued investment in an aging nuclear weapons stockpile and infrastructure in a fiscally-constrained environment. The specific budget measures and higher-than-anticipated program costs have led the NWC to agree to defer needed modernization efforts. If confirmed, I will ensure that the NNSA commits to a series of programmatic decisions for future improvements by base-lining the alignment of nuclear delivery platforms with warhead life extension programs and supporting infrastructure; supporting implementation of a long-term vision for the stockpile; and embarking upon a series of key modernization initiatives. The sheer number of life extension programs and modernization efforts planned over the next 20 years will create a significant workload. Adhering to carefully laid out schedule will be a critical factor in achieving success. Programs must stay on track, and that in turn requires constancy of purpose, as well as consistent and predictable funding levels.

Question. Are you concerned this schedule is achievable if sequestration continues?

Answer. Yes. Absolutely. Any organization executing technically complex, unique, and long-term acquisitions needs sufficient and stable funding so as to plan and execute the agreed upon program of work. Sequestration is just one challenge.

I'm well aware from my military experience that continuing resolutions also exact a toll by increasing uncertainty while reducing flexibility for program adjustments as activities are completed and new ones need be initiated. This is particularly harmful to life extension programs having multiple phases of work. I am sure it will be a great challenge, if not downright impossible, for the NNSA to meet current commitments to the Department of Defense if sequestration continues. Yearly sequestration cuts cause additional, unnecessary and costly work to re-plan the complex integration between design laboratories and production plants supporting each of the LEPs and other sustainment activities as well as to re-negotiate delivery schedules with DOD. I am also greatly concerned that additional delays may be unavoidable in the event of fiscal year 2014 sequestration. Adequate budgets and budget stability and sustainment are essential to meeting program delivery objectives.

Question. The NNSA is in the early stages of an effort to develop an interoperable warhead for the W-88 and W-78 systems.

If the cost of the interoperable warhead become prohibitive would you support life extensions of the existing systems?

Answer. This should be a decision made by the Nuclear Weapons Council, reflecting military requirements, technical feasibility, and cost and schedule risk. I fully support the need for life extension programs to ensure the safety, security, and reliability of the Nation's nuclear weapon stockpile. I understand that the W78/88-1 LEP is the first interoperable warhead concept supporting the 3+2 nuclear strategy of three ballistic missile warheads and two air-launched warheads to reduce the numbers and types of nuclear weapons, consistent with the Nuclear Posture Review. I understand work is underway that will culminate in a Weapon Development and Cost Report which would inform a decision to continue the program as scoped or pursue alternate courses of action.

Question. Do you support the current scope of the B-61 mod 12 life extension program (LEP)?

Answer. As a former commander who had direct responsibility for the long-range bombers capable of delivering the B-61, I fully support the need for the B-61-12 life extension program. I understand that the Nuclear Weapons Council evaluated options ranging from a full scope LEP to replacing only aging components, and ultimately chose the lowest cost option to meet military requirements. In addition to providing for both strategic deterrence and extending deterrence to our allies, the currently envisioned LEP will also result in fewer total weapons and less material in the nuclear stockpile.

Question. Are you concerned about the overall cost of the B-61 mod 12 life extension program and if so what particular issues are of concern?

Answer. While I understand current cost estimates for the B-61-12 LEP are significant, modernizing the nuclear stockpile is critical to achieving the President Obama's direction to maintain a safe, secure, and effective deterrent while reducing the overall number of nuclear weapons. Furthermore, I understand that the B-61-12 was chosen as the lowest cost option to meet threshold military requirements; Delaying this LEP would almost certainly drive up lifecycle costs and could necessitate additional LEP activities in order to maintain credible strategic and extended deterrence capabilities.

Question. The Senate Appropriations Committee has proposed a reduction of \$168 million to the President's fiscal year 2014 request for the B-61 life extension program. What impact would this reduction have on the B-61 LEP in terms of cost and schedule? How might it affect other planned LEPs?

Answer. While I am aware of proposed cuts to the B-61-12 LEP from the public record, I am not yet privy to the details of the potential impacts. Based on my experience in previous assignments, I am sure, if sustained, they would most certainly affect schedule and cost, as well as other LEPs employing the same facilities and workforce.

FACILITIES AND INFRASTRUCTURE

Question. In fiscal year 2013, the NNSA "deferred for at least 5 years" the construction of the Chemistry, Metallurgy Research Replacement Nuclear Facility (CMRR-NF).

Do you support this deferral?

Answer. I understand that the decision to defer the CMRR-NF construction for at least 5 years was necessary at the time due to reductions in the NNSA's budget

request in the fiscal year 2012 cycle, competing priorities, and a further reduction of funding under the Budget Control Act. If confirmed, I will be committed to ensuring the NNSA can deliver the plutonium capabilities—including the underlying analytical capabilities and infrastructure—required to ensure the safety, security and effectiveness of the nuclear weapon stockpile.

Question. What impacts is the CMRR–NF deferral likely to have on the plutonium sustainment mission at Los Alamos when the existing CMR building is scheduled for removal in 2019?

Answer. Though I am not yet privy to all the details, I understand that the NNSA has developed a plutonium strategy, that if executed, would ensure continuity in plutonium operations at the Los Alamos National Laboratory.

Question. Due to this uncertainty with the deferral, are you concerned about retaining the core competency of plutonium scientists and other specialized personnel at Los Alamos related to it plutonium mission and what will you do to improve it?

Answer. Maintaining the core competency of the workforce at each site must be a priority for the NNSA, particularly as many scientists, engineers and technicians are approaching retirement. I firmly believe that the key to recruiting and retaining top-flight personnel is to provide them challenging and intrinsically interesting work, as well as world-class laboratory equipment, diagnostic tools, and facilities in which to work. Additionally, leaders at all levels—both in Washington and in the field—must regularly communicate the importance of the mission and that they value the contribution NNSA people make to the organization and to the Nation. Implementation of a plutonium strategy will allow for continuity in plutonium operations at Los Alamos and will assist in the retention of critical skills related to plutonium dependant missions. If confirmed, I will closely consult with Members of Congress and their staffs on the requirements for maintaining the Nation's plutonium capabilities and expertise.

Question. If alternative construction strategies such as a modular approach to CMRR–NF prove feasible will you strongly advocate for them?

Answer. I understand that the NNSA and Department of Defense are developing a business case analysis of the potential alternatives to constructing CMRR–NF, including the so-called modular approach. If confirmed, any approach I advocate will be based on this joint analysis and consultations with the Secretary of Energy.

Question. DOE and NNSA often build one of a kind or first of a kind buildings, the most recent being the Uranium Processing Facility. The NNSA recently found the project underestimated the floor space needed and had to raise its roof by some 13 feet, increasing the cost by at least \$500 million. The General Accountability Office estimates to complete the full scope of the project as envisioned would be \$10 billion vice the upper bound of \$6.5 billion.

If confirmed, what steps would you take to ensure that NNSA construction projects are managed to be completed within budget and on time?

Answer. I have always subscribed to the principle that hiring the right people and giving them the tools they need to do their jobs is critical to achieving mission success.

If confirmed, I would be committed to assigning certified Federal Project Directors (FPDs) to all projects at the point where the important planning and design work leading to baseline development is accomplished. I understand that the NNSA has revised change control procedures to achieve visibility on potential scope increases, allowing the NNSA to manage the work proactively. As the project progresses to the construction phase, NNSA will ensure the FPDs have the appropriate training, experience, and certification level to lead the project through successful execution. NNSA has also adopted a peer review process to provide critical independent assessments of its work throughout the project life cycle.

In addition, if confirmed, I would want the NNSA to take full advantage of contracts and contract language to ensure that the best interests of all stakeholders are being met through performance requirements. NNSA has recently issued a policy that requires nuclear facilities achieve 90 percent design completion prior to the establishment of the project's baselines. The NNSA will need to clearly articulate its expectations to the contractor partners and to use the contract to hold them accountable for deficient work.

Question. What additional costing, project management, and design skills do you believe are needed in the NNSA?

Answer. NNSA must develop its Federal infrastructure and workforce to better estimate project costs, to rigorously analyze alternatives, and to more effectively manage design and construction contracts. If confirmed, I will direct NNSA's Office of Acquisition and Project Management to ensure NNSA has a solid and executable plan in place for bolstering Federal expertise in this area.

I understand that NNSA, in the interim, has an agreement with the U.S. Army Corps of Engineers that will allow NNSA to draw upon the Corp's experience to support NNSA in terms of Subject Matter Expertise. NNSA is also using a Enterprise Construction Management Services contract to place Subject Matter Experts, with commercial design and construction experience, in the field to mentor and train NNSA's Federal Project Directors and Integrated Project Teams in the skills necessary to effectively manage NNSA's capital assets.

Question. At what point in the Critical Decision timeline do you believe an independent cost estimate should be performed for a construction project, and why?

Answer. I understand NNSA's current position is that an independent cost estimate should be completed at Critical Decision 2 which is the point at which the project's cost and schedule baseline is determined. At this point, the design should be sufficiently mature to more realistically estimate the total project cost.

OPERATIONAL SAFETY

Question. If confirmed, what steps will you take to ensure that nuclear and other operational safety issues are fully addressed in the design of new NNSA buildings?

Answer. If confirmed, I will be absolutely committed to the safe operation of NNSA facilities and to the protection of workers who work in them and the people who reside in the surrounding communities. I will be actively engaged in ensuring that safety is incorporated into the design and construction of NNSA nuclear facilities. Key elements would clearly include the selection of qualified nuclear design and construction firms to lead these projects, as well as a properly staffed and technically-capable Federal project team. Ensuring that appropriate safety systems and controls are identified early in the design process and are validated throughout construction is also critical to reducing rework and controlling costs during design and construction.

Question. If confirmed, what steps will you take to ensure that nuclear operational safety issues are identified by the Defense Nuclear Safety Board early in any construction design process and promptly resolved?

Answer. I understand that the Defense Nuclear Facilities Safety Board (DNFSB) has a statutory responsibility to review the design of new DOE defense nuclear facilities before construction to ensure adequate protection is afforded to public health and safety. If confirmed, I would welcome DNFSB input and advice on the safety aspects of the design and construction of NNSA nuclear facilities. As indicated previously, I believe that the identification of required safety controls early in the design process is an important element to ensuring safety and to controlling project costs. I would work closely with the DNFSB to identify any significant design concerns early in the design process and meet routinely with the Board to ensure that issues are resolved in a timely and effective manner.

NOTIFICATION OF CONGRESS

Question. If confirmed, would you commit to promptly notifying Congress of any significant issues in the safety, security, or reliability of the nuclear weapons stockpile?

Answer. If confirmed, I am committed to promptly notifying Congress of any significant issues affecting the safety, security, or reliability of the nuclear weapons stockpile.

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. I agree.

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 for Nuclear Security?

Answer. I agree.

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. I agree.

Question. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted com-

mittee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

Answer. I agree.

[Questions for the record with answers supplied follow:]

QUESTION SUBMITTED BY SENATOR CARL LEVIN

SUPPORT FOR THE FACILITY FOR RARE ISOTOPE BEAMS

1. Senator LEVIN. Mr. Klotz, in March of this year, the National Nuclear Security Administration (NNSA) submitted a report to Congress on the use of Department of Energy (DOE) Office of Science facilities in support of its stockpile stewardship program. One of the facilities it found important was the Facility for Rare Isotope Beams being constructed at Michigan State University. This facility will produce isotopes to help the NNSA better understand the physics of a nuclear weapon without testing. It will help the NNSA's nonproliferation mission by determining isotopes from an improvised nuclear device. Finally, it will help produce a future nuclear physics workforce that is so important to your overall mission. Do you agree that this isotope facility, once completed, will be important to the stockpile stewardship program?

Mr. KLOTZ. The Facility for Rare Isotope Beams (FRIB) is a new national user facility for nuclear science, funded by the Department of Energy Office of Science (DOE-SC) and operated by Michigan State University. FRIB will enable scientists to explore the properties of rare isotopes in order to, inter alia, better understand the physics of nuclei. Modeling atomic nuclei and their interactions can also help lead to breakthroughs in security, the environment, high energy physics, and nanoscience—all of which are relevant to important missions of NNSA. Additionally, FRIB will, as top priority, help educate the next generation of scientists. For all these reasons, I fully agree that once completed, this isotope facility will be important to the stockpile stewardship program, as well as sustaining the intellectual capital it needs for the future.

QUESTIONS SUBMITTED BY SENATOR MARK UDALL

NUCLEAR MODERNIZATION FUNDING

2. Senator UDALL. Mr. Klotz, it has been suggested that the administration has underfunded the NNSA nuclear modernization program relative to the administration's November 2010 plan, provided to Congress pursuant to section 1251 of the National Defense Authorization Act (NDAA) for Fiscal Year 2010, by some 34 percent. Can you please tell the committee the sequence of events to date between requested and appropriated modernization funding since the section 1251 plan, and the amount of the fiscal year 2014 NNSA request relative to that plan?

Mr. KLOTZ. I understand that the fiscal year 2014 Stockpile Stewardship Management Plan (SSMP) reflects a \$2 billion increase in funding over the projections made in fiscal year 2011 SSMP as the New Strategic Arms Reduction Treaty (START) treaty was being considered. The fiscal year 2014 projections also represent a 27 percent increase in NNSA's purchasing power for the Weapons Activities account from fiscal year 2010–fiscal year 2018. Therefore, while the fiscal climate has changed significantly since the time of New START treaty ratification, including the NNSA having to absorb additional funding reductions in fiscal year 2013 as a result of sequestration under the Budget Control Act, significant resources are being put towards nuclear modernization activities across the stockpile; the science, technology and engineering base; and the infrastructure. If confirmed, I will strongly support the funding required to carry out NNSA's varied missions, both now and in the future.

3. Senator UDALL. Mr. Klotz, can you please compare the NNSA modernization funding from fiscal year 2009 to date as compared to the funding during fiscal years 2000–2008?

Mr. KLOTZ. Nuclear modernization funding is critical to ensure the safety, security and effectiveness of the nuclear weapons stockpile. Funding for the sustainment of the stockpile and infrastructure was in decline from fiscal year 2004 through fiscal year 2009. Following release of the Nuclear Posture Review in April 2010, President Obama's budget requests for NNSA have included significant increases since fiscal year 2010 for nuclear modernization funding. Compared to fiscal year 2004

through fiscal year 2009, the fiscal year 2014 Stockpile Stewardship and Management Plan reflects a 27 percent increase in NNSA's purchasing power for the Weapons Activities account from fiscal year 2010–fiscal year 2018, which funds nuclear modernization activities across the stockpile; the science, technology and engineering base; and the infrastructure. If confirmed, I will strongly support the funding required to ensure that military requirements are met and that the infrastructure for maintaining the Nation's nuclear stockpile is modernized to meet current and future demands.

4. Senator UDALL. Mr. Klotz, there has been a lot of discussion about the cost of the B-61 modernization program. I understand this is an administration and North Atlantic Treaty Organization (NATO) priority, but some have proposed other options—including the one called “triple alt” which has less safety and security features than what the administration proposed. What is your opinion of these proposals?

Mr. KLOTZ. The B-61 is one of the oldest nuclear weapons in the stockpile and requires a life extension program. The B-61-12 Life Extension Program (LEP) will consolidate four variants of the B-61 (-3, -4, -7 and -10) into a single mod 12 which will provide strategic and extended deterrence for an additional 20 years following the first production unit in 2019. On February 27, 2012, the Nuclear Weapons Council (consisting of representatives of the Department of Defense, U.S. Strategic Command, and NNSA) authorized the Air Force and NNSA to begin Phase 6.3 Engineering Development for the B-61-12 (the Option 3B), adopting the lowest-cost approach of the options evaluated by the Nuclear Weapons Council that fully meets military requirements to address weapon aging, safety, security and delivery system integration issues. This variant will allow the United States to reduce the number of weapons currently in the stockpile; reduce the cost of maintaining the B-61 in the future; set conditions for the future retirement of the B83 bomb; reduce the amount of special nuclear material in the stockpile; maintain the air leg of the triad; and, increase the safety and security of a critical component of the U.S. strategic and extended deterrent capabilities, both now and for the foreseeable future. The Nuclear Weapons Council rejected the proposed “Triple Alt” option as not meeting military requirements because it did not address all aging issues, it would require the immediate start of a second LEP to address those issues, and it would risk a potential capability gap until the second LEP was completed. Additionally, the Triple Alt would drive up life-cycle costs, and would not provide the critical nuclear security benefits that could lead to reductions in the technical hedge. Accordingly, I believe the approach endorsed by the Nuclear Weapons Council is the best option.

5. Senator UDALL. Mr. Klotz, the administration has proposed a large number of life extensions of our weapons systems—in addition to trying to rebuild some of the NNSA facilities that date back to the Manhattan Project. This is all happening in a time of tight budgets. Are you worried about trying to do too much without the necessary funding?

Mr. KLOTZ. There is certainly cause for concern. The fiscal uncertainty caused by sequestration under the Budget Control Act and by a series of continuing resolutions (in lieu of regular appropriations) creates a very challenging environment across all NNSA missions. Any organization executing technically complex, unique, and long-term programs and construction projects needs sufficient and stable funding in order to plan and execute an agreed upon program of work. The sheer number of life extension programs and modernization efforts planned over the next 20 years entails a significant workload that must be integrated across multiple laboratories and plants. Adhering to a carefully laid out schedule will be a critical factor in achieving success. Programs must stay on track, and that in turn requires constancy of purpose, as well as consistent and predictable funding levels.

6. Senator UDALL. Mr. Klotz, the administration is proposing to combine an intercontinental ballistic missile warhead, the W-78, and a submarine missile warhead, the W-88, into a common system. Are you concerned about the level of risk and cost of the undertaking as compared to performing straight life extensions of the existing warheads?

Mr. KLOTZ. If confirmed, I will gain a better understanding of all the technical details and, therefore, the risks and costs associated with this program. I am aware that work on an interoperable warhead for the Air Force and the Navy is still within the feasibility and option down-select study phase (phase 6.2) of the Nuclear Weapons Council acquisition process. Consistent with the Nuclear Posture Review, it is the policy of this administration to look at ways to reduce the number and types of weapons and the interoperable warhead concept, if realized, would achieve

this goal. Managing the technical risks and ensuring sustained funding to finish the initial studies will be critical to determining the viability of this option going forward. In multiple previous assignments, I had responsibility for the operation, maintenance and security of deployed nuclear warheads, so I am keenly interested in this issue and, if confirmed, will carefully oversee NNSA's work on it.

DEPARTMENT OF ENERGY LABORATORIES

7. Senator UDALL. Mr. Klotz, DOE national laboratories make significant contributions to national security through various DOE, DOD, Department of Homeland Security, and Intelligence Community efforts. The NDAA for Fiscal Year 2013 officially designated the three NNSA nuclear weapons labs (Los Alamos National Laboratory, Lawrence Livermore National Laboratory, Sandia National Laboratories) as "national security" labs. However, the committee provided clarification in the NDAA for Fiscal Year 2014 that this designation did not preclude the Federal Government from accessing and leveraging any and all DOE national laboratories, such as Idaho National Laboratory, Oak Ridge National Laboratory, and Pacific Northwest National Laboratory, for the purpose of national security. As Administrator, how do you plan to ensure that these and the other national laboratories are fully and directly engaged in the national security efforts undertaken by NNSA?

Mr. KLOTZ. If confirmed, I will strive ensure that the best capabilities and brightest minds are brought to bear on NNSA's national security missions, including stockpile stewardship, nonproliferation, and reducing nuclear threats. I understand that the NNSA nonproliferation mission, for example, already draws upon the talent and expertise resident at Pacific Northwest National Laboratory, Oak Ridge National Laboratory, Idaho National Laboratory, and other laboratories. It is vitally important these and other national laboratories are fully engaged in the national security efforts undertaken by NNSA.

8. Senator UDALL. Mr. Klotz, the administration has proposed deferring indefinitely the plutonium facility at Los Alamos and using a temporary alternative. Are you at all concerned about this temporary strategy on the long-term plutonium science mission of Los Alamos and is there reason to be worried that under the current fiscal conditions, the temporary strategy will become permanent?

Mr. KLOTZ. If confirmed, I am committed to ensuring the NNSA delivers plutonium capability—including the underlying analytical capabilities and infrastructure—required to ensure the safety, security and effectiveness of the nuclear weapon stockpile. I understand that the NNSA and Department of Defense are developing a business case analysis of the potential alternatives to constructing the CMRR—Nuclear Facility (NF), including a so-called modular approach. If confirmed, any approach proposed by NNSA will be informed by this joint analysis and consultations with the Secretary of Energy, as well directors of the laboratories, plants, and field offices. A successful long-term plutonium mission at Los Alamos is essential to meeting mission deliverables and maintaining a top-flight workforce consisting of scientists, engineers, and technicians and providing them with challenging and intrinsically interesting work, as well as world-class laboratory equipment, diagnostic tools, and facilities in which to work.

DEPARTMENT OF ENERGY/NATIONAL NUCLEAR SECURITY ADMINISTRATION
RELATIONSHIP

9. Senator UDALL. Mr. Klotz, last year, because of poor mission performance there was debate regarding whether the NNSA should continue to report to the Secretary of Energy as a semi-autonomous agency within DOE. What are your views on this issue?

Mr. KLOTZ. My view is that the NNSA should continue to report to the Secretary of Energy as a semi-autonomous agency within DOE, as provided for by law. I believe the mission of the NNSA benefits significantly by having a cabinet-level representative in the Secretary of Energy. The well-documented challenges confronting the NNSA—from project management concerns, to cost overruns, to serious security lapses—can and must be addressed using existing authorities granted to the Secretary of Energy and the Administrator of the NNSA through the Atomic Energy Act and the NNSA Act, respectively. I fully share Secretary Moniz's strong commitment to ensure that NNSA fulfills mission tasks enumerated in section 3211 of the NNSA Act, while ensuring that all operations and activities are consistent with the principles of protecting the environment and safeguarding the safety and health of the public and workforce of the NNSA and its contractors.

QUESTIONS SUBMITTED BY SENATOR KAY R. HAGAN

NUCLEAR NONPROLIFERATION IN THE MIDDLE EAST AND NORTH AFRICA

10. Senator HAGAN. Mr. Klotz, in addition to the proliferation of chemical weapons, there is concern in this committee about the proliferation of nuclear material and know-how in the Middle East and North Africa region. The NNSA maintains personnel at a number of embassies around the world to work with the host nation and the U.S. Embassy on joint nonproliferation efforts. If confirmed, will you report back to this committee on whether you can post NNSA personnel in this region of the world to work on nonproliferation issues?

Mr. KLOTZ. Yes, if confirmed, I will report back to the committee on whether the DOE/NNSA can post personnel in the Middle East and North Africa region to focus on these critical nonproliferation issues. I also understand that NNSA's nonproliferation programs are actively engaged in more than 120 countries, including in the Middle East and North Africa region. I pledge to remain committed to these activities.

EMERGENCY RESPONSE

11. Senator HAGAN. Mr. Klotz, the NNSA is a unique resource in the Federal Government for responding to radiological emergencies. The most recent example was the use of NNSA's sophisticated detectors to track the radioactive plume from the stricken Fukushima reactor in Japan. The NNSA's Second Line of Defense program helps countries around the world install radiation detectors at airports and other ports of entry. It seems to me that an important extension of this mission would be helping other countries develop emergency response capabilities for detecting nuclear materials from an accident or a terrorist incident. If confirmed, will you report back to the committee on efforts you are taking or could take in this particular area?

Mr. KLOTZ. If confirmed, I will report back to the committee on efforts the NNSA is taking and could take to support the development of international emergency response capabilities to detect nuclear materials from an accident or a terrorist incident. The NNSA has complementary divisions that devote resources to different international nuclear and radioactive challenges. These include the NNSA's Second Line of Defense Program which installs radiation detection systems at a variety of sites and assists countries with the development of national response plans for emergency nuclear and radiological events. The NNSA's Office of Emergency Operations also currently works with other countries and the International Atomic Energy Agency to develop nuclear/radiological emergency response capabilities. If confirmed, I will work to continue to provide assistance to countries around the world to support a compatible, effective, and efficient worldwide nuclear/radiological emergency response capability.

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

NUCLEAR MODERNIZATION

12. Senator INHOFE. Mr. Klotz, Congress has serious concerns about the management of the NNSA in areas such as cost growth, schedule slips, security and planning. If confirmed, how do you propose to establish confidence in NNSA's ability to manage major construction projects and life extension programs for our aging nuclear force?

Mr. KLOTZ. It is critical that the NNSA's weapons modernization and infrastructure modernization efforts, including capital construction projects, be completed on cost and on schedule. Otherwise, NNSA's fundamental ability to execute its mission is put at risk. If confirmed, I will place immediate emphasis on working with the Secretary of Energy, as well as the directors of the national security laboratories, plants and field offices to: (1) clarify lines of authority, responsibility, and accountability within the entire NNSA enterprise; and (2) identify steps to streamline business processes and eliminate needlessly burdensome, non-value-added activities that may undermine the NNSA enterprise and its incentive to innovate. I will likewise focus on adopting measures to significantly improve NNSA's capabilities for more complete front-end project planning, cost estimation, project management, and oversight of capital construction projects and life extension programs.

13. Senator INHOFE. Mr. Klotz, the B-61 has already been delayed 3 years—what are the implications for U.S. security if the Senate Appropriations Committee mark becomes law?

Mr. KLOTZ. Based on my prior experiences at the Department of Defense, I fully understand that schedule delays and budget uncertainty in any major weapons systems acquisition program drive up overall costs and adversely impact the recruitment and retention of the workforce needed to successfully complete technically complex projects. If the NNSA does not have sufficient funding to move forward with the B-61-12 LEP, as endorsed by the interagency Nuclear Weapons Council, NNSA's ability to meet scope and schedule will be put at risk, with serious implications for the Nation's strategic and extended deterrence capabilities, as well as its ability to sustain a safe, secure, and effective stockpile and to retire weapons that are no longer needed.

14. Senator INHOFE. Mr. Klotz, how would you propose to work with the administration and Congress to restore full funding for the B-61?

Mr. KLOTZ. The B-61 is one of the oldest nuclear weapons in the stockpile and requires a life extension program. The B-61-12 LEP will consolidate four variants of the B-61 (-3, -4, -7 and -10) into a single mod 12 which will provide strategic and extended deterrence for an additional 20 years following the first production unit in 2019. On February 27, 2012, the Nuclear Weapons Council (consisting of representatives of the Department of Defense, U.S. Strategic Command, and NNSA) authorized the Air Force and NNSA to begin Phase 6.3 Engineering Development for the B-61-12 (the Option 3B), adopting the lowest-cost approach of the options evaluated by the Nuclear Weapons Council that fully meets military requirements to address weapon aging, safety, security and delivery system integration issues. This variant will allow the United States to reduce the number of weapons currently in the stockpile; reduce the cost of maintaining the B-61 in the future; set conditions for the future retirement of the B83 bomb; reduce the amount of special nuclear material in the stockpile; maintain the air leg of the triad; and, increase the safety and security of a critical component of the U.S. strategic and extended deterrent capabilities, both now and for the foreseeable future. The Nuclear Weapons Council rejected the proposed "Triple Alt" option as not meeting military requirements because it did not address all aging issues, it would require the immediate start of a second LEP to address those issues, and it would risk a potential capability gap until the second LEP was completed. Additionally, the Triple Alt would drive up life-cycle costs, and would not provide the critical nuclear security benefits that could lead to reductions in the technical hedge. Accordingly, I believe the approach endorsed by the Nuclear Weapons Council is the best option.

If confirmed, I will work with the Department of Defense (primarily through the Nuclear Weapons Council), the National Security Staff, as well as Members of Congress and their staffs to ensure the facts regarding the B-61 life extension program and the serious implications of reduced or delayed funding are fully understood.

15. Senator INHOFE. Mr. Klotz, will you be a forceful advocate for those nuclear modernization commitments that were made to secure the New START treaty?

Mr. KLOTZ. Yes. If confirmed, I will be a forceful advocate for nuclear modernization funding as related to the ratification of the New START treaty, and as outlined in the 2010 Nuclear Posture Review and the 2013 updated Nuclear Weapons Employment Strategy of the United States.

16. Senator INHOFE. Mr. Klotz, on April 29, the Government Accountability Office upheld a procurement protest regarding the combined Y-12 National Security Complex and Pantex Plant management contracts. Press reports suggest that some scores were changed at the 11th hour of the process, which had an impact on the result. Can you assure us, if you are confirmed, you would look into this award and protest to ensure the integrity of the procurement process moving forward?

Mr. KLOTZ. It would not be appropriate for me to comment on any ongoing government contract competition. However, it is my long-held personal view that all government contracting activities must be conducted fairly, with integrity, and in a manner that allows all stakeholders to have full confidence in the process.

QUESTION SUBMITTED BY SENATOR SAXBY CHAMBLISS
 NEW STRATEGIC ARMS REDUCTION TREATY RATIFICATION

17. Senator CHAMBLISS. Mr. Klotz, in your advance policy questions you stated that “the NNSA has a unique responsibility for pursuing two different, but complementary principles that have traditionally guided American nuclear weapons policy. The first is that the United States must continue to lead international efforts to limit and reduce nuclear arsenals, prevent nuclear proliferation and terrorism, and secure nuclear materials across the globe. The second is that appropriately-sized nuclear forces still play an essential role in protecting U.S. and allied security interests, even as the United States seeks to reduce the overall number and role of nuclear weapons in our national security policy.” While these statements seem solid in principal, I’m concerned they conflict with our agreement to maintain a nuclear arsenal as defined in the New START treaty, especially your stated second responsibility of reducing the overall number and role of nuclear weapons in our national security policy. In particular, I am concerned the administration is backing away from promises made to modernize the entire nuclear enterprise—warheads, delivery platforms, and supporting infrastructure—in order to secure Senate ratification. If confirmed, will you aggressively advocate modernization of the nuclear enterprise to guarantee the United States maintains a safe, reliable, and credible nuclear deterrent?

Mr. KLOTZ. I have personally been associated with the nuclear deterrent mission for nearly 4 decades, including leading the major command responsible for all Air Force nuclear-capable long-range bombers and intercontinental ballistic missiles. I strongly believe that the U.S. nuclear deterrent forces still play an essential role in protecting U.S. and allied security interests, and will do so for many years to come. Accordingly, the United States must maintain a safe, secure, and effective nuclear deterrent. The NNSA plays a critical role in achieving this objective through its stewardship of the nuclear weapon stockpile. If confirmed, I will aggressively advocate and pursue the programs and funding necessary to successfully complete nuclear weapon life extension programs to meet national policy goals and military requirements; to assess the health and safety of the stockpile; and, to modernize the aging infrastructure associated with critical plutonium, uranium, and other stockpile-related operations.

QUESTION SUBMITTED BY SENATOR KELLY AYOTTE

NATIONAL NUCLEAR SECURITY ADMINISTRATION SECURITY OF CRITICAL
 INFRASTRUCTURE

18. Senator AYOTTE. Mr. Klotz, in July 2012 at its Y-12 site, NNSA suffered a multifaceted security failure that allowed three trespassers to deface one of agency’s newest and most secure facilities. Though steps have been taken to correct deficiencies, NNSA’s efforts to establish the right kinds of security at its headquarters and field sites are still developing some 14 months after the Y-12 incident. In your view, what led to the Y-12 incident?

Mr. KLOTZ. I have carefully reviewed the publically available accounts of the Y-12 security failure provided by the DOE Inspector General, the review conducted by Major General Sandy Finan, and the expert opinions requested by former Energy Secretary Chu. In my view, based on this information, the incident occurred because of a multifaceted, systemic failure of the approach to security at the plant and within NNSA headquarters: responsibility for the protective force and the physical security system was divided, security equipment was not repaired in a timely fashion, compensatory measures were inadequate and improperly executed, multiple nuisance alarms led to an attitude of complacency. Furthermore, oversight of security was neither rigorously, nor routinely, exercised and evaluated.

19. Senator AYOTTE. Mr. Klotz, does it suggest anything to you about the NNSA’s security culture?

Mr. KLOTZ. Because safety and security are paramount to the NNSA’s mission, it will be my responsibility, if confirmed, to ensure the process of implementing improved oversight mechanisms, which include clarifying roles, authorities, and functions for the organization, is completed successfully. I want to emphasize that the 2012 security incident at Y-12 was totally unacceptable. Security of the nuclear enterprise is the responsibility of every employee of the NNSA, regardless of job, or rank.

20. Senator AYOTTE. Mr. Klotz, if culture plays a role, what actions do you plan to take to instill cultural change?

Mr. KLOTZ. If confirmed, strengthening security at NNSA facilities will be one of my top priorities. I intend to draw on my experience as the first Commander of Air Force Global Strike Command to address the security culture that exists at the NNSA. Working with the Secretary of Energy, I will insist on strict adherence to DOE security standards and clarify lines of authority, responsibility, and accountability for meeting and maintaining those standards. In my experience, it is critical to remind all levels of the organization that security is an urgent mission, and that complacency will not be tolerated. To accomplish this, the status of security systems (including all outages and estimated time of repair) must be monitored daily at NNSA headquarters; security deviations and corresponding compensatory measures will be reviewed by Federal officials both at the field and headquarters levels; security procedures and responses to alarms will be rigorously trained, exercised, and evaluated.

QUESTIONS SUBMITTED BY SENATOR ROY BLUNT

GLOBAL SUPPLY OF MO-99

21. Senator BLUNT. Mr. Klotz, I understand ensuring a stable and reliable supply of medical isotope molybdenum-99 (Mo-99) for the benefit of physicians and patients is a key priority for your office. I am hopeful that, if confirmed, you would work constructively with affected stakeholders to ensure the transition to non-highly enriched uranium (HEU) based production occurs smoothly and without jeopardizing patient access to much-needed diagnostic tools. How are you monitoring the global supply of Mo-99 and working with foreign governments to ensure the U.S. Government continues to provide needed material while this transition is underway?

Mr. KLOTZ. If confirmed, I intend to continue NNSA's efforts to accelerate the establishment of reliable Mo-99 supplies produced without HEU, so that patients have uninterrupted access to sources of this important medical isotope that are also consistent with international HEU minimization commitments. Regular interaction with foreign government, commercial industry, and medical community stakeholders are essential. If confirmed, I will be committed to this interaction and to monitoring the global supply.

DISPOSITION OF BANNISTER COMPLEX

22. Senator BLUNT. Mr. Klotz, what is your vision for the eventual disposition of the Bannister Federal Complex in Kansas City regarding its remediation and redevelopment?

Mr. KLOTZ. The NNSA has successfully developed a new, highly efficient facility for Kansas City Plant operations. Upon full transition to the new facility, the NNSA will work to transfer the previous facility—the Bannister Federal Complex (BFC)—to a new owner for redevelopment under established protocols. The goals for disposition are transfer of the property providing for demolition of obsolete facilities, remediation of legacy environmental contamination, and successful redevelopment of the property to continue contributing to the economy of Kansas City. If confirmed, you have my commitment to work closely with you, the other members of the Missouri and Kansas congressional delegations, and community leaders to ensure the BFC disposition process is undertaken as expeditiously and effectively as possible.

[The nomination reference of Mr. Frank G. Klotz follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
August 1, 2013.

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

Frank G. Klotz, of Virginia, to be Under Secretary for Nuclear Security, vice Thomas P. D'Agostino, resigned.

[The biographical sketch of Mr. Frank G. Klotz, which was transmitted to the committee at the time the nomination was referred, follows:]

Summary:

Achieved the rank of Lieutenant General (three-star) in the U.S. Air Force. Extensive experience leading large organizations with technically-complex missions and a diverse, highly-skilled workforce. Policymaking roles at the highest levels: from Brussels to Moscow to the White House. Proven track record in successfully empowering peers and multi-functional teams to solve critical challenges with constrained resources. Specialized expertise in space and nuclear policy, arms control, U.S.-Russian relations, and Polar Regions.

Academic Degrees:

D. Phil., Politics, Oxford University
 M. Phil., International Relations, Oxford University
 B.S., International Affairs, Air Force Academy (Distinguished Graduate)

Work Experience:

Senior Fellow, Council on Foreign Relations, 2011–present, Washington, DC. As Senior Fellow for Strategic Studies and Arms Control, responsible for directing a roundtable series on nuclear security policy; researching and writing op-eds and articles; preparing grant proposals; and, participating in institutional outreach and the annual budgeting process.

Independent Consultant, 2011–present, Washington, DC. Advise government and business organizations on national security issues, corporate leadership, and strategic planning. Participate in “Track II diplomacy” on strategic stability and arms control with former Indian and Pakistani officials, and with Russian and Chinese experts.

Commander, Air Force Global Strike Command, 2009–2011, Barksdale Air Force Base; Shreveport, LA. Established and led a brand new organization that merged responsibility for all U.S. nuclear-capable bombers and missiles under a single chain-of-command. Defined vision and values; recruited 800 highly-talented professionals into a new headquarters; took charge of 5 major installations and 23,000 people; strengthened accountability—all within just 14 months.

Assistant Vice Chief of Staff & Director of the Air Staff, 2007–2009, Headquarters Air Force, Washington, DC. Oversaw the administration and organization of the Air Force’s headquarters staff. Day-to-day interaction with the Air Force’s “CEO,” major functional heads, and senior peers in managing policies, plans, and resources to support the Air Force’s worldwide mission.

Vice Commander, Air Force Space Command, 2005–2007, Peterson Air Force Base, Colorado Springs, CO. Second in command of a 39,400-person organization charged with responsibility for developing, acquiring and operating a global network of launch, satellite control, communications, and missile warning facilities. Awarded the prestigious General Thomas D. White Trophy by the Air Force Association for the most outstanding contribution to progress in aerospace in 2006.

Commander, 20th Air Force, 2003–2005, F.E. Warren Air Force Base, Cheyenne, WY. Led the 9,500 personnel of the Nation’s intercontinental ballistic missile force. Completed deactivation of 50 Peacekeeper missiles in compliance with the START I treaty. Partnered with Wyoming National Guard to develop a security training center at Camp Guernsey.

Director for Nuclear Policy & Arms Control, National Security Council, 2001–2003, The White House, Washington, DC. Advised the President and the National Security Advisor on all aspects of nuclear weapons policy. Represented the White House in talks leading to the 2002 Moscow Treaty to reduce deployed U.S.-Russian weapons by two-thirds.

Defense Attaché, Russia, 1999–2001, U.S. Embassy Moscow. As the senior U.S. military officer based in Russia, advised the Ambassador and senior U.S. officials in developing positions on a wide-range of bilateral defense issues, including funding for the disposal of weapons of mass destruction and cooperation in Arctic search and rescue.

Previous work experience: In addition to leading organizations at every operational level within the Air Force, served at senior policymaking levels in the State Department as a White House Fellow and at NATO Headquarters in Brussels. While on the Air Force Academy faculty, directed courses on Congress and the Presidency. A list of all prior positions is available at <http://www.af.mil/information/bios/bio.asp?biolD=6081>.

Honors and awards:

General Larry D. Welch Award, Air Force Association, 2011
U.S. Air Force Academy Preparatory School Class of 2011 "Exemplar"
Gen. Thomas D. White Space Trophy, Air Force Association, 2006
Heritage Hall of Fame Inductee, U.S. Air Force Academy Preparatory School,
2002
Military Fellowship, Council on Foreign Relations, NY
Senior Research Fellow, National War College, Washington, DC
White House Fellowship, Washington, DC
One of the Ten Outstanding Young Men of America, U.S. Jaycees, 1983
Rhodes Scholarship (Colorado and Trinity, 1973)

Affiliations:

Member, Secretary of State's International Security Advisory Board
Member, Committee on International Security and Arms Control (CISAC), National Academy of Sciences, Washington, DC
Member, Committee on Human Spaceflight, National Academy of Sciences, Washington, DC
Member, Council on Foreign Relations, New York, NY
Member, International Institute for Strategic Studies, London
Life member, Air Force Association, Washington, DC
Life member, USAF Academy Association of Graduates, CO
Member, Association of American Rhodes Scholars, Vienna, VA
Life member, Friends of the National Museum of the U.S. Air Force, Dayton, OH

MAJOR PUBLICATIONS**Books**

America on the Ice: Antarctic Policy Issues (Washington, DC: National Defense University Press, 1990) <http://www.dtic.mil/cgi-bin/GetTRDoc?Location=U2&doc=GetTRDoc.pdf&AD=ADA259873>

Reports

Space, Commerce, and National Security (New York: Council on Foreign Relations Press, 1998) <http://www.cfr.org/economics/space-commerce-national-security-cfr-paper/p8617>

Chapters

"The President and the Control of Nuclear Weapons," in David C. Kozak and Kenneth N. Ciboski, eds., *The American Presidency: A Policy Perspective from Readings and Documents* (Chicago: Nelson-Hall, 1985)

"Future Soviet-American Arms Control: Implications for NATO," in William H. Kincade, et al., eds., *Approaches to East-West Arms Control* (Washington, DC: Arms Control Association, 1979)

Articles, Op-Eds, etc.

"The Future of Britain's Nuclear Deterrent," *The National Interest* (7/24/2013) <http://nationalinterest.org/commentary/the-future-britains-nuclear-deterrent-8768>

"Berlin and the Arms-Control Debate," *The National Interest* (6/27/2013) <http://nationalinterest.org/commentary/berlin-the-arms-control-debate-8665>

"France Isn't Aiming for Nuclear Zero," *The National Interest* (5/8/2013) <http://nationalinterest.org/commentary/france-isnt-aiming-nuclear-zero-8440>

"Pakistan's Nuclear Past as Prologue," *The National Interest* (3/12/2013) <http://nationalinterest.org/commentary/pakistans-nuclear-past-prologue-8209>

"The U.S.-Russian Antarctic Thaw," *The National Interest* (12/12/2012) <http://nationalinterest.org/commentary/the-us-russian-antarctic-thaw-7837>

"Trouble at the Ends of the Earth," *The National Interest* (10/8/2012) <http://nationalinterest.org/commentary/trouble-the-ends-the-earth-7561>

"China's Growing Space Power," *The National Interest* (7/26/2012) <http://nationalinterest.org/commentary/chinas-growing-space-power-7244>

"The New Space Race," *The National Interest* (6/6/2012) <http://nationalinterest.org/commentary/the-new-space-race-7011>

"GPS and the Politics of Scarce Resources," *The National Interest* (4/17/2012) <http://nationalinterest.org/commentary/gps-the-politics-scarce-resources-6789>

"Scientists Report on the Comprehensive Nuclear Test-Ban Treaty," *cfr.org* (4/2/2012) <http://www.cfr.org/arms-control/disarmament-and-nonproliferation/scientists-report-comprehensive-nuclear-test-ban-treaty/p27839>

"Defense Budget Tug of War," *The National Interest* (3/27/2012) <http://nationalinterest.org/commentary/defense-budget-tug-war-6687>

<p>"Military Bases and the American Community," <i>The National Interest</i> (2/15/2012) http://nationalinterest.org/commentary/military-bases-american-community-6505</p> <p>"American Interests in Antarctica," <i>The National Interest</i> (1/17/2012) http://nationalinterest.org/commentary/american-interests-antarctica-6365</p> <p>"India, Pakistan, and Nuclear Confidence Building," <i>cfr.org</i> (12/23/2011) http://www.cfr.org/south-asia/india-pakistan-nuclear-confidence-building/p26959</p> <p>"Unfinished Business," <i>International Herald Tribune</i> (12/14/2011) (with Susan Koch and Franklin Miller) http://www.nytimes.com/2011/12/14/opinion/unfinished-business.html?_r=1&emc=eta1</p> <p>"Obama's Nuclear Arms Control Agenda: Progress and Prospects," <i>cfr.org</i> (10/17/2011) http://www.cfr.org/defensehomeland-security/obamas-nuclear-arms-control-agenda-progress-prospects/p26214</p> <p>"The Future of Strategic Deterrence and the Intercontinental Ballistic Missile," <i>High Frontier</i>, Vol. 2, No. 4, Aug. 2006 http://www.afspc.af.mil/shared/media/document/AFD-060912-044.pdf</p>

[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. Frank G. Klotz 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.)
 Frank Graham Klotz.
2. **Position to which nominated:**
 Under Secretary of Energy for Nuclear Security/Administrator, National Nuclear Security Administration.
3. **Date of nomination:**
 August 1, 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:

September 7, 1950; Lubbock, TX.

6. Marital Status: (Include maiden name of wife or husband's name.)

Married to Nancy Hopper Klotz (maiden name: Hopper).

7. Names and ages of children:

Justin Michael Klotz, age 33.

David Matthew Klotz, age 31.

8. Education: List secondary and higher education institutions, dates attended, degree received, and date degree granted.

Oxford University, 1973–1976, M. Phil., International Relations (1975) and D. Phil., Politics (1980)

U.S. Air Force Academy, 1969–1973, S.S., International Affairs (1973)

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.

Senior Fellow, Council on Foreign Relations, Washington, DC, July 2011–present
Owner/Member, Klotz Consulting Group, LLC, Alexandria, VA, June 2011–present

Commander, Air Force Global Strike Command, Barksdale AFB, LA, August 2009–January 2011

Assistant Vice Chief of Staff and Director of the Air Staff, HQ USAF, Pentagon, August 2007–August 2009

Vice Commander, Air Force Space Command, Peterson AFB, CO, October 2005–August 2007

Commander, 20th Air Force, F.E. Warren AFB, WY, May 2003–October 2005

Director for Nuclear Policy and Arms Control, National Security Council, The White House, Washington, DC, July 2001–May 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.

Member, Secretary of State's International Security Advisory Board (ISAB), 2012–present
Consultant, Department of State, 2011–2012

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.

Senior Fellow, Council on Foreign Relations, Washington, DC

Owner/Member, Klotz Consulting Group, LLC, Alexandria, VA

Member of the Corporation, The Charles Stark Draper Laboratory, Inc., Cambridge, MA

Member, Committee on International Security and Arms Control, National Academy of Sciences, Washington, DC

Member, Committee on Human Space Flight, National Academy of Sciences, Washington, DC

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

Member, Council on Foreign Relations, New York, NY

Member, International Institute for Strategic Studies, London, UK

Life Member, Air Force Association, Arlington, VA

Life Member, USAF Academy Association of Graduates, CO

Member, Association of American Rhodes Scholars, Vienna, VA

Member, Association of Air Force Missileers, Breckenridge, CO

Friends of the National Museum of the USAF, Wright-Patterson AFB, OH

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.

General Larry D. Welch Award, Air Force Association, 2011
 U.S. Air Force Academy Preparatory School Class of 2011 “Exemplar”
 Gen. Thomas D. White Space Trophy, Air Force Association, 2006
 Heritage Hall of Fame Inductee, USAF Academy Preparatory School; 2002
 Military Fellowship, Council on Foreign Relations, NY
 Senior Research Fellow, National War College, Washington, DC
 White House Fellowship, Washington, DC
 One of the Ten Outstanding Young Men of America, U.S. Jaycees, 1983
 Rhodes Scholarship (Colorado and Trinity, 1973)

Several military awards and decorations, including the Distinguished Service Medal (with three oak leaf clusters), the Defense Superior Service Medal (with two oak leaf clusters), and the Legion of Merit (with one oak leaf cluster)

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

Books:

America on the Ice: Antarctic Policy Issues (Washington, DC: National Defense University Press, 1990)

Reports:

Space, Commerce, and National Security (New York: Council on Foreign Relations Press, 1998)

Achieving Consensus for a Sustainable U.S. Nuclear Posture (Washington, DC: Center for Strategic and International Studies, April 2013) [Contained within Stephanie Spies and John K. Warden, Forging a Consensus for a Sustainable U.S. Nuclear Posture: A Report of the CSIS Nuclear Consensus Working Group] http://csis.org/files/publication/130422_Spies_ForgingConsensus_Web.pdf

Chapters:

“The President and the Control of Nuclear Weapons,” in David C. Kozak and Kenneth N. Ciboski, eds., *The American Presidency: A Policy Perspective from Readings and Documents* (Chicago: Nelson-Hall, 1985)

“Future Soviet-American Arms Control: Implications for NATO,” in William H. Kincaid, et al., eds., *Approaches to East-West Arms Control* (Washington, DC: Arms Control Association, 1979)

Articles, Op-Eds, etc.:

“The Future of Britain’s Nuclear Deterrent,” *The National Interest* (7/24/2013)

“Berlin and the Arms-Control Debate,” *The National Interest* (6/27/2013)

“France Isn’t Aiming for Nuclear Zero,” *The National Interest* (5/8/2013)

“Pakistan’s Nuclear Past as Prologue,” *The National Interest* (3/12/2013)

“The U.S.-Russian Antarctic Thaw,” *The National Interest* (12/12/2012)

“Trouble at the Ends of the Earth,” *The National Interest* (10/8/2012)

“China’s Growing Space Power,” *The National Interest* (7/26/2012)

“The New Space Race,” *The National Interest* (6/6/2012)

“GPS and the Politics of Scarce Resources,” *The National Interest* (4/17/2012)

“Scientists Report on the Comprehensive Nuclear Test-Ban Treaty,” cfr.org (4/2/2012)

“Defense Budget Tug of War,” *The National Interest* (3/27/2012)

“Military Bases and the American Community,” *The National Interest* (2/15/2012)

“American Interests in Antarctica,” *The National Interest* (1/17/2012)

“India, Pakistan, and Nuclear Confidence Building,” cfr.org (12/12/2011)

“Unfinished Business,” *International Herald Tribune* (12/14/2011) (with Susan Koch and Franklin Miller)

“Obama’s Nuclear Arms Control Agenda: Progress and Prospects,” cfr.org (10/17/2011)

“The Future of Strategic Deterrence and the Intercontinental Ballistic Missile,” *High Frontier*, Vol. 2, No. 4, Aug. 2006

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.

MAJOR PUBLICATIONS**Books**

America on the Ice: Antarctic Policy Issues (Washington, DC: National Defense University Press, 1990) <http://www.dtic.mil/cgi-bin/GetTRDoc?Location=U2&doc=GetTRDoc.pdf&AD=ADA259873>

Reports

Space, Commerce, and National Security (New York: Council on Foreign Relations Press, 1998) <http://www.cfr.org/economics/space-commerce-national-security-cfr-paper/p8617>

Chapters

"The President and the Control of Nuclear Weapons," in David C. Kozak and Kenneth N. Ciboski, eds., *The American Presidency: A Policy Perspective from Readings and Documents* (Chicago: Nelson-Hall, 1985)

"Future Soviet-American Arms Control: Implications for NATO," in William H. Kincade, et al., eds., *Approaches to East-West Arms Control* (Washington, DC: Arms Control Association, 1979)

Articles, Op-Eds, etc.

"The Future of Britain's Nuclear Deterrent," *The National Interest* (7/24/2013) <http://nationalinterest.org/commentary/the-future-britains-nuclear-deterrent-8768>

"Berlin and the Arms-Control Debate," *The National Interest* (6/27/2013) <http://nationalinterest.org/commentary/berlin-the-arms-control-debate-8665>

"France Isn't Aiming for Nuclear Zero," *The National Interest* (5/8/2013) <http://nationalinterest.org/commentary/france-isnt-aiming-nuclear-zero-8440>

"Pakistan's Nuclear Past as Prologue," *The National Interest* (3/12/2013) <http://nationalinterest.org/commentary/pakistans-nuclear-past-prologue-8209>

"The U.S.-Russian Antarctic Thaw," *The National Interest* (12/12/2012) <http://nationalinterest.org/commentary/the-us-russian-antarctic-thaw-7837>

"Trouble at the Ends of the Earth," *The National Interest* (10/8/2012) <http://nationalinterest.org/commentary/trouble-the-ends-the-earth-7561>

"China's Growing Space Power," *The National Interest* (7/26/2012) <http://nationalinterest.org/commentary/chinas-growing-space-power-7244>

"The New Space Race," *The National Interest* (6/6/2012) <http://nationalinterest.org/commentary/the-new-space-race-7011>

"GPS and the Politics of Scarce Resources," *The National Interest* (4/17/2012) <http://nationalinterest.org/commentary/gps-the-politics-scarce-resources-6789>

"Scientists Report on the Comprehensive Nuclear Test-Ban Treaty," *cfr.org* (4/2/2012) <http://www.cfr.org/arms-control-disarmament-and-nonproliferation/scientists-report-comprehensive-nuclear-test-ban-treaty/p27839>

"Defense Budget Tug of War," *The National Interest* (3/27/2012) <http://nationalinterest.org/commentary/defense-budget-tug-war-6687>

<p>"Military Bases and the American Community," <i>The National Interest</i> (2/15/2012) http://nationalinterest.org/commentary/military-bases-american-community-6505</p> <p>"American Interests in Antarctica," <i>The National Interest</i> (1/17/2012) http://nationalinterest.org/commentary/american-interests-antarctica-6365</p> <p>"India, Pakistan, and Nuclear Confidence Building," <i>cfr.org</i> (12/23/2011) http://www.cfr.org/south-asia/india-pakistan-nuclear-confidence-building/p26959</p> <p>"Unfinished Business," <i>International Herald Tribune</i> (12/14/2011) (with Susan Koch and Franklin Miller) http://www.nytimes.com/2011/12/14/opinion/unfinished-business.html?_r=1&emc=eta1</p> <p>"Obama's Nuclear Arms Control Agenda: Progress and Prospects," <i>cfr.org</i> (10/17/2011) http://www.cfr.org/defensehomeland-security/obamas-nuclear-arms-control-agenda-progress-prospects/p26214</p> <p>"The Future of Strategic Deterrence and the Intercontinental Ballistic Missile," <i>High Frontier</i>, Vol. 2, No. 4, Aug. 2006 http://www.afspc.af.mil/shared/media/document/AFD-060912-044.pdf</p>

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.

FRANK G. KLOTZ.

This 10th day of September, 2013.

[The nomination of Mr. Frank G. Klotz was reported to the Senate by Chairman Levin on September 24, 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 Mr. Marcel J. Lettre II by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DUTIES

Question. What is your understanding of the duties and functions of the Principal Deputy Under Secretary of Defense for Intelligence (PDUSD(I))?

Answer. My understanding is that the Principal Deputy Under Secretary of Defense for Intelligence (PDUSD(I)) is responsible for assisting the Under Secretary of Defense for Intelligence (USD(I)) in supporting the Secretary of Defense in discharging his intelligence-related responsibilities and authorities under title 10 and title 50 of the United States Code (U.S.C.).

This includes: serving as the principal intelligence advisor to the Secretary of Defense; exercising authority, direction, and control on behalf of the Secretary of Defense over all intelligence organizations within the Department of Defense (DOD); ensuring that intelligence organizations in DOD are manned, organized, trained, and equipped to support the missions of the Department; ensuring that the DOD components, which are also elements of the Intelligence Community, are responsive to the Director of National Intelligence (DNI) in the execution of the DNI's authorities; ensuring that the combatant commanders, the Joint Chiefs of Staff, and the civilian leadership of the Department are provided with appropriate intelligence support; ensuring that counterintelligence activities in the Department are conducted and managed efficiently and effectively; ensuring that other sensitive activities which the Department conducts or supports are conducted and managed efficiently and effectively; overseeing Defense Department personnel, facility, and industrial security to ensure efficiency and effectiveness; serving as the Program Executive for the Military Intelligence Program, and ensuring that the DOD Components funded by the National Intelligence Program are robust, balanced, and in compliance with the guidance and direction of the DNI; and ensuring that the Department provides the U.S. Congress with intelligence-related information sufficient to execute its oversight responsibilities.

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

Answer. If confirmed, I believe I have the proper background and experience to effectively perform the duties of the Principal Deputy Under Secretary of Defense for Intelligence. I have been honored to serve as Special Assistant under three Secretaries of Defense from 2011 to the present. In that capacity, I advised the Secretary of Defense on a range of matters pertaining to U.S. national security, including intelligence-related matters. With functional responsibilities as the civilian deputy chief of staff to Secretary Panetta, I supported the Secretary of Defense on defense strategy, budget development, acquisition oversight, national security policy initiatives, and crisis management. I also led two Secretary of Defense transition teams. For my work in support of Secretary of Defense priorities, I am honored that Secretary Panetta awarded me the Defense Distinguished Public Service Award.

As Principal Deputy Assistant Secretary of Defense for Legislative Affairs, I had responsibilities on a team executing legislative programs on Departmental priorities including the defense budget and policy; Iraq, Afghanistan and Pakistan; strategic nuclear arms control matters, including the ratification of the New Strategic Arms Reduction Treaty; acquisition and export control reforms; information operations, and Secretary Gates' efficiencies initiative. For my work on strategic nuclear arms control matters, Secretary Gates awarded me the Exceptional Public Service Award.

As Senior Defense and Intelligence Advisor and then as Senior National Security Advisor to the U.S. Senate Majority Leader, I handled all "Gang of Eight" intelligence matters for the Leader, and shaped legislation and policy initiatives in areas including: Iraq and Afghanistan strategy; counterterrorism; enhancing foreign intelligence collection and sensitive intelligence operations; countering proliferation of weapons of mass destruction (WMD); and assisting in securing passage of defense and intelligence authorization bills, appropriations bills, and war supplementals.

As a Professional Staff Member on the U.S. House of Representatives Permanent Select Committee on Intelligence, I supported the intelligence after-action reviews on the September 11 terrorist attacks and on Iraqi WMD, and advised on the 2004

Intelligence Reform and Terrorism Prevention Act which created the Director of National Intelligence.

Prior to these positions, I served in the private sector, the foreign policy research sector, and on a congressional commission examining the organization and efficiency of the U.S. Government regarding intelligence and programs to counter WMD.

Serving in both the legislative and executive branches of the Government has given me a multi-faceted appreciation for the role of intelligence. I have served as an intelligence consumer, ensuring the Nation's senior decisionmakers are supported with intelligence products on important decisions. I have gained an appreciation of the statutory roles of the Secretary of Defense, the Director of National Intelligence, and other senior leaders in ensuring effective intelligence capabilities. I have familiarity with a range of intelligence operations and capabilities. I have experience working intelligence resourcing issues through the National Intelligence Program and Military Intelligence Program, knowledge of key trajectories for our acquisition and investment programs, and some awareness of key counterintelligence and security priorities. I am personally committed to supporting the Secretary of Defense in focusing on the needs of the warfighter, particularly in intelligence support.

Finally, my experience has given me a deep appreciation for the important role of oversight, from within the executive branch as well as by the legislative and judiciary branches.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the PDUSD(I)?

Answer. If confirmed, I believe the most significant action that I would need to take would be to assist Under Secretary Vickers in executing his priorities, consistent with the priorities of the Secretary of Defense, by enhancing my understanding of, and assessing the effectiveness of, plans and activities to implement and operationalize those priorities. I also believe that I need to more deeply understand the challenges posed by the new fiscal environment, the resource constraints that will be faced ahead, and the opportunities for further efficiencies across the Defense Intelligence Enterprise, as we sustain and strengthen OUSD(I)'s budgetary oversight.

Question. Assuming you are confirmed, what duties and functions do you expect that the Secretary of Defense would prescribe for you?

Answer. If confirmed, I look forward to speaking with the Under Secretary of Defense for Intelligence and the Secretary of Defense about how best I could support them. I anticipate that my duties and functions would include advising and assisting the Under Secretary of Defense for Intelligence and the Secretary of Defense on intelligence planning, policy and resources. I believe they would expect me to assist the Under Secretary of Defense for Intelligence in ensuring full intelligence support for ongoing operations; ensuring that intelligence operations conducted by DOD are effective and in compliance with all relevant statutes, authorities, directives, and policies; ensuring that the Defense Intelligence Enterprise is postured to prevent strategic surprise; ensuring, without abrogating the Secretary's statutory responsibilities, that the DNI has visibility and oversight over the full range of intelligence activities in the Department; and ensuring that the Defense Intelligence Enterprise is as efficient as possible. They may also assign me other duties as their priorities and my background and experience warrant.

RELATIONSHIPS

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

Answer. Pursuant to the authority, direction, and control of the Under Secretary of Defense for Intelligence (USD(I)), as the USD(I)'s principal assistant, if confirmed as the Principal Deputy Under Secretary of Defense for Intelligence I will serve as an advisor to the Secretary of Defense on all matters concerning intelligence, counterintelligence, and security.

Question. The Deputy Secretary of Defense.

Answer. If confirmed as the Principal Deputy Under Secretary of Defense for Intelligence (PDUSD(I)), I will provide support to the Deputy Secretary similar to that which I would provide to the Secretary, as described above.

Question. The Under Secretary of Defense for Intelligence.

Answer. If confirmed as PDUSD(I), I will provide my full support to the USD(I) in carrying out his duties as the principal advisor to the Secretary of Defense on intelligence, counterintelligence, and security. I will keep him informed, seek his guidance and direction, and support him as he advises the Secretary of Defense on how to exercise his oversight authority on intelligence, counterintelligence, and se-

curity-related matters throughout the Department. At the outset, I will ascertain which responsibilities the USDI delegates to me, including a range of internal management functions within the Office of the Under Secretary, and focus on implementing his and the Secretary's priorities within the Office and across the Defense Intelligence Enterprise.

Question. The other Under Secretaries of Defense.

Answer. Each of the Under Secretaries has vital functions to carry out. If confirmed as PDUSD(I), I will work closely with each of them and their Principal Deputies and senior teams. A close relationship between the Under Secretary of Defense for Policy and the USD(I), and their Principal Deputies, is particularly important, so I intend to fully support those relationships. In both of my former positions within the Department, both as Special Assistant to the Secretary of Defense and as Principal Deputy Assistant Secretary of Defense for Legislative Affairs, I had positive relationships with a number of the Under Secretaries. If confirmed, I would continue to build on these relationships.

Question. The Assistant Secretary of Defense for Network and Information Integration/Successor Organization.

Answer. The Chief Information Officer (CIO), like its predecessor the Assistant Secretary of Defense for Networks and Information Integration, has had oversight of enabling capabilities which are central to the conduct of intelligence and security-related activities. If confirmed, I will work closely with the CIO to ensure that this support remains robust.

Question. The Deputy Assistant Secretary of Defense for Detainee Policy.

Answer. If confirmed, I will work closely with the DASD for Rule of Law and Detainee Policy on the intelligence aspects of detainee policy and operations.

Question. The Assistant Secretary of Defense for Special Operations/Low Intensity Conflict & Interdependent Capabilities (ASD SOLIC&IC).

Answer. USD(I) and the ASD SO/LIC&IC work closely together on several important matters, and this close partnership has grown substantially during Dr. Vickers' tenure as USD(I). If confirmed as the PDUSD(I), I will contribute to ensuring that this close partnership continues.

Question. The Service Secretaries and the Service Intelligence Directors.

Answer. If confirmed as PDUSD(I), I will support the USD(I) as the Program Executive for the Military Intelligence Program. As appropriate, I will work with the Secretaries of the Military Departments and the Service Intelligence Directors to ensure their intelligence requirements are met, that the Military Departments and Services develop intelligence capabilities appropriate for the current and future security environment, and that the intelligence organizations contribute to meeting the intelligence needs of their respective Military Department/Service, the Joint Force, the Department, and the Nation.

Question. The General Counsel of the Department of Defense.

Answer. In my previous positions in DOD, I have worked closely with the General Counsel and his staff. If confirmed as PDUSD(I), I will continue to work closely with the General Counsel, and seek his advice on the legal issues that impact USD(I)'s duties and functions.

Question. The Chairman and Vice Chairman of the Joint Chiefs of Staff.

Answer. In my previous positions in DOD, I have worked closely with the Chairman and Vice Chairman of the Joint Chiefs of Staff, and other senior leaders on the Joint Staff, on a range of issues. If confirmed as PDUSD(I), I would seek to continue this close relationship to ensure that Defense Intelligence and the Intelligence Community meet the requirements of the Joint Staff and Combatant Commands.

Question. The Commanders of the Combatant Commands, including U.S. Special Operations Command (SOCOM) and U.S. Cyber Command.

Answer. If confirmed as PDUSD(I), I will support the USD(I) in ensuring that the intelligence needs of the commanders of the combatant commands, including the Commanders of U.S. Special Operations Command and U.S. Cyber Command, are met.

Question. The Directors of the Defense intelligence agencies.

Answer. If confirmed as PDUSD(I), I will assist the USD(I) in his exercise of the Secretary of Defense's authority, direction, and control over the National Security Agency (NSA), the National Geospatial-Intelligence Agency (NGA), the National Reconnaissance Office (NRO), and the Defense Intelligence Agency (DIA). I will also help sustain the excellent relationship that the USD(I) has with the DNI by working with the Office of the DNI to ensure clear and consistent guidance is provided to the Defense intelligence agencies.

Question. The Director of National Intelligence.

Answer. The USD(I) has an excellent relationship with the DNI. If confirmed as PDUSD(I), I intend to fully support the USD(I) and the DNI in their mutual goal

of greater Intelligence Community integration. Because the USD(I) is dual-hatted as the DNI's Director of Defense Intelligence, if confirmed, I will support the USD(I) as he advises the DNI on Defense Intelligence capabilities.

Question. The Director of the Central Intelligence Agency.

Answer. If confirmed as PDUSD(I), I will work to sustain the already close relationship that the USD(I) has achieved with the Director and Deputy Director of the Central Intelligence Agency (CIA) and their senior team.

Question. The Director of the National Counterterrorism Center (NCTC).

Answer. If confirmed as PDUSD(I), I will work to sustain the already close relationship between USD(I) and the NCTC.

Question. The Director of the National Counterproliferation Center.

Answer. If confirmed as PDUSD(I), I will work to sustain the relationship with the Director of the NCPC.

Question. The Deputy and Assistant Directors of National Intelligence.

Answer. If confirmed as PDUSD(I), I will fully support the USD(I)'s relationship with the Deputy and Assistant Directors of National Intelligence to ensure integration and unity of effort in the direction and oversight of the Defense Intelligence Enterprise.

Question. Officials in the Department of Homeland Security with intelligence responsibilities.

Answer. If confirmed as PDUSD(I), I will assist the USD(I) as he serves as the Secretary of Defense's focal point for intelligence, counterintelligence, and security matters for senior officials from the Department of Homeland Security (DHS).

MAJOR CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges that will confront the PDUSD(I)?

Answer. If confirmed as the PDUSD(I), the major challenges that are likely to confront me are the continued unprecedented scope and pace of global operations and unmet demand for intelligence in an era of intelligence-driven operations; the need to adapt to a rapidly changing intelligence environment; the need to address longer-term challenges to prevent strategic surprise while fully supporting ongoing operations; and the need to do all this in a more constrained fiscal environment. Additionally, we must improve on protecting intelligence sources and methods and preventing unauthorized disclosure of information. The next PDUSD(I) will have to help the USD(I) overcome these challenges while ensuring Defense Intelligence is postured with the IC to continue to provide world-class intelligence.

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

Answer. If I am confirmed as the PDUSD(I), given the importance of intelligence to ongoing operations, I would do my best to assist the USD(I) in ensuring that sufficient resources are devoted to the Defense Intelligence Enterprise, and that intelligence is shared as widely as possible while also ensuring that it is properly protected. I would also reinforce and seek to effectively implement the USD(I)'s priorities across the Defense Intelligence Enterprise.

Question. What do you anticipate will be the most serious problems in the performance of the functions of the PDUSD(I)?

Answer. The primary near-term challenge to be faced in performing the functions of the USD(I) and, by extension, the PDUSD(I) is preparing for a period of defense budget uncertainty, which will also impact the Defense Intelligence enterprise and the Office of the Under Secretary of Defense for Intelligence.

A second serious challenge that continues to confront the USD(I) and, by extension, the PDUSD(I) is the unauthorized disclosure of classified information, particularly as it relates to the insider threat, and the risks therefore posed to our forces, our military operations, and our foreign relations.

Question. If confirmed, what management actions and timelines would you establish to address these problems?

Answer. If confirmed as the PDUSD(I), I would support Dr. Vickers in managing budget uncertainty as guided by Congress and the Secretary of Defense. I would support the USD(I) in ensuring we continue to provide the best possible intelligence support to current operations, look for opportunities to become more efficient while maintaining and increasing effectiveness, and continue to push to innovate and invest in key capabilities that maintain America's superior technological and operational edge.

In addition, I would support Dr. Vickers' commitment to implementing comprehensive technical, personnel, and administrative solutions to the challenge of unauthorized disclosures, particularly as it relates to the insider threat. I would work

with OUSD(I), other DOD leaders and ODNI leadership as appropriate to ensure that the steps taken to correct and mitigate recently exploited vulnerabilities effectively deter and prevent future unauthorized disclosures.

PRIORITIES

Question. How would you anticipate developing priorities for allocating your time as the PDUSD(I)?

Answer. If confirmed, I would develop priorities for allocating my time consistent with Dr. Vickers' priorities. In general, I would anticipate dividing my time broadly between oversight of intelligence operations, the development of intelligence capabilities, and internal management of OUSD(I) operations, and other duties as the Secretary and the USD(I) may assign. In what will continue to be a resource-constrained environment, I will assist the USD(I) in seeking to ensure that resources are strategically allocated to, and across, the Defense Intelligence Enterprise.

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

Answer. If confirmed, I would assist Dr. Vickers in continuing to execute what I understand are his overarching priorities, including: (1) ensuring that the full weight of Defense intelligence capabilities are brought to bear to achieve the President's objective of disrupting, dismantling, and defeating al Qaeda, creating and sustaining stability in Afghanistan, Pakistan and Iraq, and supporting other ongoing operations in which the Department is engaged or may be engaged; (2) ensuring that intelligence operations conducted by DOD are effective and in compliance with all relevant statutes, authorities, directives, and policies; (3) ensuring that the Defense Intelligence Enterprise is postured to prevent strategic surprise and fully exploit emerging opportunities; and (4) ensuring that the Defense Intelligence Enterprise is as efficient as possible. As Dr. Vickers has done, I would expect to pay particular attention to ensuring that: we have the right collection and analytical priorities; that we have a robust ISR architecture (both space and airborne), today and in the future; that the Department's clandestine operations are fully integrated with those of the CIA and National Clandestine Service (NCS); that the President's highest priority intelligence programs are fully resourced; that analysis addresses the needs of policy makers and operational commanders; that intelligence is timely, accessible and protected; and, where appropriate, that we aggressively exploit advances in technology to improve our intelligence capabilities.

CHAIRMAN OF THE JOINT CHIEFS OF STAFF RISK ASSESSMENT (CRA)

Question. Section 153 of title 10, U.S.C., requires the Chairman of the Joint Chiefs of Staff annually provide Congress with "an assessment of the risks associated with the most recent National Military Strategy (or update)."

What is your understanding and assessment of the CRA and the role, if any, of the OUSD(I) staff in supporting or participating in the preparation of this risk assessment?

Answer. The same legislation mandating the CRA also requires the Secretary of Defense to plan for mitigating risks the Chairman identifies as significant. My understanding is that while OUSD(I) does not directly participate in the CRA's development, as the principal staff assistant to the Secretary of Defense for all intelligence matters, USD(I)'s role is to support the Secretary's risk mitigation plan by ensuring the Defense Intelligence Enterprise meets national and Department requirements. USD(I) is also responsible for ensuring it has balanced investments towards delivering the right mix of intelligence capabilities to support the combatant commanders in accomplishing their missions and mitigating the risks identified in the CRA.

Question. What is your understanding and assessment of how the CRA is used in DOD's strategic analysis process that informs the National Security Strategy, Quadrennial Defense Review, National Military Strategy, or any other department strategic decisionmaking processes?

Answer. My understanding is that the CRA, a congressionally-mandated report from the Chairman, is used to inform departmental strategic decisionmaking processes by providing the Chairman's assessment of the nature and magnitude of strategic and military risk in executing the missions called for in the National Security Strategy, Quadrennial Defense Review and National Military Strategy. By considering the range of operational, future challenges, force management, and institutional factors, the CRA provides a holistic assessment of the ability of U.S. Armed Forces to meet strategic requirements in the near-term. The Chairman submits the CRA through the Secretary of Defense, who then forwards it to Congress along with his congressionally-mandated annual Risk Mitigation Plan, and additional com-

ments as necessary. The Chairman may also include in the report his recommendations for mitigating risk, such as changes in strategy, development of new operational concepts or capabilities, increases in capacity, or adjustments in force posture or employment.

Question. If confirmed, what changes, if any, would you propose in how OUSD(I) supports the CRA or how it is used to support other strategy decision processes?

Answer. At this time, I do not recommend any specific changes in how OUSD(I) supports the CRA process. However, the CRA may prove useful during the Joint Staff's annual Capability Gap Assessment by underpinning Joint Requirements Oversight Council decisions related to mitigating Combatant Commands' most critical capability gaps. The CRA would be helpful in prioritizing capability gaps and informing Joint Requirements Oversight Council recommendations on where to apply resources or other risk-reduction activities to mitigate the most critical DOD capability gaps. As an advisory member of the Joint Requirements Oversight Council and the DOD Program Executive for the Military Intelligence Program, the USD(I)'s role is to ensure all parts of the intelligence, surveillance, and reconnaissance architecture are integrated and optimized to meet warfighter needs.

COMBATING TERRORISM

Question. What is your understanding and assessment of the Department's comprehensive strategy for combating terrorism, both at home and abroad?

Answer. The President's stated goal to disrupt, dismantle, and defeat al Qaeda and its affiliates is supported by the Department's counterterrorism strategy which focuses first on operational and regional defeat and then strategic and global defeat. Operational defeat of al Qaeda and its affiliates requires conducting operations to render these organizations incapable of planning and conducting attacks, denying them sanctuary and severing relationships to groups providing support to al Qaeda. Strategic defeat could then be achieved by preventing al Qaeda's resurgence.

Achieving both operational and strategic defeat of al Qaeda requires a sustained global counterterrorism campaign with mutually reinforcing direct and indirect lines of operation. Building the capacity of our partners, preventing the acquisition and use of WMD, and countering radicalization is necessary, in addition to conducting operations to directly disrupt and dismantle terrorist groups.

Within areas of hostilities, the Department has a lead role in conducting these activities, along with our international partners. Outside such areas where named operations authorized by the President are being conducted, the Department plays a complementary role to other instruments of national power. Recognizing that al Qaeda and its affiliates remain the most dangerous threat to the United States, my assessment is the Department—in conjunction with the whole of U.S. Government and our international partners—has the correct counterterrorism strategy in place, and it is increasingly more effective.

Question. If confirmed, how would you fulfill your responsibilities related to combating terrorism?

Answer. If confirmed, I will ensure the Defense Intelligence Enterprise is fully engaged in the Department's counterterrorism strategy and supportive of all efforts to defeat al Qaeda. The goal is to ensure we have the intelligence capabilities we need to achieve the President's counterterrorism objectives, by working closely with Military Departments and Services, the Combat Support Agencies, combatant commanders, the wider Intelligence Community, and our international partners.

Question. How can the Department best structure itself to ensure that all forms of terrorism are effectively confronted?

Answer. Close collaboration among U.S. departments and agencies and with our international partners is essential to our counterterrorism success. One example of this was the establishment of the Joint Interagency Task Forces, which have ensured full interagency contributions to the fight. The Department has developed a close operational partnership with the CIA and the Intelligence Community, and substantially strengthened our international capacity building efforts. I believe these types of actions posture the Department to effectively combat terrorism.

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

Answer. If confirmed, I would seek to build on and extend these interagency and partner collaborations. These previous efforts have resulted in significant improvements in coordination of operations and interagency concurrence; I would work hard to move the Department and its partners toward further integration of intelligence operations and counterterrorism efforts.

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

Answer. Special Operations Forces coordinate their intelligence activities with the Intelligence Community as required by applicable law, policy, and agreements. My understanding is that SOCOM liaises with members of the Intelligence Community in the Washington, DC, area, at the Headquarters in Tampa, FL, and on the battlefield. If confirmed, I would work to ensure the demonstrable gains achieved in intelligence coordination with the interagency and international partners over the last 12 years are not only sustained, but continue to improve in order to achieve the U.S. Government's counterterrorism goals.

COMBATING PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

Question. What is your assessment and understanding of the Department's strategy for countering the proliferation of WMD, and how that strategy fits into the broader national strategy to counter WMD proliferation?

Answer. Because of my previous experience on the Office of the Secretary of Defense (OSD) staff, I know that the Department's strategy pursues robust counterproliferation policies and capabilities to prevent, deter, defend against, and respond to WMD threats. The DOD strategy supports the National Strategy to Combat WMD and related national strategic guidance through military force planning and doctrine to organize, train, exercise, and equip U.S. Armed Forces to combat WMD, in addition to preparing appropriate plans to address the defense-related aspects of combating WMD.

Question. If confirmed, how would you fulfill your responsibilities related to countering the proliferation of WMD?

Answer. If confirmed, I will work with the USD(I) to provide guidance and oversight to Defense Intelligence organizations and ensure that the Defense Intelligence organizations respond to the direction and priorities of the Director of National Intelligence, the Secretary of Defense, and DOD components with respect to WMD threats. Furthermore, I will support USD(I) efforts to evaluate the effectiveness of Defense Intelligence capabilities in identifying and assessing WMD threats.

Question. How can the Department best structure itself to support the mission of countering the proliferation of WMD?

Answer. If confirmed, I would continue to make this question a focus, just as I understand it has been for the USD(I). Based on my previous experience on the OSD staff, it is my sense that, consistent with national strategy, the Department has efforts in place to support the mission of countering WMD proliferation in a number of key ways, including interdiction and elimination operations, active and passive defense, consequence management, security cooperation and partner activities, and threat reduction cooperation.

These missions rely on timely and actionable intelligence in a number of areas, including: the state of nations' WMD programs; terrorists' interest in those efforts; existing proliferation networks; national proliferation activities; and the security status of WMD facilities, including possible threats and vulnerabilities.

Question. Are there steps the Department should take to better coordinate its efforts to counter the proliferation of WMD with those of other Federal agencies?

Answer. We must continue robust efforts to counter proliferation of WMD using all available national and international authorities and apply all elements of national power—diplomatic, economic, intelligence, law enforcement, and military. Collaboration and integration among all relevant departments and agencies are key factors for the administration's strategy to combat WMD. Senior level attention can help ensure Federal agencies—as well as other key partners such as at the State and local level and internationally—remain synchronized and focused on the top priorities. If confirmed, I look forward to studying the opportunities for USD(I) to contribute to this important priority.

Question. If confirmed, how would you ensure intelligence activities carried out by DOD entities and forces are adequately coordinated with other activities carried out by other elements of the Intelligence Community?

Answer. If confirmed as PDUSD(I), I look forward to working with IC partners in global layered defenses to prevent, detect and respond to the threat or use of WMD by terrorists. We must continue to develop tools and capabilities with IC partners to detect and disrupt the movement of WMD including precursor materials. Because we can never be certain of our ability to prevent or protect against all potential WMD terrorist attacks, collaboration among IC partners to manage and mitigate the consequences of such attacks continues to be necessary, as is improving our capabilities to attribute their source. Thus, continued work is necessary to harness,

in an effective multinational way, all relevant collective resources to establish more coordinated and effective capabilities to prevent, protect against, and respond to the global threat of WMD terrorism.

RPA - TITLE 10 VS. TITLE 50 OPERATIONS

Question. According to published reports, U.S. Special Operations Forces (SOF) and the CIA conduct counterterrorism strikes using armed Remotely Piloted Aircraft (RPA). For example, RPA strikes by both U.S. SOF and the CIA have reportedly been conducted in Yemen. Other published reports indicate the Presidential Policy Guidance on Counterterrorism dictates a shift in all lethal RPA operations to DOD.

In your view, what are the advantages and disadvantages from a legal and operational perspective of moving all lethal RPA operations to DOD?

What is your understanding of the milestones that would need to be achieved for such a shift to occur? How long do you believe it will take to achieve these milestones?

Do you expect responsibility for certain geographic areas will transition more rapidly than others? If so, which ones?

Do you expect aircraft and/or personnel will be transferred from the CIA to the operational and tactical control of DOD in the near term as part of this transition?

If confirmed, how would you ensure that lessons learned, including tactics, techniques, and procedures, for the use of armed RPA are captured and transferred to DOD?

In response to a series of questions about counterterrorism operations on Meet the Press, former-Secretary Panetta indicated that “a lot more of this [counterterrorism operations] can be put under title 10” and that “the advantage to it is that it becomes much more transparent in terms of what we’re doing.”

Do you share former-Secretary Panetta’s observation that there has been a limited amount of transparency with respect to title 50 U.S. counterterrorism operations?

Do you believe additional transparency would better enable the U.S. to push back against claims of civilian casualties resulting from drone strikes?

Answer. With reference to this question set, I am not able to comment in this medium on such activities other than to say that I support the President’s policy on the operation of such aircraft, as articulated in his May 23, 2013, speech at the National Defense University and in related Presidential Policy Guidance. I understand the U.S. military has extensive experience in the use of remotely piloted aircraft to conduct intelligence, surveillance and reconnaissance, as well as direct action during armed conflict. The appropriate role of DOD in operating remotely piloted aircraft, weighing the advantages and disadvantages, is essentially a policy decision for the President to make. If confirmed, my focus will be to provide the best counsel possible on the intelligence and operational value for such operations and help ensure compliance with applicable policy in conducting such operations. I also look forward to supporting the USD(I) and other senior administration officials in a constructive ongoing dialogue with the committee on this and related issues.

COUNTERTERRORISM COOPERATION

Question. Non-DOD elements of the Intelligence Community (IC) and the military offer unique strengths with regard to intelligence collection against terrorism targets, spanning across the various forms of intelligence (e.g. human and signals intelligence).

What is your understanding of the extent to which the military and non-DOD IC elements collaborate on counterterrorism objectives?

Answer. My understanding is there is extensive collaboration on counterterrorism objectives with the non-DOD IC elements. This is done in several ways: participation in Joint Interagency Task Forces, sharing information on intelligence sources and methods, and exchanging officers at all levels of operations. I believe the Department and non-DOD IC elements should continue to look for opportunities to leverage each other’s strengths and improve collaboration.

Question. If confirmed, how would you seek to strengthen this collaboration?

Answer. If confirmed, I will seek, in concert with counterparts at the DNI, to enable better, faster, and deeper sharing of counterterrorism data, while remaining cognizant of the problem we face with respect to risks of unauthorized disclosure of classified information. There has been significant progress in this area that can stand as an example for future efforts. For instance, my understanding is the move to a common, integrated network in Afghanistan—the Afghan Mission Network—and one common database—the Combined Information Data Network Exchange—supports intelligence, military operations, command and control and logistics across

all U.S. entities and 46 partner nations. This approach of establishing a common network and common database has allowed us to ensure that all releasable national, tactical and commercially available data from across the DOD and IC is available and discoverable.

Question. What are the major obstacles to achieving greater collaboration?

Answer. Two of the longstanding challenges to integrating the intelligence capabilities of DOD with those of the Department of Homeland Security and other associated Federal, State, and local agencies have been IT system compatibility and effective guidance on sharing classified information. With the issuance of Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector (SLTPS) Entities, we have made significant progress on the latter. The Executive order establishes the right balance between sharing classified information with SLTPS entities in support of homeland defense, while ensuring proper safeguards are in place for protecting information from unauthorized disclosure. If confirmed, I will seek to achieve similar progress against the challenge of IT system compatibility.

CYBER AND INFORMATION OPERATIONS

Question. Information operations, as currently defined by DOD, include electronic warfare, operational security, computer network operations, psychological operations, and military deception. Each of these lines of operations is unique and complex, and, in some cases, they are interwoven.

The establishment of U.S. Cyber Command organizationally separated cyber operations from the other elements making up "information operations." How does this separation complicate integration across these elements, and what is your understanding of the Department's efforts to mitigate its impact?

Answer. If confirmed, I look forward to studying this question further. My current understanding is that Information Operations as currently defined refers to the integration of various information activities to achieve effects across the information environment, which includes the cyber domain. The establishment of U.S. Cyber Command does not change the relationship of cyberspace operations to the other capabilities necessary for DOD to conduct information and cyber-related operations. It will, however, enhance our ability to conduct information operations in the cyber domain.

Question. The National Defense Authorization Act for Fiscal Year 2014 (S. 1197) includes a provision (section 941) that would require the Secretary of Defense to designate a Senate-confirmed official within the Office of the Under Secretary of Defense for Policy to provide oversight and resource management of U.S. Cyber Command's offensive cyber mission.

What are your views on the roles assigned to USD(I) and the Under Secretary of Defense for Policy with respect to information operations, and particularly offensive computer network operations? If confirmed, what changes, if any, would you consider recommending to the Secretary of Defense and the USD(I)?

Answer. My current understanding is that the information operations policies as outlined in Directive 3600.01 adequately define the roles and responsibilities of both the USD(P) and the USD(I). If confirmed as PDUSD(I), I will endeavor to support the USD(I) in fulfilling these responsibilities and support the efforts of the USD(P) in the execution of all assigned responsibilities under this Directive. Additionally, I will view it as a priority to play an appropriate role in the oversight of offensive computer network operations, now termed offensive cyber effects operations.

Question. The National Defense Authorization Act for Fiscal Year 2014 (S. 1197) includes a provision (section 901) that would transfer supervision from the Under Secretary of Defense for Intelligence (USDI) to the Chief Information Officer (CIO) of the Information Assurance Directorate (IAD) of the National Security Agency (NSA). This action is recommended because the cybersecurity mission of the NSA IAD falls under the CIO and not the USDI.

What are your views on the most appropriate oversight of the information assurance and information systems security program by the Office of the Secretary of Defense?

Answer. My understanding is that currently the DOD CIO is responsible for providing policy guidance to the Director, National Security Agency/Chief, Central Security Service, regarding network operations and cybersecurity matters in consultation and coordination with the Under Secretary of Defense for Intelligence. I believe that this relationship is effective and allows for proper oversight of these functions.

INFORMATION SHARING

Question. There are still strong barriers to sharing, or allowing access to, the mass of raw intelligence data that has not been included in finished reports or analyses and approved for dissemination within the Intelligence Community. Counterbalancing the objective of sharing more broadly is the need to protect sources and methods and the privacy of U.S. persons.

Despite these barriers, we have also seen recent examples of leaking massive amounts of data by DOD employees and contractors who have been given access to data shared across organizations. Leaking such information has the potential to do serious damage to our national security.

What are your views about whether it is possible to provide greater access to counterterrorism data to analysts and Special Forces while adequately protecting intelligence sources and properly minimizing exposure of U.S. persons' information?

Answer. During my tenure on the OSD staff, I have seen the Department make progress towards increasing access to counterterrorism data for those who demonstrate a need for it, while also recognizing both our responsibility to protect sensitive sources and methods and to respect U.S. civil liberties and privacy laws. Mechanisms continue to be developed to better recognize U.S. person information and minimize the chances of human error. These mechanisms include the development of better policies, improved processes, smart systems, and active oversight by both the Intelligence Community and components of the Defense Intelligence Enterprise. Collectively, these mechanisms can help maximize access while minimizing risk.

Question. How should we achieve the proper balance between sharing of information more broadly and protecting sensitive sources and methods?

Answer. I believe that a careful balance should exist between the need to share intelligence information and protecting sources and methods. I agree with an observation Dr. Vickers has made that the need to share cannot trump the need to know, nor can the fear of protecting sources and methods override the necessity to provide necessary information when it is needed most. Finding the proper balance between sharing information and protecting sources and methods is not a static target; it is, in fact, constantly moving, depending upon specific situations, risks, and urgency. The key to success is recognizing the threshold and circumstances for sharing certain information and making sure others recognize it as well.

Question. What role do you expect to play in addressing this issue if confirmed to be PDUSD(I)?

Answer. If confirmed as the PDUSD(I), I will seek to foster continued policy refinements and refinements in training and capability development to help change behaviors and culture within the DOD enterprise. I will ensure that "need to share" remains in healthy tension with "need to protect". I will continue to drive the DNI's and USD(I)'s "Write for Release" policy by ensuring its tenets are taught at our schoolhouses, incorporated into our systems, and practiced at our analytic centers. I will work closely with our DOD and non-DOD partners to identify best practices and develop new incentives to reward prudent and effective information sharing.

HOMELAND DEFENSE

Question. In your view, what progress has been made in integrating the intelligence capabilities of the DOD with those of the Department of Homeland Security and other associated Federal, State, and local agencies?

Answer. From my experience on the OSD staff, I believe DOD considers itself a valuable partner and enabler to the greater homeland defense effort. DOD works with its partners in the Intelligence Community to ensure relevant intelligence information is shared appropriately with domestic law enforcement and security agencies. Recent initiatives include DOD funded interagency collaboration in the areas of counterterrorism, countering transnational organized crime (CTOC), and maritime domain awareness. DOD also provides domestic agencies with valuable instruction in the detection of improvised explosive devices, conducting terrorism analysis, and mapping cultural terrain. Lastly, DOD fosters interagency integration via the embedding of DOD personnel in other agencies, including the National Counterterrorism Center, FBI Field Intelligence Groups, and FBI joint terrorism task forces.

In addition, DOD has moved forward in formally integrating DOD intelligence capabilities with those of our Federal, State, and local partners. For example, in October, 2012, the Deputy Secretary of Defense designated the USD(I) as the DOD Senior Agency Official to implement Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities (SLTPS). Pursuant to this responsibility, DOD is negotiating a memorandum of understanding with DHS to allow State, Local, and Tribal Fusion Centers to access

the Secret Internet Protocol Router Network to support the Fusion Centers' mission of ensuring the safety of the U.S. Homeland.

Question. What challenges lie ahead for achieving better integration?

Answer. I believe that successful integration demands that we promulgate effective guidance for sharing classified information and sustain attention at both leadership and operational levels. The recent publication of Executive Order 13587 "Structural Reforms to Improve the Security of Classified Networks and the Responsible Sharing and Safeguarding of Classified Information" helps enable the sharing of classified information. In addition, the DNI has promulgated guidance that further mandates effective information sharing practices. As architectures and systems connect the Intelligence Community to new partners in national security, ensuring guidance remains current, applicable and fully-coordinated across the U.S. Government will be of continuing importance.

Question. Does the DOD's existing process for setting requirements adequately support the establishment of intelligence requirements for the homeland defense mission?

Answer. My understanding is that DOD's current intelligence requirements process includes the Homeland Defense mission. DOD intelligence requirements continue to compete for finite resources, so ensuring that Homeland Defense priorities are incorporated in Defense intelligence priorities is a challenging, yet worthwhile endeavor. DOD is exploring ways to reconcile these diverse intelligence requirements and is actively working to improve the process.

DEFENSE CLANDESTINE SERVICE

Question. DOD announced an initiative last year to establish a Defense Clandestine Service (DCS) that would be patterned after the National Clandestine Service (NCS).

Do you support the expansion of the DCS? If so, why?

Answer. The implementation of the DCS is an important initiative to improve the operational effectiveness of defense human intelligence (HUMINT) operations and I fully support this initiative. My understanding is the DCS initiative is not an expansion, but a realignment of existing resources, a repositioning and rebalancing of capabilities to improve the Department's collection against our highest priorities. The implementation of the DCS will also incorporate other benefits to the Department by enhancing our strategic partnerships with other Intelligence Community agencies, and by improving the career management and utilization of our clandestine military and civilian collector cadre. If confirmed, I look forward to supporting the USD(I) in a continued dialogue with the oversight committees about achieving our shared goals of enhancing U.S. HUMINT collection in the defense context.

Question. In imagery intelligence, signals intelligence, and overhead reconnaissance, the Intelligence Community operates through a single consolidated agency to meet the needs of national policymakers and DOD. In HUMINT, however, there are two separate organizations funded by the National Intelligence Program budget, one run by the CIA and one managed by DIA.

What is the justification for two organizations in this mission area in a time of severe budget austerity?

Answer. DOD maintains organic HUMINT collection capabilities because it operates under different authorities than the CIA and also responds to different customers, priorities, requirements, and targets. Under title 50, U.S.C., DOD must satisfy the overall intelligence needs of the Department, including the needs of the Joint Chiefs of Staff and the combatant commanders. The Secretary of Defense established DCS on 20 April 2012 to provide enhanced collection against high priority national and defense requirements. It is my current understanding that the DCS will operate within existing resources and will complement rather than duplicate the collection activities of the CIA.

Question. Would you be supportive of a pilot program to assess the feasibility, advisability, and cost effectiveness of establishing a military division within the NCS that is responsive to the needs of the Defense Department yet resides within and utilizes the resources of the Central Intelligence Agency?

Answer. If confirmed, one of my key responsibilities in my new position will be to monitor the effectiveness and cost effectiveness of many different DOD intelligence programs, to include the DCS, and to make program adjustments as necessary. It is my current sense, however, that it is premature at this time to consider a pilot program establishing a military division within the CIA. The Department has provided Congress with a 5 year DCS implementation plan that proposes increased operational integration with CIA. I believe at this time that the Department should first be given the opportunity to assess the performance of DCS and efforts

towards enhanced integration with IC partners before trying a pilot program. I believe the Department's assessments of DCS performance should be shared with Congress, and if confirmed, I look forward to supporting the USD(I) in a continued dialogue with the oversight committees about achieving our shared goals of enhancing U.S. HUMINT collection in the defense context.

USD(I) ROLE IN INTELLIGENCE PERSONNEL, ACQUISITION, AND POLICY

Question. DOD senior leaders include Under Secretaries responsible for personnel, policy, and acquisition matters, yet the OUSD(I) includes staff with responsibilities for each of these areas as they apply to the intelligence mission.

In your view, should the OUSD(I) staff continue to duplicate the functions and resources of these other Under Secretaries? If so, why?

Answer. In support of the USD(I), I look forward to assessing this in more detail, if confirmed, as the current fiscal environment does require a careful look to ensure inefficiencies and unnecessary duplication are eliminated across headquarters elements. As I have observed from my current and previous capacities on the OSD staff, I have not viewed the OUSD(I) staff functions as duplicative, but instead complementary. The USD(I) focuses on the unique authorities and requirements of the Intelligence Community workforce, managing the Defense Civilian Intelligence Personnel System (DCIPS) under title 10 that is designed to respond to the unique requirements of the Defense Intelligence workforce. For the goals of the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA) to be realized, the Defense Intelligence personnel system must work in tandem with those of other IC members (the Office of the Director of National Intelligence, the Central Intelligence Agency, the Federal Bureau of Investigation, etc.)

My understanding also is that OUSD(I) provides advice and assistance to OUSD(AT&L) concerning acquisition programs and processes that significantly affect Defense intelligence, counterintelligence, and security components. Specifically, intelligence analysts with acquisition experience provide acquisition decisionmakers the clearest picture of intelligence capabilities, the cost to address shortfalls, and the risk if the intelligence needs cannot be met. In this climate of ever-changing threats, rapid technological advancement, and reduced resources this cross-functional analysis ensures discovery of cross-enterprise efficiencies. Additionally, OUSD(I) works closely with OUSD(AT&L) and ODNI on programs that are funded by the National Intelligence Program and executed in the Department. This advice and assistance is integral to OUSD(I)'s Military Intelligence Program oversight and Battlespace Awareness Capability Portfolio Management responsibilities.

IMPACT OF SEQUESTRATION

Question. What is your assessment of the impact that sequestration would have on intelligence capabilities to support the combatant commands and the Leadership of the Department if it is sustained in fiscal year 2014?

Answer. In a period of unprecedented fiscal uncertainty, the Department, including its intelligence components, has had a significant challenge over fiscal year 2013 to operate as good stewards in meeting near term operational requirements. The technical mechanism of sequestration—reducing discretionary spending proportionally across all programs, projects, and activities without regard to their relative impacts on national security—creates systemic waste and inefficiency, significantly impeding the ability to support the intelligence requirements of the Combatant Commands and the Department's leadership. I would urge Congress to pass the President's budget as soon as possible to preserve our critical intelligence capabilities.

Question. What is your assessment of the impact of sequestration on intelligence capabilities to support the combatant commands and the Leadership of the Department if it is sustained for the full duration outlined in the Budget Control Act?

Answer. There is a strong case to be made that the threat environment we are facing in the face of fiscally-driven force structure reductions will require greater investments in intelligence. Others advocate a proportionate reduction to intelligence with force structure. It is premature to predict how the Department will resolve these strategic decisions, but we are on a path to provide an answer with the 2015 budget submission and the 2014 Quadrennial Defense Review.

From an intelligence specific perspective, however, although technology is critical to our Nation's intelligence capabilities, ultimately it is the quality of the intelligence workforce that determines the quality of intelligence support. I am deeply concerned with the impact of long-term fiscal uncertainty on the training, compensation, morale, and retention of the intelligence workforce.

NEED FOR INDEPENDENT INTELLIGENCE ANALYSIS

Question. Intelligence Analysis should be independent and free of political pressure that it reach a certain conclusion, including a conclusion that fits a particular policy preference.

If confirmed, how would you ensure that all intelligence analysts within DOD, including those who may be seconded to offices that are not part of the defense intelligence structure, are free from such pressure?

Answer. If confirmed, I would work with IC leaders to reinforce analytical tradecraft standards as established in Intelligence Community Directive 203 (Analytical Standards), and reaffirm the importance of objective and independent analysis at all levels. There is and should be no tolerance for pressure of any kind on analysts to reach certain conclusions.

Question. Under what circumstances, if any, do you think intelligence officers and analysts should be able to testify to Congress on their professional conclusions regarding a substantive intelligence issue even if those views conflict with administration positions?

Answer. If Congress requires testimony on a substantive intelligence issue, it should be provided, whether or not it conflicts with an administration position.

CONTROL OF INTELLIGENCE AGENCIES WITHIN THE DOD

Question. The IRTPA of 2004 granted the DNI control over the preparation and execution of the National Intelligence Program budget and tasking of national intelligence operations. However, IRTPA also contained language asserting that nothing in the act should be construed so as to impair the authorities of secretaries of cabinet departments, and the Secretary of Defense has delegated “direction, control, and authority”—the highest form of authority in the executive branch—over the national intelligence organizations within DOD to the USD(I).

What are your views on the balance of authorities accorded in IRTPA to the DNI and to cabinet secretaries, particularly the Secretary of Defense?

Answer. In my view, IRTPA struck a proper balance of authorities in that it gave the DNI strong authority over core intelligence functions for the National Intelligence Program, such as setting requirements and budgets, as well as determining priorities for and managing the analysis and dissemination of national intelligence. The Secretary of Defense retains the responsibility for execution of DOD intelligence activities, and has primary responsibility for leadership and management. The Intelligence Authorization Act for Fiscal Year 2010 significantly increased the authorities of the DNI regarding leadership and management functions in the IC. DOD and the ODNI staffs have together devoted considerable time and attention to implementing these authorities in a manner that gives full effect to the act while avoiding unnecessary duplication of effort and preserving the Secretary of Defense’s ability to execute his statutory responsibilities with respect to DOD’s intelligence components.

Question. What are your views on the extent of the grant of “direction, control, and authority” to the USD(I) over DOD national intelligence organizations?

Answer. Statutory provisions in both title 10 and title 50, U.S.C. assign authority, direction, and control to the Secretary of Defense over DIA, NSA, NGA, and NRO as components of the Department, consistent with the statutory authorities of the DNI. In my view, this balance of authorities is appropriate. This is also clearly stated in the current USD(I) charter.

Question. Do you believe that the relationships, authorities, processes, and structures in place between the DOD and the DNI provide sufficient influence for the DOD to ensure that the intelligence capabilities DOD will need in the future to prepare for and conduct military operations will be developed and acquired through the National Intelligence Program?

Answer. Yes. I believe that current relationships, authorities, processes and structures in place between DOD and the DNI have produced highly effective support by NIP resources for military operations.

ANALYTIC CAPABILITIES AND CAPACITY

Question. The DOD Inspector General (IG) recently issued an assessment of DOD long-term intelligence analysis. The assessment concluded that the Department has significant problems in three areas. One is broadly termed “nontraditional support” to the combatant commands in such areas as shaping the environment and deterring potential adversaries, partner engagements, long-term analysis for campaign planning, and evaluation of cyber threats. A second is scientific and technical intelligence support to the acquisition process. A third problem area is lack of in-depth expertise in the analytic workforce.

Do you agree with the IG's assessment? If so, how do you believe the Department can address these problems despite declines in budgets and personnel levels, while sustaining support for counterterrorism and other transnational requirements, and the pivot to the Pacific?

Answer. I am not familiar with this assessment, but if confirmed, I will review it and discuss the IG's observations with Dr. Vickers to ascertain the best way to address the issues raised. In general, I know that the impact of budget and personnel reductions will be factored into the design of these efforts, but I am committed to ensuring that the capabilities of the analytic workforce are systematically and systemically improved. If confirmed I will continue to look for ways to improve effectiveness and efficiency in these areas.

Question. Similarly, the National Commission for the Review of the Research and Development (R&D) Programs of the U.S. Intelligence Community recently concluded that the Intelligence Community makes only a "limited effort" to discern and exploit the strategic research and development intentions and capabilities of our adversaries.

The Director of the Defense Intelligence Agency (DIA) recently established a new Defense Intelligence Officer for Science and Technology Intelligence. Why was this position established; what is the mission of this office; and how does it relate to the findings of the IG and the National R&D Commission?

Answer. My understanding is the Defense Intelligence Officer for Scientific and Technical Intelligence (DIO S&TI) was established in December 2012 in response to a DIA Director Advisory Board recommendation as well as the DIA Scientific and Technical Intelligence Framework—both of which informed the National Commission for the Review of the Research and Development Programs of the U.S. Intelligence Community. The DIO S&TI is the Defense Counterpart to the National Intelligence Mission Manager for Scientific and Technical Intelligence.

The DIO S&TI is charged with developing the first Defense Intelligence Enterprise Scientific and Technical Intelligence Strategic Intelligence Plan (SIP). The SIP is an advisory document to posture and align, over the next 7 years, DIA, the Combatant Command (CCMD) J2s, and the Military Service Intelligence Centers to discern and exploit the strategic research and development intentions and capabilities of our adversaries. It is designed to reduce the risk of strategic technical surprise and assist program and resource managers with mission prioritization across the General Defense Intelligence Program, DIA Military Intelligence Program, and the Department of Defense Foreign Counterintelligence Program. In addition to the SIP, the DIO S&TI directly supports and partners with USD(AT&L) and ASD(A) to improve scientific and technical intelligence support to the acquisition process.

The DIO S&TI has met with members of the National R&D Commission and is sponsoring a meeting with Commission members and the DIA Director and Deputy Director in October 2013. In discussions with members of the Commission, they indicated their support to the DIO S&TI's efforts regarding the SIP. Specifically, both the Commission members and the Principal Deputy Director of National Intelligence have indicated that the SIP will serve as the roadmap to address foreign strategic research and development and support the identification of areas for U.S. exploitation.

SCIENCE AND TECHNOLOGY

Question. What technical challenges does the Intelligence Community face that in your opinion are currently not being addressed adequately by DOD science and technology (S&T) efforts?

Answer. If confirmed, I would continue to address challenges in making the best use of existing and planned sensors in a rapidly changing environment, and then exploiting data coming from those sensors to answer the hard intelligence questions. The Department must continue its significant efforts to protect our critical space systems and data networks from our adversaries.

In my view, however, there are several emerging S&T shortfalls on the horizon that the Department will need to address. The impact of next-generation communications, cryptography, sensors, and computing requires an understanding of adversarial investments and capability developments, as well as whether the Department has the appropriate investment strategy to maintain U.S. capability advantage. The Department needs to better understand the impacts and accelerating rate of change of developing open-source and social media on both offensive and defensive intelligence capabilities and threats. DOD must reinvigorate S&T investments in counterintelligence capabilities to detect and counter the insider threat; identify, track, and counter the cyber activities of Foreign Intelligence Entities; and protect U.S. intelligence personnel from active discovery and targeting.

Question. How should the S&T portfolio contribute to rationalizing intelligence capability as we draw down forces after Iraq and Afghanistan?

Answer. If confirmed, I would ensure an appropriate focus on the development of sources, tools and techniques for new and diverse operating environments. Understanding the complexity of intelligence support to small units in distributed operations while working through international partners is important to shaping the environment for campaign planning. Information sharing with nontraditional partners, law enforcement and coalitions provide additional challenges. Finally, there are lessons learned for the IC across the board from counterinsurgency and counterterrorism operations that will need to be reflected in future partnerships.

The S&T portfolio must support the development of novel collection and analysis capabilities tailored to the future operating environment. We must rationalize intelligence sharing policies with nontraditional partners, law enforcement and coalitions, and ensure we deliver intelligence systems that meet those operational requirements. We must also improve our capacity to ingest and process intelligence information provided by such partners for use in our Defense Intelligence Enterprise.

Question. What are your views on the specific missions, concepts of operation, technical viability, and affordability of airships as long-duration, high altitude ISR sensor platforms?

Answer. The Department recognizes persistence as a key development capability for future intelligence surveillance and reconnaissance fleet and continues to advocate for research in the area of stratospheric airships. Theoretically, the potential exists to accomplish multi-year, wide area surveillance, long stand-off distance, airship missions at relatively low operating cost. However, technological and financial hurdles remain before the Department commits to fielding a high altitude airship.

Question. What specific S&T-related efforts should DOD be pursuing to understand the human, social, cultural terrain of adversaries?

Answer. In my time on the OSD staff, I have witnessed the Intelligence Community make significant progress in developing new concepts and methodologies that include social and cultural insight into the operating environment. I believe these concepts and methodologies have proven critical to understanding our national security challenges, and if confirmed, I would support pursuing the necessary science and technology developments to transition these efforts from a labor intensive process today to a more automated process in the future. Advanced automated processing would allow for the automatic ingestion and processing of diverse sources of audio, text, and imagery in order to extract meaning and context from all sources, enabling more rapid and accurate analysis of the human, social, and cultural terrain, enhancing our intelligence capabilities

ROLE OF THE DOD INSPECTOR GENERAL IN SUPERVISING THE DEFENSE INTELLIGENCE AGENCIES' INSPECTORS GENERAL

Question. The Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111-259) established the Inspectors General of the DIA, the National Reconnaissance Office (NRO), National Security Agency (NSA), and the National Geospatial Intelligence Agency (NGA) as statutory IGs. The committee has learned that the IG of the NRO has taken the position that the DOD IG has no authority over the NRO IG as a result of this legislation, even for the purpose of establishing DOD-wide IG policy and directives.

What are your views on the relationship between the DOD IG and the IGs of the Defense Intelligence Agencies?

Answer. My understanding is that the Intelligence Authorization Act for Fiscal Year 2010 amended the Inspector General Act of 1978 to establish the IGs at the Defense Intelligence agencies as statutory IGs and gives them the authority to function independently with respect to the agency they serve. However, the Intelligence Authorization Act did not change the statutory authorities and responsibilities of the DOD IG for the entire department, to include the four Defense Intelligence agencies. Section 8 of the IG Act provides the DOD IG with specific duties and responsibilities relating to its oversight role in DOD. As Defense Agencies, the programs and operations of all four of the Defense Intelligence agencies, to include NRO, fall within those statutory responsibilities. Clearly, all agencies directly concerned and the Department as a whole will benefit from day-to-day cooperation and collaboration between the DOD IG and DIA IGs, and I will certainly encourage a strong relationship among those organizations.

SECURITY CLEARANCE REFORM

Question. The National Defense Authorization Act for Fiscal Year 2014 (S. 1197) includes a provision (section 931) that would require the Secretary of Defense and the Director of National Intelligence to reform the personnel security clearance investigation, adjudication, and transfer processes to improve security and reduce costs.

What are your views on the need for improved security, process reform, greater cost transparency, and cost reductions in this area?

Answer. Based on my previous experience on the OSD staff, I know that the USD(I) and the Secretary of Defense have been and remain committed to examining every opportunity to improve security, process reform, greater cost transparency, and cost reductions. If confirmed, I will work in support of the USD(I) with the DNI, who is the Security Executive Agent responsible for developing uniform and consistent policies and procedures to ensure the effective, efficient, and timely completion of investigations and adjudications relating to determinations of eligibility for access to classified information or to hold a sensitive position.

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 Defense for Intelligence?

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:]

QUESTION SUBMITTED BY SENATOR ANGUS S. KING, JR.

INTELLIGENCE BUDGET

1. Senator KING. Mr. Lettre, the executive branch reported an unclassified combined intelligence budget in fiscal year 2012 of \$75.4 billion (\$53.9 billion for the National Intelligence Program and \$21.5 billion for the Military Intelligence Program (MIP). Please provide your view on how, if confirmed, you plan to work with Under Secretary Vickers to identify duplication and increase efficiency within the intelligence budget while still providing all of the necessary intelligence support required for our national security.

Mr. LETTRE. Senator King, I appreciate the opportunity to address this important topic. Just as the Department's senior leadership is focusing on realigning the overall defense budget, identifying and eliminating duplication and increasing efficiency, we must do the same in the intelligence budgets. As I mentioned in the committee's hearing, I believe current budget times require us to become leaner, to trim overhead, reduce duplication, and shed underperforming activities. It will not be painless or pretty, but we must make tough choices and become stronger and better even as we become smaller.

During this critical period of declining budgets and shifting focus away from combat operations in Afghanistan, we need to ensure we retain today's intelligence advantage and that Defense Intelligence is aligned with future changes to the Department's larger force structure.

If confirmed, I will aggressively support Under Secretary Vickers' efforts to increase Joint interoperability across the Service intelligence systems and integration

with the Intelligence Community. These efforts create efficiencies by improving discovery of existing intelligence, prioritizing collection and enabling analysis to operate as an enterprise. For example, Under Secretary Vickers hosts Defense Intelligence Offsites twice a year to address the Department's most critical intelligence issues, including how to make the Department's Intelligence, Surveillance and Reconnaissance (ISR) capabilities more effective and efficient.

Further, I will engage fully in the proven processes by which the Office of the Under Secretary for Intelligence (OUSDI) identifies duplication and increases efficiency while still providing the necessary intelligence support required for our national security. OUSDI currently prioritizes, optimizes and eliminates wasteful redundancy in ISR capabilities via their yearly Battlespace Awareness (BA) Portfolio programming and MIP budgeting processes in order to obtain a collaborative investment strategy with the Services and Defense Agencies. These results are then leveraged through the BA Capability Integration Board (which includes the COCOMs) and the ISR Deputies Council—which, if confirmed, I will chair—to ensure that the budget maximizes efficiencies. Our process culminates yearly when the Under Secretary provides his recommendations to the Secretary on prioritized enhancements and risks for the Department's key ISR capabilities.

In addition to their aggressive engagement in the Department's budget process, OUSDI ensures the Departments' intelligence investments are closely synchronized with the investment of the Office of the Director of National Intelligence (ODNI) and the National Intelligence Program (NIP). If confirmed, I will work closely with the Under Secretary in constructing the joint NIP—MIP Consolidated Intelligence Guidance which coordinates the yearly actions and investments between the two programs. In addition, OUSDI participates in the ODNI's Strategic Program Reviews and senior budget review processes, where I will be the representative to the Deputy's Executive Committee. Lastly, I will provide oversight on our joint three-Star forum—the NIP—MIP Integration Group (NMIG)—which is charged with ensuring OUSDI and the ODNI are in lock-step on all Department-IC related activities. The NMIG has within the last 24 months finalized NIP—MIP Rules for the Road to help guide resource binning, signed several resource cost share Memoranda of Agreement and helped identify areas where the greater Intelligence Community might reduce duplication and achieve efficiencies.

The Under Secretary of Intelligence is well-positioned to lead changes to Defense Intelligence because it has a leadership role in both the Department of Defense and Intelligence Community resource decision processes. By engaging in these aforementioned processes and forums across both the Department and the greater Intelligence Community, I am confident we can closely manage the budget and our critical investments to reduce duplication and achieve the maximum effectiveness required for national security.

[The nomination reference of Mr. Marcel J. Lettre II follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
July 25, 2013.

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

Marcel J. Lettre II, of Maryland, to be a Principal Deputy Under Secretary of Defense (new position).

[The biographical sketch of Mr. Marcel J. Lettre II, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF MARCEL J. LETTRE II

Education:

Harvard University John F. Kennedy School of Government, Cambridge, MA

- 1998–2000
- Masters in Public Policy Degree awarded May 2000

University of the South, Sewanee, TN

- 1990–1994

- Bachelor of Arts Degree awarded May 1994

Employment record:

Office of the Secretary of Defense

- Special Assistant to the Secretary of Defense
- 2011–present

Office of the Secretary of Defense

- Principal Deputy Assistant Secretary of Defense (Legislative Affairs)
- 2009–2011

Office of Senate Majority Leader Harry Reid (Minority Leader 2005–2006)

- Senior National Security Advisor
- 2007–2009
- Senior Defense and Intelligence Advisor
- 2005–2007

U.S. House of Representatives Permanent Select Committee on Intelligence

- Professional Staff Member
- 2002–2005

Booz Allen Hamilton

- Associate
- 2000–2001

Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction

- Senior Policy Analyst
- 1998–1999

Office of the President, American University

- Senior Staff Assistant
- 1995–1997

Carnegie Endowment for International Peace

- Junior Fellow/Program Associate, Nuclear Nonproliferation Project
- 1994–1995

Honors and awards:

Department of Defense Recognitions

- Department of Defense Medal for Distinguished Public Service (2013)
- Office of the Secretary of Defense Medal for Exceptional Public Service (2011)

Academic Recognitions

- Award for Excellence in Student Teaching (2000)
- Nominee for Best Policy Analysis Exercise (2000)
- Phi Beta Kappa (1994)
- Bachelors Degree awarded Magna Cum Laude, with Honors (1994)
- Pi Sigma Alpha Political Science Honor Society (1994)
- Order of the Gown Academic Honor Society (1991–1994)
- Wilkins Scholarship (1990–1994)
- Eagle Scout (1989)

[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. Marcel J. Lettre II 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.)

Marcel John Lettre II.

2. **Position to which nominated:**

Principal Deputy Under Secretary of Defense for Intelligence.

3. **Date of nomination:**

July 25, 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:**

August 9, 1972; Gainesville, GA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)

Married to Simmons Covington Lettre (Simmons), (Maiden name: Renée Fitzsimmons Covington).

7. **Names and ages of children:**

McKinley Covington Lettre, age 11 ("McKinley").

Amelia Mills Lettre, age 9 ("Amelia").

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.

Terry Sanford Senior High School, Fayetteville, NC, 1987-1990, High School Diploma (June 1990)

University of the South, Sewanee, TN, 1990-1994, Bachelor of Arts in Political Science (May 1994)

American University, Washington, DC, 1995-1996, Non-Degree Coursework (two classes in economics)

Harvard University John F. Kennedy School of Government, Cambridge, MA, 1998-2000, Masters in Public Policy (May 2000)

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.

April 2011-Present, Special Assistant to the Secretary of Defense, Office of the Secretary of Defense, Department of Defense, The Pentagon, Washington, DC

April 2009-April 2011, Principal Deputy Assistant Secretary of Defense (Legislative Affairs), Office of the Secretary of Defense, Department of Defense, The Pentagon, Washington, DC,

October 2007-April 2009, Senior National Security Advisor, Office of Senate Majority Leader Harry Reid, U.S. Senate, The Capitol, Washington, DC,

April 2005-October 2007, Senior Defense and Intelligence Advisor, Office of Senate Majority Leader Harry Reid (2007), Office of Senate Minority Leader Harry Reid (2005-2006)

March 2002–April 2005, Professional Staff Member, Permanent Select Committee on Intelligence, U.S. House of Representatives, The Capitol, Washington, DC

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.

None.

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

Member, Council on Foreign Relations

Member, Appalachian Trail Conservancy

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.

Contribution to Obama Victory Fund, October 2012, \$2,500

Contribution to Friends for Harry Reid, October 2010, \$500

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

University and Earlier

Eagle Scout

Phi Beta Kappa

Bachelors Degree awarded Magna Cum Laude, with Honors

Wilkins Scholarship

Pi Sigma Alpha Political Science Honor Society

Order of the Gown Academic Honor Society

Graduate School

Award for Excellence in Student Teaching

Nominee for Best Policy Analysis Exercise

Department of Defense Recognitions

Department of Defense Medal for Distinguished Public Service

Office of the Secretary of Defense Medal for Exceptional Public Service

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

Ashton B. Carter, with Marcel Lettre and Shane Smith, "Keeping the Technological Edge," Chapter 6 in *Keeping the Edge: Managing Defense for the Future*. Cambridge, MA: Preventive Defense Project, Belfer Center for Science and International Affairs, Harvard Kennedy School, 2001.

Marcel Lettre, "Observations During the Early Response to the World Trade Center Incident, September 11th, 2001", Personal narrative available on the internet, September 2001.

Marcel Lettre and James Anderson, eds. *Passing the Torch: Recommendations to the Next President on Emerging National Security Issues*, New York, NY: Council for Emerging National Security Affairs, November 2000.

Marcel Lettre, ed. *Former-Soviet Nuclear Weapon and Sensitive Export Status Report*, Washington, DC: Carnegie Endowment for International Peace and Monterey Institute, July 1995.

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.

None.

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.

MARCEL J. LETTRE II.

This 23rd day of August, 2013.

[The nomination of Mr. Marcel J. Lettre II was reported to the Senate by Chairman Levin on September 24, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on October 31, 2013.]

[Prepared questions submitted to Mr. Kevin A. Ohlson by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DUTIES

Question. Subchapter XII of chapter 47 of title 10, U.S.C., establishes the U.S. Court of Appeals for the Armed Forces (USCAAF) and provides for its organization and administrative procedures.

What is your understanding of the duties and functions of the USCAAF and its judges?

Answer. The duty of the judges on the USCAAF is to ensure independent civilian oversight of the military courts. This responsibility is accomplished through appellate review of the decisions of the military courts of criminal appeals. The judges also have the duty of serving on the Code Committee which meets annually for the purpose of making an annual survey of the operations of the Uniform Code of Military Justice (UCMJ). This committee also is responsible for preparing an annual report that, among other things, provides information about the number and status of pending cases in the military court system.

The function of the USCAAF is to provide independent civilian oversight of the military justice system through appellate review of the decisions of the military courts of criminal appeals. In exercising this responsibility, the USCAAF is respon-

sible for reviewing those cases where a military court of criminal appeals has affirmed a death sentence, where a service Judge Advocate General orders a case to be sent to the USCAAF after it has been reviewed by a military court of criminal appeals, and where, upon petition of the accused and for good cause shown, the USCAAF has granted review of a decision rendered by a military court of criminal appeals.

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

Answer. First, I served as a judge advocate officer in the U.S. Army for 4 years. During that time I not only became familiar with the military justice system by serving as a trial counsel and prosecuting a number of criminal cases, I also became familiar with the men, women, mission, and ethos of the U.S. Armed Forces. I achieved the latter by attending Air Assault school, attending Airborne school, being on "jump status" as a parachutist at Fort Bragg for 4 years, deploying to four foreign countries, and serving in Saudi Arabia (with two very brief forays into Iraq) during the Persian Gulf War and being awarded the Bronze Star.

Second, I served as a Federal prosecutor in the United States Attorney's Office for the District of Columbia. In that capacity I indicted and prosecuted a wide variety of cases in a fast-paced, high-volume office, and I became very familiar with the criminal justice system and the duties and responsibilities of prosecutors.

Third, I was appointed as a member of the Board of Immigration Appeals. In that position I served in a judicial capacity deciding appeals in immigration cases. This professional opportunity enabled me to gain an understanding and appreciation of the role and function of adjudicators at the appellate level.

Fourth, I served as a senior manager within the Department of Justice, and the experiences I had in those positions would help me to run an efficient and productive chambers if I were to have the honor of being confirmed by the Senate.

Fifth, I served for 2 years as the Chief of Staff and Counselor to the Attorney General, which provided me with a broad appreciation of the policy issues that confront any criminal justice system.

Sixth, I currently serve as the Chief of the Department of Justice's Professional Misconduct Review Unit. In collaboration with the attorneys who work for me, I review instances where Federal prosecutors have been accused of misconduct, I determine whether misconduct actually occurred, I write detailed memoranda explaining my reasoning, and then I impose discipline, if appropriate. Serving in this position has reinforced for me the vital importance of performing one's duties consistent with the highest standards of honor, excellence, integrity, and fairness.

Question. Do you believe that there are actions you need to take to enhance your ability to perform the duties of a judge on the USCAAF?

Answer. Being considered for a position that is as important, as challenging, and as consequential as serving as a judge on the USCAAF is a tremendous honor, and I would very willingly take any steps that may be helpful in enhancing my ability to perform those duties. Accordingly, if I have the privilege of being confirmed by the Senate, and even during the confirmation process, I will endeavor to obtain a more in-depth knowledge of the legal issues facing the USCAAF by reviewing and refreshing my memory of the UCMJ, the Rules for Courts-Martial, and the Military Rules of Evidence, and by reading key decisions of the USCAAF and scholarly articles about the military justice system.

RELATIONSHIPS

Question. What are the respective roles of each of the following with respect to the military justice system, and if confirmed, what would your relationship be with: The Secretary of Defense.

Answer. The Secretary of Defense is authorized to be a convening authority for general or special courts-martial, and may promulgate orders and regulations that are actionable under the UCMJ. Further, because the Secretary is responsible for the formulation of policy related to matters directly affecting the Department of Defense, working through the Joint Services Committee the Secretary may propose legislative or other changes to the Manual for Courts-Martial and the UCMJ.

However, Article 141 of the UCMJ clearly states that the USCAAF is located in the Department of Defense "for administrative purposes only". Therefore, although it is unlikely that I would have any interaction with the Secretary of Defense even if I were confirmed, if I did so I would treat him or her with the greatest respect and courtesy, but I would always be mindful of the fact that, when it comes to my professional duties and responsibilities, USCAAF judges are wholly independent of the Secretary of Defense.

Question. The Chief Judge of the USCAAF.

Answer. The Chief Judge of the USCAAF is selected based on seniority of commission among those judges on the court who have not previously served in that position. The term of service is 5 years. The Chief Judge presides at court sessions, and oversees the administrative functions of the court. If confirmed, my relationship with the Chief Judge would be both collegial and respectful, but when it comes to decisionmaking in cases, I would fully exercise my independent judgment.

Question. Judges of the CAAF.

Answer. If confirmed, I would expect my relationship with the other judges on the court to be very collegial, and I would closely listen to and consider their points-of-view on all issues that come before the court. However, when it comes to a vote on a petition, a writ, or a case, if confirmed I would exercise my independent judgment in each and every matter.

Question. The military courts of criminal appeals.

Answer. The USCAAF reviews all cases where a military court of criminal appeals has affirmed a death sentence, where a service Judge Advocate General orders the case to be sent to the USCAAF after it has been reviewed by a military court of criminal appeals, and where, upon petition of the accused and for good cause shown, the USCAAF has granted review of a decision rendered by a military court of criminal appeals. If confirmed, I would give full and due consideration to the analysis and reasoning of members of the military courts of criminal appeals in each and every case that comes before me. However, I ultimately would exercise my independent judgment in deciding each case.

Question. The General Counsel of the Department of Defense.

Answer. Although the General Counsel is the chief legal officer of the Department of Defense, Article 141 of the UCMJ states that the USCAAF falls under the Department for administrative purposes only. Thus, the court does not fall under the purview, management, or supervision of the General Counsel. However, the General Counsel does have the authority to exercise those delegated duties as the Secretary may prescribe, and thus coordinates any proposed legislative changes to the UCMJ that the Joint Services Committee may recommend. If confirmed, my relationship with the General Counsel would be respectful and cordial, but I would act independently in my role as a judge.

Question. The Judge Advocates General of the Army, Navy, and Air Force, and the Staff Judge Advocate to the Commandant of the Marine Corps.

Answer. The Judge Advocates General of the Army, Navy, and Air Force, and the Staff Judge Advocate to the Commandant of the Marine Corps, provide advice on military justice matters to the Service Chiefs and to the Commandant, respectively. They are responsible for such actions as supervising the administration of military justice, overseeing the judge advocates and military judges within their service, and reviewing and taking action on certain records of trial. Additionally, a Judge Advocate General may certify questions to the USCAAF, and serves as a member of both the Joint Services Committee and the Code Committee. If confirmed, my relationship with these senior officers would be collegial and respectful, but I would always maintain my judicial independence and neutrality.

LEGAL ISSUES

Question. What do you anticipate would be the most significant legal issues you will be called upon to address if confirmed as a judge of the USCAAF?

Answer. If confirmed, undoubtedly one of the most significant legal issues I would be called upon to address would be the changes to Article 120 of the UCMJ regarding the offense of rape. I also firmly believe that when deciding cases, the judges on the USCAAF must continue to be vigilant about protecting the integrity of the military justice system from the corrosive effects of command influence and ineffective assistance of counsel. Finally, I believe the court will be confronted with issues arising from the use of emerging technology as it pertains to such issues as possession of child pornography and the right of privacy.

JURISDICTION OF THE U.S. COURT OF APPEALS FOR THE ARMED FORCE

Question. In your view, has the USCAAF fulfilled the expectations of Congress when the Court was established in 1951?

Answer. Yes, very much so. Not only has the court provided the necessary civilian oversight of the military justice system, it also has provided independent judicial review in military justice cases and has served as a bulwark against unlawful command influence.

Question. In your view, are there any legislative changes needed regarding the role and responsibilities or the jurisdiction of the USCAAF?

Answer. I am not aware of the need for any changes at this time.

UCMJ JURISDICTION OVER CIVILIANS

Question. Section 552 of the John Warner National Defense Authorization Act for Fiscal Year 2007 amended the UCMJ to clarify that persons serving with or accompanying an Armed Force in the field are subject to the UCMJ during a contingency operation as well as in a time of declared war.

What challenges, if any, do you anticipate that the armed services and the USCAAF will encounter in implementing the UCMJ with regard to persons serving with or accompanying an Armed Force in the field?

Answer. As with any new law that has not been thoroughly reviewed by the courts, there likely will be a number of challenges to this piece of legislation when and if it is invoked in any additional cases in the future. First and foremost, if it is a United States citizen who is prosecuted pursuant to this provision of the UCMJ, the issue will undoubtedly arise whether its application to a civilian violates a defendant's constitutional guarantees, such as the right to a trial by a jury of one's peers. Second, the CAAF will have to wrestle with determining the scope of the law. For example, issues that may arise in any specific case will likely include determining the definition of such phrases as "serving with or accompanying an Armed Force," "in the field," and "contingency operation." Third, there will be issues about whether the appropriate person within the military command structure exercised jurisdiction in any particular case.

The armed services also will likely encounter challenges when implementing this UCMJ provision. I anticipate that when confronted with a case where this UCMJ provision is potentially applicable, the Armed Services may become concerned about the need to delay taking action until the Department of Justice has reviewed the case to determine whether the Department of Justice will exercise jurisdiction. Further, when a particular case arises, depending upon the circumstances of the alleged offense, the American public may express concerns about the invocation of this provision of the UCMJ and the resulting prosecution of a civilian who is a United States citizen in the military justice system.

DECISIONS OF THE USCAAF

Question. Please describe the three decisions of the USCAAF since 2005 which you believe to have been the most significant.

Answer.

- *United States v. Lewis*, 63 M.J. 405 (C.A.A.F. 2006). This case reiterates the fact that unlawful command influence is the mortal enemy of military justice and that, where it is found to exist, judicial authorities must take those steps necessary to preserve both the actual fairness, and the apparent fairness, of criminal proceedings.
- *United States v. Prather*, 69 M.J. 338 (2010). In this case the accused was charged with aggravated sexual assault for engaging in sexual intercourse with a person who was substantially incapacitated. The court held that an accused's burden to prove the affirmative defense of consent by a preponderance of the evidence unconstitutionally shifted the burden onto the defense to disprove an element of the offense.
- *United States v. Lee*, 66 M.J. 387 (2008). After conviction at court-martial, the accused alleged that his detailed defense counsel failed to adequately disclose a conflict of interest. The USCAAF held that counsel provided to or retained by the accused must provide reasonably effective assistance, and that where a constitutional right to counsel exists, there is a correlative right to representation that is free from conflicts of interest.

Question. What is your view of the role of stare decisis in terms of prior decisions of the USCAAF?

Answer. The doctrine of stare decisis is an essential guiding principle for any appellate court. In the military justice system this doctrine is especially important because it provides both commanders and servicemembers with needed stability, consistency, and predictability regarding the handling of criminal offenses. However, there may be rare instances where applicable precedent should be overturned. This step should only be taken after long and careful consideration, and in those instances when it does occur, I believe the judges of the USCAAF are obligated to explain their rationale for doing so clearly, fully, and persuasively.

Question. In view of Article 36 of the UCMJ, what is your view as to the hierarchy of sources of law that must be applied by the USCAAF in determining appropriate rules of evidence and procedure in courts-martial?

Answer. First and foremost, the USCAAF must ensure that its decisions are consistent with the Constitution. The USCAAF is also bound by the decisions of the

U.S. Supreme Court. Next, the court should look to the provisions of the UCMJ, other applicable Federal statutes, and its own precedents. Then the court should apply the rules and procedures set forth in the Manual for Courts-Martial. Finally, the court should look to DOD and Service regulations.

Question. In your view, what is the appropriate standard for determining when the USCAAF should apply a rule that is different from the rule generally applied in the trial of criminal cases in the Federal district courts?

Answer. When the Manual for Courts-Martial and the Military Rules of Evidence provide guidance in a particular matter, and when that guidance is not contrary to or inconsistent with the Constitution, binding Supreme Court precedent, or the UCMJ, then those rules are applicable. It is only when the Manual for Courts-Martial or the Military Rules of Evidence are silent on an issue that the court should look to analogous rules applicable in the Federal civilian courts.

MILITARY JUSTICE SYSTEM

Question. In your view, what are the major strengths and weaknesses of the military justice system?

Answer. In my view, the following are the major strengths of the military justice system. First, every accused in the military is entitled to a free, qualified defense counsel at every step of the judicial process. Second, there are sufficient resources devoted to criminal cases in the military so that every case receives the necessary and proper amount of attention. Third, in the military justice system there is no undue pressure for either the Government or the defendant to plea bargain a case. Fourth, the accused's right to be present at, and to participate in, the Article 32 proceeding far exceeds any rights that a similarly-situated defendant would have in the civilian justice system. Fifth, the jurors in the military are uniformly educated, informed, and engaged.

In my view, the two greatest weaknesses of the military system are the potential for command influence to play a role in the ultimate outcome of a criminal case, and the flawed perception among some that the military system does out "drumhead justice" because of their mistaken belief that the rights of the accused are not adequately protected.

Question. What is your view of the relationship between the rights of service personnel and the disciplinary role of commanders?

Answer. At the core of the UCMJ is the delicate balance that exists between the rights of servicemembers on one hand and the need for commanders to maintain good order and discipline on the other hand. In the military justice context, an effective military force is grounded both on the high morale that is sustained by the knowledge and belief of the average servicemember that he or she will be treated fairly and that his or her rights will be protected, and on the ability of commanders to enforce high standards of behavior in a wide variety of situations, some of which are not analogous to those found in civilian society. In striking this balance, the UCMJ empowers a commander to take such steps as serving as the convening authority and selecting court members, while at the same time providing servicemembers with a variety of rights and with strong protections against command influence. The fact that fundamental changes to the military justice system have been relatively rare over the last 6 decades serves as a testament to the fact that the UCMJ has struck this balance correctly.

Question. Do you think that changes to the military justice system are called for in light of the experiences of the armed services in Iraq and Afghanistan?

Answer. I believe the military justice system has proven itself to be remarkably adept at adjusting to the varied situations arising out of the many operations, missions, and deployments of our Armed Forces during the last decade. Accordingly, I am not currently aware of any changes that are needed in light of the experiences of the Armed Services in Iraq and Afghanistan. However, if confirmed I would always be keenly interested in any recommendations that may be generated by the Joint Services Committee or the Code Committee, as well as any legislative proposals that may be made by, or to, Congress, including the Senate Armed Services Committee.

CAPITAL CASES IN THE ARMED FORCES

Question. The ability of the military justice system to provide qualified personnel and resources necessary to capably defend and prosecute death penalty cases and respond to the constitutional requirements associated with such cases has come under scrutiny.

What is your understanding of the requirements under constitutional precedent for the defense of a capital case?

Answer. In *Strickland v. Washington*, 466 U.S. 668 (1984), the Supreme Court established a framework for determining whether the performance of a defense counsel in a capital case was constitutionally adequate. Specifically, *Strickland* requires the defendant to prove both that the counsel's representation was deficient, and that there is a reasonable probability that, but for the counsel's deficiency, the outcome of the trial would have been different. In later cases the Supreme Court held that failure to conduct a thorough investigation of potential mitigating factors may constitute ineffective assistance of counsel. (See *Wiggins v. Smith*, 123 S. Ct. 2527 (2003); *Porter v. McCollum*, 130 S. Ct. 447 (2009).)

Question. Based on your review of military jurisprudence regarding death penalty cases since the U.S. Supreme Court ruling in *Furman v. Georgia*, what are the issues or errors that have most frequently resulted in overturning of death sentences on appeal?

Answer. In the vast majority of death penalty cases in the military that have been overturned on appeal, the reason for the reversal has been due to ineffective assistance of counsel.

Question. What do you consider to be the essential elements in preparing court-martial practitioners for the prosecution and defense in capital cases?

Answer. In capital cases it is critically important for both the trial counsel and the defense counsel to be top-notch lawyers of the highest caliber. Next, these lawyers must receive the necessary training in order to ensure that they are fully aware of all the facets of handling a capital case so that they will be informed and effective advocates at each stage of the proceedings. Further, these lawyers must have significant experience litigating cases; training is vitally important, but there is no substitute for hands-on litigation experience in the courtroom when handling a capital case. Next, the lawyers must have ready access to assistance and support in handling certain legal aspects of issues that are unique to capital cases. Lastly, the lawyers on both sides must have adequate time to prepare their cases. Even great lawyers with great training, great experience, and great access to resources cannot perform at a level commensurate with what we must demand in all capital cases unless they have adequate time to analyze and prepare the case.

COMMAND INFLUENCE

Question. The problem of command influence, including instances involving judge advocates as well as commanders, is a constant threat to the military justice system.

What is your view as to the role of the USCAAF in addressing this problem?

Answer. As the USCAAF reiterated in *United States v. Lewis*, unlawful command influence is the mortal enemy of military justice, and where it is found to exist, judicial authorities must take those steps necessary to preserve both the actual and apparent fairness of criminal proceedings. Accordingly, the USCAAF has been, and must continue to be, vigilant against the corrosive effects of unlawful command influence at every stage of legal proceedings. Further, the court must ensure that all allegations of unlawful command influence are fully litigated at trial and on appeal. Finally, in those cases where unlawful command influence has occurred, the court must take strong, appropriate action to remedy the problem.

PRECEDENT UNDER MILITARY COMMISSIONS ACT

Question. The Military Commissions Act of 2009 (MCA) provides that the judicial construction and application of the UCMJ, while instructive, is "not of its own force binding on military commissions established under this chapter." In addition, the MCA amended Article 39 of the UCMJ to provide that the findings, holdings, interpretations, and other precedents of military commissions "may not form the basis of any holding, decision, or other determination of a court-martial."

What is your understanding of the relationship between the judicial construction of the UCMJ and the judicial construction of the MCA?

Answer. The rules of evidence and procedure in the Manual for Military Commissions (MMC) differ in several important respects from those in the Manual for Courts-Martial (MCM). For example, the MMC allows for admission of certain hearsay evidence "not otherwise admissible under the rules of evidence applicable in trial by general courts-martial". The Manual notes that these differences "reflect the [Secretary of Defense's] determinations that departures are required by the unique circumstances" arising out of the conduct of certain military and intelligence operations. However, despite these differences, the procedures for military commissions are generally based on the procedures for trial by general courts-martial under the UCMJ. Nonetheless, as noted above, while the judicial construction and application of the UCMJ are to be considered instructive, they "are not of their own force bind-

ing on military commissions.” Therefore, the judges within the military commission system are authorized to interpret the MMC provisions that are the same or similar to provisions in the UCMJ in a different manner than they otherwise would be required to interpret them if USCAAF precedential decisions were binding upon them.

[The nomination reference of Mr. Kevin A. Ohlson follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
March 21, 2013.

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

Kevin A. Ohlson, of Virginia, to be a Judge of the U.S. Court of Appeals for the Armed Forces for the term of 15 years to expire on the date prescribed by law, vice Andrew S. Effron, term expired.

[The biographical sketch of Mr. Kevin A. Ohlson, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF KEVIN A. OHLSON

Education:

- Washington and Jefferson College
 - September 1978–May 1982
 - Bachelor of Arts Degree awarded May 1982
- University of Virginia School of Law
 - August 1982–May 1985
 - Juris Doctorate Degree awarded May 1985

Employment record:

- U.S. Department of Justice Professional Misconduct Review Unit
 - Chief
 - January 2011–present
- Office of the Attorney General
 - Chief of Staff and Counselor to the Attorney General
 - January 2009–January 2011
- Executive Office for Immigration Review
 - Director
 - Deputy Director
 - Member of the Board of Immigration Appeals
 - March 2001–January 2009
- Office of the Deputy Attorney General
 - Chief of Staff to the Deputy Attorney General
 - June 1997–March 2001
- Office of the U.S. Attorney for the District of Columbia
 - Special Counsel to the U.S. Attorney
 - Assistant U.S. Attorney
 - December 1989–June 1997
- Headquarters, XVIII Airborne Corps, Saudi Arabia
 - Judge Advocate Officer
 - October 1990–April 1991
- Office of the Staff Judge Advocate, Fort Bragg
 - Judge Advocate Officer
 - January 1986–December 1989

Honors and awards:

- Department of Justice Edmund J. Randolph Award (2011)
- Department of Justice Distinguished Service Award (2010)
- Department of Justice Edmund J. Randolph Award (2001)

Bronze Star (1991)
 Kuwait Liberation Medal (1991)
 Southwest Asia Service Medal (1991)
 National Defense Service Medal (1991)
 Army Achievement Medal (1989)
 Honduran Parachutist Badge (1988)
 Army Parachutist Badge (1986)
 Phi Beta Kappa (1982)
 James G. Blaine Political Science Prize, Washington and Jefferson College (1982)
 George C. Marshall Award (1981)
 Army Air Assault Badge (1980)
 Four-Year Army R.O.T.C. College Scholarship (1978)

[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. Kevin A. Ohlson 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.)
Kevin Alan Ohlson.
2. **Position to which nominated:**
Judge, U.S. Court of Appeals for the Armed Forces.
3. **Date of nomination:**
March 21, 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 29, 1960; Town of Holden, Worcester County, MA.
6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Carolyn Florence Davis.
7. **Names and ages of children:**
Matthew Edward Ohlson, age 16
Katherine Elizabeth Ohlson, age 14
8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.

Wachusett Regional High School; attended 1974 to 1978; high school diploma received in June 1978

Washington and Jefferson College; attended 1978 to 1982; Bachelor of Arts degree received in May 1982

University of Virginia School of Law; attended 1982 to 1985; Juris Doctorate degree received in May 1985

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.

Deputy Director, Executive Office for Immigration Review. I supervised the Board of Immigration Appeals and the Office of the Chief Immigration Judge; my employer was the United States Department of Justice; my office was located at 5107 Leesburg Pike, Falls Church, VA; I served in this position from December 2002 to March 2007.

Director, Executive Office for Immigration Review. I served as the head of the agency which is responsible for adjudicating all immigration cases nationwide; my employer was the U.S. Department of Justice; my office was located at 5107 Leesburg Pike, Falls Church, VA; I served in this position from March 2007 to January 2009.

Chief of Staff and Counselor to the Attorney General. I advised the Attorney General on legal issues, and I managed the attorneys and staff who worked within the Office of the Attorney General; my employer was the U.S. Department of Justice; my office was located at 950 Pennsylvania Avenue, NW, Washington, DC; I served in this position from January 2009 to January 2011.

Chief, Professional Misconduct Review Unit. I handle disciplinary actions and State bar referrals in all instances where the Office of Professional Responsibility has made a preliminary finding that a Federal prosecutor has engaged in professional misconduct; my employer is the U.S. Department of Justice; my office is located at 800 Follin Lane, S.E., Vienna, VA; I have served in this position from January 2011 to the present.

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.

I served on Active Duty as an officer in the U.S. Army from January 1986 to December 1989. I then was recalled to Active Duty from October 1990 to April 1991 and served overseas during the Persian Gulf War. I also served on inactive Reserve duty from January 1990 to September 1990, and from June 1991 to October 1995.

I served as an Assistant U.S. Attorney in the District of Columbia from December 1989 until June 1997 (with a break in service during the time I was recalled to Active Duty, as mentioned above).

I served as Chief of Staff to the Deputy Attorney General at the Department of Justice from June 1997 to March 2001.

I served as a member of the Board of Immigration Appeals at the Department of Justice from March 2001 to November 2002.

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.

Not applicable.

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

Member, American Legion (1992 to present)

Member, Veterans of Foreign Wars (1992 to present)

Member, Virginia State Bar (1985 to present; on inactive status since 1995)

Member, Bar of the District of Columbia (1992 to present)

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.

Not applicable.

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

Not applicable.

(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.

06/27/2008, \$1,000 contribution to Obama for America

07/01/2008, \$200 contribution to ActBlue

02/15/2012, \$250 contribution to Dwight Holton for (Oregon) Attorney General
 09/17/2012, \$500 contribution to the Obama Victory Fund

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

Four-year Army R.O.T.C. college scholarship (1978)
 Phi Beta Kappa (1982)
 James G. Blaine Political Science Prize, Washington and Jefferson College (1982)
 George C. Marshall Award (1981)
 Bronze Star Medal (1991)
 Southwest Asia Service Medal with Two Bronze Service Stars (1991)
 Kuwait Liberation Medal (1991)
 National Defense Service Medal (1991)
 Army Achievement Medal (1989)
 Army Air Assault Badge (1980)
 Army Parachutist Badge (1986)
 Honduran Parachutist Badge (1988)
 Department of Justice Edmund J. Randolph Award (2001)
 Department of Justice Distinguished Service Award (2010)
 Department of Justice Edmund J. Randolph Award (2011)

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

Co-author of "Dealing with the Media in High Profile White Collar Crime Cases: The Prosecutor's Dilemma," in the 1995 edition of the American Bar Association's publication, White Collar Crime.

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.

Not applicable.

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.

KEVIN A. OHLSON.

This 16th day of May, 2013.

[The nomination of Mr. Kevin A. Ohlson was reported to the Senate by Chairman Levin on September 24, 2013, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on October 16, 2013.]