

**Advance Policy Questions for Joseph W. Westphal**  
**Nominee for Under Secretary of the Army**

**Defense Reforms**

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

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

I believe the Goldwater-Nichols Act has had significant and positive impact on Department of Defense operations. I believe that the framework established by Goldwater-Nichols has substantially improved inter-service and joint relationships and promoted the effective execution of both Military Department and Combatant Command responsibilities. I believe that it is very important that the Department work with the Congress to continuously assess the law in light of improving capabilities, evolving threats, and changing organizational dynamics. I am currently unaware of any reason to amend Goldwater-Nichols, but if confirmed, I will have an opportunity to assess whether the challenges posed by today's security environment and business operations require amendments to the legislation with a view to continuing the objectives of defense reform.

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

If confirmed, I look forward to reviewing this milestone legislation and assessing whether any changes should be considered to address the challenges posed by today's security environment.

## **Qualifications**

### **3. What background and experience do you have that you believe qualifies you for this position?**

My professional background offers several areas of experience that I believe qualifies me for the position of Under Secretary of the Army. First, more than fifteen years of federal government service which includes work in the House and Senate as well as, Interior, EPA and Army. I have a working knowledge of interagency dynamics as well as budgeting, finance, legal and contracting areas within the federal and state government arenas.

In addition, my previous position as Chancellor as well as other administrative positions in higher education has provided me with experience in strategic planning, financial management, modernizing business operations and leadership. For example, as Chancellor of the University of Maine System, I implemented the most significant restructuring of the System's business operations. Through the application of a new enterprise operating system, I led the work to completely transform the highly decentralized business operations to a more efficient and cost effective operating system for all business functions.

Finally, my previous positions in the Department of Defense as an Assistant Secretary of the Army for Civil Works, Acting Secretary of the Army and a member of President elect Obama's transition team have provided me significant experience in all matters affecting the department and its relations within DoD. I have a strong commitment to building partnerships and strengthening accountability and efficiency. My earlier experience in the Department strengthened my knowledge and respect for the men and women who serve our country in uniform and the civilians who support and strengthen our institutional commitment to our national security.

## **Duties**

**Section 3015 of title 10, United States Code, states the Under Secretary of the Army shall perform such duties and exercise such powers as the Secretary of the Army may prescribe.**

### **4. What is your understanding of the duties and functions of the Under Secretary of the Army?**

As set forth above, the Under Secretary of the Army performs such duties and exercises such powers as the Secretary of the Army prescribes. The Under Secretary is the Secretary's principal civilian assistant and advisor on issues of critical importance to the Army. Further, pursuant to Section 904 of the National Defense Authorization Act for fiscal year 2008, the Under Secretary of the Army is the Chief Management Officer of the Department, with the primary management responsibility for business operations. In accordance with Section 908 of National Defense Authorization Act for fiscal year 2009, the Secretary of the Army acts through the Under Secretary in his role as Chief Management Officer to carry out an initiative for the business transformation of the Army.

**5. What recommendations, if any, do you have for changes in the duties and functions of the Under Secretary of the Army, as set forth in section 3015 of title 10, United States Code, or in Department of Defense regulations pertaining to functions of the Under Secretary of the Army?**

If I am confirmed, I will review the current assignment of duties and functions of the Under Secretary of the Army, discuss my findings with the Secretary of the Army and recommend to the Secretary any changes that I believe would enhance the Under Secretary's ability to support for the Secretary of the Army's efforts to ensure that the Department of the Army is effectively and efficiently administered in accordance with law and the policies promulgated by the Office of the Secretary of Defense.

**6. Assuming you are confirmed, what additional duties, if any, do you expect will be prescribed for you?**

I expect that the Secretary will designate me as the Chief Management Officer of the Department with all of the duties and responsibilities associated with that position. I also expect that the Secretary will assign me duties that most appropriately support his efforts to ensure that the Department of the Army is effectively and efficiently administered in accordance with law and the policies promulgated by the Office of the Secretary of Defense, taking into consideration my background and experience.

**Relationships**

**7. If confirmed, what would be your working relationship with:**

**7.a. The Secretary of Defense.**

The Secretary of Defense, as head of the Department of Defense, possesses full authority, direction, and control over all of its elements. If confirmed, and subject to the authority, direction, and control of the Secretary of the Army, I will support the policy and direction of the Secretary of Defense to the best of my ability.

**7.b. The Deputy Secretary of Defense.**

The Deputy Secretary of Defense performs such duties and exercises such powers as the Secretary of Defense may prescribe. The Deputy Secretary's responsibilities require him, from time to time, to issue guidance and direction to the Military Departments. If confirmed, and subject to the authority, direction, and control of the Secretary of the Army, I will support the guidance and direction of the Deputy Secretary of Defense. I will also support and work with the Deputy Secretary in his role as the Chief Management Officer of the Department of Defense.

### **7.c The Deputy Chief Management Officer of the Department of Defense.**

The Under Secretary of the Army is designated the Chief Management Officer for the DoA. If confirmed, I will deal directly with the Deputy Secretary of Defense (DoD CMO) and the DoD DCMO on the full range of matters dealing with the management of the DoD, and will assist in the development of a comprehensive Departmental transformation plan and business systems architecture, and help to identify and implement potential business process improvements.

### **7.d. The Director of the Business Transformation Agency.**

In accordance with Title 10, United States Code, Section 192(e)(2), the Director of the Defense Business Transformation Agency reports directly to the Deputy Chief Management Officer of the Department of Defense. Further, the 2009 National Defense Authorization Act, section 908, charges the Army's Chief Management Officer to consult with the Director of the Defense Business Transformation Agency as to the appointment of the Army's Director of Business Transformation. Further, the Director of Business Transformation of the Army reports directly to the Chief Management Officer, subject to policy guidance from the Director of the Business Transformation Agency of the Department of Defense. If confirmed, I would work closely with the DCMO to determine needed changes to Departmental transformation plan, business systems architecture, and to identify needed business process improvements.

### **7.e. The Chairman of the Joint Chiefs of Staff.**

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, as required and subject to the authority, direction, and control of the Secretary of the Army, I will establish and maintain a professional relationship with the Chairman, cooperate with him in the performance of his responsibilities, and communicate with him on policy matters involving the Army.

### **7.f. The Vice Chairman of the Joint Chiefs of Staff.**

The Vice Chairman performs the duties prescribed for him as a member of the Joint Chiefs of Staff and such other duties as may be prescribed by the Chairman with the approval of the Secretary of Defense. If confirmed, as required and subject to the authority, direction, and control of the Secretary of the Army, I will establish and maintain a professional relationship with the Vice Chairman, cooperate with him in the performance of his responsibilities, and communicate with him on policy matters involving the Army.

### **7.g. The Secretary of the Army.**

The Secretary of the Army is the head of the Department of the Army and is responsible for, and has authority to conduct, all affairs of the Department of the Army as prescribed by law or by the President or Secretary of Defense. If confirmed, my relationship with the Secretary of the Army would be close, direct, and supportive. I would work to communicate as effectively as possible with the Secretary regarding the advice, views, and plans of the Secretariat and Army Staff and to oversee the implementation of the Secretary's decisions throughout the Army. I further understand that, if confirmed, I would serve as the Chief Management Officer of the Department of the Army and understand that in that capacity I would be accountable to the Secretary for the effective and efficient organization and management of the Army's business operations and for carrying out an initiative for the business transformation of the Army. I understand that all of my actions would be subject to the authority, direction, and control of the Secretary of the Army.

### **7.h. The Chief of Staff of the Army.**

The Chief of Staff of the Army performs his duties under the authority, direction, and control of the Secretary of the Army and is directly responsible to the Secretary. The Chief of Staff also performs the duties prescribed for him by law as a member of the Joint Chiefs of Staff. If confirmed, subject to the authority, direction, and control of the Secretary of the Army I will work with the Chief of Staff as he performs his prescribed duties to ensure that the Army Secretariat and the Army Staff work together efficiently and effectively to accomplish the missions entrusted to the Secretary of the Army and the Secretary of Defense.

### **7.i. The Assistant Secretary of the Army for Civil Works.**

The Assistant Secretary of the Army (Civil Works) (ASA (CW)) has as the principal responsibility overall supervision of the functions of the Department of the Army relating to all aspects of the civil works program. The Assistant Secretary of the Army for Civil Works has as a principal duty the overall supervision of Army functions relating to programs for conservation and development of national water resources, including flood control, navigation, hydropower, environmental restoration and wetlands protection. If confirmed, I will cooperate fully with the Assistant Secretary in carrying out the responsibilities of the Secretary.

#### **7.j. The other Assistant Secretaries of the Army.**

The four other Assistant Secretaries of the Army help set the Army's strategic direction by formulating and overseeing policies and programs within their respective functional areas of responsibility, consistent with applicable laws and regulations and in accordance with the objectives and guidance of the Secretary of the Army. If confirmed, I will work to establish a strong Secretarial team by maintaining a close and professional relationship with each of the Assistant Secretaries, working together on the day-to-day management and long-range planning needs of the Army.

#### **7.k. The General Counsel of the Army.**

The General Counsel is the chief legal officer of the Department of Army and serves as counsel to the Secretary and other Secretariat officials. His duties include providing legal and policy advice to officials of the Department of the Army, as well as determining the position of the Army on any legal question or procedure. If confirmed, I will establish and maintain a close and professional relationship with the General Counsel and will actively seek his/her guidance to ensure that Army policies and practices are in strict accord with the law and the highest principles of ethical conduct.

#### **7.l. The Inspector General of the Army.**

The Inspector General of the Army is charged with inquiring into, and reporting on the discipline, efficiency, economy, morale, and training, and readiness of the Army, as directed by the Secretary of the Army or the Chief of Staff. If confirmed, I will establish and maintain a close and professional relationship with The Inspector General of the Army

#### **7.m. The Surgeon General of the Army.**

The Surgeon General is a special advisor to the Secretary of the Army and to the Chief of Staff on all matters pertaining to the military health service system. In that role, The Surgeon General assists the Secretary and the Chief in carrying out their responsibilities by ensuring a medically ready force as well as a trained and ready medical force. If confirmed, I intend to work closely with The Surgeon General to ensure that the Army's healthcare systems and medical policies support the Army's objectives, responsibilities, and commitments effectively and uniformly across the total force, with a particular focus on Wounded Warriors.

#### **7.n. The Army Business Transformation Office.**

I am advised that in accordance with Section 908 of the National Defense Authorization Act for fiscal year 2009, the Secretary of the Army has established the Office of Business Transformation of the Department of the Army to assist the Chief Management Officer of the Army in carrying out a business transformation initiative for the Army. The Office of Business Transformation will be headed by a Director of Business Transformation who shall be appointed by the Army's Chief Management Officer in consultation with the Director of the Defense Business Transformation Agency, from among individuals with significant experience managing large-scale organizations or business transformation efforts. The Director of Business Transformation of the Army reports directly to the Chief Management Officer, subject to policy guidance from the Director of the Business Transformation Agency of the Department of Defense. If confirmed, I intend to work closely and directly with the Army Business Transformation Office to carry out a business transformation initiative for the Army and will fulfill my statutory obligations regarding the appointment of the Director of Business Transformation of the Army.

#### **7.o. The Judge Advocate General of the Army.**

The Judge Advocate General of the Army is the legal adviser of the Chief of Staff of the Army, members of the Army Staff, and members of the Army generally. In coordination with the Army General Counsel, The Judge Advocate General serves as military legal adviser to the Secretary of the Army. The Judge Advocate General also directs the members of the Judge Advocate General's Corps in the performance of their duties and, by law, is primarily responsible for providing legal advice and services regarding the Uniform Code of Military Justice and the administration of military discipline. Therefore, I will establish and maintain a professional and inclusive relationship with The Judge Advocate General and always welcome his views about any legal matter under consideration.

#### **7.p. The Chief of the National Guard Bureau.**

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 and is the principal adviser to the Secretary of the Army and the Chief of Staff of the Army, and to the Secretary of the Air Force and the Chief of Staff of the Air Force, on matters relating to the National Guard, the Army National Guard of the United States, and the Air National Guard of the United States. If confirmed, and subject to the authority, direction, and control of the Secretary of the Army, I will establish a close, professional relationship with the Chief, National Guard Bureau and will communicate with him as he performs his prescribed duties.

## **Major Challenges and Priorities**

### **8. In your view, what are the major challenges, if any, that you would confront if confirmed as Under Secretary of the Army?**

The Army is faced with many challenges today and in the future, including providing proper support to Soldiers and Families in time of war, enhancing readiness, providing quality housing, modernizing equipment, and meeting recruiting and retention goals. The Army must transform its support infrastructure and integrate Base Realignment and Closure decisions. The Army must provide a quality of life commensurate with the quality of Soldiers' service and provide high quality care, particularly for those suffering from Post Traumatic Stress Disorder (PTSD) and Traumatic Brain Injuries (TBI). Finally, the Army must transform Army contracting by improving staff capability and providing leadership and training in this critically important area.

All of these and other issues face the challenges of fiscal constraints while optempo remains high at a time of great fiscal stress for the Nation. If confirmed, with direction from the Secretary of the Army, I will address these issues in consultation with this Committee and the Congress, the President and the Army leadership.

### **9. If confirmed, how would you prioritize and what plans would you have, if any, for addressing these challenges?**

The Army, in helping to sustain our national defense and security, places great demands on our soldiers and their families and in times of war there are significant increases in the stress to the force, soldier readiness, family well being, equipment and modernization, transitioning the reserve component and many other areas important to the mission.

If confirmed, I will provide my assistance to the Secretary in pursuing initiatives aimed at improving our business operations and provide leadership across the Department in support of his efforts to transform management to meet the critical needs of the Army.

## Army Management and Planning Process

Over the past several years, the Army's planning, programming and budgeting process has not kept pace with rapidly changing requirements. While this is more understandable for operational events like the Presidential decision to surge additional forces into Iraq, it is less understandable with respect to long-term programmatic decisions such as the modular conversion of Army brigades or the more recent decision to increase Army end strength. It has become routine for the Army to submit "placeholders" instead of actual program plans in budget requests, and to purchase temporary facilities followed almost immediately by additional funding requests to buy permanent facilities to replace the temporary ones.

**10. What is your understanding and assessment of the Army's management and planning process and any changes or reforms of these processes currently underway?**

I am not in a position to assess the Army's management and planning process at this time, however, if confirmed, I will make it a priority to understand this process and recommend and implement changes as necessary to improve planning and budgeting.

**11. If confirmed, what additional changes would you propose, if any, to correct or improve management and planning processes?**

If confirmed, I will examine how Army can seek improvements that can be instituted to make the process more efficient and more adaptive to the changing environment.

**12. In your view, does the Army have enough people with the right skills to manage the changes being attempted, or is the Army undertaking more organizational change than it is capable of accomplishing during a time of war?**

At this time I am not in a position to assess if the Army has enough people with the right skills to manage the changes being attempted.

**The Army budget, including annual base and supplemental appropriations, has grown significantly in both absolute and relative terms since the start of the wars in Afghanistan and Iraq. However, the Army's annual base budget request to Congress has not provided full funding for planned procurement or operation and maintenance costs related to force reset, non-deployed readiness, or, in some cases, modernization. Instead, the Army has pushed requests for significant portions of these costs into later supplemental appropriations. This in turn causes cash flow challenges throughout the fiscal year that appear to invariably result in threats of the cancellation of contracts, work stoppage, and civilian workforce furloughs.**

**13. If confirmed, what changes in management would you propose, if any, to reduce or eliminate the Army's chronic cash flow challenges?**

I do not have sufficient information at this time to recommend any changes to the Army's cash flow management.

**Duties and Responsibilities as Chief Management Officer**

**Section 904 of the National Defense Authorization Act for fiscal year 2008 designates the Under Secretary of the Army as the Army's Chief Management Officer (CMO). Section 908 of the National Defense Authorization Act for fiscal year 2009 requires the CMO of each of the military departments to carry out a comprehensive business transformation initiative, with the support of a new Business Transformation Office.**

**14. What is your understanding of the duties and responsibilities of the Under Secretary in his capacity as CMO of the Department of the Army?**

Pursuant to Section 904 of the National Defense Authorization Act for fiscal year 2008, the Under Secretary of the Army is the Chief Management Officer of the Department, with the primary management responsibility for business operations. The Secretary of the Army is charged to assign to the Under Secretary such duties and authorities as are necessary to organize and administer the business operations of the Army effectively and efficiently, in accordance with the policies promulgated by the Secretary of Defense. In accordance with Section 908 of National Defense Authorization Act for fiscal year 2009, the Secretary of the Army acts through the Under Secretary, in his role as Chief Management Officer, to carry out an initiative for the business transformation of the Army. This responsibility includes developing and implementing both a comprehensive business transformation plan and a business systems architecture and transition plan.

**15. What background and expertise do you possess that you believe qualify you to perform these duties and responsibilities?**

I believe my previous service in the Federal government, in both the Legislative and the Executive branches has afforded me extensive experience in budgeting, strategic planning, program management and evaluation, finance, legal and contracting areas. Also as Chancellor of a large university system, I led a significant overhaul of all business operations from a highly decentralized and inefficient management system to a more coordinated and cost effective operation. Finally, my experience at Assistant Secretary of the Army for Civil Works and Acting Secretary of the Army, have provided me with experience in the Department and a strong knowledge of its mission, operations and business processes.

**16. Do you believe that the CMO and the Business Transformation Office have the resources and authority needed to carry out the business transformation of the Department of the Army?**

I have been advised that Secretary of the Army Geren made a conscious choice to defer to his successor significant decisions regarding the roles and responsibilities of the Army's Chief Management Officer and Director of Business Transformation and the structure, organization, and staffing of their respective offices. If confirmed, I would expect that the Secretary of the Army and I would focus immediately on developing and implementing the roles, responsibilities, and authorities of the Chief Management Officer and the Office of Business Transformation, both to meet statutory mandates and to gain the most benefit for the Army, and on resourcing the Chief Management Office and the Office of Business Transformation.

**17. What role do you believe the CMO and the Business Transformation Office should play in the planning, development, and implementation of specific business systems by the military departments?**

It is my understanding that the Chief Management Officer has "the primary management responsibility for business operations" of the Army and is responsible to carry out an initiative for the business transformation of the Army. By law, the objectives of the Army's business transformation initiative must include the development and implementation of both a business transformation plan to achieve an integrated management system for the Army's business operations and of an enterprise-wide business systems architecture and transition plan encompassing end-to-end business processes. In my view, these objectives will require the Chief Management Officer and the Office of Business Transformation to align business systems with strategic priorities, with a view to overcoming gaps in the Army's ability to carry out its Title 10 functions. If confirmed, and consistent with the Secretary of the Army's guidance, I will work to oversee the development and implementation of business systems to maximize the effectiveness and efficiency of the Army's business operations.

**18. What changes, if any, would you recommend to the statutory provisions establishing the position of CMO and creating the Business Transformation Office?**

It is my understanding that the Army is in the initial stages of implementing these statutory provisions. If confirmed, I look forward to reviewing the implementation, and, together with the Secretary of the Army, assessing and recommending modifications, as appropriate.

**Section 2222 of Title 10, United States Code, requires that the Secretary of Defense develop a comprehensive business enterprise architecture and transition plan to guide the development of its business systems and processes. The Department has chosen to implement the requirement for an enterprise architecture and transition plan through a “federated” approach in which the Business Transformation Agency has developed the top level architecture while leaving it to the military departments to fill in most of the detail. The Army’s business systems, like those of the other military departments, remain incapable of providing timely, reliable financial data to support management decisions. In particular, the Government Accountability Office has reported that the Army has not yet followed DOD’s lead in establishing new governance structures to address business transformation; has not yet developed a comprehensive enterprise architecture and transition plan that plugs into DOD’s federated architecture in a manner that meets statutory requirements; and instead continues to rely upon old, stovepiped structures to implement piecemeal reforms.**

**19. If confirmed, what steps, if any, would you take to ensure that the Army develops the business systems and processes it needs to appropriately manage funds in the best interest of the taxpayer and the national defense?**

I expect that if I am confirmed, the Secretary of the Army will direct me to supervise the Office of Business Transformation in: transforming the budget, finance, accounting, and human resource operations of the Army, consistent with the Army’s business transformation plan; eliminating or replacing financial managements systems that are inconsistent with the Army’s overall business systems architecture and transition plan; and ensuring that the Army’s plans are implemented in a manner that is aggressive, realistic, and accurately measured. I believe that each of these efforts will advance, in some way, the Army’s development of the business systems and processes it needs to appropriately manage funds in the best interests of the taxpayer and the national defense.

**20. Do you believe that a comprehensive, integrated, enterprise-wide architecture and transition plan is essential to the successful transformation of the Army's business systems?**

Yes.

**21. What steps would you take, if confirmed, to ensure that the Army's enterprise architecture and transition plan meet the requirements of section 2222?**

If confirmed, I will work closely with the Deputy Chief Management Officer of the Department of Defense and with the Director of the Defense Business Transformation Agency and with all of the Army Assistant Secretaries to ensure that the business transformation initiatives, plans, programs, and systems developed by the Army are fully coordinated and compatible with the business systems architecture and transition plan implemented by the Department of Defense pursuant to Title 10, United States Code, Section 2222.

**22. What are your views on the importance and role of timely and accurate financial and business information in managing operations and holding managers accountable?**

In my view, timely and accurate financial and business information are absolutely critical to the Army's management of operations and to its ability to hold managers accountable for the results of their business-related decisions.

**23. How would you address a situation in which you found that reliable, useful, and timely financial and business information was not routinely available for these purposes?**

If confirmed, I would work diligently in my role as the Chief Management Officer, to oversee the work of the Office of Business Transformation to develop and implement aggressive and realistic actions to rectify this sort of problem.

**24. What role do you envision playing, if confirmed, in managing or providing oversight over the improvement of the financial and business information available to Army managers?**

I understand that the Chief Management Officer is responsible for achieving an integrated management system for the business operations of the Army, a critical component of which is providing Army managers timely and accurate financial and business information in support of their operations and decisions. If confirmed, I will work with the Assistant Secretaries of the Army, other Army Secretariat officials, members of the Army Staff, and other Army officials, to include the Director of the Office of Business Transformation, in their respective functional areas, to develop and oversee the implementation of plans, processes, and systems capable of providing accurate and timely information in support of the Army's business decisions.

**Acquisition Issues**

**Many experts have acknowledged that the Department of Defense may have gone too far in reducing its acquisition work force, resulting in undermining of its ability to provide needed oversight in the acquisition process.**

**25. Do you agree with this assessment?**

I do not have sufficient information at this time to make this assessment. If I am confirmed, I would immediately assess this issue and work with the appropriate Army leadership to make sure the Army has the appropriate work force levels to do the job.

**26. If so, what steps do you believe the Department of the Army should take to address this problem?**

Acquisition reform is a top priority of President Obama and of Secretary Gates and if confirmed, I will make it one of my top priorities to ensure that the Department of the Army makes maximum use of the acquisition workforce authorities provided in the National Defense Authorization Act for fiscal year 2008 necessary to grow, recruit, and retain a corps of acquisition professionals adequate to manage and oversee the Department's acquisition functions.

**Major defense acquisition programs in the Department of the Army and the other military departments continue to be subject to funding and requirements instability.**

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

Yes.

**28. What steps, if any, do you believe the Army should take to address funding and requirements instability?**

Stable requirements and funding are critical for a successful acquisition program. If confirmed, I will carefully examine the Army's requirements generation, resourcing, and acquisition processes and seek to maximize stability in funding and requirements.

**The Comptroller General has found that DOD programs often move forward with unrealistic program cost and schedule estimates, lack clearly defined and stable requirements, include immature technologies that unnecessarily raise program costs and delay development and production, and fail to solidify design and manufacturing processes at appropriate junctures in the development process.**

**29. Do you agree with the Comptroller General's assessment?**

Yes

**30. If so, what steps do you believe the Department of the Army should take to address these problems?**

I do not have sufficient information and data at this time to outline necessary steps needed to correct these issues. If confirmed, I will focus on insuring their timely implementation in order to develop stable, defined requirements and rigorous program oversight.

**By some estimates, the Department of Defense 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.**

**31. What steps, if any, do you believe the Army should take to improve the staffing, training and management of its acquisition of services?**

If confirmed, I would expect the Secretary of the Army to direct an assessment of services acquisition to include organization, policy and processes to ensure we have an effective management structure. I would also work with the Secretary ensure that service acquisition management was properly resourced.

**32. Do you agree that the Army 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?**

The Army should have the processes and systems in place to conduct spending analyses and enhance the overall management of service contracts. I understand there are some information management systems in place, but they were not intended to do comprehensive spending analyses and may need to be enhanced. If confirmed, I would support this effort.

**The last decade has seen a proliferation of new types of government-wide contracts and multi-agency contracts. The Department of Defense 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 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.**

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

It is my understanding that the Office of Federal Procurement Policy, DoD, and the Army have issued new and/or revised policy, procedures and guidance to address the problems identified by the Inspector General. If confirmed, I would work with the Secretary of the Army to ensure that the Army's Procurement Management Review Team makes assessing the Army's compliance with the revised policy and procedures and the overall effectiveness of the revised policy and procedures an item of special interest.

## Army Modernization

**In general, major Army modernization efforts have not been successful over the past decade. Since the mid-1990's, Army modernization strategies, plans, and investment priorities have evolved under a variety of names from Digitization, to Force XXI, to Army After Next, to Interim Force, to Objective Force, to Future Combat System and Modularity. Instability in funding, either as provided by DOD or Congress, has been cited by the Army and others as a principal cause of program instability. For the most part, however, the Army has benefited from broad DOD and Congressional support for its modernization and readiness programs even when problems with the technical progress and quality of management of those programs have been apparent—the Armed Reconnaissance Helicopter is a recent example.**

### **34. What is your assessment, if any, of the Army's modernization record?**

The Army's modernization record demonstrates the complexity of the rapidly changing threat environment. If confirmed, I will work with the Secretary of the Army to equip and modernize the force.

### **35. If confirmed, what actions, if any, would you propose to take to achieve a genuinely stable modernization strategy and program for the Army?**

Stable, predictable Total Obligation Authority allows the Army to balance these needs, chart a course, and stick to it. If confirmed, I will work with The Secretary of the Army, the OSD and the Congress to arrive at that stable funding level, and subsequently a stable modernization program. The second element necessary for action is ensuring that the Departments of the Army and the rest of the Department of Defense understand and synchronize the requirements that must be pursued.

### **36. What is your understanding and assessment of the Army's modernization investment strategy?**

I do not have sufficient information to assess the Army's modernization investment strategy. If confirmed, I would plan a thorough review of these investments.

### **37. In your view does the Army's modernization investment strategy appropriately or adequately address current and future capabilities that meet requirements for unconventional or irregular conflict?**

I do not have the necessary knowledge or data to accurately and reliably answer this question. If confirmed, I will do my utmost to address it.

**38. If confirmed, what other investment initiatives, if any, would you pursue in this regard?**

A full review of the Army's investment initiatives will be an early goal of mine if I am confirmed. At this point, however, it is premature for me offer recommendations an adjusting investment initiatives.

**39. If confirmed, what actions, if any, would you propose to ensure that all these initiatives are affordable within the current and projected Army budgets?**

I believe one of the strengths of the Defense Program is to specifically address affordability and the outyear projection of long term funding requirements. Those processes have been strengthened by initiatives by Congress and within OSD . If confirmed I will have the required visibility and access to the management structure that will allow me to provide these recommendations.

**40. In your view, what trade-offs, if any, would most likely have to be taken should budgets fall below or costs grow above what is planned to fund the Army's modernization efforts?**

If confirmed, I will make every effort to ensure that the Army builds a balanced program to respond to defense needs as directed by National and Defense policy. In doing so, trade-offs will occur with areas of risk carefully considered, and if required, adjusted in coordination with OSD and Congress.

**Army Weapon System Programs**

**41. What is your understanding and assessment of the following research, development, and acquisition programs?**

**41a. Future Combat System (as restructured).**

As this response is being written, there continues to be a great deal of activity and change in the FCS program, especially with the Defense Authorization Bill currently being debated on the floor of the Senate. My understanding is that the Army has been directed to transition to an Army modernization plan consisting of a number of integrated acquisition programs: (1) Spin Out Early-Infantry Brigade Combat Team (BCT); (2) Follow-on BCT Modernization/Equipment for BCT Modernization; (3) Ground Tactical Network capability; and (4) a new Ground Combat Vehicle platform. I am not yet in a position to offer an informed assessment of these efforts, If confirmed, I will work to advise the Secretary of the Army on both the R&D and the Acquisition programs.

#### **41.b. Stryker combat vehicle, including the Stryker mobile gun variant.**

While I am not yet in a position to offer an informed assessment of the Stryker program, I understand that Stryker variants have been in production since 2004 and that this system has been used successfully in Iraq and is preparing to deploy to Afghanistan.

#### **41.c. Joint Light Tactical Vehicle (JLTV).**

While I am not yet in a position to provide an informed assessment of JLTV, I understand that it is a relatively new joint Service developmental program, which consists of a family of vehicles with companion trailers, capable of performing multiple mission roles. It is my understanding that the JLTV will be designed to provide protected, sustained, networked mobility for personnel and payloads across the full range of military operations (traditional to irregular).

#### **41.d. Armed Reconnaissance Helicopter (ARH).**

It is my understanding that the Army has an enduring requirement for a light, manned, armed reconnaissance helicopter that was unaffected by the termination of the Armed Reconnaissance helicopter (ARH) program. While I am not yet in a position to provide an informed assessment of Armed Scout Helicopter, I understand that this latest effort is completing pre-technology development activities under the supervision of the Defense Acquisition Executive.

#### **41.e. M1 Abrams tank modernization.**

The Abrams Tank has been an integral part of the Army's force structure for decades. I understand that as a result of the Operation Iraqi Freedom, the system has encountered performance decrements that impact the tank's operational performance and reliability, and that the Abrams tank modernization strategy has been initiated to address these issues. While I am not yet in a position to provide an informed assessment of this effort, I understand that it is intended to enable the Abrams tank to maintain its leading edge in survivability, lethality, and maintainability through 2050.

#### **41.f. M2 Bradley infantry fighting vehicle modernization.**

The Bradley also has been an integral part of the Army's force structure for decades. I understand that as a result of the Operation Iraqi Freedom, the program has encountered performance decrements that impact the vehicle's operational performance and reliability and that modernization efforts have been initiated to address these concerns. While I am not yet in a position to provide an informed assessment of this effort, I understand that it is intended to enable the Bradley to maintain its leading edge in survivability, lethality, and maintainability through 2050.

#### **41.g. Warfighter Information Network-Tactical (WIN-T).**

While I am not yet in a position to provide an informed assessment of WIN-T, it is my general understanding that this program is the Army's critical modernization effort for managing electronic information in the tactical environment. I understand that the WIN-T capabilities are built on proven Government and commercial technology using voice, video, and data.

#### **41.h. Logistics Modernization Program.**

While I am not yet in a position to provide an informed assessment of LMP, I understand that this program is designed to support, replace, and modernize aging, obsolete, and increasingly costly automation systems used at the National logistics level. I understand that when fully implemented, this program is intended to greatly enhance the Army's logistics capabilities to manage inventories, process millions of transactions, and it will integrate many critical Department of Defense software systems. This effort is designed to unify and modernize our National logistics capabilities.

#### **41. i. Joint Tactical Radio System (JTRS).**

While I am not yet in a position to provide an informed assessment of JTRS, I understand that this program is part of the Army's and Department of Defense's network modernization effort. I understand that the system will provide the fully mobile, flexible, dynamic radio networking capability needed to support a highly dispersed force over a noncontiguous area.

#### **Mine Resistant Ambush Protected (MRAP) Vehicles**

##### **42. If confirmed, what would you propose should be the Army's long term strategy for the utilization and sustainment of its large MRAP vehicle fleet?**

The MRAP was procured in response to a Joint Urgent Operational Need Statement from Multi-National Corps Iraq in June 2006. The initial intent was to replace all Up Armored HMMWVs (UAH) in theater because those vehicles could not provide the required levels of protection and previous modifications had greatly reduced vehicle payload. The urgent nature of this program resulted in many steps associated with a traditional acquisition process being deferred in an effort to expedite delivery to the field. If confirmed, I will work with the Secretary of the Army to determine the long-term role for the Army's fleet of MRAPs.

## **Modularity**

**Modularity refers to the Army's fundamental reconfiguration of the force from a division-based to a brigade-based structure. The new modular brigade combat team is supposed to have an increased capability to operate independently based upon increased and embedded combat support capabilities such as military intelligence, reconnaissance, and logistics. Although somewhat smaller in size, the new modular brigades are supposed to be just as, or more capable than the divisional brigades they replace because they will have a more capable mix of equipment—such as advanced communications and surveillance equipment. To date, the Army has established over 80 percent of its planned modular units, however, estimates on how long it will take to fully equip this force as required by its design has slipped from 2011 to 2019.**

### **43. What is your understanding and assessment of the Army's modularity transformation strategy?**

It is my understanding, the Army's modular transformation was designed to create a more expeditionary capable force that will address the full-spectrum of missions emerging from a post-Cold War strategy. The Army Campaign Plan and force management processes help synchronize and implement the transformation strategy across the Active, Army National Guard and Army Reserve components. If confirmed, I will support the Secretary of the Army in undertaking this assessment.

### **44. In your view, what are the greatest challenges in realizing the transformation of the Army to the modular design?**

The Army faces two major challenges - restoring balance to a force experiencing the cumulative effects of seven years of war and setting conditions for the future to fulfill the Army's strategic role as an integral part of the Joint Force.

### **45. If confirmed, what actions or changes, if any, would you propose relative to the Army's modular transformation strategy?**

If confirmed, I will work with the Secretary of the Army to ensure that the Army Campaign Plan and goals for modularity are consistent with Department's strategy for the current and future environment, in an era of persistent conflict. I would work with the Secretary of the Army to assess the work of the QDR and its projections in relations to current Army plans.

**46. What is your understanding and assessment of the employment and performance of modular combat brigades and supporting units in Operations Iraqi Freedom and Enduring Freedom?**

At present, I do not have the necessary information to render such an assessment. If confirmed, I would work to better understand the performance of modular combat brigades and supporting units and support the Secretary of the Army in an assessment of that performance.

**47. What changes, if any, would you propose to the modular design, the mix of combat and supporting brigades, or modular unit employment to improve performance or reduce risk?**

At this time I do not have sufficient information to suggest any changes to the modular design.

**Active-Duty End Strength**

**The Army has increased its active-duty end strength to meet current and future operational requirements. The Army had planned to increase its end strength to 547,400 by 2010, but has already achieved this goal in 2009.**

**48. In your view, what is the appropriate Army active-duty end strength needed to meet the demand for deployed forces, increase non-deployed readiness, build strategic depth, and relieve stress on soldiers and their families?**

At this time, I do not have the information to predict accurately the appropriate Army end strength. However, I support the Secretary of Defense's recognition that the Army is under stress and requires additional Active Component manpower.

**49. If Army end strength is projected to be above 547,400 in fiscal years 2009 or 2010, how would you propose, if confirmed, to fund the additional end strength above levels budgeted for FY 2010?**

If confirmed, I will work closely with the Secretary of the Army and the Assistant Secretary of the Army (Financial Management and Comptroller) to identify appropriate funding sources, and I will support the Secretary of the Army's efforts to seek assistance from the Secretary of Defense and Congress, as necessary, to ensure an appropriate level of funding.

**50. Do you believe that the Army's active duty end strength should increase by 30,000 in the 2010 to 2012 time frame and beyond?**

I fully support the recognition by the Secretary of Defense that the Army is under stress and needs additional Active Component manpower, up to a temporary increase of 22,000. If confirmed, I will support the Secretary of the Army's efforts to ensure that any projected increase is well analyzed, fully coordinated and fully justified.

**Personnel and Entitlement Costs**

**In addition to health care costs, personnel and related entitlement spending continues its steep upward growth and is becoming an ever increasing portion of the DOD budget.**

**51. If confirmed, what actions would you take to control the rise in the Army's personnel costs and entitlement spending?**

I have been advised that the Military Departments have limited authority to reduce overall personnel costs and entitlement spending. If I am confirmed, I will work with the Secretary of the Army to ensure adequate oversight to provide early warning regarding the costs and effects of proposed new military pays or benefits.

**52. If confirmed, what actions would you take to avoid a requirement for massive end-of-year reprogramming to cover personnel costs?**

As my experience has taught me about change in any large organization, military personnel changes take time to execute and implement throughout the force. If confirmed, I will work closely within the Army and with the Department of Defense to advance the Secretary of the Army's efforts to budget accurately and monitor budget execution, end strength, and the use of incentives to ensure the Army remains in balance.

## Lessons Learned

**53. What do you believe are the major lessons that the Department of the Army has and should have learned from Operation Enduring Freedom (OEF) and Operation Iraqi Freedom (OIF) regarding its title 10, U.S. Code, responsibilities for manning, training, and equipping the force?**

Lessons learned from OEF/OIF have caused the Army to adjust its training and equipment to fight an adaptable, determined enemy. On the home front, the pace of operations has placed great stress on Army Families and Army has had to build programs to better support Families. Army has also had to expand language skills and enhance cultural awareness to be successful in the operations and missions Army is engaged in today and likely will be engaged in the future. The Army must continue to modernize and sustain its combat training centers, home station training, and institutional training. The Army must continue to look for ways to enhance its capabilities in Detention operations. With growth in the Army's force structure and the challenges this places on training, the Army needs to continue to assess ways to train efficiently, using training resources from all Army Components, as appropriate. Because of the large load that the Army National Guard and the U.S. Army Reserve is pulling, the Army needs to assess continually its mobilization policies, balancing training requirements to meet the appropriate level of Reserve Component operational readiness with domestic missions and requirements.

**54. If confirmed, which of these lessons, if any, would you address as a matter of urgent priority?**

I believe the Army leadership must take each of these on as priorities. If confirmed, I anticipate discussing these matters with the Secretary of the Army and the uniformed leadership to determine what areas I could best manage in view of my background, position, and skills. I would consider most urgent those that directly impact the safety, welfare and quality of life for Soldiers and their Families.

## Commission on Army Acquisition and Program Management in Expeditionary

**The Commission on Army Acquisition and Program Management in Expeditionary Operations concluded that “the Army sent a skeleton contracting force into theater without the tools or resources necessary to adequately support our warfighters.” According to the Commission, “Contracting, from requirements definition to contract management, is not an Army Core Competence. The Army has excellent, dedicated people; but they are understaffed, overworked, under-trained, under-supported and, most important, undervalued.”**

**55. Do you agree with the conclusions reached by the Commission?**

Yes

**The Commission report states that “The Army’s difficulty in adjusting to the singular problems of Kuwait, Iraq, and Afghanistan is in large part due to the fact that there are no Generals assigned to contracting responsibilities.” The Commission recommends that Congress authorize “a core set of ten additional General Officers for contracting positions”.**

**56. Do you support the recommendation of the Commission?**

I have read the recommendations but do not have enough information beyond the report to provide a definitive answer to this question. If confirmed, I would assess the findings in light of current conditions and review actions taken and anticipated to address the Commission’s recommendations.

**57. What is your understanding of the steps the Army has taken to address this recommendation?**

I know that Congress has authorized 10 additional General Officer billets, five for the Army and five for Joint Commands, and I applaud that. I have been informed that the Army selected one additional acquisition General Officer last year with more to come

**58. If confirmed, what additional steps, if any, would you take to address this recommendation?**

If confirmed, I would begin to look at this matter by first seeking to put more focus on the recruitment, training and development of the military contracting corps to ensure the Army has a strong pipeline of capable Colonels to fill these General Officer positions in the near and long term.

**The Commission report states that “The number and expertise of the military contracting professionals must be significantly increased” to address the problems we have experienced in theater. The Commission recommends that the Army hire 2,000 new contracting personnel.**

**59. Do you support the recommendation of the Commission?**

Yes

**60. What is your understanding of the steps the Army has taken to address this recommendation?**

I do not have sufficient information to provide an informed answer to this question.

**61. If confirmed, what additional steps, if any, would you take to address this recommendation?**

Under the direction of the Secretary of the Army, if confirmed, I would examine the entire contracting process in the Army, from requirements definition to the final receipt and payment for goods and services received. As best practices emerge from these efforts, they will be shared across the entire contracting workforce.

**The Commission report states that most civilians working on contracting issues in Iraq were “volunteers, often with inadequate or wrong skill sets for the job at hand, and often getting their required contracting experience on-the-job as part of their deployment.” The Commission recommends that qualified civilians who agree to deploy be provided enhanced career and job incentives. These include the elimination of an existing pay cap, tax free status, and long-term medical care for injuries incurred in-theater.**

**62. Do you support the recommendations of the Commission?**

I support the Commission’s recommendations.

**63. What is your understanding of the steps that the Army has taken to implement these recommendations?**

It is my understanding that Congress has authorized several incentives to foster civilian participation in future expeditionary operations, specifically pay adjustments, and life insurance. I also understand that the Army is working with the other Services and the Defense Acquisition University to enhance training and increase the number of training courses.

**64. If confirmed, what additional steps, if any, would you take to address these recommendations?**

I confirmed, I would need to assess progress on all recommendations. Without that assessment I am currently unable to specify what steps need to be taken to further implement the recommendations.

**The Commission report states that some DOD and Army policies actively discourage the deployment of civilians. For example, the report states that volunteers are required to be sent on ‘detail’, so that the providing office has to pay salary and expenses of deploying civilians out of their existing budgets without any reimbursement or backfilling. As a result, the Commission reports, managers in the U.S. have actively discouraged civilians from volunteering.**

**65. Do you agree with the Commission’s findings on this issue?**

It is my understanding that volunteers represent “out of hide” costs that place burdens on CONUS contracting offices- particularly in areas where there are hard to fill contracting jobs or in locations impacted by BRAC. Also, given that the contracting workforce has been cut by approximately 50% since the early 1990s while workload has more than doubled increasing the likelihood that volunteering may have been discouraged at some activities. At the same time, I am gratified that so many civilians have volunteered to deploy in support of our troops.

**66. What is your understanding of the steps that the Army has taken to address this problem?**

I understand The Army is in the process of standing up a new command- the Expeditionary Contracting Command under the Army Contracting Command to better support this mission.

**67. If confirmed, what additional steps, if any, would you take to address this problem?**

If confirmed, I would support staffing plans that would add the required deployable workforce with the right skill mix to support proper execution and oversight of contracts in theater.

The report states that Contracting Officer's Representatives (CORs) are an "essential part of contract management", because they are responsible for ensuring contract performance. According to the report, however, "CORs are assigned as . . . an 'extra duty,' requiring no experience. . . . The COR assignment is often used to send a young soldier to the other side of the base when a commander does not want to have to deal with the person. Additionally, little, if any training is provided. . . . Despite this, there are still too few CORs. Moreover, COR turnover is high, frequently leaving many gaps in contract coverage."

**68. Do you agree with the Commission's assessment of the CORs assigned in Iraq and Afghanistan?**

Although I have not yet been fully briefed on this issue, I have no reason to disagree with the Commission's assessment. I can understand that there would be challenges in obtaining the number of CORs needed and ensuring those CORs have the proper training in COR processes and technical background necessary to monitor contractor performance effectively.

**69. What is your understanding of the steps that the Army has taken to address this problem?**

At this time I am not aware of the specific steps taken by the Department to address this problem.

**70. If confirmed, what additional steps, if any, would you take to address this problem?**

If confirmed, I would continue to support actions to ensure a sufficient number of trained CORs with the right technical skill sets are assigned in theater to provide appropriate contractor oversight.

## Contract Support Functions

**The Department of Defense has engaged in the privatization of many of its support functions. As a result, the Department now relies heavily on contractors to perform acquisition, budget, and financial management functions that are critical to the execution of the Department's mission. Senior DOD officials have informed the committee both formally and informally that, because of reductions in the acquisition work force, the Department now lacks the capability to effectively oversee the work performed by its support contractors.**

**71. Do you believe that the Army has become too reliant upon contractors to perform critical functions?**

I agree with President Obama's government contracting memorandum of March 4, 2009, directing the Federal Government to ensure that functions that are inherently governmental in nature are performed by executive agencies and are not outsourced. If confirmed, I would work with leaders across the Army to assess this matter so as to ensure compliance with the law and with the President's policy.

**72. What steps, if any, do you believe the Army should take to ensure that it has the resources it needs to provide effective oversight for its support contractors?**

Working within existing manpower constraints, the Army needs to ensure that its limited contract oversight resources are organized and employed in the most efficient manner. In addition, it needs to continue to place appropriate management emphasis on COR training.

**The privatization of functions previously performed by DOD employees now extends to many functions performed on the battlefield. As a result, many functions that were performed by DOD personnel as recently as the Gulf War have been performed by contractor personnel in the current conflicts in Iraq and Afghanistan.**

**73. Do you believe that the Department of Defense has reached, or exceeded, an appropriate balance in providing for the performance of functions by contractors on the battlefield?**

At this time I do not have the information necessary to answer this question fully. If confirmed, I will assess this issue and obtain the necessary information to address policy and future management options.

**74. Where do you believe that the Department of Defense should draw the line between functions on the battlefield that can and should be performed by contractors and functions that should only be performed by DOD personnel?**

This is a complex matter. It is simple to state that inherently governmental functions should not be contracted out, however, the complexities of today's irregular conflicts and the increased sophistication of outside contractors have made these lines less clear. If confirmed, I would undertake efforts to better understand policy and requirements and work with OSD, the other Services and the Army Staff to provide a more definitive answer to this important question.

**75. Do you believe that contractors on the battlefield are subject to appropriate levels of control and accountability for their actions, or would additional regulation be appropriate?**

I have not been fully briefed on these matters and hesitate to render an opinion without further information. If confirmed, I will assess if existing controls are appropriate.

#### **Private Security Contractors**

**The Special Inspector General for Iraq Reconstruction (SIGIR) recently reported that federal agencies including the Department of Defense have spent more than \$5 billion for private security contractors in Iraq since 2003. Over this period, there have been numerous reports of abuses by private security contractors, including allegations of contractors shooting recklessly at civilians as they have driven down the streets of Baghdad and other Iraqi cities. In September 2007, employees of Blackwater allegedly opened fire on Iraqis at Nisour Square in downtown Baghdad, killing more than a dozen Iraqis and wounding many more.**

**76. Do you believe the Army should rely upon contractors to perform security functions that may reasonably be expected to require the use of deadly force in highly hazardous public areas in an area of combat operations?**

It is my understanding that U.S. Forces currently rely on contractors to 'free-up' manpower for accomplishing missions focused on campaign objectives. If confirmed, I would seek addition information on this matter and request the advice of the Army General Counsel and the JAG in order to both render an opinion and implement policy.

**77. In your view, has the U.S. reliance upon private security contractors to perform such functions risked undermining our defense and foreign policy objectives in Iraq?**

If confirmed, subject to the authority, direction and control of the Secretary of the Army, I would work with other appropriate elements at OSD and Army to seek agreement with the Department of State and the Department of Defense in establishing and defining a framework for improved accountability and operational oversight of PSCs in theater.

**78. What steps would you take, if confirmed, to ensure that any private security contractors who may continue to operate in an area of combat operations act in a responsible manner, consistent with U.S. defense and foreign policy objectives?**

If confirmed, I would comply with current mandates to minimize reliance on private security contractors to the maximum extent practicable. Any effort to assess the performance of private security contractors would require consultation with Army OGC, IG and OSD Policy.

**79. How do you believe the ongoing operations of private security contractors in Iraq are likely to be affected by the new Status of Forces Agreement between the United States and Iraq?**

At this time, I do not have the appropriate information to make this determination.

**80. Do you support the extension of the Military Extraterritorial Jurisdiction Act to private security contractors of all federal agencies?**

I am generally not aware of the provisions of the Military Extraterritorial Jurisdiction Act of 2000 (MEJA). If confirmed, I would coordinate closely with the Office of General Counsel in the application of the Act to private security contractors.

**81. What is your view of the appropriate application of the Uniform Code of Military Justice to employees of private security contractors operating in an area of combat operations?**

I strongly support the position that civilians serving with or accompanying our Armed Forces overseas who commit crimes should be held accountable as appropriate. The Uniform Code of Military Justice (UCMJ) provides commanders the tools necessary to maintain good order and discipline and the morale, welfare and safety of all those under their jurisdiction during military operations. Because misconduct by contractors may undermine good order and discipline, discredit the Army, or remain unaddressed absent the exercise of jurisdiction, Congress extended UCMJ jurisdiction over such individuals. The Secretary of Defense, in turn, published guidance on the prudent exercise of such jurisdiction in a memorandum of March 10, 2008. This guidance ensures that the Department of Justice and the Department of Defense each play an appropriate role in resolving whether, and under which system, jurisdiction might be better exercised in each potential case.

**OMB Circular A-76 defines “inherently governmental functions” to include “discretionary functions” that could “significantly affect the life, liberty, or property of private persons”**

**82. In your view, is the performance of security functions that may reasonably be expected to require the use of deadly force in highly hazardous public areas in an area of combat operations an inherently governmental function?**

I have not been fully briefed on current policies regarding OMB Circular A-76. If confirmed, I intend to study this issue in greater depth to better understand the Army’s assessment regarding this matter.

**83. In your view, is the interrogation of enemy prisoners of war and other detainees during and in the aftermath of hostilities an inherently governmental function?**

**I have not been sufficiently briefed on this matter to render an opinion for the Committee. If confirmed, I will give this matter great focus and consider it in the context of those responsibilities assigned to me by the Secretary of the Army.**

**84. Do you believe that the Army fully considered these issues before deciding which functions should be assigned to private contractors in Iraq?**

At this time I do not have the necessary information to answer this question.

**85. Do you see a need for a comprehensive reevaluation of these issues now?**

I support the principles and policies set forth in President Obama's memorandum of March 4, 2009. That memorandum directs the Office of Management and Budget, in coordination with the Secretary of Defense, among others, to develop and issue government-wide guidance to assist executive branch agencies in reviewing the propriety of existing contracts and to formulate corrective action when appropriate. I believe that any such review must include an appraisal of inherently governmental functions and other critical government functions and how they are performed. If confirmed, I will support any such review and corrective action, particularly as it relates to matters under my purview.

**Iraq and Afghanistan Deployments**

**Many soldiers are on their third and some their fourth major deployment to Iraq or Afghanistan. In 2007, in order to support the surge of forces to Iraq, unit deployments were extended to 15 months and dwell time in some cases less than 12 months. Beginning in August 2008 Department of Defense policy has been to limit deployments for Active Component soldiers and mobilization of Reserve Component soldiers to not longer than 12 months.**

**86. What is your assessment of the impact of multiple deployments of troops to Afghanistan and Iraq on retention, particularly among young enlisted and officer personnel after their initial obligated service has been completed?**

It is my understanding that the Army monitors retention very closely given the high operational demand and multiple deployments that Soldiers are experiencing. I also understand that statistics reveal that multiple deployments to Afghanistan and Iraq are not adversely impacting enlisted retention. As to officers, I understand that the multiple deployments required in order to ensure our Nation's success in our overseas contingency operations have not resulted in increased attrition of mid-grade officers over the past several years. Beyond this general overview, I do not have sufficient information to give a more detailed response or provide data.

**87. What are the indicators of stress on the force, and what do these indicators tell you about that level of stress currently? In addition to any other stress indicators that you address, please discuss suicide and divorce rates, drug and alcohol abuse, AWOLs, and rates of indiscipline.**

In this period of high operational and personnel tempo, Army leaders—officers and noncommissioned officers—must maintain a constant awareness of both the physical and mental condition of their soldiers and Families and address concerns constructively as soon as they come to light. It is my understanding that reenlistment rates are high, one indication that soldier morale remains strong. I understand that other indicators of stress on the force, such as substance abuse and divorce, have increased. Of great concern to all is the significant increase in the number of Soldier suicides. If confirmed, I will fully support the Secretary of the Army's commitment to provide soldiers and families with a quality of life commensurate with their service and continue Army efforts to develop multi-disciplinary solutions directed at mitigating risk behaviors and addressing the painful issue of soldier suicides. If confirmed, I would work diligently to address these critically important issues and to enhance soldier and family fitness and resilience.

**88. For how long do you believe these levels of commitments can continue before there will be significant adverse consequences for the Army?**

The President, the Secretary of Defense, this Committee and the Congress have have expressed great concern over multiple deployments and the need for soldiers to have more time at home between deployments. An Army out of balance puts great stress on the force and it is my understanding that the Secretary of Defense has made this issue a high priority. At this time, I do not have the information or particular insights to determine how long the Army can sustain the current level of commitment without incurring significant adverse consequences. If confirmed, I would work to support the Secretary of the Army in addressing these adverse consequences in a timely manner.

**89. The Chief of Staff of the Army, General Casey, has stated that the Army is “out of balance.” What is your understanding of this statement and what do you think can or should be done to correct that imbalance?**

As I understand it, General Casey has publicly defined “balance” as the ability to achieve a 1:2 deployment-to-dwell (time at home station) ratio for Active Component Soldiers and a 1:4 mobilization-to-demobilization ratio for Reserve Component Soldiers. Increased force structure and decreased demand are the two ways to improve balance. The Army has grown and achieved its new end-strength of 547,000 almost two years in advance of its goal. This accomplishment, together with a future reduction in demand for forces, is a major step forward to achieving balance.

**National Guard Organization, Equipment, and Readiness**

**Legislative proposals introduced in 2006 and 2007, recommendations by the Commission on the National Guard and Reserves submitted on March, 1, 2007, and the Department's response to these calls for change are all currently under consideration.**

**90. What is your understanding of the role and authority of the Director of the Army National Guard?**

The Director, Army National Guard assists the Chief of the National Guard Bureau in carrying out the functions of the National Guard Bureau as they relate to the Department of the Army. Specifically, the Director of the Army National Guard guides the formulation, development, and implementation of programs and policies affecting the Army National Guard, a force of more than 358,000 soldiers dispersed across the 54 States, Territories, and the District of Columbia. If confirmed, I will establish a close, professional relationship with the Director of the Army National Guard and will communicate with him as he performs his prescribed duties.

**91. Should the Director be “dual hatted” as a Deputy Chief of Staff of the Army in your view?**

I have been informed that the Director of the Army National Guard is integrated in and works closely with both the Army Secretariat and the Army Staff on all matters involving the Army National Guard. If confirmed, and subject to the authority, direction, and control of the Secretary of the Army, I will consider any additional proposals under consideration to modify the title, functions, or authorities of the Director of the Army Guard.

**92. What is your understanding and assessment of changes in the global and domestic roles and mission of the Army National Guard and the National Guard Bureau?**

The Army National Guard is a critical element of our Nation's total force. The Army National Guard has historically served as a "first responder" in state contingencies and national emergencies, while simultaneously meeting its operational commitments in support of overseas contingency operations. Since 2001, the National Guard Bureau has played an increased role in coordinating emergency relief and response efforts across the local, state, and national levels. It is a testament to the inherent flexibility of the current organization of the Army National Guard and the National Guard Bureau that not one mission has been unexecuted in this environment of high-demand, dual-purpose requirements, and the Army has every reason to expect that extraordinary performance to continue.

**93. What is your understanding and assessment of the Army's commitment to fully fund 100 percent of National Guard equipment requirements? In your view, do Army processes for planning, programming, and budgeting sufficiently address the requirements of the National Guard?**

The National Guard is a vital element of the capability the Army provides to combatant commanders and plays a critical role in the defense of the homeland and in providing defense support to civil authorities. Consequently, the National Guard must be properly and adequately trained, organized and equipped. If confirmed, I will consult with the leadership of the Army National Guard to understand their requirements and to ensure that Army planning, programming and budgeting processes are fair and equitable and sufficiently address the Guard's equipping and other requirements.

**94. If confirmed, how would you ensure that the resourcing needs of the Army National Guard are fully considered and resourced through the Army budget? In your view, what is the appropriate role for the Chief of the National Guard Bureau in this regard?**

If confirmed, I will ensure that the Active and Reserve Component will continue to work in concert to provide the land component capabilities our Nation needs. I do not have, at this time, sufficient information on both resourcing needs and the Army budget to make any recommendations. I would work with the Chief of the Army National Guard Bureau to better understand the the resourcing needs of the Guard.

## Equipment Repair/Reset

**Congress has provided the Army with approximately \$17 billion per year to cover the costs to repair and replace equipment worn out by combat operations and prepare forces for rotations in support of OIF/OEF.**

**95. In your view, is this level of funding sufficient to not only prepare Army forces for OIF/OEF but to also improve the readiness of non-deployed forces for other potential contingencies?**

I do not have sufficient information at this time to offer an assessment of this important matter. If confirmed I plan to devote significant attention to the matter.

**96. Is it your understanding that our repair depots are operating at full capacity to meet rebuild and repair requirements for reset?**

It is my understanding that all the Army's maintenance depots are currently operating at a level necessary to meet required workload, but they have the capacity to take on additional workload. It is my understanding that the depots can increase production if the rate of equipment return accelerates and that the Army constantly evaluates depot production and adjusts it to meet current and anticipated demand.

**97. What additional steps, if any, do you believe should be taken to increase the Army's capacity to fix its equipment and make it available for operations and training?**

I do not have sufficient information at this time to offer an assessment of how the Army might increase its capacity to fix equipment in Reset. If confirmed, I would assess the Army's estimates on equipment and Reset efforts.

**98. What impact do you believe the decision to send additional Army forces to Afghanistan is likely to have on equipment available for continued operations in Iraq and for non-deployed unit training at home?**

I have been advised that in the near term, the deployments of additional Army forces to Afghanistan will place additional demands on scarce Army equipping assets.

## Army Science and Technology

### **99. What do you see as the role that Army science and technology programs will play in continuing to develop capabilities for current and future Army systems?**

I have not been fully briefed on specifically how Army science and technology programs will help develop future capabilities for future Army systems. This is an important area for better understanding our acquisitions process and improving our planning and budgeting for future requirements. If confirmed, I would assess the role of the programs in this context.

### **100. What in your view have been the greatest contributions of Army science and technology programs to current operations?**

I must reference my previous response and assure the Committee that I will evaluate the impact to current operations as well.

### **101. What metrics would you use, if confirmed, to judge the value and the investment level in Army science and technology programs?**

If confirmed, some of the metrics that I would use to judge the value and investment level in Army S&T programs would include the transitions of technology to the warfighter; adoption of technology into acquisition programs; and alignment of technology development to warfighter needs.

## Army Laboratories and Research, Development and Engineering Centers (RDEC)

### **102. What role should Army laboratories play in supporting current operations and in developing new capabilities to support Army missions?**

Army laboratories should be working to generate state of the art science and technology applications to meet the operational needs of the force. There is a constant demand for new and innovative capabilities for soldiers, and the Army laboratories should play a key role in helping to meet the current needs and innovate for the future.

### **103. If confirmed, how will you ensure that the Army laboratories and R&D centers have the highest quality workforce, laboratory infrastructure, resources, and management, so that they can continue to support deployed warfighters and develop next generation capabilities?**

In assessing the role of the Army laboratories, I would attempt to understand all the facets presented in this question with respect to future requirements and capabilities

needed.

**104. Do you support the full utilization of authorities established by Congress under the Laboratory Personnel Demonstration program that is currently being run in many Army RDECs?**

Yes.

**105. Do you believe that all RDECs in the Army's Research, Development and Engineering Command (RDECOM) need enhanced personnel authorities in order to attract and retain the finest technical workforce? Would you support expansion of the Laboratory Personnel Demonstration authorities to all of RDECOM's laboratories and engineering centers?**

Yes.

**106. Do you believe that the Army's laboratories and engineering centers should have a separate, dynamic personnel system, uniquely tailored to support laboratory directors' requirements to attract and retain the highest quality scientific and engineering talent?**

I do not have sufficient information at this time to offer an assessment of this important matter. If confirmed, I would study this and its potential benefits to the Army.

**107. How will you assess the quality of Army laboratory infrastructure and the adequacy of investments being made in new military construction and sustainment of that infrastructure?**

If confirmed, I plan to look into this more deeply, so we have a better way of assessing laboratory needs in support of the Army's mission.

#### **Army Test and Evaluation (T&E) Efforts**

**The Army's test and evaluation budget has not been certified as adequate by the Director of the Test Resource Management Center (TRMC) for fiscal year 2010. This is after a conditional certification received in fiscal year 2009. TRMC identified a shortfall of over \$25 Million for investments in T&E range sustainment, operations, and modernization.**

**108. If confirmed, how will you address this shortfall?**

While I am not yet familiar with the specific concerns raised by the TRMC, I believe it is essential that the Department's test and evaluation infrastructure be adequately resourced.

**109. How will you ensure that the Army's test and evaluation infrastructure is robust enough to ensure that new systems and technologies are tested to verify their combat effectiveness and suitability?**

If confirmed, I will become more familiar with the details of this requirement, and I will ensure that future Army program and budget submissions provide an appropriate level of funding for testing and evaluation, consistent with competing demands on Departmental resources.

**110. What metrics will you use to assess the quality of the Army's T&E infrastructure?**

I do not have sufficient information at this time to fully answer this question, but if confirmed, I would begin by looking at the Army's ability to conduct all critical testing requirements, which includes testing of both rapid acquisition programs as well as those programs on the Office of the Secretary of Defense Oversight List for Test and Evaluation.

**111. If confirmed, how would you ensure that weapon systems and other technologies that are fielded by the Army are adequately operationally tested?**

I am committed to the principle of independent operational testing by organizations not directly affiliated with the programs that undergo testing. If confirmed, I will insist that established operational testing processes are followed in all cases and that Army equipment be fielded only after it is proven to meet established requirements and is safe and effective.

**Army Information Technology Programs**

**112. What major improvements would you like to see made in the Army's development and deployment of major information technology systems?**

If confirmed, I would work to quickly leverage emerging technologies to meet security and operational capabilities. If confirmed, I would ensure that the Army IT systems provide war fighters and business managers with leading edge capabilities that efficiently enhance the effectiveness and efficiency of the force.

**113. How will you encourage process and cultural change in organizations so that they maximize the benefits that new enterprise information technology systems can offer in terms of cost savings and efficiency?**

I recognize the importance of encouraging process and cultural change as a component of organizational and business transformation. I confirmed, I will assess how best that can be achieved within the Army so as to maximize the benefits of new enterprise information technology.

**114. What is the relationship between Army efforts at implementing enterprise information technology programs and supporting computing services and infrastructure to support Army missions and efforts being undertaken by the Defense Information Systems Agency and the Assistant Secretary of Defense for Networks and information Integration?**

I understand that the Army must coordinate and integrate the implementation of its information technology programs with ongoing efforts in the Department of Defense. This coordination and integration is critical to the success of both programs. If confirmed, I look forward to establishing relationships and working with my counterparts in the Department of Defense to achieve this goal.

**115. What is your understanding of the Army's plan to adopt and deploy the Defense Integrated Military Human Resources System (DIMHRS)? What are the major issues you feel need to be addressed in that process?**

I have not been informed of the specific status of Army's implementation of the DIMHRS, however, it is my understanding that once fully implemented, this program will substantially improve the accuracy and efficiency of Army's ability to manage its personnel across the Department of Defense. If confirmed, I will carefully review the implementation plan and associated milestones. If my review identifies any weakness, I will make appropriate recommendations, after cross-Service coordination, to the responsible officials.

### **Housing Privatization**

**The Department of Defense has been engaged in the privatization of many of its support functions. Among the most significant privatization efforts is military family housing units and utility systems.**

**116. In your view, what challenges does the Army face in implementing housing privatization and, if confirmed, how would you propose addressing those challenges?**

It is my understanding that there are three key challenges facing the Army in the continued implementation of housing privatization. First, the Army faces risk related to the

capital market both for projects that have obtained financing and also for upcoming projects. To address this risk, the Army must continue to monitor the capital markets and evaluate opportunities associated with fluctuating interest rates, credit terms, and risk parameters. Second, the Army faces risk of underperformance by a private sector partner. To mitigate this risk, the Army should continue to monitor the financial health of each partner and the operational metrics we have established in the Army's portfolio and asset management program. The third risk facing Army housing privatization is the risk faced by any real estate investor: namely, that the expected occupancy, financial performance, or development targets will not be met. To mitigate and address this risk, the Army must continue to implement the best practices from private sector investment management to oversee existing housing privatization projects. Monitoring the key performance metrics associated with typical real estate transactions is critical to identifying and addressing potential issues.

**117. What adjustments, if any, would you anticipate as a result of the current lending environment?**

It is my understanding the terms and conditions of lending are growing more restrictive. Projects are being required to set aside more cash in reserve for debt payments, and the rating agencies are downgrading the credit ratings on the existing debt, which has impacted the appeal of projects to investors. Many of the investors that have historically purchased military housing privatization debt are saddled by financial challenges that have hindered their ability to invest. If confirmed, I would work with the Secretary of the Army to ensure that the Department to monitor the potential impacts of the financial markets on new and existing transactions.

**118. What actions would you propose, if any, to accommodate installations where there are housing shortfalls beyond the ability of the current privatization agreement?**

I understand that the Department of Defense and the Army's longstanding positions are to rely first on housing in the local community. Where there are shortfalls in the local community, the Army has sought to educate community and business leaders in those communities on the Army's housing requirements and to encourage development to meet those requirements. I have been informed that the Army has already held several industry forums in local communities for Fort Drum, Fort Riley, and Fort Bliss. The Army has also used its domestic Army Family Housing lease authority as a bridging tactic until the local community is able to meet the Army's family housing requirements. If confirmed, I would assess the current policy and make recommendations to the Secretary for any actions needed in light of current conditions.

**119. What are your views regarding barracks privatization?**

I do not have sufficient information to provide a clear assessment of barracks privatization. If confirmed, barracks privatization is an issue I plan to explore in depth with a view to furthering the policies of the Secretary of the Army.

## **Investment in Infrastructure**

**Witnesses appearing before the Committee in recent years have testified that the military services under-invest in their facilities compared to private industry standards. Decades of under-investment in our installations have led to increasing backlogs of facility maintenance needs, created substandard living and working conditions, and made it harder to take advantage of new technologies that could increase productivity.**

### **120. What is your assessment of Army infrastructure investment?**

If confirmed, I will work with the Secretary of the Army to assess the sufficiency of the Army's current infrastructure investment strategy and implementation plan.

### **121. If confirmed, what actions, if any, would you propose to increase resources to reduce the backlog and improve Army facilities?**

If confirmed, I will aggressively work to ensure the infrastructure backlog is addressed. I will also work with the Secretary of the Army and the Department of Defense to seek Congressional support for the President's budget request for Army installations and facilities.

## **Implementation of Base Closures and Realignments**

**The 2005 Defense Base Realignment and Closure (BRAC) process has resulted in the required closure or realignment of numerous major Army installations. The DOD installation closure process resulting from BRAC decisions has historically included close cooperation with the affected local community in order to allow these communities an active role in the reuse of property.**

### **122. If confirmed, would you change any of the existing efforts to assist affected communities with economic development, revitalization, and re-use planning of property received as a result of the BRAC process?**

If confirmed, and subject to the authority, direction, and control of the Secretary of the Army, I will assess our current efforts and consider if changes are warranted.

**123. What, in your view, are the advantages or disadvantages, if any, on the use of no cost Economic Development Conveyances as a means of early property transfers under BRAC as opposed to holding out for full fair market value?**

I do not have sufficient knowledge of this matter to render a view. If confirmed, I would assess the advantages and disadvantages in light of current economic conditions and property transfer issues.

**National Security Personnel System (NSPS)**

**Section 1106 of the National Defense Authorization Act for Fiscal year 2008 restored the collective bargaining rights of civilian employees included in the National Security Personnel System (NSPS) established by the Department of Defense pursuant to section 9902 of title 5, United States Code. Under section 1106, the Department retains the authority to establish a new performance management system (including pay for performance) and streamlined practices for hiring and promotion of civilian employees.**

**124. What is your view of the NSPS system, as currently constituted?**

I understand that the core purpose of the National Security Personnel System (NSPS) was to support a streamlined and flexible civilian compensation, staffing, classification, and performance management system. Such a system is viewed as essential to the effective management of the sort of mission-oriented and results-driven civilian workforce that is vital to the success of the Department of Defense. I recognize the existing concerns with certain aspects of NSPS and understand that the NSPS Task Group's core draft recommendation to the Defense Business Board was to initiate a reconstruction of the system. If confirmed, I look forward to working with the Secretary of the Army and the Department of Defense to review the detailed findings and recommendations of the Defense Business Board and, if appropriate, reconstruct NSPS to ensure an optimum system.

**125. If confirmed, how will you evaluate its success or failure to meet its goals?**

If confirmed, I would first review the findings and recommendations of the Defense Business Board and familiarize myself with reports from the General Accounting Office and the Office of Personnel Management and other assessments that may be available. I would work with Department of Defense and Army leaders on internal program evaluations, seeking insights both into what works well in the extant system and into areas recommended for improvement.

**126. Do you support the pay-for-performance approach adopted for civilian employees in the NSPS system?**

As a general principle, I support pay-for-performance and believe that employees' compensation should be based on their contribution to the Army's mission. If confirmed, I look forward to reviewing the Defense Review Board's comprehensive evaluation of NSPS and pay for performance and working with the Secretary of the Army and the Department of Defense to address the concerns identified.

**127. Do you believe that the Department needs streamlined authority for hiring and promotion of civilian employees to meet its human capital needs?**

I am advised that the Department is challenged to meet increased civilian labor requirements in critical occupations and to develop human capital strategies responsive to these challenges. It is my understanding that there are situations in which specialized hiring authorities are required to provide sufficient qualified applicants to meet mission needs. However, before making recommendations for additional authorities, I would want to ensure that managers fully understand the flexibility of the authorities currently available. If confirmed, I will work with the Assistant Secretary for Manpower and Reserve Affairs to prompt managers to creatively and actively use available authorities and to explore the need for, and uses of, direct and expedited hiring authorities to assist in achieving the Department's human capital objectives.

**128. In your view, is it viable in the long run for the Department of Defense to maintain two separate systems (NSPS and the General Schedule) for its civilian employees?**

It is my understanding that the Department of Defense operates a number of other personnel systems, such as Defense Civilian Intelligence Personnel System, a system for non-appropriated fund personnel, and laboratory demonstration projects. If confirmed, I will work with the Department of Defense, the Office of Personnel Management, the Secretary of the Army, and the Assistant Secretary for Manpower and Reserve Affairs to assess the appropriate number and types of personnel systems required for effective and efficient personnel management in the Department of the Army.

**129. What changes, if any, would you recommend to the NSPS authorizing legislation?**

It is my understanding that the NSPS Task Group recently briefed its draft recommendations to the Defense Business Board and that the Task Group recommended reconstructing NSPS. Depending on the content of the final report, legislation may be appropriate to ensure NSPS is on track to achieve its full potential.

**130. What changes, if any, would you recommend to the NSPS regulations?**

It is my understanding that the NSPS Task Group recently briefed its draft recommendations to the Defense Business Board and that the Task Group recommended reconstructing NSPS. Depending on the content of the final report, regulatory or policy changes may be appropriate to ensure NSPS is on track to achieve its full potential.

**Management and Development of the Senior Executive Service (SES)**

**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.**

**131. What is your vision for the management and development of the Army senior executive workforce, especially in the critically important areas of acquisition, financial management, and the scientific and technical fields?**

The Army must carefully manage and develop its Senior Executive Service corps to meet the evolving work force challenges facing the Department. As I understand it, members of the Senior Executive Service are increasingly being looked to as interchangeable with military flag officers in the critically important areas of acquisition, financial management, and the scientific and technical fields. To support this effort, I understand the Army's Senior Executive program focuses on the recruitment, assignment, and development of adaptive, multi-skilled senior civilian leaders, and that the current Senior Executive program includes periodic education and development opportunities and performance based evaluations.

**Over the last ten years, the Army budget has almost doubled, but the number of senior executives in the Department of the Army has remained almost unchanged.**

**132. Do you believe that the Army has the number of senior executives it needs, with the proper skills to manage the Department into the future?**

If confirmed, I will carefully assess the Army's Senior Executive requirements and work with the Secretary of the Army and the Assistant Secretary of the Army for Manpower and Reserve Affairs to ensure that the Army has the right number of Senior Executives with the diverse set of skills and experiences required to lead the Department into the future.

**133. Do you believe that it is appropriate for female soldiers to serve in positions in which they may be exposed to combat?**

Female Soldiers make significant contributions to the Army's success and are an integral part of the all-Volunteer force. All Soldiers—male and female—are trained to fight in combat. As I understand the current law and policy, once properly assigned, female Soldiers are subject to the same utilization policies as their male counterparts and, as required by their units' mission, may find themselves in combat. Female Soldiers remain with their assigned units, perform their assigned duties, and fight as a team with male Soldiers, as they have been trained to do.

**134. What is your view of the current policy regarding women in combat with respect to female soldiers serving in Operation Iraqi Freedom and Operation Enduring Freedom?**

The Department no longer confronts the prospects of a Cold War linear battlefield. The irregular warfare and nonlinear battlefield of today's conflicts raise questions about the practical application of the policy regarding the assignment of women in combat regions. Women make up about 14% of the Active Army, 23% of the Army Reserve, and 13% of the Army National Guard. Approximately 10% of the forces deployed in support of overseas contingency operations are female Soldiers. Women Soldiers have been killed in action, have suffered wounds from hostile action, and have been held captive by our enemies. If confirmed, I would support the Secretary of the Army in having the most up to date information, assessing any changes sought to ensure compliance with all notification requirements in Title 10.

**135. What is your assessment of the Army's compliance with the requirements of the current ground combat exclusion policy?**

It is my opinion that women have and will continue to be an integral part of our Army team, performing exceptionally well in all specialties and positions open to them. However, I have no knowledge at this time as to the Army's compliance with the requirements of law and Department of Defense policy relating to women in combat. If confirmed, I will make such an assessment, and work with the Secretary to take whatever actions are deemed necessary

**136. In your view, should the current policy prohibiting the assignment of women to ground combat units be revised or clarified in any way to reflect changing roles for female soldiers and the changing nature of warfare?**

If after careful study and deliberation, the Secretary of the Army determines that there is a need to modify or clarify the policy, if confirmed, I will provide the Secretary of the Army with advice regarding the changes sought and ensure that the Army complies with the notification requirements set forth in Title 10, United States Code, Section 652.

## **Religious Guidelines**

### **137. What is your understanding of current policies and programs of the Department of Defense and the Department of the Army regarding religious practices in the military?**

I believe the Army's policies support religious tolerance and respect. It appears that Army and Department of Defense regulations provide commanders and other leaders with ample guidance regarding the free exercise of religion in the Army. It is my understanding that these policies are consistent with the First Amendment.

### **138. Do these policies accommodate, where appropriate, religious practices that require adherents to wear particular forms of dress or other articles with religious significance?**

I believe that the Army places a high value on the rights of Soldiers to observe the tenets of their respective religious faiths. It is my understanding that the Army will approve requests for accommodation of religious practice, to include the wear of particular articles of faith, unless the accommodation will have an adverse impact on unit readiness, individual readiness, unit cohesion, morale, discipline, safety, and health. It is my understanding that Army policies are consistent with the First Amendment.

### **139. In your view, do these policies accommodate the free exercise of religion and other beliefs without impinging on those who have different beliefs, including no religious belief?**

I understand that Army policies require chaplains to support all unit personnel, regardless of their beliefs.

### **140. In your opinion, 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 service members with different beliefs, including no religious beliefs?**

Given the high stress soldiers and families face during times of war, Chaplains ought to play a key role in helping soldiers face the many issues confronting them. However, I have no working knowledge if military chaplains strike this balance as stated in the question.

## **Support for Wounded Soldiers**

**Wounded soldiers from Operations Enduring Freedom and Iraqi Freedom deserve the highest priority from the Army for support services, healing and recuperation, rehabilitation, evaluation for return to duty, successful transition from active duty if required, and continuing support beyond retirement or discharge. Yet, as the revelations at Fort Stewart in 2003 and Walter Reed in 2007 revealed, the Army was not prepared to meet the needs of returning wounded soldiers.**

**141. In your view, what were the most critical shortcomings in warrior care since 2001?**

This question and all those following through question #156 focus on some of the most important set of issues affecting soldiers, their families and the ability of the Army to sustain and ready and vigorous force to fight the wars and maintain the peace. Since I have not been in the Department to witness first hand both the issues and solutions regarding the Army's care of warriors, if confirmed, I will make it a priority to work with the Secretary of the Army and all Army leadership as well as the Under Secretary for Personnel and Readiness and other elements at OSD to assess the current situation and support the Army in strengthening its capacity to take care of our wounded warriors.

**142. What is your assessment of the Army's response?**

If confirmed, I will assess the effectiveness of the Army's response and continue to work with Congress to ensure our warriors receive the highest possible quality of care and support. If confirmed, I will support the Secretary of the Army in continuing to assess the Army's response.

**143. How does the Army provide follow-on assistance to wounded personnel who have separated from active service? How effective are those programs?**

I am informed that the Army established the Army Wounded Warrior Program in 2004 to provide follow-on assistance to wounded personnel who had separated from service. If confirmed, I will review this program and embrace a full partnership with the Department of Veterans Affairs to ensure the Army is playing its appropriate role in the care of all wounded Soldiers separating from service.

**144. If confirmed, are there additional strategies and resources that you would pursue to increase the Army's support for wounded personnel, and to monitor their progress in returning to duty or to civilian life?**

If confirmed, I will assess continuously the effectiveness and efficiency of the Army's support for wounded personnel. I will implement strategies and, as appropriate, seek additional resources to ensure that the Army meets the needs of our wounded Soldiers.

**Studies following the revelations at Walter Reed point to the need to reform the Army's disability evaluation system.**

**145. What is your assessment of the need to streamline and improve the Army's disability evaluation system?**

I understand that beginning on November 26, 2007, the Army initiated testing of a revamped physical disability program at Walter Reed Army Medical Center, streamlining the process used to determine Soldiers' fitness for service or eligibility for military and veterans' benefits. I also understand that a joint Department of Defense and Department of Veterans Affairs Disability Evaluation System Evolution Working Group is considering the overhaul of the disability system so that the Department of Defense would evaluate a Soldier for fitness for duty and compensate the Soldier for years of service, leaving to Veterans Affairs the responsibility to compensate the Soldier for disability. Legislation would be required to make these changes.

If confirmed, I will assess this system and work to streamline and improve it.

**146. If confirmed, how will you address any need for change?**

If I am confirmed, I will listen to the information presented by the experts in this area. I will work with the stakeholders in the Army and with appropriate personnel in both the Departments of Defense and Veterans Affairs to determine what elements of the current system should be changed and how to best accomplish those changes.

## **Army Medical Action Plan and Wounded Warriors**

**The Army Medical Action Plan (AMAP) has attempted to address the various needs of wounded warriors and their families.**

**147. What is your view of the adequacy of the AMAP, and if confirmed, would you make any changes to the program?**

If confirmed, I will work with all the appropriate leadership in the Department to insure continued refinement of the program to ensure that it is not only efficient and effective, but is flexible enough to meet the demands of changing strategic circumstances.

**Staffing of Warrior Transition Units (WTUs) has been a major issue, especially at installations experiencing surges of redeploying troops.**

**148. What are the impediments to fully staffing these units?**

If confirmed, I will look into any possible impediments to staffing of these units and take what actions are necessary to insure its success in meeting the needs of soldiers and families.

**149. If confirmed, will you pursue changes to improve assignment of military personnel and hiring of civilian personnel to improve staffing of WTUs?**

If confirmed, I will work to ensure that the systems put in place to maintain appropriate staffing in WTUs continue. WTUs must be capable of expanding or contracting as the population of wounded, ill, and injured Soldiers changes. Working with the Secretary of the Army, I will continue the Army's practice of being a good steward of tax dollars while ensuring that any adjustments made do not reduce the ability of the Army to provide our wounded, ill, and injured soldiers and their Families with the optimal care and support they deserve.

## **Sexual Assault Prevention and Response**

**Numerous cases of sexual misconduct involving soldiers in Iraq, Kuwait, and Afghanistan have been reported over the last several years. Many victims and their advocates contend that they were victimized twice: first by attackers in their own ranks and then by unresponsive or inadequate military treatment. They asserted that the Army failed to respond appropriately by providing basic services, including medical attention and criminal investigation of their charges and, ultimately, appropriate disciplinary action.**

**150. What is your understanding of the resources and programs the Army has in place in deployed locations to offer victims of sexual assaults the medical, psychological, and legal help that they need?**

While I have been advised that Army has implemented a Sexual Assault Prevention and Response Program (SHARP), to include medical, advocacy, chaplaincy, investigative and legal services, this will require a personal assessment prior to making any evaluation of its success or what other actions need to be taken. If confirmed, I would conduct such an assessment.

**151. What is your view of the steps the Army has taken to prevent additional sexual assaults at deployed locations as well as home stations?**

I have not been briefed on steps taken by the Army to prevent additional sexual assaults and if confirmed, I will review such actions and assess their results.

**152. What is your view of the adequacy of the training and resources the Army has in place to investigate and respond to allegations of sexual assault?**

If confirmed, I will work with the Secretary of the Army to assess whether additional steps should be taken to support victims and hold offenders accountable.

**153. Do you consider the Army's current sexual assault policies and procedures, particularly those on confidential reporting, to be effective?**

If confirmed, I will work with knowledgeable professionals to assess and ensure Army policies, procedures and programs, particularly regarding confidentiality and restricted reporting of sexual assaults, are enforced and performing effectively.

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

If confirmed, I will closely monitor the Army's sexual assault response procedures to determine whether improvements are needed in the area of confidential reporting.

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

Sexual assault is a crime that has no place in Army's ranks. The role of senior Army leadership is to ensure an organizational climate where such behavior is not tolerated, and where victims feel free to report incidents without fear of reprisal.

**156. If confirmed, what actions would you take to ensure senior management level direction and oversight of Departmental efforts on sexual assault prevention and response?**

If confirmed, I will work with the Assistant Secretary for Manpower and Reserve Affairs and the Deputy Chief of Staff, G-1 to ensure the Army's Sexual Assault Response and Prevention Program continues to remain effective and receives the appropriate level of support.

**Officer Shortages**

**A report issued by the Congressional Research Service (CRS) in July 2006 found that the Army projected an officer shortage of nearly 3,000, with the most acute shortfalls in the grades of captain and major with 11 to 17 years of service. The CRS also found that shortages would persist through 2013 unless accessions are increased and retention improves. In that time, in addition to aggressive recruiting efforts, the Army has increased officer accessions through Officer Candidate School (OCS) from the pool of most qualified enlisted members.**

**157. What is your understanding of the reasons for the current shortfall, and what is your assessment of the steps the Army is taking to meet this mid-career officer shortfall?**

I have been informed that Army officer shortages stem from force structure growth undertaken to support conversion to more modular, self-sufficient, combat formations and to provide additional capabilities to meet the emerging threats in counterinsurgency warfare. If confirmed, I would review Army projections and steps being taken to resolve shortages.

**158. In your view, what are the long term consequences and challenges, if any, for both the officer and non-commissioned officer corps of increasing the relative size of the officer corps through OCS accessions?**

Officer Candidate School graduates offer the Army a tremendous benefit; the Officer Candidate School cohort has the highest officer retention rates of any commissioning program. In addition, Officer Candidate School has consistently produced minority officer candidates at the highest rate of any of the commissioning sources. Also, Officer Candidate School offers an avenue for civilians with college degrees, in many cases in academic disciplines greatly needed in the Army, to enlist in order to seek a commission.

**159. If confirmed, what actions, if any, would you take to ensure adequate numbers of highly qualified captains and majors are serving on active duty over the next ten years?**

If confirmed, I will support the Army's strategy of retaining the capable and experienced company grade and junior field grade officers. I will support the continued development of non-monetary incentives, to include: advanced education, quality of life, assignment to the region of choice, and other options that will best assist leaders in positively influencing an officer's decision to continue to serve.

**160. If confirmed, what actions, if any, would you take to continuously monitor and ensure the quality of mid-career field grade and senior non-commissioned officers?**

If confirmed, I would assess Army retention policies and work with the appropriate Army Staff to become informed on the Army policies to retain the best and brightest officers and noncommissioned officers.

## Detainee Treatment Standards

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

Yes

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

Yes

**163. Do you believe it is consistent with effective military operations for U.S. forces to comply fully with the requirements of Common Article 3 of the Geneva Conventions?**

Yes

**164. If confirmed, how would you ensure that U.S. forces in Iraq and Afghanistan comply with the standards in the Army Field Manual, the DOD Directive, and applicable requirements of U.S. and international law regarding detention and interrogation operations?**

If confirmed, I will work to reinforce the Army's detention operations training program, which ensures that all U.S. forces involved in detainee and interrogation operations are aware of their obligations under U.S. and international law and applicable Department of Defense policies.

**In the past two years, significant changes have been made in Iraq in the way detention operations have been conducted in a counterinsurgency environment, including through the establishment of reintegration centers at theater internment facilities.**

**165. What do you consider to be the main lessons learned from the changes to detention operations in Iraq?**

As I understand it, the primary lessons learned include, first and foremost, that the Army must clearly communicate its commitment to ensuring that all soldiers adhere to the law of war and live up to the Army values, regardless of the circumstances. Second, soldiers who have violated the laws of war or have failed to uphold Army values must be held accountable. Another major lesson learned is that the Army may need to expand its detention operations force structure, particularly as to Military Police and Military Intelligence.

If confirmed, I will ensure that the Army continues to assess and refine the force structure needed to successfully support the combatant commanders' detention operations missions.

**166. What should be done to incorporate those lessons learned into Department of Defense doctrine, procedures and training for personnel involved in detention and interrogation operations?**

If confirmed, I will ensure that the Army continues to review its procedures and update its doctrine through the analysis of lessons learned and best practices derived from After Action Reviews conducted by returning units, and that lessons learned collected by the Center for Army Lessons Learned are used in the development and revision of Army policy, doctrine, and training.

**Congressional Oversight**

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

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

Yes

**168. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Under Secretary of the Army?**

Yes

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

Yes

**170. 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