

**Opening Statement of U.S. Senator John McCain
Chairman, Senate Armed Services Committee**

**Room SD-G50
Dirksen Senate Office Building
Thursday, February 25, 2016, 9:30 a.m.**

To consider the nominations of:

**Honorable Brad R. Carson to be Under Secretary
of Defense for Personnel and Readiness;**

**Ms. Jennifer M. O'Connor to be General Counsel
of the Department of Defense; and**

**Mr. Todd A. Weiler to be an Assistant Secretary of Defense
for Manpower and Reserve Affairs.**

The Senate Armed Services Committee meets this morning to consider the nominations of:

- Mr. Brad Carson to be Under Secretary of Defense for Personnel and Readiness;
- Ms. Jennifer O'Connor to be General Counsel of the Department of Defense; and
- Todd Weiler to be Assistant Secretary of Defense for Manpower and Reserve Affairs.

We welcome all of you here this morning, as well as any members of your families. As is our tradition, at the beginning of your testimony, we welcome you to introduce any members of your family joining you this morning.

Mr. Carson, the Department of Defense recently announced two rounds of Force of the Future proposals. However, the Department has never provided this Committee any information whatsoever on these proposals.

I am informed that you are the main architect of the Force of the Future. As an individual who previously appeared before this Committee as a nominee to be the General Counsel of the Department of the Army, and later as Undersecretary of the

Department of the Army, your failure to provide information to this Committee stands in stark contrast to the commitment you have previously made, to provide witnesses and briefers in response to Congressional requests. The Department has repeatedly ignored my requests for more details and refused to brief me or my staff. You will be expected to answer questions from the Committee today, on the record.

Many of these Force of the Future proposals appear to be solutions in search of a problem. We are eager to learn what clearly identified problems you propose solving with your proposals, and of course, we want a full description of the background research, cost analysis, and analysis of the impact on military readiness that served as the foundation for the development of such proposals. I find it deeply disturbing that you are proposing to add expensive fringe benefits allegedly aimed at retention during a time when we are asking 3,000 excellent Army Captains to leave the service who would have otherwise chosen to remain on active duty.

From my perspective this initiative has been an outrageous waste of official time and resources during a period of severe fiscal constraints. It illustrates the worst aspects of a bloated and inefficient Defense organization. I look forward to your explanations and empirical data on this important matter.

Ms. O'Connor, the General Counsel of the Department of Defense is the Chief Legal officer and the advisor to the Secretary of Defense on matters involving our nation's fighting forces. The enormous responsibility for this position is reflected in the names of those who have served as DoD General Counsel: Secretary Cyrus Vance, Paul Warnke, Jamie Gorelick, Judith Miller, William Haynes, Secretary Jeh Johnson, and most recently, Stephen Preston. These individuals, and others who served in this key position brought a depth of legal judgment and experience in national security.

This is a position where, if confirmed, you must be the voice of authority for a range of issues with serious national and international implications, ranging from our Nation's freedom to navigate wherever and whenever needed, our ability to fight and win using legal authorities ranging from rules of engagement to authorizations for the use of military force, and our responsibility to provide secure and humane detention of unlawful combatants. I hope you have come prepared to address how you would approach these pressing issues today.

Mr. Weiler, you are nominated for a newly created position within the Department of Defense as a result of a reorganization of the Under Secretary of Defense for Personnel and Readiness. As this is a new office, we are interested to hear how you envision this position fitting into the broader Department of Defense organizational structure and what role this office will play in managing DOD personnel.

Again, I thank the witnesses for their willingness to serve and look forward to hearing their testimonies.