

STATEMENT OF PETER LEVINE
FORMER ACTING UNDER SECRETARY OF DEFENSE
FOR PERSONNEL AND READINESS
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SUBCOMMITTEE ON PERSONNEL
HEARING ON OFFICER PERSONNEL MANAGEMENT

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Chairman Tillis, Ranking Member Gillibrand, Members of the Subcommittee, thank you for inviting me here this afternoon to address the issue of officer personnel management in the Department of Defense. I was privileged to serve on the staff of this Committee for eighteen years, and I place a tremendous value on the work that you do to support our men and women in uniform and their families. The views I express today are my own, and should not be interpreted as reflecting the position of the Institute for Defense Analyses.

Mr. Chairman, as the Subcommittee undertakes the important task of reexamining and improving our approach to officer career management, I would suggest that you take into account a few basic principles.

First, as you undertake to reform the system, it is important to understand not only what is broken, but also what is *not* broken. The Defense Officer Personnel Management Act (DOPMA) has been criticized for being out of step with the demographics of today's force and the realities of the 21st century job market, for pushing highly-trained officers with critical skills into premature retirement, and for limiting the Department's access to talent that will be needed to respond to emerging threats. Respected experts have advocated eliminating the "up-or-out" policy, scrapping mandatory promotion timelines and mandatory retirement dates, and even applying market-based solutions to officer assignments and career advancement.

While the diagnosis has much truth in it, some of the prescriptions would be worse than the disease. Even more than technology, our greatest advantage over our near competitors is our people: our military is filled with countless highly-trained professionals, including officers whose leadership qualities are the envy of

the world. The up-or-out system plays an important role in the development of those officers by ensuring that the officer corps is continually refreshed, and by providing a highly-competitive environment in which it is possible to provide responsibility to developing leaders at an early age. The objective of officer personnel reform should be to add needed flexibility to a working system, not to tear that system down.

Second, our military professionals can't fix the system without your help, but Congress can't fix it without their help either. Real change will be possible only with changes in culture and incentives that are unlikely to take place without the ownership and commitment of our military leadership at all levels. Some may tell you that the military leadership will resist change of any kind. I disagree. I had the honor of serving with two of the officers on your next panel, and with the immediate predecessors of the other two. I can assure you that not only are they exceptionally well-qualified officers and leaders, but they understand the issues that we are discussing today as well as any of us.

Third, as you look for ways to build new flexibility into the system, beware of one-size-fits-all solutions. Each of the services has different personnel needs, and unique career fields are likely to require creative solutions that would not be appropriately applied to the entire force. Certainly, today's military must adapt to a world in which cyber, space, artificial intelligence and other technologies provide new opportunities and new vulnerabilities. But more traditional combat arms specialties are no less needed today than they were 40 years ago. As important as creativity and innovation may have become in today's warfighting environment, hierarchy, order, rules, and discipline remain essential as well.

With these cautions in mind, I would urge you to focus your efforts on improvements in specialty career fields where the existing officer personnel management system has come up short. Let me give two examples:

- In the cyber arena, one of our biggest problems has been access to young people with technical skills who do not fit into the traditional military mold or career patterns. We may need cyber skills too much to give up on individuals who have past drug issues, can't meet military weight standards, or are unwilling to sign up to military discipline for an entire career. To address this problem, the Department may want to consider a variety of tailored options, including expanded lateral entry and

constructive service credit, selected waiver of accession standards, and increased reliance on civilians (possibly with reserve commissions) in lieu of active duty service members.

- In the acquisition arena, one of our biggest problems has been building and retaining expertise that may take a career to develop. Today, we take years to train and develop officers with skills in critical areas like system engineering, cost estimating, and program management – only to push these officers into early retirement and allow their expertise to be snatched up by contractors. To address this problem, the Department may want to consider options to build skills faster and keep them longer, including extended tours of duty, career patterns that strive for depth of experience instead of rotational breadth, and waiver of mandatory retirement dates to enable officers with needed expertise to serve longer (with appropriate compensation).

As these examples show, specialty fields within the Department have different needs that require different approaches. What we should *not* do is change the career progression model for everybody to meet the needs of these unique communities.

If the committee decides to consider across-the-board changes affecting all categories of officers, I would recommend modest steps to build more flexibility into DOPMA without undermining the basic principle of up-or-out. Again, let me give two examples:

- First, the layering of Goldwater-Nichols joint duty requirements on top of DOPMA timelines has pressurized military careers, encouraging rapid rotation through ticket-punching rotations. These tight timelines have discouraged some talented officers from seeking career broadening and deepening experiences – such as interagency assignments, industry rotations, and pursuit of advanced degrees – which might make them better leaders, but would not enhance their chances of promotion. Congress has adjusted some Goldwater-Nichols requirements in recent years, but more flexibility would be helpful to allow innovative future leaders to grow and thrive.
- Second, today's military force is predominantly a married force, and a force in which military spouses increasingly expect to have careers of their own.

Some of our most talented officers may be driven out of the force by career path constraints which leave them insufficient time and space to build their families, or by rotation requirements that separate them from their spouses too frequently or for too long. Congress has established a pilot career intermission program to relieve some of this pressure, but more flexibility would still be helpful to ensure that we don't lose some of our best young officers because we are unable to accommodate their family needs.

If you choose to do so, you could help the military services adjust to these pressures by making the career intermission program permanent, allowing the use of paid and unpaid sabbaticals, and permitting officers to temporarily opt out of the promotion cycle. Any or all of these approaches would build new flexibility into career patterns, allowing officers expand their horizons without abandoning their military careers – and without undermining the fundamental underpinnings of the up-or-out policy which remain as valid today as they were when DOPMA was enacted. While no change in DOPMA can be expected to solve the problems of a married force, the same flexibilities could also help relieve some of the stresses caused when urgent family needs confront immutable career requirements. Based on my past experience at the Department, I believe that these proposals would be welcomed by our military leadership.

As you consider these proposals, you may be tempted to consider pilot programs that run for only a limited period of time. I urge you to think carefully before taking that approach. Our service chiefs told me a year ago that many young service members are reluctant to take advantage of the career intermission program, because they suspect that future promotion boards will be skeptical of a decision to participate in a temporary, pilot program that leads to significant deviation from the career paths of their peers. The promise of a new career path that may disappear after five or ten years is not likely to give much assurance to young service members faced with making decisions that they will have to live with for a 20- or 30-year career.

My old boss, Secretary of Defense Ash Carter, proposed legislation addressing a number of these issues in 2016. His legislative package would have made the career intermission program permanent, permitted adjustments to lineal promotion numbers, expanded lateral entry authority, allowed service members to temporarily opt out of the promotion cycle, and authorized the services to waive

certain DOPMA requirements to provide greater career flexibility in specialty fields. As Secretary Carter said in proposing these changes:

“Up-or-out” isn’t broken – in fact, it’s an essential and highly successful system – but it’s also not perfect. Most of the time, and for most of our people, it works well. The problem, however, is that DoD can’t take a one-size-fits-all approach. . . . [We need new flexibilities] to enable the services to respond to an uncertain future, in ways that can be tailored to their unique capability requirements and particular personnel needs, without casting off a system that still largely meets our needs for most officers across the force.

Some of Secretary Carter’s legislative proposals came too late in the legislative cycle to be considered. Others were included in the Senate bill, but rejected by the House in conference. Although I had a hand in drafting these proposals, I would be the last to argue that they are the only path forward or that the subcommittee cannot come up with a better approach. However, the rationale underlying these proposals – that we need to build more flexibility into DOPMA without abandoning its underlying structure and intent – remains as valid today as it was when Secretary Carter proposed them.

In conclusion, I would urge the Subcommittee to focus on providing increased flexibility rather than new requirements, to give direction but allow the services to develop their own unique approaches to problems in specific career fields, and to work with the Department’s talented personnel leaders in developing these solutions. I thank you for taking on the reform of the officer personnel management system, and for inviting me to participate in your review. I look forward to your questions.