

Advance Policy Questions for LTG John W. Nicholson, USA
Nominee to Commander, Resolute Support Mission and
Commander, United States Forces Afghanistan

Duties

What is your understanding of the duties and functions of the Commander, North Atlantic Treaty Organization (NATO) Resolute Support Mission (RSM)?

The Commander, Resolute Support (COMRS) is the senior NATO uniformed officer in Afghanistan. He is the in-theater operational commander, exercising operational control of all Resolute Support (RS) forces in Afghanistan. COMRS employs assigned forces, through a strategic partnership with the Afghan government, to conduct functionally-based security force assistance (train, advise, assist) to enable credible, capable and increasingly sustainable Afghan security institutions and Afghan National Defense and Security Forces (ANDSF) that are capable of preventing terrorist safe havens in Afghanistan.

At the NATO Summit in Lisbon in 2010, Allies and partners agreed that by the end of 2014, Afghan forces would assume full responsibility for security across the whole of Afghanistan. Allies and partners jointly agreed with the Afghan government to a follow-on NATO-led non-combat mission to continue supporting the development of the Afghan security institutions and the ANDSF after the end of the International Security Assistance Force (ISAF)'s mission. This commitment was reaffirmed at the 2012 Chicago Summit and 2014 Wales Summit. The NATO-led RS mission began on 1 January 2015 to train, advice, and assist at the security ministries and the higher levels of army and police commands across the country. The RS mission includes approximately 13,000 personnel from NATO Allies and operational partners, operating from one hub (Kabul/Bagram) and four regional spokes (Mazar-e Sharif in the north, Herat in the west, Kandahar in the south, and Laghman in the east). The agreement between NATO and the Afghan government on the establishment of the RS mission was welcomed by United Nations (UN) Security Council Resolution 2189. Unanimously adopted on 12 December 2014, it underscores the importance of continued international support for the stability of Afghanistan. In December 2015, at the foreign ministers' meeting of NATO Allies and their RS mission partners, it was agreed to sustain the RS mission presence, including in the regions of Afghanistan, during 2016.

What is your understanding of the duties and functions of the Commander, U.S. Forces Afghanistan (USFOR-A) and how do those duties and functions relate to those of the Commander, NATO RSM?

The Commander of USFOR-A is the senior U.S. uniformed officer in Afghanistan with duties distinct from his duties as COMRS. The USFOR-A Commander exercises National Command Element and National Support Element authorities and responsibilities for ensuring that U.S. forces have the guidance, equipment, and funding they need to conduct their mission. He ensures unity of effort among all U.S. forces including those under the RS command and those forces not under RS command, including those forces conducting U.S. counter-terrorism operations.

COMRS employs the forces that the troop contributing nations provide to RS of which the United States remains the largest troop-contributing nation. The Commander USFOR-A directs and oversees the United States military contributions within the RS mission while COMRS duties include ensuring the operations of all troop contributing nations, including those of U.S. forces, are coordinated.

Do you believe that there are any steps that you need to take to enhance your expertise to perform the duties of the Commander, NATO RSM, and/or Commander, USFOR-A?

If confirmed, I will expand my knowledge of the current strategic environment in Afghanistan and seek input from a wide range of military and civilian experts. I also know that there is a very qualified staff in place to rely upon once in command.

Relationships

Please describe your understanding of the relationship of the Commander, NATO RSM and Commander, USFOR-A, to the following:

The Secretary of Defense

The USFOR-A Commander reports to the U.S. Central Command (USCENTCOM) Commander, who, in turn, reports directly to the Secretary of Defense. This reporting relationship is prescribed in 10 USC Section 164(d)(1). COMRS does not have a formal relationship with the Secretary of Defense because COMRS reports to the NATO chain of command through the Commander of Joint Forces Command – Brunssum, who reports to the NATO Supreme Allied Commander Europe (SACEUR).

The Chairman of the Joint Chiefs of Staff

The USFOR-A Commander does not have a formal command relationship with the Chairman of the Joint Chiefs of Staff but coordinates with him through the USCENTCOM Commander on a regular basis. The Chairman is the principal military advisor to the President, the Secretary of Defense, and the National Security Council and while he is the nation's senior military officer, he is not in the chain of command. The USFOR-A Commander sends his advice and opinions on military operations to the Chairman through the USCENTCOM Commander.

Commander, U.S. Central Command

The Commander, USFOR-A works very closely with the Commander, USCENTCOM on all aspects of U.S. military operations in Afghanistan. By law, the Commander, USFOR-A reports directly to the Commander, USCENTCOM. The Commander, USCENTCOM exercises authoritative direction and control over all U.S. forces in the CENTCOM area of responsibility, which includes all U.S. forces in Afghanistan. The Commander, USCENTCOM provides authoritative direction over all aspects of military operations, joint training, and logistics. He

has delegated National Command Element and National Support Element authority and responsibilities to the Commander, USFOR-A.

NATO Supreme Allied Commander, Europe

NATO Supreme Allied Commander, Europe, is the NATO strategic-level commander of all NATO forces, including those assigned to the NATO mission in Afghanistan. He provides the Commander of Joint Forces Command-Brunssum (JFC-B) with strategic guidance and direction. Joint Forces Command-Brunssum is NATO's operational level command responsible for the mission in Afghanistan. In short, SACEUR provides strategic direction and campaign objectives and the Commander of JFC-B directs COMRS to attain these objectives and perform key train, advise, and assist tasks, as mandated by the North Atlantic Council.

Commander, Combined Security Transition Command-Afghanistan

The Commander, CSTC-A serves two primary roles. The first is to serve as the commanding general of the DoD element that provides equipment, supplies, services, training, facility and infrastructure repair, renovation, construction, funds, advising and other security assistance to the Afghan Ministries of Defense (MoD) and Interior (MoI) and their forces using the Secretary of Defense's Afghanistan Security Forces Fund authority and appropriations in coordination with the Secretary of State. Second, the Commander, CSTC-A is dual-hatted under the NATO Resolute Support mission as the Deputy Chief of Staff for Security Assistance with responsibility for developing the capacity of the MoD and MoI and their forces to conduct CSTC-A reports to COMUSFOR-A and resource management, inspector general, rule of law, and logistics and sustainment functions. In this role, CSTC-A is responsible for the management and oversight of international contributions in support of the NATO ANA Trust Fund.

U.S. Ambassador to Afghanistan

The USFOR-A Commander provides operational assistance and advice, to include U.S. military views and recommendations, to the U.S. Ambassador. He maintains a close working relationship with the Ambassador to ensure that military and civilian efforts are synchronized and mutually supporting.

U.S. Special Representative for Afghanistan and Pakistan

The USFOR-A Commander provides operational assistance and advice, to include U.S. military views and recommendations, to the U.S. Special Representative for Afghanistan and Pakistan. He maintains a close working relationship with the Special Representative to ensure that military and civilian efforts are synchronized and mutually supporting. This relationship is particularly important to the ongoing security and political transition, as well as re-integration and reconciliation efforts, which will facilitate an inclusive Afghan political solution to the conflict in Afghanistan.

The Secretary General of NATO

The NATO Secretary General chairs the North Atlantic Council, the highest political authority in NATO. The North Atlantic Council is responsible for the overall decisions and direction of NATO policy and operations and is comprised of ambassador-level representatives of all NATO members, including the United States. The Council is advised on military matters and the conduct of operations by the Military Committee, which is also composed of senior military representatives from each member state. The North Atlantic Council, under the Secretary General's leadership, provides overall direction and guidance to the military chain of command. In practical terms, the SACEUR leads all NATO military operations and advises NATO's Military Committee. Thus, in the case of the RS mission, the Secretary General, following consultations and decisions by the North Atlantic Council, provides guidance and direction to SACEUR through the Military Committee, and the SACEUR communicates those directives and guidance through NATO's military chain of command. COMRS and the Secretary General confer and consult regularly, including formal updates to the Secretary General and the North Atlantic Council on the progress of military operations in Afghanistan.

NATO Senior Civilian Representative for Afghanistan

The NATO Senior Civilian Representative (SCR) for Afghanistan is the civilian counterpart to COMRS. As the NATO Secretary General's direct representative in Afghanistan, the SCR is charged with carrying forward the political aspects of NATO's engagement in Afghanistan. Although there is no formal command relationship, the SCR and COMRS work in close concert and with full transparency in accordance with the North Atlantic Council-approved Terms of Reference for the SCR and SACEUR as well as JFC-B's guidance for COMRS. In short, this cooperative relationship is critical to underwrite NATO's operational military and political engagement in Afghanistan and can help to improve cooperation between the RS mission and international civilian agencies in Afghanistan.

United Nations Special Representative in Afghanistan

UN Special Representative of the Secretary-General (SRSG) for Afghanistan is an important leader in the international community's efforts in Afghanistan. While no command relationship exists between COMRS and the UN SRSG, the RS mission was welcomed by UN Security Council Resolution 2189 to train, advise, and assist the Afghan security forces and institutions. Similarly, the UN SRSG has a mandate to lead the UN Assistance Mission in Afghanistan (UNAMA) supporting the Afghan government in its efforts to improve critical areas, including security, governance, economic development, and regional cooperation, as well as to support the full implementation of mutual commitments made on these issues at the London Conference in January 2010 and the subsequent Kabul Conference in July 2010. The SACEUR OPLAN states that COMRS is expected to work in close coordination with both the NATO SCR and the UN SRSG. These partnerships support efforts to work with the Afghan government to ensure progress towards the goal of a self-sufficient Afghanistan.

Major Challenges

What are the major challenges you foresee in the execution of the mission in Afghanistan?

I believe there are four main challenges. First and foremost, the force protection of our Soldiers, Sailors, Airmen, Marines and civilians in Afghanistan remains my overriding concern. Our second challenge will be to continue effective counter-terrorism operations against al Qaeda (AQ) its affiliates, and other violent extremist groups that pose a threat to our national security. We must not allow Afghanistan to become a safe haven for these groups in which to plan and launch operations against the United States. My third concern is the speed of the development of the Afghan fighting forces. This of course is the primary purpose of the military mission in Afghanistan and my concern is ensuring our train, advise, and assist (TAA) efforts provide the MoD and MoI the time necessary to mature while simultaneously reducing the overall numbers of coalition troops conducting TAA. The fourth challenge is managing international expectations on the development of effective, affordable, and sustainable Afghan security ministries and forces. It is important to keep in mind the relative immaturity of the Afghan Ministry of Defense and Ministry of Interior and the time it takes to build organizations while withstanding the inevitable security tests the insurgency will provide.

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

If confirmed, I will work with the U.S. Government, NATO and other troop-contributing nations, and our Afghan partners to execute a mutually agreed-upon framework for the capacity building within the Afghan security ministries. I will work closely with, and advise, security ministers and other key leaders to assist them in prioritizing requirements and focus on developing Afghan sustainability of effective security institutions. We will continue to decisively counter terrorist elements with Afghanistan. And while these actions all contribute to a better force protection posture for our forces, I will continue to keep that challenge at the forefront of my thinking.

Security Situation in Afghanistan

What is your assessment of the security situation in Afghanistan and the nature, size, and scope of the insurgency and the terrorist threat?

The insurgency is an enduring threat to Afghanistan. With the ANDSF fully responsible for security for all of Afghanistan in 2015 for the first time since the post-2001 international coalition began combat operations there, the enemy predicted the collapse of the ANDSF and the Afghan government, but instead the ANDSF held firm, did not fracture, and kept the insurgents from achieving their strategic goals. Both sides are in a tough fight given the rate of casualties both sides have inflicted on one another. From my understanding of the current situation, there has been no noticeable slowdown to the fighting season and fighting continues throughout the winter. We will need to work closely with our Afghan partners to assist them as they make progress toward more acceptable levels of security and stability. If confirmed, I will provide an assessment after I have had the opportunity to get first hand insight on the situation in Afghanistan. We cannot allow terrorist organizations to use Afghanistan as a safe haven for planning and executing attacks against the U.S. homeland. Secretary Carter voiced his concerns

about small but potentially dangerous pockets of the so called Islamic State (ISIL) springing up around the world, including in Afghanistan. Together with the lingering AQ threat, it is imperative that we not allow the return of safe havens in Afghanistan for any terrorist organization that can threaten the United States or its allies.

Strategic Objectives

What is your understanding of U.S. vital interests and Strategic objectives in Afghanistan?

Our current efforts in Afghanistan support two main pillars from the 2015 National Security Strategy: 1) Combatting the persistent threat of terrorism; and 2) Building capacity to prevent conflict. In Afghanistan we must ensure that globally linked groups like al Qaeda and the Islamic State cannot pose a threat to the U.S. homeland. This is accomplished through a networked global U.S. counterterrorism strategy, of which Afghanistan is a part. With regard to building capacity, the RS primary task is to train, advise, and assist the Afghan security ministries to develop the capability and capacity of the ANDSF to ensure that violent non-state actors within Afghanistan do not overtake state structures.

What is your understanding of U.S. strategy to achieve these objectives?

The U.S. presence in Afghanistan aims to defeat al Qaeda and its affiliates, contribute to regional and international peace and stability, and enhance the ability of Afghanistan to deter threats against its sovereignty, security and territorial integrity. The RS mission focuses on developing the capacity of the Afghan security ministries and their forces to maintain security in Afghanistan.

U.S. Military Presence in Afghanistan in and after 2016

In October 2015, President Obama announced that the United States would plan to retain 9,800 U.S. service members in Afghanistan through most of 2016, along with our allies and partners. The mission of the U.S. forces would be training, advising and assisting Afghan security forces and supporting counterterrorism operations against al-Qa'ida. The President also announced that instead of going down to a normal embassy presence in Kabul by the end of 2016, we will maintain 5,500 troops and the mission will not change.

Do you support the President's decision on the size of the U.S. military presence in Afghanistan in 2016?

Yes, I support the President's October 2015 decision to retain 9,800 U.S. troops in Afghanistan through most of 2016.

What is your understanding of the pace of withdrawal of U.S. forces in Afghanistan during 2016? Do you agree with this pace of withdrawal?

My understanding of the current plan is that in order to provide maximum flexibility for 2016, General Campbell has planned to maintain as many troops in Afghanistan for as long as possible before reducing to 5,500 U.S. troops by 1 January 2017. I concur with this approach and, if confirmed, will conduct my own assessment after taking command after which I will, if necessary, make any recommendations on options to my chain of command.

What military activities or lines of effort do you anticipate will be reduced, and to what degree, if U.S. force presence is decreased to 5,500 troops?

Aligning one's mission and resources is an important function of command. If confirmed, I will conduct an assessment and make recommendations to ensure that our resources match our mission. A reduction in force will likely reduce our level of activity across the board; for example, reduce our TAA at the corps level while maintaining it at the ministerial level. However, if confirmed, I will work to ensure that we create an organization which is as efficient as possible, with the right people, in the right locations, executing the right missions. My priorities would be to ensure that neither our ability to protect the force, nor our two primary missions, counterterrorism operations and training, advising, and assisting the ANDSF, are compromised.

What, if any, challenges do you foresee in the implementation of the plan announced by the President?

The greatest challenge in the implementation of this plan is to ensure that we have the right people, in the right locations, executing the right missions as directed by the President and my military chain of command.

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

If confirmed, in order to address this challenge, I will conduct an assessment during my first three months of command. This assessment will focus on ensuring our force is "right-sized" and "right-sourced" to execute the missions directed by the President and my military chain of command. Based on my initial assessment, I will make recommendations on potential adjustments through my leadership.

Progress of Afghanistan

What is your assessment of Afghanistan's progress over the past 15 years that our troops have operated in that country?

First and foremost, there have been no terrorist attacks launched from Afghanistan against the U.S. homeland since 2001. Afghanistan has made tremendous progress in a number of areas over the last 15 years. When we arrived in 2001, Afghanistan was an unstable environment in which extremists flourished. Now, there is a stable government, which has held three national elections. Viable security forces have been created and today the ANDSF have sole security responsibilities across the entire country. They facilitated the 2014 elections and the subsequent

peaceful transfer of power, one of the first in Afghan history, resulting in a national unity government. Overall quality of life, including life expectancy and the infant mortality rate, has improved dramatically. Additionally, improved access to education and medical care, and the integration of women into the military and other government organizations has set conditions for greater stability and success in the future. As a sovereign nation, the government is conducting normal diplomatic relations throughout the region and around the globe. While there is still much work to do, the Afghan people are willing to do the hard work of securing themselves and building their institutions.

What is your assessment of the impact of the reduction in the size of U.S. and coalition forces and the associated support to the current footprint on the economic dynamics in Afghanistan?

Reducing our footprint by 90% has had a significant impact on the local economy; however, I cannot provide much detail beyond that general assessment. If confirmed, I will be able to provide a more detailed assessment of the impact of military reductions on the local economy and get a sense of how this is being mitigated by other non-military development efforts.

Performance of the Afghanistan National Security Forces

In mid-2013 the Afghanistan National Security Forces (ANSF) assumed lead responsibility for security throughout Afghanistan. In 2015 the ANSF assumed sole responsibility for securing their country. Simultaneously, in a period of about two years, U.S. and coalition force presence was reduced from about 140,000 troops to 14,000 troops.

What is your assessment of the performance and capabilities of the ANSF since assuming full responsibility for Afghanistan's security?

With an overall reduction in coalition force presence by 90% and end of the coalition combat mission, the Afghan National Defense and Security Forces (ANDSF) have more than held their own against the insurgency. The ANDSF continue to demonstrate that they are a competent and confident force, and have embraced their role in securing Afghanistan. The ANDSF enjoy the support and confidence of the majority of the Afghan people as Afghanistan's most respected institution. However, while their capabilities have expanded, significant gaps remain and they are not yet self-sustainable.

Based on current assessments which I have reviewed, four key high-end capability gaps that remain are: close air support; intelligence enterprise; special operations; and Afghan security ministry capacity. International funding and coalition force assistance will be critical to sustaining the force in the future and ensuring that Afghan security ministries continue to marginalize the insurgency by maintaining ANDSF's strategic and operational overmatch while strengthening the ANDSF's ability to defeat the insurgents at the tactical level. If confirmed, I will focus the forces' efforts towards these challenges, building on the progress that has already been made.

The ANDSF perform well when conducting deliberate, planned offensive operations, but are often overmatched when attacked at static sites, such as checkpoints and are overly reliant on their special forces to conduct clearing operations. Recent operations in Kunduz City revealed gaps in their ability to collect and disseminate intelligence, while operations in Helmand Province revealed serious leadership failures. In each case, ANDSF senior leadership took responsibility and made sweeping changes to improve, replacing dozens of key leaders and quickly developing new campaign plans. It is important to remember that in the past, we would have taken the lead for such adjustments, but in this case, the Afghans took ownership for the failures and leadership for the improvements.

What do you consider to be the most significant challenges the ANSF face in assuming and maintaining their security responsibilities in the 2016 fighting season and in the next few years?

The ANDSF must better adapt to operations without coalition enablers and increase confidence in their own capabilities. Although their capabilities continue to grow as DoD fields additional planned aviation and intelligence, security, and reconnaissance (ISR) enablers to the ANDSF, I've been informed that there are still many requests for coalition enablers. They must also continue to address the Afghan National Army's attrition rate, which has left personnel levels well below authorizations while reducing the Army's ability to grow mid-level leaders and maintain combat-experienced soldiers. For 2016, the ANDSF must also gain additional proficiency in conducting intelligence-driven offensive operations and develop offensive maneuver capabilities to gain and maintain the initiative against the insurgency.

Capability gaps still remain in ANDSF aviation, intelligence, and special operations, along with developmental shortfalls in systems maintenance, requirement forecasting, and human capital. For the next few years, the Afghan security ministries will have nascent, but growing capability in tasks such as planning, programming, multi-year budgeting and execution; logistics; and human resource management. They also still require advisory support for their Inspectors General to ensure transparency, accountability, and oversight as well as for developing strategic plans and policy.

What U.S. and coalition enabling capabilities do you believe are most important to supporting ANSF in providing security for Afghanistan?

If confirmed, I will make a full assessment of this once on the ground. However, my current understanding is that the most requested capabilities are close air support (CAS) and ISR assets. In the near term, as their CAS capability grows with the fielding of the A29 and additional rotary wing assets, I expect those requests to diminish. Over the long term, the most important capability we provide them are the systems and procedures we put in place to ensure their sustainability. The Afghan security ministries must be able to conduct the programming/budgeting, logistics, operational planning, requirements development, and intelligence functions effectively, as the long-term DoD security cooperation relationship shifts to a primary focus of maintaining oversight of DoD security assistance funding and enabling

the Afghans to access the foreign military sales system for procurement of major end items, weapons and ammo, as well as to sustain their equipment..

Building and Sustaining the Afghan National Security Forces

The ANSF are near their target end strength level of 352,000, consisting of an Afghan National Army (ANA) of 195,000 and Afghan National Police (ANP) of 157,000.

In your view, do the ANA and ANP have the right size and capabilities to address the current security situation on the ground in Afghanistan?

If confirmed, I will make a full assessment of this matter once I'm on the ground. However, based upon my current understanding, yes, the ANA and ANP are the right size and are developing the right capabilities, with our enabling support, to address the security situation in Afghanistan.

What in your view are the greatest challenges to building and sustaining the capabilities of the ANSF over the next two years?

If confirmed, I will make a full assessment of this once I'm on the ground. However, based upon my current understanding there are two major challenges to building and sustaining the capabilities of the ANDSF. The first is that the ANDSF rely on international donors for 90 percent of their funding, and it is critical to ensure the international community—including the U.S. Congress—has confidence that the funding they provide is being used properly. This, in turn, requires ensuring that the Afghan ministries have the systems and processes in place to properly manage and account for these funds, the majority of which are given directly to the Afghan government for pay and personnel. My understanding is that there is an effort to develop an enterprise system that will transition from the current manual systems to automated systems that integrate the pay and personnel systems so the MoD and MoI can markedly improve accountability of payroll funds. It is important to note that most of the U.S. funds being provided for the ANDSF are actually executed through the U.S. Foreign Military Sales Systems, which helps builds the U.S. and Afghan partnership as well as provides complete accountability for those funds.

The second major challenge is ensuring that the ANDSF have the training, materiel and supplies needed to be effective against the insurgency.

If confirmed, what would be your priorities for building the capabilities of the ANSF, including the key enablers that the ANSF need to develop and maintain?

Although the temptation would be to focus solely on the immediate needs such as close air support or intelligence, if confirmed, I would balance that with a more comprehensive approach at the security institution level to build true sustainability.

The size, structure, and posture of the Resolute Support mission is configured towards the development of sustainable Afghan systems focused at the corps level and reaching up to the ministerial and institutional levels. The Resolute Support plan is built around functionally-based training, advising, and assisting designed to facilitate the horizontal and vertical integration of what we call eight essential functions:

- 1) Plan, program, budget, and execute; generate requirements, develop a resource informed budget and execute a spend plan.*
- 2) Develop and implement internal controls to assure transparency, accountability, and oversight.*
- 3) Maintain/enhance civilian governance of the Afghan security ministries, including adherence to the rule of law.*
- 4) Force generate: recruit, train, retain, manage and develop a professional ANDSF.*
- 5) Sustain the force through effective facilities management, maintenance, medical and logistics systems.*
- 6) Plan, resource and execute effective security campaigns and operations.
 - a. Inter-ministerial and joint coordination, and*
 - b. Command, control and employ ground, air and special operating forces.**
- 7) Develop and mature sufficient intelligence capabilities and processes.*
- 8) Maintain internal and external strategic communications capabilities.*

These functions are interdependent and, taken as a whole, contribute directly to Afghan sustainability. They span across all levels of conflict, from the tactical to the strategic. The key enabler to this effort is the ongoing provision of quality advisors to focus on building capacity of the Afghans to execute these functions.

Through the advisory efforts associated with the eight essential functions we will improve the Afghan security forces' capabilities in aviation, intelligence, and special operations.

At the North Atlantic Treaty Organization (NATO) Summit in Wales in September 2014, NATO leaders declared “we are adapting our operations, including in Afghanistan, in light of progress made and remaining challenges.” At the NATO Summit in Chicago in May 2012, the countries participating in the coalition discussed a model for the future size of the ANSF of around 228,000, a reduction of about one third from the current ANSF end strength.

What is your understanding regarding current assumptions for the size of the Afghan security forces through 2016 and beyond?

My understanding is that the Secretary of Defense has publicly said that DoD will seek funding for the current authorized end strength of 352,000 personnel through at least the end of 2017, along with the funding that our coalition partners and the Afghan government will provide. Our coalition partners will meet at the NATO Summit in Warsaw this summer to determine the level of financial commitments towards sustaining through 2020. We will continue to coordinate with the Afghans and international partners on force planning beyond that point based on a review of the anticipated security environment, ANDSF performance and capacity, and available funding.

Do you agree that any future reductions in the size of the ANSF need to be based on the security conditions in Afghanistan at the time those reductions would occur?

Yes. The size of the ANDSF should be based on conditions such as security requirements, the needs of the government in conjunction with its national strategy, and available funding.

If confirmed, do you agree to conduct a review of the plans for the future ANSF force levels to assess whether the size and capabilities of those forces are appropriate to address security conditions in Afghanistan after 2016?

Yes. As conditions on the ground change we will, in partnership with the Afghan government, continue to assess the necessary size of the ANDSF to ensure the success of the mission, and overall security and stability in the country.

Train, Advise and Assist Mission

In October 2015, President Obama said that “Our troops are not engaged in major ground combat against the Taliban” while the Afghan forces are “...developing critical capabilities -- intelligence, logistics, aviation, command and control.”

What is your understanding of the role that U.S. and coalition trainers and advisers will play in building the capabilities of the ANSF in 2016 and in future years?

U.S. and coalition personnel will continue to train, advise, and assist the Afghan security ministries and the ANDSF to improve systems, processes and organizations, with the goal of developing a self-sustainable ANDSF and decreasing the need for U.S. and coalition support. This will include enabling the Afghan security ministries to generate requirements for replacement and replenishment of equipment and supplies and accessing the DoD Foreign Military Sales to meet those requirements. The majority of Afghan systems and processes are functional; however, there are friction points and maturity issues within these systems. If confirmed, I will conduct further review on these efforts to determine possible improvements to the process.

What is your understanding of the timelines that will be required to develop critical ANSF capabilities including intelligence, logistics, aviation, command and control?

The ANDSF has emerging capabilities in these areas and can operate independently, although in limited capacity. Any continued development through our assistance will be to ensure Afghan sustainability of those capabilities. We must keep in mind that these are capabilities that even modern armies struggle with, so I assess we would require a commitment that reduces over time through at least 2020.

Given the focus of the Taliban on efforts to disrupt security and stability in Helmand Province, do you feel the employment of an Advise and Assist Cell to the Afghan National Army 215th Corps, in lieu of a larger and more robust Train, Advise and Assist Command, is appropriate, and if so, why?

Yes, I think it is appropriate for two reasons. First, Afghan leadership has already recognized some of the shortcomings and has begun making adjustments such as replacing failed leaders, providing reinforcing units from other parts of the country, and dedicating other resources such as armed aircraft to Helmand. Secondly, our role is to train, advise, and assist as the Afghans integrate those assets into a comprehensive plan.

Recent incidents in both Afghanistan and Iraq indicate that the train, advise and assist mission may include risks that could result in casualties to U.S. forces.

What is your assessment of the risks involved with the train, advise and assist mission and what steps can and should be taken, in your opinion, to mitigate those risks?

We've known from the onset of the RS mission that Afghanistan remains a dangerous place. The insurgents do not pay attention to what our mission is and show no discretion in attacking us, our Afghan partners, or innocent civilians. Also, keep in mind that there will always be inherent non-combat risks in conducting any military operation. If confirmed, I understand my responsibility to protect our forces is paramount. I will take all measures available to me to protect our forces and mitigate risks, while accomplishing our mission.

Insider Threat

What is your assessment of the measures that have been taken by RSM and Afghan leaders to address the insider threat?

My understanding is that the combined efforts of RS forces and the ANDSF have mitigated the risk of insider attacks and limited casualties through strict adherence to force protection policies. No single countermeasure can prevent insider attacks; therefore, RS forces and the ANDSF have introduced a program of countermeasures which, when applied collectively, can reduce the threat posed by insider attacks. These measures include: strengthened vetting and screening processes for ANDSF new recruits and those returning from leave; increased numbers

and training for counterintelligence agents; cultural awareness training for both RS and ANDSF personnel; and enhancing force protection for personnel advising Afghans or in remote areas.

If confirmed, what additional steps, if any, would you recommend to address this threat?

If confirmed, I will continue to make countering insider threat a top priority as a key component of protecting the force. I intend to maintain the complex, layered, security system in place in Afghanistan today which leverages not only coalition force protection capabilities but also those of the ANDSF and other government agencies. I will continuously monitor and assess the nature of insider threats and potential vulnerabilities and ensure coalition personnel are properly resourced to counter this threat. We are not alone in suffering the effects of insider attacks; our Afghan partners have also suffered considerably from this threat. Therefore, I will continue to strengthen and leverage our partnership with the Afghan government in implementing a comprehensive, combined, and integrated approach by continuing our support for cultural awareness and language training for both coalition and ANDSF personnel as well as strengthening intelligence sharing. I will make a full assessment of this matter once I'm on the ground.

Combatting and Preventing Gross Violations of Human Rights

What steps have RSM, USFOR-A, and the Government of Afghanistan taken to ensure that gross violations of human rights, including extra-judicial killings, torture, and sexual abuse, are prevented, reported, and that perpetrators are held accountable?

The United States, coalition forces, and the Afghan government have taken actions to emphasize the importance of human rights and address conditions that facilitate gross violations of human rights (GVHR). I understand that rule of law advisors advise Afghan counterparts in the Ministry of Interior (MoI) and Ministry of Defense (MoD) to combat GVHR and ensure that perpetrators are held accountable. RS advisors continue to advise MoI and MoD counterparts on implementing rule of law, including investigating and prosecuting those who commit GVHR. In addition, if U.S. or coalition forces witness a human rights violation, they must report it up their chain of command and to appropriate Afghan authorities.

If confirmed, I will continue senior level engagement and continue to stress the importance of human rights. I will emphasize that the Afghan government cannot tolerate the abuse of its children, or any of its people, and the need to thoroughly investigate all allegations and hold individuals accountable.

Counterterrorism Mission

In September 2014 at the NATO Summit in Wales, NATO leaders declared that “Working with the Government of Afghanistan and the wider international community, our goal remains to never again be threatened by terrorists from within Afghanistan.”

What is your understanding of the roles and missions for U.S. military and coalition personnel engaged in counterterrorism operations in Afghanistan in and after 2016?

The primary role and mission for U.S. and coalition personnel engaged in counterterrorism operations in Afghanistan in and after 2016 is to train, advise, and assist Afghan Special Security Forces (ASSF), in order to build their counterterrorism capability. In addition, U.S. forces are engaged in a counterterrorism mission to defeat core al Qaeda and its affiliates and deter the growth of other potential threats, like IS-KP. The U.S. military also conducts operations against force protection threats within Afghanistan.

Does the growth of the Islamic State in Iraq and the Levant (ISIL) or the reemergence of al-Qa'ida in Afghanistan impact the size, set of capabilities, and authorities associated with the U.S. military personnel engaged in counterterrorism operations in Afghanistan? If so, how?

If confirmed, I will make a full assessment of this matter once I'm on the ground. However, based upon my current understanding our counterterrorism forces remain "right-sized" to execute the missions required of them in the Afghan theater of operations. However, that is not to say that adjustments to capabilities or authorities may not be required over time as violent extremist organizations and the threat evolve. Even as the size of the overall U.S. and coalition force draws down in Afghanistan, the requirement to protect our vital national interests and protect our deployed force does not reduce. In fact, with fewer forces in theater, and fewer out-lying bases, early detection of threats to our forces may be more challenging. Because of this, we must closely monitor our ISR capabilities to ensure adequate support for maintaining our strategic warning.

Afghan Special Operations Forces

According to the most recent report on Enhancing Security and Stability in Afghanistan (the "Section 1225" report), the Ministry of Defense Afghan Special Security Forces "continue to demonstrate that they are the most capable force within the ANDSF and as a result have the highest operational tempo."

What is your understanding of the progress in training the Afghan Special Operations Kandaks and the timeline for achieving full operational capability of these units?

The Special Operations Kandaks continue to receive tactical level training, advising, and assistance from numerous attached U.S. Special Forces teams in the field as well as operational and institutional level training and education. While these forces are conducting operations now, they lack some of the critical enabler support required to operate fully independent. If confirmed, I will help to continue to invest in building enabler capability and tactical level TAA beyond 2016. The ability and timeline for these forces to achieve full operational capability is now largely linked to the critical enablers they depend on to execute their missions effectively, such as, rotary-wing air-lift, ISR, and close air support. I will make a full assessment of this matter once I'm on the ground.

What are the most critical enabling capabilities needed by the Afghan Special Operations Kandaks to ensure successful mission execution in 2016 and beyond?

If confirmed, I will make a full assessment of this matter once I'm on the ground. However, based upon my current understanding, the most critical enablers needed to execute their missions effectively, are rotary-wing air-lift, ISR, and close air support.

Given questions raised in 2013 about the ability of the Special Mission Wing to operate and maintain its planned fleet of aircraft, what is your assessment of the progress in its development, its performance, and its importance to the operational success of the Afghan Special Security Forces?

Since the 2013 SIGAR report, the Special Mission Wing (SMW) has thoroughly demonstrated its ability to progress in development, performance, and criticality to the operational success of the Afghan Special Security Forces (ASSF). While the 2013 SIGAR report raised significant questions regarding the program, OSD, the NATO Training Mission-Afghanistan/Combined Security Transition Command-Afghanistan (now Deputy Chief of Staff for Security Assistance/Combined Security Transition Command-Afghanistan under Resolute Support), the U.S. Army Materiel Command, and DoD's Non-Standard Rotary Wing Aircraft Contracting Division all accepted recommendations from SIGAR and implemented solutions.

Suspending procurement of the additional helicopters for the SMW as SIGAR recommended would have been a significant strategic error. Instead, DoD non-concurred with the recommendation and completed the procurement and has fielded all of these aircraft to the SMW, which has proved critical in enabling the operational success of the Afghan Special Security Forces. Today, the SMW is the "go-to" force for night and high-risk operations. They have sustained an aircraft-loss rate significantly below the Afghan Air Force's even while operating in a more dangerous flight regime (most notably low-illumination night-vision goggle helicopter assaults). The SMW continues to develop additional aircrew members and has expanded significantly with the stand-up of the 3rd Squadron in Kandahar and 4th Squadron in Mazar-e-Sharif.

Much can also said about the successful implementation and integration of the PC-12 ISR platform. As the Afghans' only traditional airborne ISR platform, these fixed-wing aircraft have literally transformed how the ASSF conduct operations. In less than two years, the Afghans have quickly integrated the video and signals intelligence provided into their pre-operational planning and mission execution.

What is the end result? Afghan Special Security Forces capable of conducting operations completely independent from U.S. or coalition assistance. I will make a full assessment of this matter once I'm on the ground.

U.S. Special Operations Forces in Afghanistan

How do you see the role of U.S. Special Operations Forces in Afghanistan evolving throughout 2016 and beyond?

I will make a full assessment of this matter once I'm on the ground. However, based upon my current understanding, I do not see the role of U.S. Special Operations Forces in Afghanistan dramatically changing in 2016 and beyond, as we continue to train, advise, and assist Afghan Special Security Forces and conduct the counterterrorism mission. There may be some room for re-structuring or reorganization, but their overall role will not change. If confirmed, they would remain my direct action arm against force protection threats and declared hostile forces while also serving as my military advisors to TAA the Afghan Special Security Forces.

As you know, special operations forces depend on the general purpose forces for many enabling capabilities, including intelligence, surveillance and reconnaissance; logistics; and medical evacuation.

If confirmed, how would you ensure adequate enabling capabilities for special operations forces as general purpose forces continue to draw down in Afghanistan?

Aligning our mission to resources is an important function of a commander. If confirmed, I will conduct an assessment and make recommendations to ensure that our resources match our mission. I will work to ensure that we create an organization which is as efficient as possible, with the right people, in the right locations, executing the right missions. As I review plans to draw down, I will be keenly focused on ensuring all of our forces – including Special Operations Forces – have the appropriate resources to effectively execute our two narrow missions.

Afghan Local Police

The Afghan Local Police (ALP) is supposed to provide security within villages and rural areas and the program was transitioned in mid-2015 to align more directly under the command and control of the Afghan Uniform Police. While the ALP has been assessed as critical to local security and counterterrorism efforts, the ALP has also been criticized as a source of human rights violations, corruption, and misuse by local power brokers.

What is your assessment of the effect of the ALP program on rural Afghan populations and what has been the response from the Taliban?

If confirmed, I will make a full assessment of this matter once I'm on the ground. However, based upon my current understanding the ALP are critical to the Afghan government's counterinsurgency strategy. The ALP are intended to augment the ANDSF at the local level, and are recruited, vetted, and employed locally. The Taliban remain focused on targeting the ALP because they threaten insurgent access to the population and restrict insurgent freedom of movement. Although the ALP are not authorized to conduct law enforcement operations, they do have the authority to detain criminals and insurgents temporarily for transfer to the Afghan National Police or the Afghan National Army.

What is your understanding of the commitment of the Government of Afghanistan to continue its support of the ALP program through 2016 and beyond?

I believe that the Afghan government fully appreciates the benefit of ALP as it augments the ANDSF and extends local security. The MoI is committed to the ALP, and we are committed to helping the MoI ensure the ALP are properly vetted, trained, and equipped. The investment made in the ALP now will pay security dividends in 2016 and beyond.

If this program continues beyond 2016, what is your understanding of the role, if any, that U.S. Special Operations Forces will play in supporting them?

If confirmed, I will make a full assessment of this matter once I'm on the ground. However, based upon my current understanding U.S. Special Operations Forces have a crucial role in training and equipping the ALP. Increasingly, the MoI is taking the lead in supporting the ALP, as we offer advising at the ministerial level. SOF is aiding the MoI in assessing the ALP, ensuring accountability and corruption reforms. Through these assessments, we expect the MoI to gain the training and experience they need to self-align their forces and continually eliminate corruption in their ranks.

What steps are being taken to ensure the proper training, employment of the ALP and their accountability regarding potential human rights violations?

My understanding is that the MoI is making efforts to prevent untrained police by making training a prerequisite to receiving benefits. In addition, they are currently implementing an accountability system to ensure the ALP are properly employed; progress needs to be made on this front. The ANDSF and the ALP receive human rights and rule of law training. I understand that the Afghan government has made some progress in prosecuting members of the ANDSF for human rights violations, ensuring their forces know that any violations of human rights is unacceptable.

Recently, this Committee received testimony about troubling allegations concerning child sexual abuse by members of the ALP.

In your view, what is the appropriate role for a U.S. military commander who is working with the ALP, when that U.S. officer becomes aware of allegations of child abuse by members of the ALP?

If confirmed, I will ensure that all members of my command understand that they are to report all violations of human rights up the chain of command, guidance which has been strongly emphasized by General Campbell as well. Any child abuse allegations must be reported through the chain of command and provided to the Afghan government so that it can conduct a criminal investigation. My understanding is that the Afghan government leadership has said it will not tolerate such behavior by the ANDSF.

If confirmed, what direction would you give to U.S. personnel assigned to your command who become aware of such allegations?

If confirmed, I will ensure all personnel in my command understand their responsibility to report allegations of abuse.

Under what circumstances would you expect U.S. personnel under your command to intervene to stop such misconduct if they suspect it or observe it?

If confirmed, I will ensure all Soldiers, Sailors, Airmen, Marines and civilians in my command understand my expectation to report those engaged in illegal acts. If a U.S. service member chooses to intervene, such actions must take place within the boundaries of the law, just as would be expected anywhere.

Afghan Public Protection Force

The Afghan Public Protection Force (APPF) are continuing to assume security missions from Private Security Companies (PSCs) as directed by Afghan Presidential Decree #62 in August 2010. However, in August 2015, President Ghani signed Presidential Decree #66 which allows U.S. forces, NATO, and their respective contractors to use PSCs.

What is your understanding of the impact of the Government of Afghanistan's decision regarding APPF and PSCs on the security of our military and civilian personnel in Afghanistan and the ability to accomplish their given missions?

The security of our military and civilians is at the forefront of everything we do. Our Commanders on the ground, at the tactical and operational levels, constantly analyze their respective operational environments, building in risk mitigation strategies, and aligning their forces to accomplish their missions. If confirmed, I will work with the interagency and the Afghan government to ensure private security contractors are able to support DoD and our contractors when necessary, particularly for DoD contracted logistic support to the ANDSF.

If confirmed, what steps, if any, would you recommend for addressing any security concerns arising from decisions related to APPF and PSCs?

If confirmed, I will work with the interagency and the Afghan government to ensure private security contractors are able to support DoD and our contractors when necessary, particularly for DoD contracted logistic support to the ANDSF.

Pakistan

What is your assessment of the role and importance of Pakistan to the security situation in Afghanistan? In what areas do you think Pakistan could help improve the security situation in Afghanistan?

Pakistani military operations are critical to defeating the insurgency. Pakistan's ongoing counterterrorism operations in the Federally Administered Tribal Areas reduce the ability of militants to use Pakistani territory as a safe haven for terrorism and base of support for the insurgency in Afghanistan. Improved coordination between Pakistan and Afghanistan along their shared border remains important to sustaining the momentum of the coalition forces' counterterrorism operations and to improved border security. Pakistan also continues to publicly express a desire for reconciliation talks between the Taliban and Afghanistan. Pakistan must take persistent action against the Taliban, particularly the Haqqani Network. Pakistan's pressure on the Taliban combined with its support to the reconciliation process are mutually reinforcing, and when combined, will help reduce the violence in Afghanistan.

Taliban Reconciliation

What is your understanding of the status of talks designed to bring about reconciliation between the Government of Afghanistan and members of the Taliban?

To the best of my understanding, it is an Afghan-led effort which was recently re-started with a quadrilateral meeting with Pakistan, the U.S., and China in mid-January. There were talks last summer that included the Taliban, but they were stalled in late July with the announcement of Mullah Omar's death. Since then, the process has stalled as Mullah Mansour seeks to consolidate power and Afghanistan and Pakistan work on increasing their trust in each other's intentions.. However, the recent quadrilateral talks were a great leap forward and should result in a road map for future talks.

These talks are encouraging; I see reconciliation as the path towards a negotiated settlement that brings about the end of conflict in Afghanistan.

How does (1) the fracturing of the Taliban and (2) the emergence of ISIL affect the prospects for reconciliation between the Government of Afghanistan and members of the Taliban?

The emergence of IS in Afghanistan (IS-KP) has disrupted Taliban operations and compounded their internal discord as the two groups fight each other and compete for resources. The ongoing internal friction over Mullah Mansour's succession of Mullah Omar as leader of the Taliban, along with other internal frictions, makes it difficult to assess the likelihood that a unified Taliban will be prepared to negotiate in the near future.

DOD-Funded Counternarcotics Efforts in Afghanistan

According to the United Nations Office of Drugs and Crime, drugs from Afghanistan account for more than 90 percent of the world's heroin trade.

As it relates to the drug trade in Afghanistan, what is your understanding of the role of the Commander of RSM and Commander of USFOR-A, respectively?

Even though the bulk of Afghanistan's heroin flows into Iran and Eastern Europe and very little, if any, reaches the U.S. homeland, the drug trade remains a concern because it fuels corruption within the government and security forces and it funds Taliban operations. If confirmed, my roles as Commander, Resolute Support and Commander, U.S. Forces-Afghanistan are limited as it pertains to the counter-narcotics mission. My role would be to advise the President of Afghanistan and the Ministers of Defense and Interior, on how the Afghans can decisively combat the narcotics trade that fuels insecurity and corruption across Afghanistan.

In your view, what role, if any, should the Department of Defense have within broader U.S. Government counternarcotics efforts?

Counternarcotics is primarily a law enforcement and justice function versus a military one. As such, the Department of Defense's role in broader U.S. government counternarcotics efforts is primarily to enable or support law enforcement agencies as appropriate, while limiting unilateral action to targets which are at the nexus of the drug trade and terrorism and are threats to U.S. vital national interests.

What is your understanding of the nexus, between the drug trade and the various insurgent groups in Afghanistan? Is the nexus, in your view, sufficient to conclude that the drug trade is a primary source of funding for the insurgency?

There is a significant nexus between the drug trade and various insurgent groups in Afghanistan, many of whom continue to utilize the drug trade as a significant source of funding. Although the Taliban do not directly run the drug trade in the North and East they do effectively run the networks in the South, and certainly continue to benefit from these significant ties, utilizing the narcotics as a major source of funding for the insurgency. Outside of the Taliban, other insurgent groups also make use of the same financial and logistical facilitators as the criminal drug trade.

Counter Threat Finance Activities in Afghanistan

What is your assessment of the efforts by the U.S. Government to identify and counter the sources of financing for the insurgency in Afghanistan, including the financial networks of the Haqqanis?

I am not familiar with the financial actions completed against the Haqqani Network (HQN) since the network was designated a Foreign Terrorist Organization (FTO) by the U.S. Department of State in September 2012. However, threat finance is an important instrument with which to counter terrorist organizations, and if confirmed I will work to increase interagency collaboration to reduce the resources available to these groups.

If confirmed, what changes, if any, would you recommend to enhance U.S. counter threat financing efforts in Afghanistan?

To safeguard U.S. interests in Afghanistan, we must maintain and improve our capacity to track and disrupt threat finances originating in Afghanistan, Pakistan, and from the Persian Gulf states. Future efforts need to be focused on targeting sources of terrorist funding and providing evidence to support criminal indictments and law enforcement prosecutions. If confirmed, I will review our level of integration across the interagency and with our foreign and institutional partners with the goal of maximizing cooperation and effectiveness in countering these activities and networks.

Contract Oversight

The Afghan Government has implemented a number of efforts to reduce the risk that contracting practices will be subject to corruption, which helps fuel the insurgency and undermines the legitimacy of the Afghan Government. These efforts include the establishment of the presidentially chaired National Procurement Commission to oversee all government contracts above the Afghani equivalent of \$300,000.

What is your assessment of the Afghan anti-corruption efforts and what additional steps, if any, do you believe should be taken to improve those efforts to ensure adequate oversight of contracts?

Corruption poses a strategic threat to the long-term stability of Afghanistan as it undermines security, government legitimacy, and prospects for economic development. President Ghani has made fighting corruption a main pillar of his administration taking personal interest and providing emphasis to tackling the problem. We must remain vigilant and continue to support efforts moving forward. Our train, advise, and assist efforts under the Resolute Support mission will continue to focus on effective investigation and prosecution of cases of corruption within the MoD and MoI. It is important to note, however, that most of the U.S. funds being provided for the ANDSF are actually executed through the U.S. Foreign Military Sales Systems, which helps builds the U.S. and Afghan partnership while providing complete accountability for those funds.

Section 841 of the National Defense Authorization Act for Fiscal Year 2015 provided U.S. Central Command (CENTCOM) with new tools to avoid contracting with the enemy, as requested by the Department of Defense.

What is your understanding of the extent to which the new authorities authorized in section 841 have been implemented?

My understanding is that Section 841 of the National Defense Authorization Act for Fiscal Year 2012 provided CENTCOM with new tools to avoid contracting with the enemy, as requested by the Department of Defense. This authority has been expanded in subsequent National Defense Authorization Acts. Task Force 2010 has continued to use

841 authorities in their proposals and has matured its vendor vetting processes and fulfills the requirements that section 841 addresses. Vendor vetting has been implemented successfully to prevent contracting with the enemy.

What role do you expect to play, if confirmed, in carrying out the authorities provided in section 841?

Section 841 of the National Defense Authorization Act for FY2012 prohibits contracting with the enemy in the CENTCOM theater of operations. If confirmed, I will uphold my responsibilities required under Section 841, to include fulfilling reporting requirements, and will support the efforts of others, up and down my chain of command, in the execution of their duties.

What are any lessons learned from use of this authority both within CENTCOM and for other combatant commands?

While Section 841 has been an effective tool in preventing U.S. monetary support to the insurgency, there are two key lessons for other combatant commands worth noting. The first lesson is that combatant commands should place strong emphasis on thorough vendor vetting processes which, if implemented properly, preempt fraud and prevent contracting with the enemy. The second lesson has to do with the importance of coordination between the combatant command, the intelligence task force, and the Head of the Contracting Activity (HCA). Each of these links provides vital information on the second and third order effects of the program at both the operational and strategic levels.

Sexual Assault Prevention and Response

The Department has developed comprehensive policies and procedures to improve the prevention of and response to incidents of sexual assaults, including providing appropriate resources and care for victims of sexual assault.

What is your view of the steps taken to prevent and respond to sexual assaults in Afghanistan, including assaults by and against U.S. civilian and contractor personnel?

Victims of sexual assault need to be protected and receive timely access to appropriate treatment and services, regardless of their location. The current policy, education, training, and commander involvement at all levels ensure we're on the right course in eradicating this crime from our force, including all U.S. personnel in Afghanistan, whether military, government civilian, or contractor. If confirmed, I will ensure that if any deployed service member, civilian or contractor is assaulted, he or she will receive appropriate and responsive support and care. As importantly, I will do all I can to prevent incidents of sexual assault.

What is your view of the adequacy of the training and resources in place in Afghanistan to investigate and respond to allegations of sexual assault?

The services recently enhanced their resources for investigating and responding to allegations of sexual assault. Combat zones and other overseas environments present special challenges that require coordination to ensure we are applying those resources effectively and efficiently. If confirmed, I will review our sexual assault prevention and response program to ensure it meets the needs of our deployed service members and commanders; that resources are appropriately provided so that reports of sexual assault are fully investigated and commanders are fully capable of appropriately adjudicating allegations of sexual assault; and I will ensure deployed victims have full access to treatment and victim care services.

Do you consider the current sexual assault policies and procedures, particularly those on restricted reporting, to be effective?

The Department has put considerable effort into the development of policies and procedures designed to address sexual assault and improve reporting. The Department goal is a culture free of sexual assault, through an environment of prevention, education, training, response capability, victim support, reporting procedures and appropriate accountability that enhances the safety and well-being of all persons. After learning some victims were choosing to forego support services rather than initiate an investigation, the Department offered the restricted reporting option. Offering restricted and unrestricted reporting provides a means to protect a victim's privacy while also providing access to medical care and support services.

What is your understanding of the adequacy of the resources and programs in Afghanistan to provide victims of sexual assault the medical, psychological, and legal help they need?

Victims of sexual assault need to be protected and receive timely access to appropriate treatment and services, regardless of their location. My understanding is that the current policy, education, training, and commander involvement at all levels ensure we're on the right course in eradicating this crime from our force, including all U.S. personnel in Afghanistan, whether military, government civilian, or contractor. Requirements vary across the services, but my understanding is currently, all units in Afghanistan are required to provide Sexual Assault Victim Advocates down to the battalion level and there is a Victim Counsel at the Bagram Legal Office. If confirmed, I will ensure that if any deployed service member, civilian or contractor is assaulted, he or she will receive appropriate and responsive support, care, and legal assistance. As importantly, I will do all I can to prevent incidents of sexual assault.

In your view, what would be the impact of requiring a judge advocate outside the chain of command to determine whether allegations of sexual assault should be prosecuted?

Removal of the commander's authority to prosecute sexual assault removes a key mechanism to respond to the needs of Soldiers within the command, especially the victims. The commander's role in the military justice system is simply essential. The Commander is responsible for good order, discipline, health and morale and welfare of the force. And the commander needs the ability to take timely and appropriate action, locally and visibly, which impacts the overall

discipline of the force. Particularly in a deployed environment, adding a complex, external approval process for appropriate action will impede the commander's ability to deal swiftly and fairly with investigated incidents of sexual assault, and consequently impede the commander's ability to protect victims and prevent further assaults.

If confirmed, what actions will you take to reassess current policies, procedures and programs and to ensure senior level direction and oversight of efforts to prevent and respond to sexual assaults in Afghanistan?

If confirmed, as part of my assessment, I will ensure that all commanders in theater evaluate the sexual assault prevention and response capabilities for their areas of responsibility. Further, this assessment will solicit feedback from those below Commander-level to ensure we create an atmosphere which aims to eliminate assault.

Standards for Treatment of Detainees

Section 1403 of the National Defense Authorization Act for Fiscal Year 2006 provides that no individual in the custody or under the physical control of the United States Government, regardless of nationality or physical location shall be subject to cruel, inhuman, or degrading treatment or punishment.

If confirmed, will you take steps to ensure that all relevant Department of Defense directives, regulations, policies, practices, and procedures applicable to U.S. forces in Afghanistan fully comply with the requirements of section 1403 and with Common Article 3 of the Geneva Conventions?

Yes, if confirmed, I will ensure that U.S. forces in Afghanistan fully comply with all relevant provisions of Department of Defense directives, regulations, policies, practices, and procedures applicable to U.S. forces in Afghanistan, and that they fully comply with the requirements of section 1403 of the Detainee Treatment Act of 2005 and with Common Article 3 of the Geneva Conventions. Conducting detention operations in the most humane manner possible remains a strategic component of our campaign that directly reflects upon our nation's values and the ideals we espouse to our Afghan counterparts.

How would you ensure a climate that not only discourages the abuse of detainees, but that encourages the reporting of abuse?

I believe that engaged and active leadership grounded in the requirements of Common Article 3 of the Geneva Convention and DoD Directive 2310.01E is required for the secure and humane care, custody and control of detainees. If confirmed, I will ensure these elements remain the cornerstone of U.S. Law of Armed Conflict detainee operations. I will also reinforce the obligation to prevent abuse and the duty to report abuse as non-negotiable elements in our guard force training and ensure all detainees are informed of their rights upon entry into the detention facility, to include their right to report any type of abuse free from retribution. The use of medical providers to screen for signs of abuse, and the integration of a robust self-assessment

program bolstered by external assessments from the International Committee of the Red Cross/Red Crescent further creates an open and transparent command climate fused with timely feedback. Finally, if confirmed, I will ensure my command team has internalized their professional responsibility to track and investigate any allegations of abuse and take swift action when appropriate. Furthermore, we will continue to assist the Afghan National Army in developing their detainee abuse reporting systems.

What is your understanding of the agreement between the United States and Afghanistan regarding detainees in Afghanistan?

In accordance with the Bilateral Security Agreement, U.S. forces will not arrest or imprison Afghan nationals or operate or maintain detention facilities. However, the Afghan government continues to operate the Afghan National Detention Facility at Parwan as part of a National Security Justice Center. U.S. forces will retain the ability to expeditiously transfer dangerous insurgents who may be captured in self-defense situations to this secure location for investigation, prosecution, and possible incarceration by Afghan authorities in accordance with Afghan criminal law.

Prisoner Exchange for Sergeant Bergdahl

What are your concerns, if any, on the potential return of the five Afghan Taliban detainees, exchanged for the release of Sergeant Bergdahl, to Afghanistan?

My intent is to monitor any developments and provide support to our interagency partners who have responsibility for this issue, as needed. If confirmed, I will assess this issue and will gladly provide a more detailed response in a closed hearing due to the sensitive nature of this topic.

If they are returned to Afghanistan, how should their potential threat to the security and stability of Afghanistan be addressed?

We will continue to watch for any indication that these individuals, or any other former detainees, have returned to their previous activities. I know that RS Headquarters is in close contact with the agencies handling their situation. We will also work closely with the Afghan government to understand their plans to mitigate and address potential security concerns posed by former detainees. We will take appropriate action to counter any activity that poses a threat to U.S. or Afghan interests. Again, if confirmed, I would gladly return to provide a more in-depth assessment of this situation in a closed forum.

Congressional Oversight

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

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

Yes

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

Yes

Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the RSM Commander/Commander, USFOR-A?

Yes

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

Yes

Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Yes