

**OPENING STATEMENT OF U.S. SENATOR JACK REED
RANKING MEMBER, SENATE ARMED SERVICES COMMITTEE**

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To receive testimony on civilian control of the Armed Forces

(As Prepared for Delivery)

Thank you, Mr. Chairman, for holding this hearing to discuss the principle of civilian control of the Armed Forces. I would also like to welcome our distinguished witnesses, Dr. Eliot Cohen and Dr. Kathleen Hicks, and I look forward to their testimony.

Civilian control of the military is enshrined in our Constitution and dates back to General George Washington and the Revolutionary War. For almost 230 years, this principle has distinguished our nation from many other countries around the world, and it has helped ensure that our democracy remains in the hands of the people.

When the Department of Defense was created by the National Security Act of 1947, the law included a stipulation that an individual appointed to serve as the Secretary of this new agency could not be “within ten years” of “active duty as a commissioned officer in a regular component of the armed services.” However, an exception to the statute was enacted into law shortly thereafter, in 1950, to permit General George Marshall to serve as the Secretary of Defense shortly after he concluded his celebrated tenure as Secretary of State. It then stood untouched for nearly six decades until the FY2008 National Defense Authorization Act modified the requirement by reducing the interval from ten years to seven years. This requirement has served our nation well for the past 70 years, and only once has Congress waived or modified this statute.

For only the second time since the creation of the Department of Defense, Congress must make a determination if an exception should be made to allow recently retired General James Mattis to serve as the Secretary of Defense. As this Committee considers legislation to provide an exception to General Mattis, I believe it is extremely important that we carefully consider the consequences of setting aside the law, and the implications such a decision may have on the future of civilian and military relations.

We must always be very cautious about any actions that may inadvertently politicize our Armed Forces. During this past Presidential election cycle, both Democrats and Republicans came dangerously close to compromising the nonpartisan nature of our military when the nominating conventions featured speeches from recently retired general officers advocating for a candidate for President. As former Chairman of the Joint Chiefs of Staff General Martin Dempsey stated shortly after the conventions, “If senior military leaders—active and retired—begin to self-identify as members or supporters of one party or another, then the inherent tension built into our

system of government between the executive branch and the legislative branch will bleed over into suspicion of military leaders by Congress and a further erosion of civil-military relations.”

I hope our witnesses today will speak to this issue and share any reflections they may have.

Another issue we should consider is whether the total number of retired senior military officers selected for high-ranking positions in the Trump Administration will impact the dynamic of the interagency process and the advice that the President receives. It is true that throughout our nation’s history, retired general officers have often held positions at the highest levels of government as civilians – one notable example is General Colin Powell when he ably served as Secretary of State under President George W. Bush.

What concerns me, however, is the number of retired senior military officers chosen to lead agencies critical to our national security, and the cumulative effect it may have on our overall national security policy. In addition to General Mattis, General John Kelly has been nominated to lead the Department of Homeland Security, while General Michael Flynn will serve as the National Security Advisor – both of whom, like General Mattis, have retired from active duty service in the past few years. While he is not a civilian, and remains on active duty, if we include the current Chairman of the Joint Chiefs of Staff General Joseph Dunford, the leadership of our senior national security apparatus will be comprised of two retired four star generals; one active duty four star general; and one retired three star general.

Diversity of opinion is important when crafting policy and making decisions as weighty as those facing the next Administration. I think it is appropriate for this Committee to consider the consequences that so many leaders with similar military backgrounds will have for the development of defense policy, the impact it could have on the civilian and military personnel serving in these organizations, and how it may shape the advice that will ultimately be provided to the President of the United States.

Finally, if Congress provides an exception for General Mattis, a question this Committee must address is the precedent this action sets for such waivers in the future. The restriction was enacted into law for good reason, and General George Marshall is the only retired military officer to receive this exception. I hope our witnesses will provide their assessment of this issue and if they believe providing an exception at this time opens the door to more waivers in the future, and I personally believe such waivers would destroy the principle that is so critical to an essential tenet of our civil and military relations. Congress is in a position where they’re making a critical decision, and your advice would be deeply appreciated at this point particularly.

I want to make it clear that the concerns I have expressed are not a reflection on the personal attributes of General Mattis. General Mattis will testify before this Committee later this week, and I look forward to having a robust discussion on his record, as well as his views on defense strategy and policy.

Additionally, it is not my belief that previous military service is a disqualifying factor for leading the Department of Defense. Nothing could be further from the truth. Many former members of the Armed Forces have served their country with distinction as civilians after leaving military

service. One only has to look at many of my colleagues on this Committee to appreciate how their prior military service has positively impacted their work in the Senate. And those who have served on the battlefield know better than most the sacrifices required to defend our nation, including the full weight and consequences of making the decision to send our men and women in uniform into harm's way.

What this hearing is about is the principle of civilian control of the Armed Forces, the bedrock of civilian-military relations, and one of the defining tenets of our democracy. We must protect against it being compromised or weakened. Any changes or waivers must be cautiously and carefully considered. I want to thank the Chairman for holding this hearing so that we can do just that, and I look forward to the testimony of our witnesses.

Thank you, Mr. Chairman.

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