

RECORD VERSION

STATEMENT BY

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BEFORE THE

PERSONNEL SUBCOMMITTEE

SENATE ARMED SERVICES COMMITTEE

SECOND SESSION, 115TH CONGRESS

ON THE DEFENSE OFFICER PERSONNEL MANAGEMENT ACT

JANUARY 24, 2018

NOT FOR PUBLICATION UNTIL RELEASED BY THE

SENATE ARMED SERVICES COMMITTEE

Chairman Tillis, Ranking Member Gillibrand, Distinguished members of this Committee, I thank you for the opportunity to appear before this committee to testify on the Defense Officer Personnel Management Act (DOPMA).

Since 1980, DOPMA has served the Army well to standardize the management of officer careers. The Army deeply appreciates the tremendous support we have received from this committee over the past decade as you worked together with us to address restrictions in the law, and in some cases, to support suspension of portions of the law to ensure that as we grew the Army and later drew down and now grow our force again. Thanks to you, we were able to care for those we released from active duty while maintaining readiness.

As we are further away in time from DOPMA than DOPMA was to the original officer management provisions established in the Officer Personnel Act of 1947, we feel it is time to consider what changes are needed to more effectively recruit, access, and retain the talented officers needed to sustain our ready force, and to better manage and employ individual talents/ specialized emerging skills. In preparing for this hearing, we began to look at the ways we interact with DOPMA in its current state and asked how the tenets of the law affect the way we manage the Army's officer corps in support of the national defense mission.

Current Implementation

Current DOPMA authorities allow the Army to determine the required mix of grades and numbers within those grades to execute assigned roles and missions. It works in the aggregate as we are able to sustain the numbers by grade in our officer corps within the boundaries established in current law. We are challenged to sustain our low density, highly technical specialties or specific skill populations within larger branches. We are looking into new opportunities to increase efficiency in this area.

The Army is also able to employ the current DOPMA authorities to expand our officer corps when required for war/national emergency and, conversely, to draw down its officer corps without significantly impacting readiness or the ability to accomplish peacetime/low intensity conflict missions. A review and adjustment of DOPMA may

enable more effective management of human capital, and help ensure the inevitable cycles of reduction and expansion work more smoothly for all the Services.

DOPMA Challenges

DOPMA does, however, limit the flexibility of Services to accommodate unique career path deviations. The Department is reviewing proposed statutory changes for the FY 2019 National Defense Authorization Act to modernize the DOPMA to recruit, develop, promote and retain officers for today's operational requirements. Once we have completed our review and obtained approval of our proposed changes not just within the Department, but also by the Administration, we will share these proposals with you and provide you with more details.

Increasing flexibility would allow the Army to develop emerging skills while still advancing officers in reasonable times and meeting career expectations. With the current caps of field grade numbers, the Services must manage by separation in the absence of advancement (up-or-out) as a paradigm. There is still a challenge to retain specialized populations now needed for high priority missions like Cyber that have emerged from global trends.

Where promotions are concerned, the guidance in DOPMA essentially requires up-or-out management. Officers advance through career points in year group cohorts determined by their initial commissioning year, and compete for promotion at specific points determined by years of officer service. At grades below lieutenant colonel, officers twice passed over for promotion are either separated, allowed to retire if eligible, or selected for continuation by a separate board of officers. Promotion opportunity is prescribed in goals for each grade with the understanding that officers must be afforded a reasonably similar opportunity for promotion from year to year.

Optimizing Talent

Our analysis tells us that while DOPMA is a framework that is effective for an Army of interchangeable parts, it would benefit by offering opportunities for managing key and critical skills within officer grades to deal with today's rapidly changing world.

In the area of officer accessions, in almost all cases, DOPMA has given the Army the flexibility required to appoint officers at the grades needed by offering a sound

framework for granting constructive service credit to many applicants with special qualifications. In working to structure and develop the very technical field of Cyber, the Army has found that current DOPMA provisions on appointment age and on the use of constructive credit for appointment grade may be too restrictive.

The Army is currently implementing a Cyber Specialty Direct Commission pilot program authorized in Section 509 of the 2017 NDAA. This pilot is constrained to a maximum of 3 years by 10 United States Code (USC) §533(g). Increasing the allowable credit of this authority would provide flexibility to recruit better developed Cyber talent at levels higher than first lieutenant grade. In our Army Medical Department, Staff Judge Advocates, Chaplain Corps, the permanent and temporary accessions appointment authorities DOPMA provided the Army, as modified in subsequent legislation, give the Army the authorities needed.

Promotions are required by DOPMA to be made in the order of seniority on the active duty list. This provides well for the due course officers, allowing for steady state promotion rates. However, promoting by seniority on the active duty list rather than by order of merit as established by promotion selection boards makes it difficult to manage the progression of officers whose individual talents and demonstrated potential are critical to meet emerging requirements or unanticipated missions.

Conclusion

In closing, we believe that the provisions of DOPMA likely remain valid, and we look forward to collaborating with Congress, the Administration, Department of Defense, and our Sister Services in an effort to review applicable provisions of law and to optimize where it may be appropriate. Again, we greatly appreciate this committee's continuing support of Army needs as we've adapted to the challenges of a prolonged conflict, and welcome the opportunity to come before you today to testify concerning this critical personnel issue.