

Stenographic Transcript
Before the

Subcommittee on Personnel

COMMITTEE ON
ARMED SERVICES

UNITED STATES SENATE

HEARING TO RECEIVE TESTIMONY ON
MILITARY AND CIVILIAN PERSONNEL PROGRAMS IN THE
DEPARTMENT OF DEFENSE IN REVIEW OF THE DEFENSE
AUTHORIZATION REQUEST FOR FISCAL YEAR 2024 AND THE
FUTURE YEARS DEFENSE PROGRAM

Wednesday, March 15, 2023

Washington, D.C.

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1 HEARING TO RECEIVE TESTIMONY ON MILITARY AND CIVILIAN
2 PERSONNEL PROGRAMS IN THE DEPARTMENT OF DEFENSE IN REVIEW
3 OF THE DEFENSE AUTHORIZATION REQUEST FOR FISCAL YEAR 2024
4 AND THE FUTURE YEARS DEFENSE PROGRAM

5
6 Wednesday, March 15, 2023

7
8 U.S. Senate

9 Subcommittee on Personnel,

10 Committee on Armed Services,

11 Washington, D.C.

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13 The subcommittee met, pursuant to notice, at 2:58
14 p.m., in Room 222, Russell Senate Office Building, Hon.
15 Elizabeth Warren, chairman of the subcommittee, presiding.

16 Subcommittee Members Present: Senators Warren
17 [presiding], Blumenthal, Hirono, Kaine, Duckworth, Kelly,
18 Scott, Sullivan, Budd, and Wicker.

1 OPENING STATEMENT OF HON. ELIZABETH WARREN, U.S.
2 SENATOR FROM MASSACHUSETTS

3 Senator Warren: Good afternoon, and welcome to the
4 first Personnel subcommittee hearing of the 118th Congress.
5 I am pleased to welcome all of you here to this hearing to
6 receive testimony on the military and civilian personnel
7 programs at the Department of Defense and the Military
8 Services in review of the Administration's defense
9 authorization request for Fiscal Year 2024.

10 All three of my brothers served in the military, so
11 supporting the military and military families means a lot
12 to me, and I am particularly pleased to be chairing my
13 first hearing as an Armed Services subcommittee chair.

14 I am honored to chair this subcommittee and I look
15 forward to continuing its long history of bipartisanship
16 and working as a partner with Ranking Member Scott and with
17 all of our members on both sides of the aisle to improve
18 the lives of our service members, of retirees, military
19 families, and the civilian workforce.

20 Our annual posture hearing provides the Department the
21 opportunity to discuss their personnel policy priorities
22 for the coming year. This year marks the 50th anniversary
23 of the all-volunteer force.

24 In today's hearing, I would like to focus on how we
25 welcome young people into the military, how we support

1 families who continue to serve, and how the military
2 contributes to our communities.

3 The Administration's National Defense Strategy gets it
4 exactly right in prioritizing service members. We must do
5 this to address one of the military's greatest challenges,
6 the ongoing struggle to meet its recruiting goals.

7 Today, only the Marine Corps and the Space Force are
8 meeting their recruiting targets. Meanwhile, the Army is
9 set to miss its target by tens of thousands of soldiers,
10 and the Navy has recently lowered its requirements and
11 standards for many ratings in order to address anticipated
12 shortfalls.

13 The most direct way to address this shortfall is by
14 making sure that we are taking care of military personnel
15 and their families. This is just as much a readiness issue
16 as our supply of tanks and missiles and material to fight
17 on land and at sea. So, where to start?

18 Well, I have a lot of work that I want to propose for
19 this subcommittee, including protecting and enhancing
20 health care, continuing to build on Senator Gillibrand's
21 leadership in addressing sexual assault, and combating the
22 corrosive impact of the revolving door between senior
23 Pentagon officials and defense contractors, and foreign
24 governments.

25 I also look forward to working with the Readiness

1 subcommittee to be certain that U.S. military families are
2 not living in unsafe and unsanitary housing conditions. I
3 have done extensive investigative work here, and I have
4 worked with other committee members on bipartisan
5 legislation.

6 For today's hearing, I have picked three items to
7 begin with, access to childcare, medical debt, and the
8 Junior Reserve Officers Training Corps, or JROTC. First,
9 childcare. Accessing childcare remains a problem for all
10 families, military and civilian.

11 We must modernize and improve the way that DOD ensures
12 that service members and their families have access to
13 childcare, and I am happy to work with any member of the
14 committee, Democrat or Republican, who has good, smart,
15 creative ideas on how to do that.

16 Second, I want to take a good, hard look at medical
17 debt and how it affects both members of the military and
18 civilians. I want to ask specifically about implementation
19 of my amendments, along with Joaquin Castro, to the 2021
20 National Defense Authorization Act to provide DOD the
21 authority to waive civilian debts for military hospitals, a
22 bill that was intended to keep our doctors sharp without
23 sticking patients with big private bills.

24 I won't get to cover it today, but I am also concerned
25 about service members who have TRICARE but who still get

1 stuck with medical bills they are expected to pay on their
2 own. And finally, I have questions about the Junior
3 Reserve Officers Training Corps, or JROTC, particularly
4 about reports of sexual assault of our children.

5 We have much to do to better support military
6 families. I look forward to getting to work on these
7 issues and many more. And I will now turn to Ranking
8 Member Scott for his comments to open this hearing. Thank
9 you. Ranking Member Scott.

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1 STATEMENT OF HON. RICK SCOTT, U.S. SENATOR FROM
2 FLORIDA

3 Senator Scott: Thank you, Chair Warren. As this is
4 the first meeting of the Personnel subcommittee this
5 Congress, let me begin by saying that I am very much
6 looking forward to working with Senator Warren as we
7 continue the bipartisan tradition of the Armed Services
8 committee in developing the National Defense Authorization
9 Act.

10 I am on four committees, and this is my first
11 subcommittee to be the ranking member. And I want to say
12 that the Armed Services committee is the one committee that
13 actually works well together. And I think we are going to
14 continue to do a great job with the National Defense
15 Authorization Act again this year.

16 Every member here is united in supporting our men and
17 women in uniform and their families. This subcommittee has
18 a long history of prioritizing the well-being and morale of
19 our service members. I am eager to be continuing that work
20 as the new ranking member. Today, the military faces, as
21 we all know, a recruiting crisis.

22 If current trends continue, the Army, Navy, and Air
23 Force will fail to achieve their recruiting missions this
24 year. The Army and Navy look like they will miss the mark
25 by over 10,000 recruits each. Well, this could be only the

1 third time in history the Air Force has failed to meet its
2 recruiting mission.

3 This situation is unprecedented in the 50-year history
4 of the all-volunteer force, and this subcommittee must make
5 it our top priority to do whatever we can to fix it. I am
6 concerned that in the midst of this challenging recruiting
7 environment, the Navy has decided to lower enlistment
8 standards.

9 We have seen this approach tried before. It had
10 disastrous results. I am a Navy veteran myself. I joined
11 at the age of 18. I probably did more swabbing the decks
12 and cleaning the latrines than I did being a radarman. I
13 am also the son of a World War II veteran who fought -- who
14 was one of 3,000 people that did all full combat and jumps
15 with the 82nd Airborne.

16 Also fought in the Battle of the Bulge. I know that
17 no job in military is easy or unimportant. When ships
18 catch fire or in collision, as has happened repeatedly in
19 the recent past, every sailor must know how to respond to
20 save lives.

21 When enlistment standards drop below certain levels,
22 we have seen increased morale and discipline problems,
23 which are accompanied by lower unit readiness. These are
24 not acceptable outcomes.

25 I hope to use this hearing to learn more about what

1 the Navy is doing to avoid the mistakes of the past in this
2 area. The good news is that as difficult as recruiting is
3 right now, retention levels are generally quite high. That
4 means once people join the military, they tend to like it
5 and want to stay.

6 Military families in particular have higher retention
7 rates than single service members. This is supported by
8 DOD surveys that report married servicemembers with
9 children have the highest levels of satisfaction with the
10 military way of life. So, we need to ask ourselves why is
11 there such a disconnect between recruiting struggles and
12 retention successes, and what can we do to bridge that gap.

13 As we continue working to ensure service members and
14 their families enjoy high quality of life in the military,
15 we need to do more to share their inspiring stories with
16 the rest of the country. Effective use of marketing and
17 advertising must be a priority right now and we need to
18 resource it accordingly.

19 The Department of Defense should also be an advocate
20 for the many benefits that come with military service. For
21 example, we know that veterans have lower unemployment
22 rates and higher rates of homeownership, marriage,
23 educational achievement.

24 Military service sets young men and women on the path
25 to a great life and we need more people to know that. So,

1 we have major issues facing our military, and this
2 subcommittee stands ready to tackle them.

3 That is why I was excited to take the position as
4 ranking member, because there are real issues like housing,
5 childcare, recruitment, and health care that demand our
6 attention. These aren't Republican or Democrat issues.
7 There are things that this committee has and must continue
8 to work on, on a bipartisan basis, to fix so our military
9 members and their families are taken care of.

10 This committee did this last Congress to better
11 protect against and prevent sexual assault. Working
12 together on these issues -- important issues allow us to
13 best serve those who serve and protect our nation.

14 That is why I was incredibly disappointed when I
15 finally received Secretary Cisneros prepared statement, of
16 several witnesses last night at 10:00 p.m., and found that
17 a major focus of the Pentagon, I am sure probably at the
18 urging of the White House, was prioritizing DEI, virtually
19 cultural war issues.

20 I have run big companies. I know the importance of
21 ensuring that we have a workplace, whether in the military
22 or elsewhere, where people can come to their jobs without
23 the threat of being disrespected or discriminated against.
24 But when it comes to our armed forces, the top question
25 should be, is every person who wants to join solely focused

1 on the mission of intimidating the hell out of our enemies
2 and defeating them if necessary.

3 It is not about hitting diversity quotas. It is about
4 being the most lethal military fighting force on the planet
5 because the folks who wear the uniform are warfighters,
6 unapologetically devoted to protecting American values,
7 putting that above all else.

8 Our Commanders know this, and I am gravely concerned
9 that this Administration is forcing them to move away from
10 that to achieve some diversity metric that isn't based on
11 enhancing the lethal fighting capabilities of the American
12 military.

13 We are creating nice talking points for the
14 Administration to tout race and gender instead of fighting
15 power and strength. Do I believe that our military should
16 reflect America and be made up of fighters as diverse as
17 places like my home State of Florida, you better believe
18 it.

19 But to assert that diversity quotas and pronoun
20 training are more important than the basic needs of
21 recruitment and retention or caring for the needs of our
22 current force by ensuring proper access to childcare, good
23 housing, health care is outrageous, and I think everybody
24 in this room knows that.

25 So, I look forward to getting to the real issues,

1 solving problems, taking care of our members and their
2 families. That will be my focus as ranking member of this
3 subcommittee. Thank you to each of the witnesses for
4 appearing before the subcommittee today, and I look forward
5 to your testimony.

6 Senator Hirono: Senator Wicker, I understand you wish
7 to make a statement.

8 Senator Wicker: Yes, ma'am, I do, and I appreciate
9 that. I had intended to attend this subcommittee hearing
10 to talk solely about Junior ROTC. But I do have to address
11 the matter that the distinguished ranking member of the
12 subcommittee just raised, and that is the submitted
13 statement by the Undersecretary of Defense for Personnel
14 and Readiness.

15 I do hope that this statement is not a reflection of
16 the Department's priorities, because if it is, I am very
17 concerned. We have a military recruiting problem, as the
18 chair mentioned, as the ranking member mentioned. It
19 should be at the top of our list.

20 And yet this statement of some 26 pages, let me make
21 sure I have got it right, some 26 pages does not get to
22 recruiting until page 20 of the statement. Instead, topics
23 like abortion and diversity, equity and inclusion are
24 addressed in those first 20 pages.

25 I don't understand why the Department feels that is

1 necessary to change the culture of the military by,
2 "inculcating diversity, equity, inclusion, and
3 accessibility, DEIA, principals across the Department
4 efforts."

5 As a veteran, as a ROTC commissioned officer, as a
6 former member of the Air Force Reserve, I can tell you the
7 United States military has been decades ahead of the rest
8 of our society in inclusion.

9 And I have said publicly many times, the United States
10 military is the greatest civil rights program in the
11 history of the world, and I am proud that they have been
12 ahead of our society on that.

13 When some of my colleagues criticize the Department
14 for misplaced priorities, Mr. Secretary, I think that is
15 what -- this concern that I have, and the ranking member
16 has, are what they are talking about.

17 Now, with regard to Junior ROTC, in my home State of
18 Mississippi, the program is a pillar in the development of
19 future leaders. Over the years, I have passed legislation
20 to expand the number of JROTC units as a part of the NDAA,
21 increased funding for the program, and grow the population
22 of veterans who are eligible to be Junior ROTC instructors.

23 Junior ROTC helps our nation's high schoolers reach
24 more of their full potential to become successful citizens.
25 A RAND Report, A RAND Corp. report found, and I quote,

1 "there is consensus that JROTC participation has both
2 academic and nonacademic benefits for students."

3 According to this very comprehensive and scholarly
4 report, most of these benefits go to economically
5 disadvantaged schools and the students of those schools.
6 In addition to these benefits, the report noted that JROTC
7 provides, "volunteer opportunities that allow students to
8 benefit the larger community."

9 In my conversations with superintendents, principals,
10 and parents, when I ask, if you would like to have Junior
11 ROTC in your school, I have never run into a superintendent
12 or a principal that said other than, yes, I very much am
13 glad we have Junior ROTC or I would like to have a Junior
14 ROTC program.

15 This moment presents us with an opportunity to address
16 a claim in recent news articles about JROTC. This
17 reporting suggests that JROTC instructors commit sexual
18 misconduct at much higher rates than civilian teachers. I
19 very much doubt that assertion. There is simply no data
20 available to support that.

21 Sexual misconduct toward students is never acceptable,
22 and the JROTC program understands this, and every instance
23 of misconduct involving JROTC, the military immediately
24 suspended the instructor. But I will also say this to my
25 fellow Senators, Junior ROTC makes an easy target in this

1 area because the Department of Defense is a central
2 repository of information and is subject to strict
3 oversight.

4 So, there is a lot of information about JROTC. On the
5 other hand, the information in public school systems is
6 diffuse since the systems are large, sprawling, and
7 decentralized. We know school districts often do not
8 publicly disclose cases of teacher sexual misconduct.

9 It is just a fact. It is such a problem that last
10 year the Department of Education released a report on the
11 issue and found only 20 states have laws on the books that
12 prohibit suppressing information regarding school employee
13 sexual misconduct.

14 And so, we don't get all the facts, but no one would
15 suggest that we do away with public schools simply because
16 there is some misconduct on the part of a very few members
17 of the faculty. If anything, there is every reason to
18 believe that Junior ROTC is a safer environment than others
19 for our future leaders.

20 Junior ROTC instructors receive twice the screening,
21 twice the screening, of a normal teacher before they enter
22 the classroom, both from the military and the school
23 district. Given this extra scrutiny, I am highly skeptical
24 of the idea that JROTC instructors are more likely to
25 commit misconduct.

1 Congress should be mindful of the highly positive,
2 highly positive impact of Junior ROTC. In fact, it is
3 celebrated on both sides of the aisle on this committee.
4 My colleague from Massachusetts, Senator Warren, is to be
5 thanked for raising this issue and has taken a substantive
6 and helpful interest in JROTC.

7 And so, as she reenters the room, I thank her for
8 that. I will carry our shared work forward by introducing
9 additional legislation this year that would further expand
10 Junior ROTC to the hundreds of schools currently on the
11 waiting list for a program.

12 I hope to have many partners in this effort, and I
13 look forward to working with Senator Warren and the Ranking
14 member, Senator Scott, as we approach this year's NDAA.
15 Thank you, Madam Chair.

16 Senator Warren: Thank you. And do you have a
17 statement you would like to make, Senator? All right,
18 good. So, to our witnesses, thank you for appearing. We
19 have two panels today. The first panel consists of
20 officials from the Office of the Secretary of Defense who
21 will cover the full range of military and civilian
22 personnel programs.

23 The Honorable Gil Cisneros, Undersecretary of Defense
24 for Personnel and Readiness. Dr. Lester Martinez Lopez,
25 Assistant Secretary of Defense for Health Affairs. Mr.

1 Shawn Skelly, Assistant Secretary of Defense for Readiness.
2 Mr. Tom Constable, Acting Assistant Secretary of Defense
3 for Manpower and Reserve Affairs. And Ms. Elizabeth
4 Foster, Executive Director, Office of Force Resiliency.

5 Welcome to all of you. Appreciate your being here.
6 The second panel will consist of the Assistant Secretaries
7 of the military departments for Manpower and Reserve
8 Affairs. We will have Ms. Agnes Schaefer, Assistant
9 Secretary of the Army. Mr. Franklyn Parker, Assistant
10 Secretary of the Navy.

11 And Mr. Alex Wagner, Assistant Secretary of the Air
12 Force. Again, thank you all for appearing here.
13 Undersecretary Cisneros, I understand that you are going to
14 deliver an opening statement on behalf of the first panel,
15 is that right? Then you are recognized for five minutes.

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1 STATEMENT OF HON. GILBERT R. CISNEROS, JR., UNDER
2 SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS
3 ACCOMPANIED BY HON. LESTER MARTINEZ-LOPEZ ASSISTANT
4 SECRETARY OF DEFENSE FOR HEALTH AFFAIRS; HON. SHAWN G.
5 SKELLY, ASSISTANT SECRETARY OF DEFENSE FOR READINESS; MR.
6 THOMAS A. CONSTABLE, PERFORMING TO DUTIES OF THE ASSISTANT
7 SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS; MS.
8 ELIZABETH B. FOSTER, EXECUTIVE DIRECTOR OF FORCE RESILIENCY

9 Mr. Cisneros: Thank you. Chairwoman Warren, Ranking
10 Member Scott, distinguished members of the subcommittee,
11 thank you for the opportunity to discuss the Department of
12 Defense's greatest strength, our people.

13 On behalf of the entire team, I think the committee
14 for your support of the 2.3 million active and reserve
15 component service members, and over 900,000 civilians who
16 defend our nation and the families who serve alongside
17 them.

18 This year is an especially momentous year as the
19 Department celebrates the 75th anniversary of President
20 Truman's order to integrate the armed forces, as well as
21 the 50th anniversary of the all-volunteer force.

22 Both of these events are responsible for creating the
23 most unrivaled fighting force in history. Near the
24 beginning of his tenure, Secretary Austin laid out three
25 priorities to ensure our military is capable of meeting any

1 current and future threats, defending the nation, taking
2 care of our people, and succeed through teamwork.

3 I have established four overarching priorities that
4 are foundational to all the P&R's efforts, change the
5 culture, promote the health, well-being, and safety of the
6 force and families, cultivate talent management, and
7 advance strategic readiness.

8 In changing the culture, the Department understands
9 the trust is key to the preserving our all-volunteer force.
10 We thank Congress for its support to providing the full
11 amount of the Department's Fiscal Year 2023 budget requests
12 in support of the recommendations of the independent review
13 commission on sexual assault in the military.

14 We are making progress towards implementing --
15 implementation of all approved IRC recommendations, and
16 your support for Fiscal Year 2024 budget request would
17 ensure we complete this historic reforms to the military
18 justice, field a specialized prevention workforce, train
19 and equip response personnel, and empower survivors to
20 recovery.

21 We are also ensuring diversity, equity, and inclusion
22 accessibility principles are applied across the
23 Department's efforts. We want to leverage the strength of
24 all of our people, advance opportunity, remove barriers,
25 and ensure everyone within the Department of Defense is

1 treated with dignity and respect.

2 With regard to promoting the health, well-being, and
3 safety of the force and families, we know the global
4 pandemic economic pressures such as inflation and
5 operational tempo make it more important than ever to focus
6 on training and taking care of our people.

7 Thanks to Congress's support, our service members and
8 civilians received a 4.6 basic pay raise at the beginning
9 of this year, and the Fiscal Year 2023 President's budget
10 includes a 5.2 percent pay raise for 2024.

11 These pay raises are critical to recruiting and
12 retaining the all-volunteer force. Secretary Austin
13 directed the creation of the Suicide Prevention and
14 Response Independent Review Committee to conduct a
15 comprehensive review. This committee's report was
16 published in late February and the Department is carefully
17 reviewing the recommendations.

18 Every death by suicide is a tragedy and weighs heavily
19 on the military community. We are tackling these issues
20 with focused attention and dedication. With regard to
21 cultivating talent management, recruiting challenges will
22 persist, but we are looking for ways to galvanize our
23 future service members on the values of military service.

24 The Department is implementing a comprehensive
25 outreach strategy that includes partnerships with other

1 agencies such as the Peace Corps, AmeriCorps, and Selective
2 Service that touts the benefits of public service to our
3 nation and our communities. We are also working on efforts
4 to dispel inaccuracies and educate both our youth and their
5 influencers through a national military advertising
6 campaign.

7 We ask for your support in the Fiscal Year 2024
8 Presidential budget requests, which includes \$40 million
9 for our joint marketing campaign. With P&R's fourth
10 priority, advancing strategic readiness, we are ensuring we
11 can build, maintain, and balance warfighting capabilities
12 and competitive advantage to achieve strategic objectives
13 across threat and time horizons. This includes updating
14 our professional military and education to make it more
15 effective and relevant to the National Defense Strategy.

16 As we look to the future, it is imperative that we do
17 not take for granted what makes our U.S. military
18 unparalleled and unmatched. It is our people, the Active
19 Reserve, National Guard, DOD civilians, and all of their
20 families who are willing to serve this country. They are
21 the bedrock of our national security.

22 So, thank you for your continued support of our
23 service members, their families, and we look forward to
24 your questions.

25 [The prepared joint statement of Mr. Cisneros

1 follows:]

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1 Senator Warren: Thank you very much. I appreciate
2 it, Secretary Cisneros. I would like to start. I
3 recognize myself for opening questions. All across this
4 country, families need high quality, affordable childcare
5 in order to show up at their jobs or go to school.
6 Military families are no exception on this.

7 In fact, because of nonstandard work hours, sudden
8 changes, significant deployments, the need for childcare
9 among our military families can be even greater. And that
10 is why our military has long recognized that childcare is
11 essential to supporting servicemembers' ability to protect
12 our country.

13 DOD runs the largest employer sponsored childcare
14 program in the United States. Military and nonmilitary
15 families should all have access to high quality, reliable
16 care, which is why I based my bill for a universal
17 childcare system on the DOD model. But the DOD childcare
18 system still faces its own challenges, a top one being
19 finding enough workers to care for eligible children.

20 Secretary Cisneros, workforce shortages have been a
21 major problem in the childcare industry for years now, and
22 of course, it has been made even worse since the pandemic.
23 Are military child development centers facing this issue as
24 well?

25 Mr. Cisneros: Well, thank you for that question,

1 Senator. And really thank you for your support on the
2 childcare efforts, not only in the military but throughout
3 the nation. And you are correct in stating that there is a
4 national childcare provider shortage in the country and we
5 are feeling that as well.

6 Since the pandemic we have had trouble, difficulties
7 trying to hire more childcare workers to work in our child
8 development centers. Last year we were able to raise the
9 salary, the minimum wage for workers --

10 Senator Warren: We are going to talk about the money
11 in just a minute, but you do have a problem. Let's start
12 there. And I just want to make sure I get this on the
13 record, what it means for military families when they don't
14 have access to the childcare that they need. Can you just
15 say a word about that?

16 Mr. Cisneros: Well, ma'am, it does create
17 difficulties. You know, we, as you stated, see childcare
18 as part of our readiness. We want our service members to
19 be able not to really have to kind of think or worry.

20 To be able to have the ability to drop their child off
21 at -- for childcare at a child development center or using
22 one of the other options that we have available to them.
23 It really kind of relieves some stress from them and it
24 allows them to focus on their mission and performing their
25 task.

1 Senator Warren: So, it is a part of performing your
2 mission and being able to concentrate on your tasks. Now,
3 it takes a lot to recruit and retain staff for anything.
4 But one significant issue is pay, which is where you
5 started a minute ago. When was the last time you updated
6 your pay scale for childcare workers?

7 Mr. Cisneros: Well, last year, ma'am, we were able to
8 raise --

9 Senator Warren: I am not asking you that. I am
10 saying when did you last update the pay scale for childcare
11 workers?

12 Mr. Cisneros: Well, raising the salaries of our child
13 development workers last year when we raised the minimum
14 wage was when we were able to do that, ma'am.

15 Senator Warren: You got the minimum up, but I am
16 talking about the scale overall. Not everybody is down at
17 minimum. I understand that the last time was 30 years ago.
18 Does that sound about right?

19 Mr. Cisneros: It has probably been a while since we
20 looked at it, ma'am.

21 Senator Warren: And what is the highest level of pay
22 a childcare worker in the military system can receive under
23 your 30-year-old scale?

24 Mr. Cisneros: From what I have been told, ma'am, it
25 is -- allow Mr. Constable to answer this question.

1 Senator Warren: Mr. Constable, do you want to answer
2 that one? I think that was known as a lateral pass.

3 Mr. Constable: Chairwoman, thank you very much. The
4 top of the skills is approximately \$55,000 a year.

5 Senator Warren: Yes. \$55,000. That is, it. That is
6 the top. So, DOD runs a school system for military
7 families called DODEA, or DODEA, right? How does the pay
8 scale for DODEA teacher compare with DOD childcare pay
9 scales for people with similar credentials? Secretary
10 Cisneros. Unless you want to call on Mr. Constable.

11 Mr. Cisneros: Well, ma'am, they don't really have
12 similar credentials.

13 Senator Warren: Well, that is -- the question I am
14 asking is when you have got people with similar credentials
15 -- maybe I should ask it this way, what is the top pay for
16 DODEA workers?

17 Mr. Cisneros: I will allow Mr. Constable to answer
18 that.

19 Senator Warren: Mr. Constable?

20 Mr. Constable: The top pays approximately \$110,000
21 per year.

22 Senator Warren: So approximately \$110,000. I think
23 we understand the difference here, \$55,000, \$110,000 for
24 the very top.

25 So, if we had two workers with the same credentials,

1 same education, same experience, and one was teaching four-
2 year-olds at a DOD child development center, they would
3 earn only about half as much as one teaching six-year-olds
4 at a DODEA center.

5 So, I just have to ask, do you think that makes any
6 sense? And are you surprised to find out that you are
7 having trouble filling these spots?

8 Mr. Cisneros: Ma'am we know that, as you stated,
9 right, we are having difficulty hiring these spots. It is
10 a national problem. And I think being able to pay a
11 competitive salary is part of that. That has to be there
12 to get in the solution to resolving this problem.

13 Senator Warren: So that is why we are here today, to
14 talk about this. Look, childcare is infrastructure. We
15 need roads. We need bridges to get to work. In the case
16 of our military, sometimes you need an aircraft carrier or
17 a cargo jet, but you also need a functioning childcare
18 center.

19 And if the Federal Government is serious about
20 military readiness and national security, if it is serious
21 about retaining families, then we need to invest more in
22 childcare workers, and that means within DOD. It is put
23 money into these workers.

24 And we need to start by updating these pay scales and
25 doing it now. 30 years is too long to go between, and it

1 is a statement that we don't care about those people. If
2 we care about this system, we will update those pay scales.

3 Thank you. And I now call on Senator Scott.

4 Senator Scott: Thank you, Chairwoman. All right,
5 Secretary Cisneros, you know that we talked about
6 recruiting is not hitting the numbers. Tell me what you
7 think of your marketing plan and your advertising program,
8 and is it very effective? What should you do differently?
9 And is it properly funded?

10 Mr. Cisneros: Thank you for that question, Senator.
11 I will admit we need to do a better job of telling our
12 story, the benefits of military service, what it could
13 provide. You know, I was at -- just last month I went out
14 to go talk to a group of college students as well as a
15 group of high school students about the benefits of service
16 and really how it changed my life. Like yourself, sir, I
17 joined the military, 18 years old.

18 It put me on a different trajectory that I couldn't
19 even imagine -- that I never would have imagined for myself
20 that I would be sitting here. So, there are benefits of
21 that. And I think as our Senior Enlisted who were here on
22 the Hill a couple of weeks ago testifying is that we do, we
23 agree that we need to do a better job of telling our story
24 and marketing ourselves.

25 We are working with our public affairs Department to

1 do that right now. But, you know, as I said in my opening
2 statement, for OSD and the services have their own budget
3 and, you know, they can talk about that in the next panel.

4 But for OSD, we are requesting \$40 million, that is in
5 the budget, to really help us with a joint marketing
6 campaign that will allow us to go out and do the research
7 with JAMRS that we have, as well as to kind of go out and
8 market to the influencers, whether it be teachers,
9 grandparents, parents, to let them know about the benefits
10 of military service.

11 Senator Scott: So, some I am a business, I have spent
12 a lot of money on marketing in my companies. And so, we
13 test everything. We test all of our marketing plans. We
14 tested what worked, what didn't work. And so, talk about
15 how you do that with regard to your advertising and how you
16 market the military.

17 Mr. Cisneros: Well, we do have a firm, we do have
18 JAMRS, as we call it, that we work with to go and to
19 prepare, help us prepare the marketing campaign that does
20 the research for it. With that, I can turn over to Mr.
21 Constable and go into more depth about JAMRS and what it
22 does for us.

23 Mr. Constable: Thanks very much, sir. Senator,
24 thanks for your question. JAMRS is the Joint Advertising
25 Marketing Research Group that does our work. It is very

1 similar to what you would find in industry and works
2 closely in fact with industry.

3 And as you probably are aware, is a highly fragmented
4 marketplace, so really testing and piloting is key, just as
5 you have said. So, to that end, the additional funds
6 requested in the President's budget request for Fiscal Year
7 2024 will not be focused on closing deals with service
8 members, the contact to contract as the services can speak
9 about.

10 What it is really focused on is building the brand,
11 making sure there is more public awareness and making sure
12 that when the time for a decision comes for a young person
13 to join or to not join, they are at least aware that
14 military service or public service even is an option to
15 them.

16 And then the services can speak about what is in their
17 budget separately for then going in and building on that
18 baseline that we will provide through JAMRS to actually
19 close the sales with each of the contractees.

20 Senator Scott: So, first off, if you could send us a
21 copy of your research, I would like to see it. Second, if
22 it is not successful using the same people, have you
23 changed firms? Have you -- are you using the same people
24 that got you where you are you are way behind?

25 Mr. Constable: So, I would have to get you along with

1 the other information, the background on who -- with whom
2 we have worked over the different iterations of this
3 effort.

4 Senator Scott: So, but has anything changed?

5 Mr. Constable: Significantly. So, again, what you
6 are going to see in the Fiscal Year 2024-hour request is
7 one of the biggest increases that we have put into this
8 because we have our investment in that baseline awareness,
9 the marketing targeted towards those influencers has waned
10 over the years.

11 So, we saw the need to again, not leave it all to the
12 service ads or the service online spots or whatever medium
13 they choose do the whole job. Again, what you are seeing
14 now is based on the data and understanding that rebuilding
15 the brand and getting awareness to all of our target
16 populations is where we are going.

17 Senator Scott: If you are asking for \$40 million, I
18 mean, do you have research to suggest that if you got there
19 and if you start trying something and it doesn't work, are
20 you going to stop?

21 Mr. Constable: I think we will have to, you know, see
22 how the market responds to the investment like everything
23 else. But the intent is to sustain over time that baseline
24 marketing, to keep the brand out there, to keep the
25 awareness of public service, military service out there.

1 And then I suspect that as the service numbers ebb and
2 flow over years and years, they will make larger, smaller
3 investments as they need to, to keep their ranks at the
4 right end strengths.

5 Senator Scott: Okay. Thank you.

6 Senator Warren: Senator Hirono.

7 Senator Hirono: Thank you, Madam Chair. Secretary
8 Cisneros, and probably for Mr. Constable too, my office has
9 heard from our service members in Hawaii that they are
10 deeply concerned about imminent cuts to their cost-of-
11 living allowance by around 50 percent. That is a big
12 potential cut.

13 Certainly, I share their concerns. Hawaii has the
14 most expensive cost of living of any State in the country.
15 Today, the cost of a gallon of gas in Hawaii is \$4.85, more
16 than \$1.00 above the national average of \$3.46. A gallon
17 of milk in Hawaii is about \$7.25 compared to the national
18 average of \$4.41. The cost of housing in Hawaii is higher
19 than any other State. I could go on.

20 As we continue to combat inflation, the thought of
21 slashing the cost-of-living allowance for service members
22 in Hawaii is absurd. Secretary Cisneros, does the
23 Department of Defense have information suggesting the cost
24 of living has fallen by 50 percent in Hawaii?

25 If not, how does DOD justify cutting the cost-of-

1 living allowance for our soldiers, sailors, Airmen,
2 Guardians, and Marines in Hawaii? And really, how do you
3 justify this kind of potential cuts?

4 Mr. Cisneros: Ma'am, the cost-of-living allowance
5 that you are referring to is the -- well over in Hawaii,
6 they get what we call OCOLA, overseas cost of living
7 allowance. And it really is about trying to bring it in
8 line with what the -- to make sure that their dollars goes
9 just as far as it does here in the United States, in the
10 Continental United States, I should say.

11 Senator Hirono: I am glad you know the Continental
12 U.S. because Hawaii is a State. Go on.

13 Mr. Cisneros: Yes. But the, what we are seeing here,
14 right, is that the struggles have really kind of, with
15 inflation -- and inflation doesn't really play into the
16 COLA analysis and how we come up with that. But in order
17 to kind of make it -- well, what happens as it is evening,
18 things here in the Continental United States have grown as
19 well and have gotten more expensive. But I will turn it
20 over to Mr. Constable again to kind of go into detail on
21 how the formula is figured out there.

22 Mr. Constable: Thank you, sir. Thank you, Senator.

23 Senator Hirono: Well, first of all, let me just get
24 to, because I am running out of time. So, you believe this
25 kind of a huge cut for service members in Hawaii is

1 justified? And if so, could you send me the justification
2 or send this committee the justification?

3 Mr. Cisneros: We could provide you with the
4 information, ma'am.

5 Senator Hirono: Do you consider this kind of cut to
6 be justified?

7 Mr. Cisneros: I think, the way the COLA is figured
8 out, and the system that it is, and the way it is, and it
9 is not just I will say, ma'am, it is not just Hawaii, but
10 it is all around the --

11 Senator Hirono: Alaska? Well, wherever you are
12 making these kinds of --

13 Mr. Cisneros: Germany, Japan, all these areas are
14 facing the same cut because, again, the COLA is meant to
15 bring the pay scale or pay in alignment with what it would
16 be here to make sure that the dollar, if they were here in
17 the States, that the dollar would stretch just as far as
18 they are overseas.

19 But as we struggle here, or people are struggling here
20 in the Continental United States, it has kind of even the
21 playing field out. So, but we can provide you with that
22 information. And I will turn it over to Mr. Constable.

23 Senator Hirono: Well, clearly, I don't think that
24 these kinds of cuts are justified for service members in
25 Hawaii. They are already having a pretty hard time. I was

1 glad to see the President's budget included multiple
2 investments in our service members, like \$90 million to
3 expand full day pre-K, \$209 million for suicide prevention
4 efforts, and \$637 million for continued investment in
5 sexual assault prevention and response.

6 And although we have made some changes over time in
7 how the military would deal with sexual assault cases, it
8 is still an issue. It still continues to be a scourge.
9 So, I am glad that this kind of investment is being made to
10 continue to fight the scourge. And I appreciate the
11 Department of Defense's commitment to taking care of its
12 people, but I think there is more to do, especially for
13 service members considering their family planning options.

14 Mr. Secretary Cisneros, what is the importance of the
15 Department of Defense's new policies to ensure access to
16 reproductive health care for our service members? And
17 also, cryopreservation is a fertility tool that service
18 members, men and women, could use if they wish to have
19 children of the future.

20 This is something that the British armed services
21 provide. So, could you give me your views on what the cost
22 of cryopreservation under TRICARE would be? And could this
23 not be an important recruiting and retention tool for the
24 military? All of the services are facing those issues.

25 Mr. Cisneros: You know, as you stated, Senator, I

1 believe family planning is very important and we have done
2 a lot, I believe, to kind of help the service members with
3 that. We have walking hours for contraceptives for our
4 service members at our MTFs.

5 Now that they can go and make sure that they are on a
6 plan there. We initiated the policies there to help
7 support reproductive health care for our service members as
8 well. Where they are denied access to certain types of
9 health care in certain states, where we will be able to
10 ensure that they will be able to be -- travel in order to
11 get that health care. As far as what you are asking for, I
12 can turn it over to --

13 Senator Hirono: Cryopreservation --

14 Mr. Cisneros: Cryopreservation -- I can turn over to
15 Dr. Martinez. He can go into depth with that.

16 Mr. Martinez-Lopez: Senator, thank you for the
17 question. We do provide the services to service members
18 that may have had trauma or are facing cancer. So, it is
19 very limited and only for service members. We are not
20 providing the care for all the beneficiaries in the TRICARE
21 system. So -- and I don't know why.

22 Senator Hirono: You are saying that you provide
23 cryopreservation options?

24 Mr. Martinez-Lopez: We may provide that in the case
25 of trauma or in the case of --

1 Senator Hirono: Okay. That is a very limited kind of
2 set of circumstances. So, I would ask that you look at
3 what the British armed forces is doing in this area and let
4 us know if this is something that we should contemplate.

5 Mr. Martinez-Lopez: I will do, ma'am.

6 Senator Hirono: And obviously, I support going
7 forward with it. Thank you, Madam Chair

8 Senator Warren: Thank you. Senator Budd.

9 Senator Budd: Thank you, Madam Chair. So honored to
10 be on the subcommittee with you. And it is good to be with
11 a member, a former member of the U.S. House. And we served
12 together for a few years.

13 A couple of questions. I want to draw your attention,
14 and this is on the heels of the recruiting conversation, I
15 want to draw your attention to an incredible organization
16 called Our Community Salutes. It recognizes and honors
17 high school seniors who plan to enlist in the military
18 following their graduation. They also recognize, the group
19 also recognizes their parents and other members of their
20 family.

21 Now, this is an incredible way to build and maintain
22 support for our military within communities across America.
23 Despite senior military leaders speaking at these events, I
24 am told that military lawyers have taken issue with
25 official communications to inform recruiters and senior

1 leaders of opportunities to engage or support Our Community
2 Salutes.

3 So, Mr. Secretary, will you commit to look into this
4 and find ways to partner with OCS, Our Community Salutes,
5 and other organizations like it. The bottom line is we
6 need all the support we can get to get close to our
7 recruiting gap. So, will you look into this?

8 Mr. Cisneros: Yes, Senator. We could take that for
9 the record. And I am not familiar with the organization or
10 as to why certain members, senior members have been told
11 possibly not to participate. But that is something we
12 could take for the record and supply you with an answer.

13 Senator Budd: Glad to submit that and look forward to
14 your response. Speaking of responses, thank you for
15 getting back on my letter I recently submitted. I received
16 this yesterday.

17 This is a letter my colleagues and I sent regarding
18 the Administration's decision to permit taxpayer funding
19 for and authorization of travel to acquire abortions. The
20 bottom line is, I just don't think this is an acceptable
21 response.

22 Once again, the Department failed to answer the
23 committee's repeated requests for information, and instead
24 we got what amounts to a form letter just repeating the new
25 policies. And we knew the policy, that is why I asked the

1 questions.

2 So here is a few of the questions I would like for you
3 to answer for the record. First, how many women or
4 military families have refused to be stationed in Germany,
5 South Korea, or any other country because of those nations'
6 abortion laws?

7 Mr. Cisneros: I don't have that information for you,
8 Senator.

9 Senator Budd: Okay. Well, if it is zero -- if it is
10 non-zero, would you please send information on that? Would
11 you commit to sending information on that?

12 Mr. Cisneros: I will commit to looking into that and
13 seeing what the information is, if that is available. But
14 that is not typically a question --

15 Senator Budd: Just please let us know if there is
16 zero information, or if there is information, let us know
17 what that is. Does the Department have any data on women
18 who felt deterred from joining the military for fear of
19 being stationed at an installation or base in a State or
20 nation that has restricted or restrictive abortion laws?

21 Mr. Cisneros: We have had discussions, listening
22 sessions with service members who have let everybody know
23 --

24 Senator Budd: Secretary, any data on that?

25 Mr. Cisneros: And we also have a RAND report that

1 they published and that the facts that they believe would
2 happen from -- well, the effects that the Dobbs decision
3 would have on recruiting and retention.

4 Senator Budd: If you would send that to us, because
5 we have repeatedly requested it. It would seem like that
6 would be a good report to have.

7 Mr. Cisneros: We can share the RAND report.

8 Senator Budd: Thank you very much. I appreciate
9 that. What actions, if any, would the DOD take against a
10 Commander that refused to facilitate the abortion of an
11 unborn child in keeping with their sincerely held religious
12 beliefs?

13 Mr. Cisneros: Well, Senator, the Commander doesn't
14 really know. When the servicemember is making a request,
15 they are asking for reproductive health care. Now,
16 reproductive health care, that can come in different forms.
17 The Commander should not be digging into what the specific
18 reason is why they are seeking reproductive health care.

19 Senator Budd: The assumption was that it was known
20 and it was against their sincerely held religious beliefs.
21 Would the DOD take action against such a Commander?

22 Mr. Cisneros: Well, again, the Commander should not
23 know. They shouldn't be digging into that.

24 Senator Budd: In the case that it was.

25 Mr. Cisneros: But you now, to the -- I would say if

1 the Commander feels uncomfortable with kind of approving
2 such a request, he can move it up the chain of command.
3 But it is not the responsibility of the Commander to put
4 their religious beliefs onto service members.

5 Senator Budd: Yes, that really wasn't the question.
6 But, you know, millions of Americans, myself included, are
7 rightfully against the use of taxpayer funds to facilitate
8 abortions. So, we will submit some more questions for the
9 records. But in our final time here, what is being done to
10 ensure that those kicked out of the military due to the
11 vaccine mandate are able to rejoin, should they want to
12 continue their service?

13 Mr. Cisneros: Senator, there -- that would be a
14 question that could be better answered by the services.
15 They are the ones carrying out those tasks.

16 But the secretary made it clear in his memorandum that
17 service members that put in a request for accommodation,
18 whether it be administrative, religious, or medical
19 reasons, that those, if a decision had been made, those
20 requests would be pulled if it was purely for COVID 19, and
21 that if other members that were separated request there is
22 a process for them to apply to the board.

23 Well, to apply for one of the boards that the services
24 have to ask to come back into the service or to have their
25 DD214 adjusted, their -- whether it be their status

1 adjusted as far as their discharge status.

2 Senator Budd: Okay. Thank you for being here, and I
3 thank the panel. Chair Warren, I yield back.

4 Senator Warren: Thank you. Actually, you can -- I am
5 sorry. I am sorry, we are in the middle -- we are in the
6 middle of a hearing here. Senator Duckworth.

7 Senator Duckworth: Thank you, Madam Chairman, and
8 good afternoon to our witnesses. Two years ago, gentlemen,
9 I introduced legislation that ensured Guard and Reserve
10 members receive the same monthly incentive, pay for
11 maintaining the same critical skills and taking on the same
12 hazardous duties as their counterparts in the active
13 component.

14 Reservists who qualify for these incentive pays work
15 hard to maintain the same skills through the same standards
16 as their active-duty counterparts, often on time when they
17 are not technically drilling. Yet, they are only currently
18 paid 1/30th of the incentive pay that their active-duty
19 counterparts receive.

20 So, the situation is, for example, jump pay. You have
21 to do three jumps a month as a paratrooper. A reservist
22 goes out, he does three jumps in one day. An active-duty
23 troop goes out and does three jumps in one day. The
24 active-duty troops get \$150. The reservist gets \$5 bucks
25 for the same three jumps.

1 This is an equity issue, and one that I am glad that
2 my colleagues in this committee voted in an overwhelmingly
3 bipartisan way to address by including my bill in the
4 Fiscal Year 2022 NDAA. Before implementing this section of
5 the NDAA though, DOD must submit to Congress a report on
6 its plan for providing equal incentive pays along with the
7 certification that it will not negatively impact force
8 structure.

9 This report was due six months ago, in September 30th
10 of last year, yet Congress is still waiting for this
11 report. Last October, after the deadline passed, I led a
12 bipartisan and bicameral letter to Secretary Austin urging
13 the Department to expeditiously issue its report and
14 certification to Congress as required by law.

15 We are still waiting to hear from DOD on this. We are
16 still waiting to pay our reservists equitably for the
17 critical skills and risks that they take to contribute to
18 our military. Undersecretary Cisneros, how close is the
19 Department to completing the report?

20 And more importantly, how much longer would you like
21 our nation's reserve component to wait before it is
22 afforded incentive pay parity with their counterparts on
23 active duty?

24 Mr. Cisneros: Senator, thank you for the question
25 there. And I know, I was a former tower officer, and then

1 later they changed the name to full time support in the
2 United States Navy, working with our reservists.

3 I know how hard they work and how dedicated they are
4 to defending the nation. You know, for that -- but for
5 that, I am going to turn over to Mr. Constable, who can --

6 Senator Duckworth: Why are you six months late?

7 Mr. Constable: Senator, this is a conversation that
8 has started many, many working groups, really, so we are
9 very much aware of the requirement and apologies for the
10 late report. We do anticipate meeting with the staff soon
11 to talk through some of the impasses that we have reached
12 based primarily on the realization in all camps that not
13 all special skills, not all special pays are created
14 equally or should be treated the same.

15 We just have to find the right mix of places where and
16 we seek equal dollars versus equal consideration. And of
17 course, all cognizant of creating incentives to draw people
18 from one force to the other as one report has warned.

19 But we do owe you a report, and we do believe we are
20 nearing a solution to propose.

21 Senator Duckworth: Can you tell that in ordinary
22 people speak as opposed to DOD speak? How -- what is
23 nearing, six more months, a year? I think you guys are
24 slow rolling this because you don't want to implement it.

25 Mr. Constable: I think -- not years, not months,

1 Senator. I think the answer is weeks. Obviously faster
2 when I go back than before I left the --

3 Senator Duckworth: Less than two months?

4 Mr. Constable: I am going to have to return back --

5 Senator Duckworth: I want to know.

6 Mr. Constable: Yes --

7 Senator Duckworth: All right.

8 Mr. Constable: Yes, Senator, we are certainly getting
9 with the staff --

10 Senator Duckworth: Will you call me back within a
11 week to tell me when the report will come?

12 Mr. Constable: I think it is ready for staff. I
13 don't believe, Senator, it is ready for the members quite
14 yet.

15 Senator Duckworth: When will it be ready for the
16 members? When can you commit to?

17 Mr. Constable: I can commit to meeting with the
18 staffs in weeks or less.

19 Senator Duckworth: I will give you four weeks.

20 Mr. Constable: Senator.

21 Senator Duckworth: Well, you need to do this. And
22 this idea that you can slow roll this and that you are
23 going to -- that active duty troops is going to leave the
24 active duty to go to the reserves because he is going to
25 get \$150 bucks extra a month for three jobs is an insult to

1 the troops who are on active duty, and it is still an
2 insult to the troops who do those same three jobs every
3 single month in order to make -- to meet those standards.
4 I am going to move on to my next question.

5 The military service has faced challenges in meeting
6 their recruiting goals, in part due to a historically small
7 pool of eligible recruits. This year I am introducing the
8 ENLIST Act. This legislation enables the Department of
9 Defense to expand its recruiting pool to include
10 individuals like DACA recipients and other longtime
11 residents of this country who can pass a DOD background
12 check and meet the service's high standards for enlistment
13 while maintaining the Department's security standards.

14 The ENLIST Act will aid the service's recruitment
15 efforts by allowing highly skilled and motivate individuals
16 to succeed in the military. Undersecretary Cisneros, Mr.
17 Constable, I would like to hear from each of you whether
18 you think the ENLIST Act's expansion of the pool of
19 possible recruits would benefit military recruitment
20 efforts.

21 And as a follow up for either of you, what other
22 actions has the Department undertaken to bolster efforts to
23 recruit diverse talents from across the nation?

24 Mr. Cisneros: Ma'am, Senator, we have tried this
25 before, to try, so we are in support of trying to diversify

1 our enlistment pool in order.

2 I know there are a number of kids, young students that
3 have grown up here in the United States that consider
4 themselves American citizens, that have really done nothing
5 wrong, have good lives and have -- want to serve.

6 So, you know, this is something that we have looked at
7 in the past, that we tried to move through in the past, and
8 we will continue to try and do it again.

9 Senator Duckworth: You didn't answer my question.
10 How about Mr. Constable?

11 Mr. Constable: Senator, the Department would support
12 any effort to expand the recruiting pool, so we look
13 forward to reading the details within your bill. In the
14 \$40 million that we spoke of earlier that is contained in
15 the President's budget request for JAMRS, in one part is
16 really geared toward getting at some -- more diverse
17 populations.

18 We don't like leaving any money on the table or any
19 population unchecked, especially with all the skills that
20 they bring us or the opportunity to better reflect the
21 American public. So, to that end, you should expect to see
22 and demand to see more marketing, more advertising geared
23 towards a broader population, and we look forward to your
24 bill. Thank you.

25 Senator Duckworth: Okay, Thank you. I am over time.

1 Senator Warren: That is fine. Thank you. Senator
2 Sullivan.

3 Senator Sullivan: Thank you, Madam Chair. Good to be
4 on the committee. I want to thank the witnesses. I am
5 going to follow up on Senator Duckworth's line of
6 questioning for Mr. Cisneros, Mr. Skelly, and Mr.
7 Constable. And if this has already been talked about, I
8 apologize for getting in here late.

9 But we have this recruiting problem right now, and I
10 don't have to tell you, but the Army's 2022 recruiting goal
11 was missed by 25 percent. So far this year, the Army,
12 Navy, and Air Force are projected to miss their 2023
13 targets. And I am really interested in what you think is
14 going on.

15 There are different theories. It is the economy.
16 There is, you know, I think there is cultural issues,
17 right. If you tell everybody every day in The Washington
18 Post and The New York Times that the military is full of
19 extremists, which oh, by the way, it isn't, let's just get
20 that one right, you are going to have people go, well,
21 geez, I don't want to send my young son and daughter there,
22 right.

23 So, the Army deserves some credit developing its
24 soldier prep course, which I think has been successful.
25 The Navy seems to be taking a different approach, which is

1 dropping its standards to as low as they can go. Not
2 really wise, in my view. The Marine Corps hasn't missed
3 its recruiting goals, but I don't think they are out of the
4 woods yet. So, what do you think is happening and how do
5 we need to get on it?

6 And I do think that the average man and woman, young
7 man or woman in America who wants to serve, they want to
8 deploy, they want to defend their country, they want to
9 fight, right. So, I think we can't lose that aspect of
10 trying to recruit for the men and women who want to do it.

11 We don't have to go too far afield to say, oh, we are
12 going to do all these other appeals. We should appeal to
13 the patriotism and desire that has been in this country for
14 200 plus years to deploy and fight for their country. I
15 think that is how you get good recruiting numbers. But
16 what do you guys think?

17 Mr. Cisneros: Senator, thanks for the question and
18 again for the opportunity to kind of talk about recruiting.
19 We know there are some challenges out there right now.

20 And one of the things that we are seeing in the
21 research that we have is that there is definitely a
22 military civilian divide, you know, as Senator Duckworth
23 said, right. That the recruiting pool is getting less and
24 less, smaller and smaller of those who are qualified.

25 Senator Sullivan: So, they are not qualified because

1 they are overweight. They have a low ASVAB score. What is
2 it?

3 Mr. Cisneros: That -- well, those are two things
4 right there, sir. Right there. It is the -- they are not
5 meeting the academic standards. They are not meeting the
6 physical fitness standards. But then we are also seeing
7 that, you know, 30 years ago, 40 percent of people between
8 the ages of 16 to 24 knew somebody who had served in the
9 military.

10 That is only 15 percent right now. And they don't
11 know what the military is. They don't understand what it
12 is about. And that was why earlier we talked about, you
13 know, we have got to do a better job of going out and
14 telling our story and the benefits of military service.

15 Senator Sullivan: Yes. Great story.

16 Mr. Cisneros: It changed my life. It put me on a
17 different trajectory, and I know it has done that for
18 thousands of people.

19 Senator Sullivan: So, are you viewing the soldier
20 prep course as an answer that other services can maybe
21 emulate?

22 Mr. Cisneros: I think the -- well, the Army would
23 probably better talk about that later on, but that is one
24 of the things that they saw. They saw there was a need to
25 help students academically, to help them get in better

1 shape in order so they can meet those standards. I
2 understand, from what I understand is the Navy is talking
3 about emulating that program as well.

4 Senator Sullivan: So, any other thoughts, Mr.
5 Constable and Mr. Skelly?

6 Mr. Constable: Senator, I want to point out one
7 specific initiative we have had, and that is the Medical
8 Assistance Review Pilot.

9 And this is where we are questioning the conventions
10 that have constrained us over the years just simply because
11 we know more than we used to, especially with electronic
12 health records. And that is where we used to say, if you
13 have had asthma at any point, you are not eligible.

14 So, we questioned all of those, working closely, of
15 course, with the medical team to define where we can assume
16 a little less, looking at the data to where these people
17 would qualify, and that has brought thousands more in.

18 Senator Sullivan: Good. What about, this is a topic
19 I have been -- on that topic, on mental health, right.
20 Right now, I know for a fact that certain services, and I
21 have been asking this question through the Armed Services
22 committee, but we disqualify young men and women, some
23 services, if they have seen a psychiatrist or if they have
24 been on medicine for mental health.

25 And yet we want them to try to improve their mental

1 health, right. How are we thinking about that in a way
2 that would not just say, oh, you were on medicine for six
3 months, you saw a psychiatrist, young high school kid, you
4 are disqualified. Because then, that is just the wrong
5 message. They are either going to lie or they are going to
6 not seek help.

7 Mr. Cisneros: There is, as Mr. Constable said, there
8 are a lot of things that we have looked to reevaluate that
9 we are trying to work with the services to expand that.

10 Senator Sullivan: Is that one?

11 Mr. Cisneros: I believe it is one. You know, one of
12 the things that we are trying to do within the military is
13 destigmatize mental health. The Secretary says all the
14 time, mental health is health. We want people to come
15 forward when they need -- they feel they need to talk to
16 somebody or they need to see a professional.

17 You know, we don't want them to -- you know, used to
18 always be if you said you had a problem, they would just
19 automatically take your security clearance away or ground
20 you from flying the aircraft.

21 We don't want that to be the case anymore. We have
22 been working hard to change that and to make it, you know,
23 so that people will come forward and deal with their health
24 issues.

25 Senator Warren: Good. Thank you. Senator

1 Blumenthal.

2 Senator Blumenthal: Yes. Thank you very much, Madam
3 Chair. I want to follow up on exactly that question
4 because frankly, I can well envision you would rather have
5 someone who sought help than someone who denied the need
6 for it. Said, I am fine, but I want to shoot up a
7 classroom or whatever and is not going to talk about that
8 when they come to a recruiter.

9 So, you say you are working hard. What are you doing
10 and what is your timetable for specific steps? And I am
11 not here to sort of put you on the spot, but I would like a
12 written response with specifics as to what you were doing
13 to change those qualifications and on what basis for mental
14 health. Because I think the question raised by Senator
15 Sullivan is absolutely critical.

16 Mr. Cisneros: Yes, Senator, we can provide you with
17 that. But you know, there are some great programs in the
18 -- that the service has had, that they implemented. One I
19 always like to talk about is the Air Force's True North,
20 where they put in counselors within their squadrons to
21 provide them, you know, individuals to talk to when they
22 need the counseling or just to talk about their issues.

23 Senator Blumenthal: That is for active-duty members.

24 Mr. Cisneros: Yes.

25 Senator Blumenthal: But what about the recruit who

1 will come to see the Marine Corps recruiting officer or the
2 Navy recruiting officer and say, yes, I had -- I went for
3 help. What happens to that person?

4 Mr. Cisneros: Well, Senator, like I said, we can
5 provide you with a written response. I can turn over to
6 Dr. Martinez Lopez, who might be able to comment on that.
7 But we are working with the services. We are working with
8 them to try and expand. We were able to come to agreement
9 on 38 different issues, whether it be asthma or whether it
10 be ADHD.

11 Senator Blumenthal: Okay. I don't have time in to
12 hear about all of that. I want to focus on mental health,
13 because mental health, as the Secretary has said, is --
14 should be regarded the same as physical health.

15 So, if somebody broke a leg and they said, yes, I
16 broke a leg, I played football, you know, I was out for six
17 months. I am fine now. You would take them. If someone
18 says, yes, I had a problem, I went to see -- I went to see
19 a shrink. And it really helped. That is the kind of story
20 that should be regarded in the same way.

21 But I want to relate this issue to a very specific
22 one, and that is the suicides of sailors on the U.S. George
23 Washington. Three sailors died by suicide while that ship
24 was undergoing maintenance and repairs. One of them was
25 Xavier Sandor from Connecticut.

1 His dad has been pummeling the Department of Defense
2 for information about what is being done to better the
3 conditions of sailors when their ship is not at sea, when
4 it is being repaired. He was forced to live on this ship
5 while it was being repaired. Like living in an apartment
6 that is being renovated.

7 He couldn't sleep. He was in bad shape and he didn't
8 get help. The Department of Defense is doing an
9 investigation or an inquiry. Do you have the results?

10 Mr. Cisneros: Senator, we don't have the results to
11 the inquiry or the investigation that the Navy is doing. I
12 believe that is still ongoing. I believe that would be a
13 better question for the Navy and the second panel as to
14 what they are doing and the improvements that they are
15 trying to make for those --

16 Senator Blumenthal: My understanding is that the work
17 has been finished, and that it is under review. Can you
18 tell me why it hasn't been made available to the father of
19 the young man who lost his life?

20 Mr. Cisneros: Senator, I can't do that right now. I
21 don't -- I haven't seen the report myself.

22 Senator Blumenthal: Can you look into it?

23 Mr. Cisneros: We can see what we can do. We can take
24 that for the record. But I believe, again, that would be a
25 better question for the Navy as to where they are with that

1 report and what are they looking into.

2 Senator Blumenthal: And they say it is under review.
3 We are coming up on the one-year anniversary of his death,
4 April 15. And for all you have said about your paying
5 attention to this issue of mental health -- by the way,
6 these three sailors are not the only ones.

7 There have been other suicides on other ships
8 similarly situated in home ports for repair or maintenance.
9 This is a specific kind of circumstance where you are
10 losing life in real time. So, to wait a year for a report
11 makes no sense.

12 Mr. Cisneros: Senator, look, any loss of life through
13 suicide or any -- through any means is a terrible tragedy,
14 and it does weigh heavily on our military family in. But I
15 am sorry that I don't have the answers for you why that
16 report is still under review. Again, we can take that for
17 the record and try and get you a better answer.

18 Senator Blumenthal: Well, my time is over and I just
19 want to ask you to commit that you will provide someone to
20 meet with John Sander, who lost his son to suicide on the
21 USS Washington when he comes down because I am going to
22 invite him down and I want him to be able to meet someone
23 from the Department of Defense. Will you make someone
24 available?

25 Mr. Cisneros: Senator, we will try and see what we

1 can do to make some available to meet the individual.

2 Senator Blumenthal: Okay. Thank you.

3 Senator Warren: Thank you. Senator Kelly.

4 Senator Kelly: Thank you, Madam Chair. Secretary
5 Cisneros, good to see you. Thank you for being here. Last
6 year, we discussed the implementation of Section 704 of the
7 NDAA we passed in 2021, otherwise known as the Brandon Act,
8 which improves the ability of service members to quickly
9 obtain mental health care.

10 It also reduces stigma and provides needed training.
11 The Brandon Act is named for fallen United States Navy
12 Petty Officer Third Class Brandon Caserta, of Peoria,
13 Arizona. He was a dedicated young sailor. He did all the
14 right things as he was trying to deal with his mental
15 health issues.

16 And he suffered some significant mental health
17 problems. He was discouraged and ridiculed, and then
18 tragically took his own life. Now, I have been working
19 closely with Brandon's parents, Terry and Patrick, on this
20 issue. They were in my office just about a week ago, and
21 we share serious concerns about the suicide epidemic, as
22 does Senator Blumenthal and Senator Sullivan, and I am sure
23 everybody on this committee.

24 You know, we need to use every tool that we have to
25 fight this challenge. And one of those tools is the

1 Brandon Act that was in the defense bill last year. So now
2 I know we have spoken about this before, but I am concerned
3 there haven't been visible signs of progress on
4 implementing the Brandon Act.

5 And I have raised this with you and Service
6 Secretaries in the past. And last year I added to the
7 defense bill a requirement for a formal progress report on
8 DOD's implementation efforts. That was due on March 1st.
9 I think today is the 15th. So, Secretary Cisneros, why has
10 the committee not yet received your implementation report
11 as required by the defense bill?

12 And are there any updates that you can provide to me
13 today about what actions the Department is taking to
14 implement the requirements of the Brandon Act?

15 Senator Warren: Senator, thank you for that question.
16 And as, you know, we stated earlier, any death by suicide
17 is definitely a tragedy and it really does weigh heavily on
18 our military family. And we are trying to make
19 improvements.

20 Congress is really kind of given the stability with
21 the Suicide Prevention and Independent Review Commission
22 that we were able to complete at the end of last year. We
23 can have Mr. Foster kind of talk about that a little bit,
24 if you would like, but we are making progress on the
25 Brandon Act.

1 And to do that, and to talk about it I will turn over
2 to Dr. Martinez Lopez who can kind of give you an update on
3 that, sir.

4 Mr. Martinez-Lopez: Senator, thank you for the
5 question. We need to honor Brandon Caserta. There is no
6 question about that. And the best way to honor is through
7 you putting into effect the law.

8 I am new at the job, been there for three weeks, but I
9 can tell you that the long pull on the tent was the issue
10 of the law brought everybody, including the individual
11 ready reserve, that have no command and control, so we were
12 trying to figure out how to implement the law, including
13 all the servicemembers.

14 I recommended, and I think we are moving forward, what
15 we are going to do first is going to break the active duty
16 and let's go. We move in that axis right away. And then
17 as we come out with a solution set for the reserve
18 components, those have a command structure next, and then
19 the IRR, because there are issues of care and there is a
20 lot of -- so we are moving. And I guess --

21 Senator Kelly: Mr. Secretary, you are talking about
22 how the Brandon Act will be implemented.

23 Mr. Martinez-Lopez: Yes, sir.

24 Senator Kelly: But my first question was, we were
25 supposed to get a progress report on the implementation.

1 And that certainly could be what you said here, could have
2 been in the progress report. We were supposed to receive
3 that on March 1st. We are now two weeks past that. We
4 have not received it. So, when could we expect the report
5 on the progress of the implementation?

6 Mr. Martinez-Lopez: Senator, we talked -- we started
7 talking to the staff. Hopefully very soon, in the next
8 month or so you are going to see the report coming to you
9 of how we -- hopefully before that, of how we are
10 implementing the Act. But I just gave you the kind of the
11 scope of how we are approaching it.

12 Senator Kelly: So, in a month or two, we could expect
13 the progress report on the implementation.

14 Mr. Martinez-Lopez: Yes, sir.

15 Senator Kelly: All right. You talked a little bit
16 about the implementation. So, I am interested in seeing
17 that and in detail, about what are we doing to make sure
18 that what we passed in legislation, how it is going to be
19 implemented. Anything else you might need from us, you
20 could add that as well.

21 And because this is such a serious issue. I mean, it
22 is not only in the Navy. I mean in DOD, this is a major
23 problem. It is affecting readiness, but that is not the
24 reason to do it. I mean, the reason to implement this is
25 it is the right thing to do and it will save people's

1 lives. So, thank you.

2 Senator Warren: Thank you. Senator Kaine.

3 Senator Kaine: Thank you, Madam Chair, Ranking Member
4 Scott, and to the witnesses for being here. I just want to
5 pick up on Senator Kelly's on the Brandon Act, because this
6 occurred in Virginia.

7 I have also met with the Casertas. And just, you
8 know, to put a really fine point on this, they have lost
9 their child under unimaginably horrific circumstances.
10 They are turning that grief into an effort to try to do
11 something to help others. If we pass a law but do not
12 implement it, it is a revictimization of a family that
13 doesn't deserve to be revictimized.

14 They will view that as yet another, yet another pain
15 that they are suffering at the hands of the United States
16 military. So, this is -- this needs to be done because we
17 have a significant challenge. And I am going to get into
18 another dimension of this. But it also needs to be done so
19 that a family that has already suffered doesn't suffer
20 more.

21 So, I just echo what Senator Kelly said. We need to
22 see that report about implementation. We need to see it
23 soon. We need to understand that this is not some box
24 checking thing that people are doing just to appease us,
25 but you are doing it to meet a need that is a very

1 significant one.

2 I have recently had two strings of really difficult
3 suicides within the Navy in Hampton Roads, Virginia. So
4 just in one community. Sailors aboard the George
5 Washington who trained for an MOS and thought they would be
6 doing something, but instead because the George Washington
7 has been in this limited duty status for so long, many of
8 them are there and will have their whole career while the
9 ship is getting refurbished, not doing what they thought
10 they might do.

11 A sense of purposelessness can grow. That can
12 exacerbate other challenges. The living situations for
13 folks when their ships are in drydock getting refurb aren't
14 necessarily the best. Then we had four suicides within a
15 space of five months with -- five weeks, within the space
16 of five weeks, with sailors who had been assigned to the
17 Mid-Atlantic Regional Maintenance Center in Norfolk.

18 This is a center, one of seven or eight in the United
19 States that they are kind of like MacGyver. It is a really
20 great mission where they take things, off ships and subs
21 that are busted. Instead of paying millions to do
22 something new, they can figure out a way to fix it and get
23 it back on.

24 It is an important mission, but it is a very unusual
25 in the way it has been composed. Of the 2,500 people who

1 work at MARMC, half are civilians who are under contract.
2 They know how long they are going to be there. Half are
3 sailors. Of the sailors, half have been assigned to the
4 mission, but half were assigned there under a limited duty
5 status.

6 Maybe they were pregnant, maybe they broke a bone,
7 maybe they had a disciplinary issue. And so, they were
8 pulled out of the fleet and assigned there, and most of
9 that, nearly 600 people in the limited duty status at
10 MARMC, they have no idea when they are going back to the
11 fleet. They may be in a med board process that is
12 completely opaque and they don't have a sense of when it
13 will be over.

14 And that then builds up some sense of purposelessness
15 when you don't know what your next step is and you don't
16 know when you will know, you are not only don't know, but
17 you don't know when you will know, then that can also
18 contribute to significant mental health challenges. And
19 that is why, no surprise, those four suicides in this
20 workforce of 2,500. It wasn't civilians.

21 It wasn't the sailors that were assigned there for a
22 traditional tour. It was all people within this limited
23 duty population who were living in a world of kind of big
24 question mark about what would happen to them.

25 So, I guess I would like to ask particularly to being

1 with the Navy, when we have members of the armed services
2 who were assigned into limited duty status, you know, what
3 can we do to make sure that they have the support they need
4 while they are in that status?

5 Because there were no embedded mental health
6 professionals in this workforce of 2,500, even though 600
7 of them were on a limited duty status, each one different
8 from the next, each one with a lot of questions about their
9 future. What can we do with our limited duty to provide
10 them the services they need?

11 Mr. Cisneros: Senator, thank you for that. And, you
12 know, again, as the Secretary says all the time, mental
13 health is health, and we want to ensure that we are taking
14 care of our service members that have needs.

15 I will turn it over to Dr. Martinez Lopez here. But,
16 you know, any service member that needs to see a physician
17 can always go and talk. And it is not just, you know,
18 whether it is the people that need to seek mental health,
19 right.

20 We have counselors for people who are having financial
21 problems, if they are having relationship problem, the
22 individuals are there for them to go in to talk to. But I
23 will turn it over to Dr. Martinez Lopez specifically to
24 talk about the mental health and what individuals need to
25 do in order to seek help.

1 Mr. Martinez-Lopez: Senator, very good question. I
2 think we are taking the approach of the public health
3 approach, and you are right on target, which is it is not a
4 medical issue, it is a poly-health. We all play. The
5 Commander plays. There are financial issues, social
6 issues. There are medical issues.

7 And we need to address all of those. Think about it
8 like a rucksack that has a lot of stuff that is heavy and
9 we need to figure out how to level that rucksack. So, if
10 there is a financial thing that we can do to help that
11 sailor, that is one thing. If there is a social, you know,
12 family issue that we can help them with, let's go and
13 relieve that.

14 If it is a legal issue that they are dealing with,
15 let's go and try to -- and by doing that, we decrease the
16 risk, you know, of that sailors, soldiers -- sailor,
17 Airmen, Marine or Guardian, you know, from -- that is part
18 of the equation to this conundrum.

19 So, I think we are on the right track in that respect.
20 A lot of work to be done, a lot of education. It is a
21 never-ending process. But I am confident that we need to
22 keep sailing in that direction and trying to make headways.

23 Senator Warren: Right. Thank you.

24 Senator Kaine: Thank you. Thank you, Madam Chair.

25 Senator Warren: Thank you. I think our ranking

1 member has a comment.

2 Senator Scott: Well, first off, I want to -- Senator
3 Duckworth. Senator Budd, and I think Senator Kelly, I
4 mean, they all asked things -- they would like to be more
5 responsive, so I hope you guys will do your best to be more
6 responsive. The other thing is, we go through the National
7 Defense Authorization Act.

8 We are just trying to get stuff in there every year,
9 and some of it are reports. And if you are not going to
10 get a report on time, I mean, I think the first thing you
11 probably ought to do is tell us and tell us why. Because
12 we are not doing it because we don't care. We are doing it
13 because we care.

14 So, I think if you are not going get a report, I would
15 like -- I mean, I think all of us would like to know it. I
16 mean, I think this committee is going to actually work to
17 try to figure out how we have -- people want to serve. So,
18 and I let me -- I went through what Senator Kaine was
19 talking about in drydock.

20 I was in drydock. My ship was in drydock. And, you
21 know, it is boring. It is really boring and it seems like
22 there ought to be a way to send people to training and do
23 things like that rather than just -- we just sat around and
24 did nothing. So, and it wasn't like the ship was at risk.
25 I mean, we are in a drydock area.

1 Nobody could get there. So, they didn't need us to
2 show up and hold a gun every so often. So, but thanks,
3 everybody for --

4 Senator Warren: So, I agree. I really want to
5 associate myself with the remarks. It is very frustrating
6 when we get things into NDAA that is something we have all
7 worked on to make it happen, and then we don't get answers,
8 that is a real problem for all of us.

9 So, the commitment specifically that Senator Duckworth
10 has extracted and that others have asked for, regard that
11 as something the whole committee is behind and we expect
12 her to get her answers in a timely fashion.

13 We are going to do a second round with this panel, for
14 those of us who want to do a second round of questions, I
15 want to do a second round. Are you good?

16 Senator Scott: I am good.

17 Senator Warren: You are good, you are good. And I
18 think, Senator Duckworth. So, we have got two more rounds
19 and then we will go to the second panel that we have got
20 here. So, the U.S. military should have the best doctors
21 in the entire world.

22 In a crisis, these are the medical professionals who
23 are on the front lines. But unlike doctors who are at a
24 really busy place like Mass General or Boston Medical
25 Center, military doctors don't have a constant stream of

1 service members with serious injuries coming in the front
2 door.

3 Now, it is a good thing that fewer service members are
4 suffering serious injury, but it is also a problem for the
5 doctors because it means they get less practice stitching
6 people up or setting broken bones or doing emergency
7 surgery to repair gunshot wounds.

8 One of the keyways that military doctors and surgeons
9 maintain their skills is by treating civilians at military
10 treatment facilities, or MTFs. Now, Dr. Martinez Lopez,
11 how does DOD benefit from treating civilian patients?

12 Mr. Martinez-Lopez: Thank you very much, Senator.
13 That is extremely important to us. A way -- you know, from
14 the standpoint of readiness, we need to keep all the docs
15 and all nurses. It is not just the docs.

16 It is a whole team that has to be sharp. By taking
17 care of civilians, we do two things. One is the readiness
18 piece, but also the good neighbor piece. I mean, like in
19 San Antonio, if there is an emergency and they show up in
20 our doorsteps, we have the good neighbor responsibility to
21 provide good care to them too.

22 But so, we need to, as you said, we need to bring
23 about more patients, especially trauma patients. And we,
24 San Antonio is a perfect place where we do world class burn
25 care and also trauma care. And hopefully we never have to

1 use those abroad, but if we do, our team will be ready to
2 deploy and do that, right. So --

3 Senator Warren: Good. So, we want you to be sharp,
4 and we want to have the chance to train as a team on an
5 ongoing basis. We want you to be able to be designated as
6 trauma centers because your level is that high in terms of
7 your practice.

8 In other words, treating civilians, for the military
9 to treat civilians is supposed to be a win-win. The
10 civilian patient gets world class care and military doctors
11 stay up to date on their skills. It is not working out so
12 well for patients.

13 Most of them are dropped off at the MTF in an
14 ambulance because they need emergency treatment, and the
15 MTF is the best closest option. Two-thirds of civilians
16 who end up at an MTF care do not have any insurance. The
17 military treatment facility sticks these patients with
18 massive bills.

19 And if the cost isn't waived, Federal law requires
20 aggressive debt collection, including garnishing patients'
21 wages or seizing tax refunds, or even taking 15 percent of
22 their Social Security checks before it even reaches their
23 pockets. Now, the good news is the DOD now has authority
24 to waive these debts.

25 Dr. Martinez Lopez, over the last five years, military

1 treatment facilities treated almost 30,000 civilian
2 emergency patients. For how many of those 30,000 patients
3 did DOD exercise its authority to waive civilian medical
4 debt, keeping in mind two-thirds of these folks do not have
5 insurance.

6 Mr. Martinez-Lopez: Ma'am, a very small number. I
7 think 57.

8 Senator Warren: 57. That is exactly right, 57 times
9 DOD waived medical debt out of 30,000 people who came in
10 and incurred these debts. You know, so DOD is actually
11 waiving debt, I tried to work this out, in about 0.2
12 percent of the cases.

13 Now, DOD claimed that their number is low because
14 waiver authority was too narrow. That the debt could only
15 be waived if there was, "direct and compelling relationship
16 to a priority DOD objective," not just that someone can't
17 pay. So, to address this problem, Representative Castro
18 and I got an amendment into the 2021 NDAA, some of you
19 remember this, to expand DOD's authority to waive medical
20 bills.

21 Our changes clarified that if medical treatment for
22 civilians will enhance military medical readiness overall,
23 and if the patient is unable to pay, DOD has legal
24 authority just to tear up the bill. Dr. Martinez Lopez,
25 how often has DOD exercised this expanded authority to

1 waive costs for civilians when the treatment will enhance
2 readiness and the patient is unable to pay?

3 Mr. Martinez-Lopez: Ma'am, I don't know for sure, but
4 I don't think we have done many, if any.

5 Senator Warren: Yes, so it kind of looks like it is
6 zero right now. Look, DOD is dragging its feet on -- while
7 these patients are toppling into financial ruin. The GAO
8 also found that DOD wasn't telling patients that they had
9 an option for relief, as required by DOD's own regulations,
10 and they weren't properly tracking people when they had or
11 had not paid their bills.

12 So, Dr. Martinez Lopez, on this new notion that we are
13 really going to start holding people accountable in this
14 committee, can I have your commitment that you are going to
15 clean this up, start wiping out medical debts for civilians
16 who shouldn't have been hit with those devastating bills to
17 begin with, and you are going to get back to me on this?

18 Mr. Martinez-Lopez: Senator, I don't want to put more
19 burden, and my colleagues are in the same boat, on patients
20 that already have been traumatized. That is not what we
21 are in. I mean -- and worse, they cannot even pay. So why
22 do we want to keep adding insult to many of those? So, we
23 thank you for this waiver.

24 As I understand right now, we are talking to a
25 rulemaking. I will try to figure out how can I expedite

1 that rulemaking to give the solution set that you want and
2 we want. So, I commit that I will work hard to get through
3 the process in DOD and start, you know, affecting in a nice
4 way the patients that we care for.

5 Senator Warren: I understand your heart is in the
6 right place. I am not quarreling with your heart. I got
7 to have your actions in the right place. So, I am going to
8 ask for the same thing that Senator Duckworth asked for.

9 Can you get back to me in four weeks and at least lay
10 out what the plan is to make certain that patients are
11 fully informed about the opportunity to have their debts
12 wiped out, and what DOD's plan is to implement what we all
13 work to put into the law in 2021?

14 Mr. Martinez-Lopez: I will get back to you, ma'am.

15 Senator Warren: Four weeks, just to tell me what the
16 plan is. I am not even asking you for the final report. I
17 am -- just tell me what the plan is.

18 Mr. Martinez-Lopez: I will be glad to talk to your
19 staff or yourself in four weeks.

20 Senator Warren: Okay, we got it. Secretary
21 Duckworth. I am sorry, Senator Duckworth.

22 [Laughter.]

23 Senator Duckworth: Old job, Assistant Secretary of
24 the VA -- old job.

25 [Laughter.]

1 Senator Duckworth: Thank you, Madam Chair.

2 Gentlemen, service members commit their lives to defend our
3 country, and they should not struggle to feed their
4 families. Yet in July of 2022, the DOD released an updated
5 report that found that 24 percent of all active-duty
6 service members experienced some level of food insecurity
7 in 2020 and 2021, with our junior enlisted facing the
8 highest risk.

9 That is why I introduced a bipartisan Military Family
10 Nutrition Access Act last month. This bill eliminates
11 basic allowance for housing from income calculations under
12 the SNAP program.

13 So right now, if you apply for SNAP, they count your
14 BAH as income, even though other programs like Medicaid and
15 the IRS doesn't consider your BAH to be income. By using
16 an already established nutrition assistance program and
17 simply updating the treatment of BAH so it is in line with
18 other Federal assistance programs, we will expand nutrition
19 access to more military families so that they can qualify
20 for SNAP benefits.

21 Undersecretary Cisneros, Assistant Secretary Skelly,
22 do you consider food insecurity and a lack of access to
23 nutrition among a significant percentage of military
24 families to be a readiness issue? Remember, your own
25 report is at 24 percent.

1 Mr. Cisneros: Secretary, I think food insecurity is
2 definitely an issue, and it is something that we are
3 working hard to help resolve them. You know, the Secretary
4 put out a series of memos kind of addressing different
5 things about taking care of our people. One of them was
6 around food insecurity, and it was about kind of really
7 trying to provide.

8 You know, while the research that we have kind of
9 shows that where a lot of those happens is when PCS
10 happens, service members are -- their families that have to
11 move. The spouse usually has to give up a job.

12 That puts a burden or puts a financial strain on the
13 families and kind of makes the food insecurity -- or maybe
14 they are not getting good quality, healthy food all the
15 time there until they are able to get new employment. But
16 this is something that we are working on.

17 We are working to try and ensure that spouses have
18 access to employment, whether it be through just being able
19 to transfer, if they have a job within DOD, or other
20 Federal Government agencies and being able to remote work
21 or telework or partnering with over 600 companies that have
22 made a commitment to hiring spouses as well to relieve some
23 of the strain.

24 But, you know, we definitely see it as an impact and
25 as an issue, you know, when families do have struggle to

1 help provide their families with healthy meals.

2 Senator Duckworth: Would you support increasing
3 greater access to SNAP benefits for military families, as
4 would be granted by my Act? Basically, that says for when
5 you apply for SNAP, SNAP should not consider BAH as income
6 because no other part of Federal Government does either.

7 Mr. Cisneros: Ma'am, it sounds very interesting, but
8 I would have to look at the legislation in your proposal
9 before we make any commitment to that.

10 Senator Duckworth: Okay. Well, we will get you to
11 that in less than six months. My next question, Assistant
12 Secretary Martinez Lopez, I know that you have only been in
13 your seat for a short time. Welcome. I let a CODEL to
14 Japan and Indonesia last month to discuss a wide range of
15 issues with our partners, including energy security,
16 economic engagement, and people to people academic
17 exchanges. However, while I was in Japan, I heard from DOD
18 civilians about the struggles that they are now facing
19 accessing health care due to a rules change at their local
20 military treatment facilities. What is being done by your
21 office to resolve these issues in Japan?

22 Mr. Martinez-Lopez: Senator, thank you very much. I
23 think the health care of not only the service members and
24 their families is important, also the civilians that help
25 us is a team. I think we have grown that piece of the team

1 larger and larger not only overseas but giving more
2 opportunities to civilians to help us.

3 And so, we have been compensated along. The MTFs are
4 just -- the force structure is just to take care of the
5 active duty and the family members. So, what we do is we
6 increase efficiencies of those clinics to see -- create
7 space available to then see the civilians. And I -- we
8 haven't changed the policy.

9 It is the same policy that has been standing for many
10 years. So, what we have done is we increased it -- we are
11 working hard to increase the efficiency of those clinics,
12 so more space available will be for the civilian. But that
13 is just a Band-Aid.

14 Senator Duckworth: Well, but what I heard from them
15 is actually the opposite, that they have recently -- that
16 they were being seen at the facilities and the facilities
17 that actually turn around and said, no, we are not going to
18 see you anymore, you go on into the economy in Tokyo and
19 find your own doctors.

20 And not that they are not great doctors in Tokyo, but
21 frankly, with language and capacities, they are now no
22 longer being able to access health care.

23 Mr. Cisneros: Ma'am, Senator, if I may, I went to
24 Japan recently. I did five town halls. I heard both in
25 mainland Japan and Okinawa talking about this issue. You

1 know, as Dr. Martinez has stated, right, that our policy
2 hasn't changed.

3 The civilians and the contractors have always been
4 seen on a space available basis. What we had done was we
5 had kind of sent out a message through the DHA, the Defense
6 Health Agency, is because we were hearing that from our
7 service members and from their families is that they were
8 having trouble getting appointments and they are our top
9 priority there.

10 But what we have done, as Dr. Martinez stated, is we
11 have asked the MTFs there in Japan to maximize their
12 efficiencies, to open up, you know, more -- make more
13 appointments available so that those, you know, those that
14 are seen on a space available will have more of a chance to
15 go and to get that access and to get that health care as
16 well.

17 Senator Duckworth: Will you be doing this around the
18 world for all of our duty civilians?

19 Mr. Cisneros: It is -- we are looking at -- I think
20 Japan is, what we learned, is very unique. The cultural
21 differences there is, the way they provide health care as
22 to what we are used for is definitely different. The
23 language barrier, you know, creates a big -- it is a big
24 challenge there.

25 And so, but it is something that we are looking at.

1 My deputy was just recently in Germany, kind of looking at
2 some of the same issues. But, you know, the space
3 available is everywhere throughout, you know -- that is
4 everywhere throughout the Department of Defense. It is not
5 just specific to Japan.

6 But we are working to go and increase, and to see what
7 we can do to provide other opportunities, whether it is
8 providing like a clinic, you know, through AVs that could
9 see patients, or partnering with an organization like we do
10 with our defense, with our service members.

11 Make an organization available that will help them
12 seek the health care that they need out in their community
13 like we do for our service members when we don't have
14 access to that type of health care, and they need a certain
15 type of health care and we just can't provide it at that
16 location.

17 Senator Duckworth: Could you have your point --

18 Senator Warren: We need to wrap this up, if we can.
19 Okay, thank you. Thank you. I appreciate all of you being
20 here, Mr. Foster, Secretary Skelly, appreciate your being
21 here even though any questions didn't come to you. The
22 first panel is excused, and we would like to bring up the
23 second panel, please.

24 Everybody ready? Good. Thank you all for being here.
25 So, our second panel consists of Assistant Secretaries of

1 the military departments for Manpower and Reserve Affairs.
2 And each of our witnesses is going to do a brief opening
3 statement, I believe.

4 Can I start with you, Mr. Schaefer, Assistant
5 Secretary of the Army. Are you ready?

6 Ms. Schaefer: I am.

7 Senator Warren: Good.

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1 STATEMENT OF HON. AGNES G. SCHAEFER, ASSISTANT
2 SECRETARY OF THE ARMY FOR MANPOWER AND RESERVE AFFAIRS

3 Ms. Schaefer: Chairwoman Warren, Ranking Member
4 Scott, distinguished members of this subcommittee, thank
5 you for the opportunity to appear before you on behalf of
6 the men and women of the United States Army.

7 At the end of the summer of 2022, the Senate confirmed
8 me to be the Assistant Secretary of the Army for Manpower
9 and Reserve Affairs, and I joined an amazing Army team that
10 works tirelessly every day to improve the lives of our
11 soldiers, civilians, and families.

12 I bring both deep and broad expertise to my current
13 position, as well as a renewed emphasis on leveraging data
14 and analysis to assess the effectiveness of our policies
15 and programs, to better target our resources in alignment
16 with the Secretary of the Army's main six objectives.

17 Between my previous position as a Senior Advisor to
18 the current Secretary of -- Deputy Secretary of Defense,
19 and my 16 years at RAND supporting the Department of
20 Defense through research and analysis, my focus every day
21 for years has been on improving our Army's readiness to
22 meet the objectives of our national security strategy, and
23 to improve the lives of our active and reserve component
24 members and their families.

25 In my current role, these continue to be my focus in

1 the service of our soldiers, civilians, and their families.
2 My three priorities are readiness, including quality of
3 life and prevention of harmful behaviors, manning the Army
4 of 2030, and the strategic modernization of our personnel,
5 policies, processes, and systems across the entire spectrum
6 of our Army people strategy.

7 Readiness ensures that we have the ability to project
8 combat power whenever, wherever it is required. Manning
9 the Army of 2030 requires not only the new weapons systems
10 and doctrines to succeed in the future of warfare, but also
11 the people who have the appropriate skills and competencies
12 for tomorrow, not just today.

13 Strategic modernization includes how we recruit and
14 hire, how we grow, employ, and manage talent, and how we
15 create a workplace culture that enables people to thrive
16 and want to expand their careers in the Army. The Army's
17 mission remains unchanged, to fight and win our nation's
18 wars.

19 We are building the Army of 2030, and in doing so,
20 taking care of our people because they are the foundation
21 of our great Army and our number one priority. The future
22 of multi-domain operations requires highly trained, agile,
23 and resilient personnel across the total force.

24 Active guard, reserve, and civilians, people perform
25 the best when they are part of cohesive teams founded on

1 treating everyone with dignity and respect.

2 All of the Army's personnel programs and initiatives
3 are focused on this because we lead with our values, and in
4 doing so is essential to the readiness required to
5 accomplish our mission.

6 Chairwoman, ranking member, and members of the
7 subcommittee, thank you for your unwavering bipartisan
8 support of our outstanding soldiers, civilians, and their
9 families. I look forward to our discussion on our
10 questions today, as well as continuing this conversation in
11 the future.

12 [The prepared statement of Ms. Schaefer follows:]

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1 Senator Warren: Thank you very much. Secretary
2 Parker, representing the Navy.

3 Senator Scott: Go Navy.

4 Senator Warren: That -- stop that.

5 [Laughter.]

6 Senator Warren: I just want to point out, my
7 brothers, Air Force, Army, so. We are trying to do the
8 best we can -- [technical problems.] Secretary Parker.

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1 STATEMENT OF HON. FRANKLIN R. PARKER, ASSISTANT
2 SECRETARY OF THE NAVY FOR MANPOWER AND RESERVE AFFAIRS

3 Mr. Parker: Thank you. Chairwoman Warren, Ranking
4 Member Scott, and distinguished members of the
5 subcommittee, thank you for allowing me to join you here
6 today. I am honored by this opportunity to appear before
7 you to talk about our Department of the Navy, Sailors,
8 Marines, civilians, and their families.

9 As the 2022 National Security Strategy makes clear, we
10 face unpredictable threats and global challenges. Our
11 nation needs a strong, well-trained, well-equipped Navy and
12 Marine Corps to address the wide array of challenges and
13 threats, and we must leverage our talent to retain both our
14 competitive edge and our multi-domain dominance.

15 The changing strategic landscape demands we maintain
16 and strengthen our nation's maritime dominance so our
17 forces can deter, fight, and win against potential
18 adversaries. As an integrated team demonstrating talent,
19 capabilities, and dedication second to none, together, our
20 Sailors, Marines, and civilians can overcome any challenges
21 they face.

22 Our people are our greatest strength and the core to
23 our success, both as a military and as a nation. I am
24 incredibly proud of their performance, commitment, and
25 unparalleled resilience in the face of the dynamic global

1 challenges that have become our present operating
2 environment.

3 Our nation needs a strong, well-trained, well-equipped
4 Navy and Marine Corps to address the wide array of
5 challenges and threats facing our nation. To be a combat
6 ready force, we must leverage the strengths of all our
7 people.

8 Further, because we have an all-volunteer force, we
9 must ensure that also means our society see value in
10 serving and are treated with respect when doing so. In our
11 constantly evolving environment, we must continue to invest
12 in mechanisms that ensure the services are positioned to
13 meet their recruitment goals. However, we do have some
14 challenges.

15 The general decrease in propensity to serve and
16 several years of the COVID-19 pandemic limited both student
17 attendance and recruiter access to schools, making it
18 difficult for our recruiters to make and maintain contact
19 with potential recruits.

20 The Secretary of the Navy is personally involved in
21 addressing these challenges. As part of these efforts, we
22 have engaged with leadership from the Department of
23 Education for support with school access.

24 We also contact the principals that have restricted
25 recruiters access to their schools. Through these and

1 other efforts, we seek to ensure our services have what
2 they need to meet their recruiting goals. In addition to
3 recruiting, the Navy and Marine Corps team remains
4 committed to retaining the right talent and experience,
5 which also complements our recruiting efforts.

6 We will explore every lever within our authority to
7 maximize retention, and we are already seeing positive
8 trends in retention rates across both services. Over the
9 course of the last year, the Department of the Navy has
10 made significant strides to assess how education is
11 delivered to the force and modernize our educational
12 objectives.

13 Today's Navy and Marine Corps team is one of the most
14 technologically advanced ever conceived, able to dominate
15 in the air, sea, and undersea. As we become a more
16 technologically advanced force, education will be a crucial
17 warfighting enabler.

18 Through our naval university system, we are creating a
19 continuum of learning that develops leaders to serve at
20 every level and equips them with skills to maintain and
21 operate increasingly complex systems in an ever-changing
22 warfighting environment.

23 We are well aware of the fundamental link between
24 mental health resiliency and the readiness of our force.
25 To that end, we are committed to supporting and ensuring

1 the mental health, safety, and well-being of all Sailors,
2 Marines, and Department of Navy civilians. Suicide is a
3 national issue to which the military services are not
4 immune.

5 Given the complexity of this challenge, our Office of
6 Force Resiliency has taken a comprehensive approach to
7 holistic, data driven suicide prevention efforts that
8 harmonize with the defense strategy for suicide prevention.

9 We have also taken note of the recently released
10 report from the Suicide Prevention Response Independent
11 Review Committee and will work within the DOD's
12 coordination framework to implement key recommendations.
13 The Department of the Navy is committed to eliminating
14 sexual assault within the Navy and Marine Corps at every
15 level.

16 In addition to the toll brought on individual victims,
17 sexual assault directly impacts our cohesion, our unit
18 cohesion, and ultimately undercuts our readiness. Sexual
19 assault is a persistent challenge that requires a multi-
20 pronged approach that leverages a wide range of
21 initiatives, not only to address sexual assault but also to
22 prevent it before it occurs.

23 Secretary Del Toro directed the establishment of an
24 implementation advisory panel last spring, bringing the
25 leaders of all Department of Navy principal officers to the

1 table to implement the recommendations of the Secretary of
2 Defense's Independent Review Commission on Sexual Assault.

3 Through this effort, the Department of the Navy has
4 made significant strides to implement the IRC
5 recommendations, though we fully recognize additional work
6 remains. Further, to those efforts, we are investing
7 significant resources to fuel the necessary changes, and we
8 have made substantial progress in standing up a dedicated
9 workforce to prevent harmful behaviors, professionalized
10 the response to sexual assault, and best support survivor
11 recovery.

12 Quality of life issues are critical to our service
13 members and their families. The stresses on our spouses
14 and children weigh on the minds of our service members,
15 especially when they are deployed. By caring for our
16 families, we enable our service members to continue their
17 focus on the warfighting mission.

18 To this end, we have taken action to implement
19 increases in parental leave, support spousal licensing and
20 career advancement, and expand dependent care support in
21 early childhood access.

22 Additionally, we are pushing to end food insecurity
23 among our most junior sailors and Marines through access to
24 financial literacy tools and other forms of support.

25 Regardless of the challenge, the Department of the Navy,

1 Sailors, Marines, and civilians consistently answer the
2 call. They step forward and perform superbly in our
3 country's times of greatest need.

4 Time and again, our Navy and Marine Corps team has
5 invariably risen to meet all challenges and defend our
6 nation, bonded together by almost 250 years of tradition
7 and an unwavering, deep seated sense of duty to our
8 country.

9 I look forward to working with you to ensure our
10 efforts meaningfully and effectively support the well-being
11 of our Sailors, Marines, civilians, and their families, and
12 that we always best position them to fulfill their vital
13 roles for our nation. Thank you for the opportunity to be
14 here today, and I stand ready to answer your questions.

15 [The prepared statement of Mr. Parker follows:]
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1 Senator Warren: Thank you. Thank you, Secretary
2 Parker. Secretary Wagner, representing the Air Force.

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1 STATEMENT OF ALEX WAGNER, ASSISTANT SECRETARY OF THE
2 AIR FORCE FOR MANPOWER AND RESERVE AFFAIRS

3 Mr. Wagner: Chairman Warren, Ranking Member Scott,
4 distinguished members of the committee, thank you for the
5 opportunity to appear before you today and thank you for
6 your continued support for our Airmen, our Guardians, and
7 their families.

8 I am looking forward to working with both of you and
9 continue the work with your terrific staff. I am proud not
10 only of the adaptability, but also the tenacity of our Air
11 Force as current world events such as pandemic recovery,
12 inflation, and a return to great power competition pose
13 ever evolving challenges for our nation.

14 In order to recruit and retain a lethal, expert, and
15 resilient force, the DAF needs our partners on the Hill to
16 help us tell our story to the American people, and showcase
17 both the unique missions of military service, but also the
18 unique value of military life.

19 We are implementing the vision of the Secretary of
20 Defense outlined in his Taking Care of People Initiative
21 but have also gone further in important areas like
22 childcare and spouse unemployment.

23 Our members need to know that we are doing everything
24 we can to take care of and support their loved ones. That
25 also means providing a competitive compensation package,

1 housing, and education benefits, and quality health care.

2 I believe we have made progress in this respect as
3 validated by our 90 percent retention rate, but I
4 acknowledge we must do more to promote resilience and
5 prevent those harmful behaviors that are counter to our
6 values, undermine our team, and diminish our readiness.

7 In particular, sexual violence will not be tolerated,
8 condoned, or ignored within our ranks. And those that
9 breach, that trust will be held accountable. Finally, I
10 want to talk about the recruiting challenge that the DAF
11 and the other services have been facing.

12 The Air Force is currently projected to miss its
13 enlisted active component recruiting goals for the first
14 time since 1999. There are multiple factors that have made
15 recruiting challenging, including historically low
16 unemployment, strong private sector wage growth, and a lack
17 of access to high schools exacerbated by the COVID-19
18 pandemic.

19 However, the most important factor, propensity to
20 serve, is the lowest we have seen in decades. But what
21 does that really mean? It starts with a lack of
22 familiarity. Secretary Cisneros said in an earlier panel,
23 in 1995, 40 percent of Americans had a parent who served.
24 But today, that number is less than 13 percent.

25 After 9/11, military installations became more

1 hardened and more secure, but it also further separated
2 those who serve from those whom they protect. That lack of
3 familiarity has been filled in by a public narrative that
4 emphasizes the risks of service while missing the benefits.

5 The DAF is taking steps to address this issue by
6 opening up opportunities for communities to visit our
7 bases, sharing inspiring and authentic stories of service
8 members, and highlighting the stakes of our high-tech
9 mission to deter near-peer competitors. But the Department
10 can't do this alone, and we need your help.

11 Congress has a critical oversight function of the
12 military, but we also need to enhance our partnership to
13 increase propensity to serve. You are an important voice
14 to your constituents, to the young people, to the parents,
15 and to the influencers that can help shape the next
16 generation of service by elevating opportunities and
17 highlighting the benefits of our values and our team.

18 Now, 50 years into an all-volunteer force, we must be
19 able to reach all communities of America, geographic and
20 demographic, to ensure we recruit the brightest and the
21 best. You can't be it if you can't see it.

22 Every person in America's Air and Space Forces play a
23 critical role in ensuring that this organization is
24 prepared to meet the challenges of today and tomorrow, and
25 in particular, our pacing challenge.

1 We are excited to partner with you and to rebuild this
2 relationship with the American people together. And with
3 that, I look forward to your questions.

4 [The prepare statement of Mr. Wagner follows:]

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1 Senator Warren: Thank you. So, I am going to ask the
2 first round of questions here. The Junior Reserve Officer
3 Training Corps, or the JROTC, is a DOD funded program for
4 middle school and high school students that is designed to
5 teach students the value of citizenship and public service.

6 Schools hire and oversee the instructors, and then the
7 military services that train and pay part of the salaries
8 for the instructors who are all retired service members.
9 DOD and the Department of Education share oversight for the
10 program, but there are some pretty serious gaps in that
11 oversight.

12 A recent New York Times investigation found that at
13 least 33 JROTC instructors have been criminally charged
14 with sexual misconduct. I started my own investigation
15 with Senators Blumenthal, Gillibrand, and Hirono in
16 response to this alarming situation and found that there
17 were at least 114 allegations of abuse over the past
18 decade.

19 Now, when the services learned about these 114 cases,
20 they did the right thing and suspended or fired the
21 instructor. But I am worried that we are seeing only the
22 tip of the iceberg.

23 Secretary Schaefer, the Army has the largest JROTC
24 program of all the military services so let me start by
25 asking you. One of the main ways that we track whether we

1 are making progress on military sexual assault is an annual
2 report. Is there any kind of formal annual reporting on
3 instances of sexual assault and harassment in the JROTC
4 program?

5 Ms. Schaefer: Senator Warren, thank you for your
6 question. This is an issue that deeply concerns me as
7 well. There is an annual -- my understanding is there is
8 an annual report, but it has not had that tracking in it,
9 yet --

10 Senator Warren: So, there is no -- the annual report
11 I am asking about, is there a report tracking the
12 incidences of sexual assault?

13 Ms. Schaefer: So, yes, there is a report. It has not
14 tracked sexual assault --

15 Senator Warren: So, the answer is no.

16 Ms. Schaefer: To this point -- yet my office has
17 directed it. Before I came in, in December, my office
18 directed that we include that in the report that already --

19 Senator Warren: Okay, but right now there is not --
20 you are now trying to put this in. Okay, that is good. It
21 is a good thing. Another tool recommended by experts for
22 tracking this type of problem is a survey that allows
23 individuals to anonymously report instances of sexual
24 harassment or abuse. Does the Army have that kind of
25 survey for JROTC?

1 Ms. Schaefer: I am not aware of it, but I can look
2 into it. And I agree that that might be a good --

3 Senator Warren: I think you will find the answer is
4 no on that. So let me ask the other services. Annual
5 report, Secretary Parker?

6 Mr. Parker: Chairwoman Warren, no, there is no annual
7 report.

8 Senator Warren: No annual report. Secretary Wagner?

9 Mr. Wagner: Chairwoman, there is an annual report.
10 It is called the DEOCS for military folks and for DOD
11 civilians. These are employees of schools, the JROTC
12 instructors are school employees. The students are
13 obviously students. And so, the optic of the military,
14 asking a survey --

15 Senator Warren: I am not asking you that. What I am
16 asking is, do you have an annual report that records how
17 many people reported sexual assault against your folks who
18 were in the JROTC program?

19 Mr. Wagner: The Air Force JROTC program office tracks
20 this extremely closely --

21 Senator Warren: So, you do -- so if I request that
22 annual report, you will get a copy of it and it will show
23 me how many people reported incidences of sexual harassment
24 or assault?

25 Mr. Wagner: I can't say it is a formal report. What

1 I can say is I have seen a list of every single incident
2 and the disposition over the last five years.

3 Senator Warren: So, the answer to my question about
4 is there an annual report, is that a yes, or no?

5 Mr. Wagner: We -- as far as I am aware, we don't have
6 an actual annual report.

7 Senator Warren: All right. And do you do a survey?
8 Secretary Parker.

9 Mr. Parker: No, we do not do a survey.

10 Senator Warren: And Secretary Wagner.

11 Mr. Wagner: Senator, we don't do a survey, but we do
12 provide a number of mechanisms for either parents or
13 students to report incidents.

14 Senator Warren: If you are serious about sexual
15 assault and sexual harassment, these are two best tools
16 that we know we have available. And I am asking the
17 question, are the military services doing it? I am hearing
18 from Secretary Schaefer that she is starting with the Army.
19 I am not hearing it from the Navy.

20 I am not hearing it from the Air Force. And I am
21 asking all three of you using the second tool, and that is
22 surveys, and I am hearing the answer is no, no, and no.
23 So, look, no annual reporting or just starting some annual
24 reporting, no surveys.

25 In other words, there is no real way for the DOD or

1 the services to have the kind of information they need to
2 exercise basic oversight. You got to start with knowing
3 what is going on. And we know the problems with these
4 service. We know that people under-report. We know they
5 underreport formally.

6 We know they underreported surveys. But you have got
7 to at least start there. You know, one of the biggest
8 problems that has come to light in these investigations is
9 also that some of the instructors who abuse these students
10 had done it before.

11 For at least seven of the instructors that we know
12 about who were eventually criminally charged, it turns out
13 that students had already raised concerns with the school
14 before the incident that got these instructors arrested.

15 So let me start there. Secretary Schaefer, if
16 colleges fail to report public safety issues like sexual
17 assault, the Department of Education can find them under
18 the Cleary Act or even strip them of all Federal funding.
19 There are serious consequences for failure to report. So,
20 let's ask about DOD accountability.

21 If schools fail to report or stop this behavior in
22 JROTC programs, does DOD have any mechanism for saying you
23 no longer get to operate a JROTC program?

24 Ms. Schaefer: My understanding is that it is the
25 responsibility of the schools to report any of these

1 instances --

2 Senator Warren: I know, and I am asking when school
3 falls down on that responsibility, if this were the
4 Department of Education, the Department of Education
5 actually has tools to use to say you are going to pay
6 consequences if you fail to report. Because we all
7 understand nobody wants to report this stuff.

8 And the schools that are responsible certainly don't
9 want to report this. So, I am asking, is there anything in
10 the Army JROTC program that will tell a school, if you fail
11 to report, there will be consequences?

12 Ms. Schaefer: Again, I am not aware of that, but I
13 can look into it for you and give you --

14 Senator Warren: Okay. I am going to take that as a
15 no unless you tell me something different. Secretary
16 Parker, how about the Navy?

17 Mr. Parker: I am not aware that there is a specific
18 trigger for --

19 Senator Warren: I will take that as a no. Secretary
20 Wagner.

21 Mr. Wagner: Senator Warren, the memorandum of
22 agreement between Air Force ROTC and each school has
23 specific requirements --

24 Senator Warren: I am not asking about the
25 requirements. I am asking about whether there is

1 consequence if the school just keeps its mouth shut.

2 Mr. Wagner: If the school violates and consistently
3 violates the memorandum of agreement, then the school would
4 be decertified as would any --

5 Senator Warren: Have you ever decertified a school?

6 Mr. Wagner: I will have to look into that.

7 Senator Warren: Okay. All right. But you say you
8 actually have a mechanism.

9 Mr. Wagner: We have a mechanism.

10 Senator Warren: Okay. All right. So, we have got
11 this on sexual assault. Very disturbing findings. And
12 sexual harassment. There is one other thing I want to
13 cover very quickly, and that is recent investigations have
14 also found that dozens of schools have forced students to
15 participate in the JROTC program against their will.

16 Parents have to sign a permission slip for a kid to go
17 to the museum on a field trip. The notion that thousands
18 of students are forced to participate in JROTC programs is
19 just out of line with the program's values.

20 Secretary Schaefer, would the Army support requiring
21 JROTC programs to certify that their units are made up only
22 of students who have provided informed consent to
23 participate?

24 Ms. Schaefer: Well, we certainly don't condone forced
25 enforcement of this, and that may be an opportunity to look

1 into --

2 Senator Warren: So, you would like to see -- so
3 perhaps a way to certify that that is the case?

4 Ms. Schaefer: Perhaps, yes.

5 Senator Warren: Secretary Parker, how would the Navy
6 feel about that?

7 Mr. Parker: Senator Warren, I believe that is
8 something that we would be willing to consider.

9 Senator Warren: Okay. And Secretary Wagner.

10 Mr. Wagner: Absolutely.

11 Senator Warren: Okay. Well, we have an all-volunteer
12 force. We should have an all-volunteer JROTC. I think we
13 should all be able to agree on that. You know, if the
14 military doesn't step up and prevent these kinds of abuses,
15 then you endanger our ability to continue programs that
16 build our force for the future.

17 This is your reputation on the line here, and I hope
18 you will work with me to get some procedures in place to
19 make this program a safe program for all of our kids.
20 Thank you. Senator Scott. Ranking Member Scott.

21 Senator Scott: So, thank you. Secretary Wagner,
22 first off, thanks for being here. One thing -- you guys
23 watched the earlier panel.

24 Anything that is required under the NDAA, if you will
25 just make sure or you let us know where you are in the

1 process because it can't be a lot of fun to be up here and
2 then somebody asks you why you didn't do it.

3 So, if you could make sure you let us know where you
4 are and anything that you think that is required under the
5 NDAA. So, that will be helpful. Secretary Wagner, Space
6 Force just celebrated its third birthday last December.

7 I think a lot of us are concerned that many Americans
8 don't really understand why -- Space Force -- or why our
9 national security matters in space. What are you doing to
10 raise the profile of the Space Force, introduce the unique
11 missions of Guardians to the America's youth, and compete
12 for talent with the booming private sector commercial space
13 industry, especially in my great State of Florida?

14 Mr. Wagner: Ranking Member Scott, I am excited to
15 talk about the U.S. Space Force. Three years in, the
16 mission is incredibly important. It helps every day
17 protect not only our modern way of war, but more
18 importantly, our modern way of life.

19 We are excited to continue to work with Congress to
20 develop a proposal to manage talent in the Space Force very
21 differently than we have in the rest of the military
22 departments. And you will be seeing a legislative proposal
23 on that topic in order to allow us to access a different
24 type of talent and to have a talent process where we are
25 able to have a better permeability between full time and

1 part time Guardians.

2 And we can do that for two reasons. One, because of
3 the small size of the Space Force, but also because of the
4 ability to attract high tech STEM talent. We are focused
5 on building brand identity because, frankly, the American
6 people really don't understand what the Space Force is or
7 what they do, and so we are committing this year to spend
8 \$12 million on building that brand identity, principally
9 with influencers.

10 You know, the Space Force today is meeting its
11 recruiting mission, but we are concerned about the future.
12 Finally, in the era of declining propensity, we need to
13 access a greater variety of talent and, as I said, manage
14 them differently.

15 And in order to access that specialized STEM talent,
16 we need to take on new approaches and try some new things.
17 I think the space is leading the way. And I think to get
18 to your question, folks who have the ability to look at the
19 option of military service today differently than maybe one
20 would have looked in the past where it is a full career.

21 Today, being able to talent manage and say, I am going
22 to go take a couple of years off to focus on making sure my
23 kids get into college or raising them at a certain time or
24 take care of a sick parent, those are some of the things
25 that we are looking at in order to allow people to plan

1 their careers differently and see themselves serving in a
2 different way than we could have done before.

3 Senator Scott: Thank you. Secretary Schaefer, the
4 Army, as you know, has had trouble with recruiting, and so
5 I think you guys have relied more on retaining. So how
6 does that impact the readiness of the Army?

7 Ms. Schaefer: Thank you for your question. So, I
8 think that this really is -- end strength is sort of a
9 three-legged stool as we think about it. So, we have
10 accessions, attrition, and retention, and our retention is
11 historically high right now, which is wonderful. And I
12 think that that, somebody mentioned it in the earlier
13 panel, that once we get them through the door, they want to
14 stay.

15 So we are, you know, really focused on addressing the
16 civilian military divide that we talked about. You know,
17 my sense is it keeps getting wider and deeper. I think
18 there is, in the Army in particular, there is a sort of
19 historical piece to this as well. We BRACed a lot of our
20 installations in the Northern part of the country.

21 So, our biggest recruiting tool is somebody walking
22 down the street in uniform and talking to people about
23 their experiences, and they just don't see that in the
24 Northern part of the country or know somebody who has in
25 the military in general. And I think that creates a huge

1 knowledge as well as cultural gap that we need to fill.

2 So, you know, along with what Secretary Wagner
3 mentioned, we too are looking at this. I am bringing my
4 RAND lens to this and thinking about all of the complaints
5 that I have heard over the years from service members.

6 And a lot of it is this, it is too hard to serve in
7 many instances. That is what I keep hearing. And it is
8 modernizing these systems, right. We have a postindustrial
9 personnel system, and it is those annoying things, right,
10 that people are sort of working through.

11 And I want to make sure that we don't lose people
12 because of those annoying things, so that we can bolster
13 and keep that retention piece high, as we try to bridge
14 this gap across the civil military divide on the recruiting
15 side.

16 Senator Scott: Thank you. Thank you, Chairwoman.

17 Senator Warren: Thank you. Secretary -- Senator
18 Blumenthal. I am promoting everybody today. Senator
19 Blumenthal.

20 Senator Blumenthal: Thank you. Secretary Parker, I
21 had a dialog with Secretary Cisneros, I don't know whether
22 you were in the room at the time. So, you know that I
23 asked about the sailors on the USS Washington, in
24 particular, Xavier Sandor. It is a Connecticut family.
25 The others are from elsewhere in the United States. In

1 addition, there are others who have committed suicide. Is
2 there a report, and when will it be released?

3 Mr. Parker: Senator Blumenthal, thank you very much.
4 I was present for your prior comments, and I appreciate
5 your concern and advocacy on this point. I am familiar
6 with the report.

7 So that is the phase two report from the GW
8 investigation. This one pertains to quality of service. I
9 believe this is the report that you are referring to. And
10 so, this looks really kind of at the quality of service,
11 quality of life factors influencing the sailors who died by
12 suicide during that period.

13 I understand that report will be released this spring,
14 and I commit to you that I will go back and really push for
15 the speediest issuance of that report.

16 Senator Blumenthal: Well, I would like to see the
17 report now. Meaning -- now. Why is that not possible?

18 Mr. Parker: Senator, I have not seen the report
19 personally myself either, but that is something I will take
20 back and see how --

21 Senator Blumenthal: It is almost a year after Xavier
22 Sandor took his own life. I think the family has a right
23 to see that report. Why -- what would you say to the
24 family? What would you say to John Sandor? His son
25 committed suicide almost 11 months, a day ago, and the Navy

1 still has not given him the facts. What would you say to
2 him?

3 Mr. Parker: Senator, I have no response that I could
4 give to him that would be sufficient.

5 Senator Blumenthal: Well, my response would be, I
6 will show him the report, ask him to come down. And I am
7 going to invite him to come down next week, and I would
8 like you to come to a meeting with me in my office and John
9 Sandor. Will you do that?

10 Mr. Parker: I will, Senator.

11 Senator Blumenthal: All right. And I hope you will
12 bring the report.

13 Mr. Parker: I will go back and I commit to you, I
14 will do my very best, Senator, but I will be in that
15 meeting next week.

16 Senator Blumenthal: Well, you know, with all due
17 respect, and I know this is not your decision alone, so I
18 am not blaming you personally, but I am a dad. Two of my
19 sons have served. One as a Marine Corps Infantry Officer
20 in Afghanistan. The other is a Navy SEAL. And if it were
21 my son, I would be pretty angry. So, I hope you can be
22 there with the report.

23 Mr. Parker: Senator, I look forward to working with
24 you on this issue. I will do my very best, but I will be
25 in that meeting if you desire.

1 Senator Blumenthal: Thank you.

2 Senator Warren: Thank you, Senator Blumenthal. So, I
3 want to thank our witnesses for their service. I want to
4 thank you for testifying today.

5 I also want to thank John Clark, Gerry Leeling, Andy
6 Scott, Sofia Kamali, Sean O'Keefe, Katie Magnus, and
7 Brendan Gavin for their work in putting together today's
8 hearing. I value your contributions and I look forward to
9 working with all of you.

10 Today's hearing makes it clear that we still have a
11 lot of work to do to offer our service members, our
12 extended military families, and even our civilian
13 employees, and the civilians who interact with our military
14 the very best.

15 I look forward to working with Ranking Member Scott as
16 we go forward on a bipartisan basis to do the very best for
17 our people. Thank you all. This hearing is closed.

18 [Whereupon, at 5:11 p.m., the hearing was adjourned.]

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