

**NOMINATIONS BEFORE THE SENATE  
ARMED SERVICES COMMITTEE,  
SECOND SESSION, 104TH CONGRESS**

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Nominations Before the Senate Armed... RE THE

**COMMITTEE ON ARMED SERVICES  
UNITED STATES SENATE  
ONE HUNDRED FOURTH CONGRESS**

SECOND SESSION

ON

NOMINATIONS OF

GEN. JOSEPH W. RALSTON, USAF; ADM. JOSEPH W. PRUEHER, USN; LT. GEN. HENRY H. SHELTON; LT. GEN. EUGENE E. HABIGER; KENNETH H. BACON; FRANKLIN D. KRAMER; ALVIN L. ALM; GEN. JOHN H. TILELLI JR., USA; LT. GEN. WESLEY K. CLARK, USA; LT. GEN. WALTER KROSS, USAF; ANDREW S. EFFRON; LT. GEN. HOWELL M. ESTES, III, USAF; ADM. JAY L. JOHNSON, USN

JANUARY 26; FEBRUARY 1; MARCH 7; JUNE 11; JULY 9, 31, 1996

Printed for the use of the Committee on Armed Services





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**NOMINATION OF GEN. JOSEPH W. RALSTON,  
USAF, TO BE VICE CHAIRMAN OF THE  
JOINT CHIEFS OF STAFF AND ADM. JOSEPH  
W. PRUEHER, USN, TO BE COMMANDER IN  
CHIEF, U.S. PACIFIC COMMAND**

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FRIDAY, JANUARY 26, 1996

U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:32 a.m., in room SR-222, Russell Senate Office Building, Hon. Strom Thurmond, chairman of the committee, presiding.

Committee members present: Senators Thurmond, Warner, Lott, Hutchison, Inhofe, Nunn, Robb, Lieberman, and Bryan.

Other Senators present: Senators Stevens and Frist.

Committee staff members present: Richard L. Reynard, staff director; George W. Lauffer, deputy staff director; Melinda M. Koutsoumpas, chief clerk; Marie Fabrizio Dickinson, deputy chief clerk; Donald A. Deline, minority counsel; Ann M. Mittermeyer, assistant counsel; and Christine K. Cimko, press secretary.

Professional staff members present: Charles S. Abell, Romie L. Brownlee, Lawrence J. Lanzillotta, and Stephen L. Madey, Jr.

Minority staff members present: Andrew S. Effron, minority counsel; Richard D. DeBobes, counsel; Christine E. Cowart, special assistant; Richard E. Combs, Jr., professional staff member; Creighton Greene, professional staff member; Patrick T. Henry, professional staff member; and Julie K. Rief, professional staff member.

Staff assistants present: Pamela L. Farrell, Mickie Jan Gordon, and Deasy Wagner.

Committee members' assistants present: Robert J. "Duke" Short, assistant to Senator Thurmond; David J. Gribbin, assistant to Senator Coats; Glen E. Tait, assistant to Senator Kempthorne; David W. Davis, assistant to Senator Hutchison; Andrew W. Johnson, assistant to Senator Exon; Richard W. Fieldhouse, assistant to Senator Levin; David A. Lewis, assistant to Senator Levin; John P. Stevens, assistant to Senator Glenn; C. Richard D'Amato, assistant to Senator Byrd; Lisa W. Tuite, assistant to Senator Byrd; William Owens, assistant to Senator Robb; John F. Lilley, assistant to Senator Lieberman; and Emil Womble, assistant to Senator Lott.

## OPENING STATEMENT OF SENATOR STROM THURMOND, CHAIRMAN

Chairman THURMOND. The committee will come to order.

The committee meets today to receive testimony concerning two very important nominations. General Joseph Ralston has been nominated to be vice chairman of the Joint Chiefs of Staff and for reappointment to the grade of general. Admiral Joseph Prueher has been nominated to be the Commander in Chief, United States Pacific Command, and for reappointment to the grade of admiral.

We all know both of these nominees very well. General Ralston is currently the Commander of the Air Force's Air Combat Command in Langley Air Force Base, Virginia. Admiral Prueher is currently the Vice Chief of Naval Operations in the Pentagon. I believe every member of the committee has been given a copy of their biographies, so there is no need for me to recite their records of challenging assignments and impressive accomplishments. In the interest of time I would like to move as quickly as possible to the questions.

Before I yield to Senator Nunn I would like to recognize the family members who are here today. General Ralston, I understand your wife Diane is here. Would you please raise your hand, Ms. Diane? Are any other members of your family here?

Mrs. RALSTON. My father.

General RALSTON. My father-in-law, Senator, Gen. Russ Dougherty.

Chairman THURMOND. Mrs. Ralston, if you will raise your hand, and Mrs. Suzanne, would you raise your hand? We are very pleased to have you all here. I want to welcome each of you here today. I am glad that you could be part of this important experience.

I would like to yield to Senator Nunn for any opening comments he may wish to make at this time. Senator Nunn.

## STATEMENT OF SENATOR SAM NUNN

Senator NUNN. Thank you very much, Mr. Chairman. I join you in congratulating both General Ralston and Admiral Prueher on their nominations by President Clinton to serve in these important positions, and I welcome the members of their families, and Jim Daugherty, it is great to see you here. You served so many years with such distinction, and it is great to see you back in this room.

I also welcome Senator Stevens and Senator Frist for being here and introducing the nominees.

Mr. Chairman, as you and members of the committee well know, the positions of Vice Chairmen of the Joint Chiefs of Staff is the second-most senior military position in our Armed Forces, and the Commander in Chief of the U.S. Pacific Command is the largest combatant command in terms of area. Both of these are extremely important and challenging assignments.

The Vice Chairman is the alter ego of the Chairman of the Joint Chiefs of Staff. The Vice Chairman is the acting JCS Chairman during the absence or disability of the Chairman, and he serves as the Chairman of the Joint Requirements Oversight Council, whose mission is to review the needs and requirements of the services and the combatant commanders to reduce the redundancies and ensure



interoperability. That council is becoming very, very active and very, very important under Admiral Owens. These are indeed broad and challenging responsibilities.

The Commander in Chief, U.S. Pacific Command, is responsible for an area of the world that is extremely important to the United States. One need only refer to some of the countries in the Pacific Command area of responsibility to appreciate this fact, and in alphabetical order I will list just a few of them to indicate the importance of the Admiral's new assignment, assuming confirmation; Australia, Cambodia, China, India, Indonesia, Japan, North Korea, Malaysia, the Philippines, Russia—parts of Russia, Thailand, South Korea, and Vietnam. That is quite an area of responsibility. It is also the area of the world that is growing most rapidly economically and in trade with the United States.

I would point out that one of the responsibilities of the Chairman and Vice Chairman of the Joint Chiefs of Staff is to serve as spokesmen for the commanders of the combatant commands, especially on the operational requirements, and that the President has directed, as provided for in the Goldwater-Nichols legislation, that communications between the President or the Secretary of Defense and the combatant commanders be transmitted through the Chairman. Thus, there is a need for constant contact and a flow of information between the combatant commanders and the Chairman and the Vice Chairman. General Ralston and Admiral Prueher will thus be working very closely together if confirmed for these important positions.

Mr. Chairman, I would also like to take advantage of the opportunity provided by this hearing to note that Col. Tom Gioconda, the Legislative Assistant to the Chairman of the Joint Chiefs of Staff who has accompanied our nominees to this hearing, is on the Air Force Brigadier General list that has been forwarded to the Senate by the President for confirmation. Colonel Gioconda has been in his present assignment for more than 4 years, and has been very, very helpful to this committee and our staff during that period, and I congratulate him. I think all the members of our committee would want to congratulate him for his selection to this next important step in his career, and thank him for the service to the committee and the Senate and the country.

I look forward, Mr. Chairman, to hearing from Senator Stevens and Senator Frist, and from our nominees.

Chairman THURMOND. I want to welcome Senator Stevens and Senator Frist to the committee this morning. Senator Stevens will introduce General Ralston, and Senator Frist will introduce Admiral Prueher.

Senator Stevens, we will be pleased to hear from you at this time.

#### STATEMENT OF SENATOR TED STEVENS

Senator STEVENS. Thank you very much, Mr. Chairman. I do thank you and the members of the committee for moving so rapidly, not only on the position of Vice Chairman of the Joint Chiefs, but also on the nomination of Admiral Prueher to be the new Commander in Chief of the Pacific Command. It is very important to our region that that post be filled.

. It is a great personal pleasure to be able to be here this morning with my good friend Joe Ralston. He is the nominee, as you said, to be the Vice Chairman of the Joint Chiefs, and as you also remarked, I am not alone in this room in referring to General Ralston as a personal friend. He has worked closely with members of this committee and members of our committee for many years, and also has had very significant assignments throughout the world.

It brings great personal satisfaction to me as an Alaskan to be here with Joe Ralston. He has a great following in my State because of his assignment as Commander of the 11th Air Force and of the Alaska Command, and I wish I had time to tell you some of the things that I know personally of how General Ralston carried out his responsibilities there. His experience there has made him, I think, an excellent choice for this job. His understanding of joint operations and joint command is superb; I think he has that ability better than any person I know in the armed services today. He has learned his skills in the field, particularly the Alaska assignment demonstrates that.

We had a better chance of finding an Air Force General out in the field with the Army in terms of joint operations than finding one in the cockpit of his F-15E. He really followed through on the integration of the armed services in training in our State. Nowhere, I think, is it carried out better anywhere in the world for the Armed Forces of the United States than in Alaska now, primarily because of Joe Ralston's ability to integrate that training and bring about new concepts, new standards for team operation between the services. It is really, I think, important that the Vice Chairman understand that relationship, and General Ralston brings to this job now and will bring to it a great capability as a leader of a joint force. It is most important to us that that be carried forward.

I am particularly here because of the skills he used in dealing with citizens in trying to keep them informed of why the Military does what it does. He has really played a role with our society in Alaska, and I think it is going to carry him on out not only in the National scene and the international scene. He possesses a great capability to resolve conflicts between civilian and military operations, and I think he will raise the level of the military civilian relationships here in Washington, throughout the country and throughout the world to the highest level it has ever been.

There is no question that this committee should support this nomination, and I hope you will report it quickly. I come here not just as a Senator, but as a fishing companion, as someone who has spent time on the rivers with the General, and I know him. I can recommend him to you without qualification as being the finest officer I know to take this position in the United States Military.

Thank you, Mr. Chairman.

[The prepared statement of Senator Kempthorne follows:]

PREPARED STATEMENT BY SENATOR DIRK KEMPTHORNE

General Ralston, I would like to express my extreme thanks for testifying before this committee on such a short notice. Your nomination by the President to serve as Vice Chairman of the Joint Chiefs of Staff is most deserving. Your distinguished military career including over 30 years of service is commendable and inspiring. As commander of the Air Combat Command headquarter at Langley, Air Force Base,

you are directly responsible for the readiness and deployability of aircrews and aircraft on a moments notice to regional "hot spot."

Additionally, you have almost 17 years of service in the Washington, DC, area and are no stranger to the intricacies and operations of the Joint Chiefs. I welcome your nomination and can think of no officer more qualified to assume the position and responsibility of the Vice Chairman of the Joint Chiefs of Staff.

I have enjoyed working with you as ACC Commander and, based upon that history, I expect you to do great service to the Nation as the Vice Chairman of the joint Chiefs of Staff.

Chairman THURMOND. Thank you very much.

Senator FRIST, we welcome you here. We are very honored to have you here. You are not only an able Senator but an able doctor, and we are honored to have you in the Senate. We are glad to hear from you.

#### STATEMENT OF SENATOR BILL FRIST

Senator FRIST. Thank you, Mr. Chairman and members of the committee. It is my honor and pleasure to have the opportunity to introduce to this committee a fellow Tennessean, a fellow Nashvillian, an alumnus of the high school that we both attended, Montgomery Bell Academy, and a personal friend, Adm. Joseph Prueher. An F-14 fighter pilot who has logged more than 5500 hours in 52 different types of aircraft, the Admiral has served his country with distinction in peace and in war for more than 35 years.

Throughout that time, Mr. Chairman, Admiral Prueher has shown himself to be an outstanding pilot and a brave officer, who has demonstrated valor in the face of battle. Most importantly, he has exhibited the highest quality of integrity and leadership, a deep and abiding concern for the men and women under his command. In his varied and impressive career, Mr. Chairman, Admiral Prueher has been given the hard jobs and performed well above and beyond the call of duty.

A graduate of the U.S. Naval Academy in 1964, he returned there in 1989 to serve as the 73rd Commandant of Midshipmen. He commanded two carrier air wings and served in four attack squadrons. In 1984 he was assigned to start and command the Naval Strike Warfare Center in Nevada, before going on to command the U.S. 6th Fleet in NATO's Naval Striking and Support Forces Southern Europe.

Currently the Vice Chief of Naval Operations, Admiral Prueher has, in the course of his distinguished career, received dozens of medals and decorations, including the Defense Distinguished Service Medal, the Legion of Merit, the Distinguished Flying Cross, and numerous other citations for his valor and outstanding service to this country. Mr. Chairman, lest those high honors remain abstractions, let us recall at least one instance when Admiral Prueher was tested in the heart of battle.

In the spring of 1968, flying over North Vietnam on a single-aircraft mission to bomb a strategic power plant, Lieutenant Prueher's plane received heavy ground fire, including the surface-to-air missiles that brought so many of his comrades crashing through the jungle canopy below. For overcoming this deadly opposition and successfully completing his dangerous mission, Lieutenant Prueher was awarded the Distinguished Flying Cross.

Mr. Chairman, in 1990 Joseph Prueher was serving the Navy as a captain, a rank where many distinguished and honorable careers end. That year he was selected rear admiral lower half, and now, just 6 years later, his diligence and professionalism, his leadership and integrity, has brought him before you as an admirable admiral to be confirmed as Commander in Chief, U.S. Pacific Command. Admiral Prueher, a grateful Nation asks you to leave the relatively calm banks of the Potomac River and return to the high seas with the Pacific Fleet, where service men and women will benefit immensely from the exemplary leadership you have consistently demonstrated throughout your career.

Mr. Chairman, I thank you for the honor of appearing before this committee to present this outstanding Naval officer from the great State of Tennessee, Admiral Joseph Prueher.

Chairman THURMOND. Senator Frist, Senator Stevens, we thank you both for your appearances. You are welcome to stay on if you wish to, and if not, you are excused.

Senator WARNER. Mr. Chairman, if I could say one thing to Senator Stevens, of course he is chairman of the Defense Appropriations Subcommittee, and a recognized expert here in the Senate. I think you were very praiseworthy of the General's work in the Alaskan Command, but I think it is important that we recognize that you created that command, and over many years came to the Congress and explained the strategic importance of the geographic location there of the Armed Forces and the requirement to have a four-star officer in place. Would you give just a little bit of that record for us?

Senator STEVENS. Well, I do think it is very important to realize the strategic location of my State, but also the ability to use the vast land mass of Alaska in joint training operations. I think General Ralston and his predecessor General McInerny have recognized that, and changed our system in Alaska to the point where almost everything that is done up there is done on a basis of joint tactical operations.

In particular, few people realize we not only have Brimfrost, which I have personally visited when it was 45 below, to observe operations going on in the wintertime, but we have a vast desert in Alaska that provides an opportunity for summer training with vast acreage, millions of acres of unoccupied land that gives us the opportunity for training on a grand scale. General Ralston has perfected that. I think that his knowledge gained from those maneuvers and exercises will really benefit the Nation now as he takes this new role.

Thank you very much.

Chairman THURMOND. Thank you very much.

General Ralston, if you have any opening remarks, we will give you the opportunity to address the committee now. Admiral Prueher, we will offer you the same opportunity following General Ralston's remarks.

#### STATEMENT OF GEN. JOSEPH R. RALSTON, U.S. AIR FORCE

General RALSTON. Mr. Chairman and distinguished members of the committee, I am honored to appear before you today, and I

thank the senior Senator from Alaska, Senator Stevens, for his kind words of introduction.

Mr. Chairman, I have worked with this committee, individual members and staff, for the past 19 years. One of the things I am very proud of is the relationship that we have established over the years. Many times I have had to bring to both you, individually, and the committee bad news. Many times I have had to give you my views, which were not necessarily politically popular at the time. I believe it is my responsibility to be very candid and forthright with you. If confirmed I promise you that I will retain that same candor that I have exercised for the past 19 years.

I would like to thank at this time General Shalikashvili, Chairman of the Joint Chiefs of Staff, and Secretary Perry, for their recommendation for me for this post and to the President for the nomination, and I look forward to your questions, Mr. Chairman.

Chairman THURMOND. Admiral.

#### STATEMENT OF ADM. JOSEPH W. PRUEHER, U.S. NAVY

Admiral PRUEHER. Mr. Chairman, it is my pleasure to appear before the committee. I, too, am honored to be nominated with the support of General Shalikashvili, Mr. Perry and the President for the position of CINCPAC. I have been out of Washington a good bit of my career, passing through only for fairly short periods, and I pride myself on a candid approach to everything. I pledge that to the committee, and I pledge that to my job, and I am looking forward to the hearing, sir, and welcome your questions.

Chairman THURMOND. The committee asked General Ralston and Admiral Prueher to respond to a series of advanced policy questions. They have both responded to those questions. Without objection, I will make the questions and the responses part of the record.

We will now proceed with questions. I have several questions we ask of every nominee who appears before the committee. If each of you will respond to each question, then we can move on to policy questions.

Have you adhered to applicable laws and regulations governing conflict of interest?

General RALSTON. Yes, sir.

Admiral PRUEHER. Yes, sir.

Chairman THURMOND. Have you assumed or undertaken any actions which would impair or presume the outcome of the nomination process?

Admiral PRUEHER. No, sir.

General RALSTON. No, sir.

Chairman THURMOND. A question for General Ralston. General Ralston, over the past years the Joint Staff has assumed a much more prominent role in the management of operations and resource allocations. Many of these functions may duplicate or reduce the demands on the operations staff of the services. In your experience, has there been a parallel reduction of the service staffs and the Joint Staff assuming a greater role? If not, why not?

General RALSTON. Mr. Chairman, it has been my experience that we have had a significant reduction within the Air Force staff, that I am familiar with, and with intervening Headquarters staffs. We

have, as you know, put a much greater emphasis on putting our very best officers in those positions, and I believe we have seen a corresponding reduction in the service staff headquarters.

Chairman THURMOND. Admiral Prueher, last year the committee was briefed on exercises that, among other objectives, were designated to evaluate the sufficiency and allocation of sealift and war plans. It appeared at the time that there were a number of planning details yet to be worked out between CINCCENT, CINCPAC, Commander U.S. Forces Korea, and the Joint Staff. What progress has been made? Please provide similar insights on the adequacy of our mine warfare forces to satisfy the war-fighting requirements.

Admiral PRUEHER. Mr. Chairman, with regard to sealift and airlift, we have been working hard in the last 8 months, working through the Transportation Command (TRANSCOM), to meet the sealift bottom-up review requirements, and the projection is we will meet those requirements in the year 2001 with the shipbuilding program.

There are some delays in a couple of ships in the roll-on/roll-off ships, in that procurement which we are working with Transportation Command (TRANSCOM). There are 5-month delays in the Large Medium Speed Roll-On/Roll-Off (LMSR) program to meet that, but we are working with TRANSCOM, and we have a plan in place where we will meet our sealift requirements by 2001.

With respect to mine warfare, it is one of the most challenging areas we have to face, and one of the things for putting power projection ashore with which we must grapple. We have programs in place, not solutions in place, to work our countermine warfare. The new Mine Warfare Center in Ingleside, Texas is addressing those particular challenges. In addition, in putting our Marines ashore we are trying to bypass the minefields with the V-22 program, the Advanced Assault Amphibious Vehicle (AAAV), and the Landing Craft Air Cushion (LCAC) programs.

Chairman THURMOND. General Ralston, in your prepared answer to the question of the adequacy of procurement accounts you say you believe that you must work with Congress to clearly articulate the Armed Forces' most pressing needs. Here is a chance to work with Congress to come to a mutually acceptable solution. Would you agree with me that the authorization conference report soon to be considered by the Senate goes a long way to meet the pressing needs of the Armed Forces by increasing badly depleted procurement accounts?

General RALSTON. Mr. Chairman, as I said in my prepared statement, we have to work a very careful balance between force structure size, the readiness of our forces to do the missions they may be tasked to do today, and the future readiness of our forces. I believe that we have tried hard to reach that balance, but if we are on the thin side, the margin is in the modernization account. I believe that the bill that is pending before the Senate, while it supported much of what was in the President's budget, did add some things to the modernization account, and if the Nation can afford that and if that is approved by the President, then I certainly believe that will go a long way towards making a good balance.

Chairman THURMOND. Thank you very much.  
Senator Nunn.

Senator NUNN. Thank you, Mr. Chairman. I would like to get General Ralston's view of the Joint Requirements Council. As you go into it, I am sure you have already looked at what the Admiral has done in the job that you are about to take. What is your view of the approach that is now being taken in the Joint Requirements? We have gone a long way in terms of jointness in operations, but we have a long way to go in terms of looking at jointness in requirements and procurement and research and so forth, so how do you see it?

General RALSTON. Senator Nunn, I have watched the JROC, the Joint Requirements Oversight Council, and its predecessor, the Joint Requirements Management Board, the JRMB, since 1984. In 1984, as you know, it was not a formal structure. There was not a Vice Chairman at that time. The role of the Chairman rotated every 90 days among the Vice Chiefs of the Services. I then watched the JROC function under Admiral Jeremiah when he was the Vice Chairman, and then my previous assignments in the Pentagon as Air Force operation requirements and the Air Force Operations Deputy, I worked with the JROC under Admiral Owens.

I will have to tell you that it is in a different universe today than what it was 10 years ago, and all for the better. I think Admiral Owens has done a magnificent job in making the JROC step up to the very, very tough issues, the tough joint requirements, and the prioritization of the programs to fulfill those requirements. I can only tell you that if confirmed I would try very hard to keep the same thrust on the JROC that Admiral Owens has placed on it.

Senator NUNN. That is good.

Mr. Chairman, I normally do not do anything but ask questions, but I do want to make a statement on an important subject here and ask for Admiral Prueher's reaction if there is time. This relates to the Korean Peninsula.

North Korea is at a critical crossroads. It can continue its pattern of isolation and economic deterioration which will eventually lead to its economic collapse, or it can comply with its commitments, resume a dialog with the South Koreans, and begin participating in the world economy. If North Korea chooses the path of engagement, the United States and South Korea should be prepared, I think, to respond with a coordinated plan, just as we have coordinated our military defense and deterrence over the years, and I would include Japan in that equation.

South Korea and the United States pose no threat to North Korea. The risk of conflict is ever present, however, given North Korea's offensive position. Our defensive position remains very strong. Any North Korean attack on the South, I believe, is doomed to catastrophic failure, and I hope they understand that. Confrontation between North and South Korea can be eased and peacefully resolved by engagement.

Mr. Chairman, the meeting that is taking place in Hawaii right now between the United States and Japan and South Korea is of enormous importance. It is important for us to work together. The outcome of this meeting should include, I think, not simply a response to the emergency food situation in North Korea that may exist now, but also an economic approach, a broad approach, to

North Korea although food assistance may be part of a long-range overall plan.

The North Korean food problem, as I view it, is primarily a structural problem, made worse by the tragic flood of 1995. It will not be cured by emergency food shipments. They may ease the pain, but it is not going to cure the underlying problem. It is likely to continue as long as the North Koreans continue their current economic approach.

The United States, South Korea, and Japan, I believe, should make it clear that economic engagement should be conditioned on North Korea's willingness to begin traveling down the path of reducing dangers and tensions on the Korean Peninsula. They have started down that path with the nuclear agreement, they appear to be in compliance with what they have agreed to on that, they have not started the North-South dialog which they committed to over and over again.

The people of the United States and South Korea are compassionate, and I think want to help innocent hungry people. But they also expect North Korea to change its military posture, which threatens the lives of tens of thousands of South Koreans and Americans, and also its vilification of South Korea's leaders which takes place on almost a daily basis. In other words, I think the American people and the people in South Korea and Japan expect North Korea to engage in a good-faith dialog with South Korea.

I believe our three countries should make it clear to North Korea that we stand ready to work with them on economic engagement and on reducing the danger of conflict through implementation of mutual confidence-building measures with full reciprocity.

Among the confidence-building measures that could be discussed to help ease some of the constant dangers on that border, number one is exchange of defense information on force structure and budgets.

Number two is notification of military exercises and large troop movements near the border.

Number three is exchange of observers in military exercises, so no one will be taken by surprise or overreact.

Number four is establishment of risk-reduction centers and crisis prevention centers.

Number five is ending provocative actions in border areas.

Number six is military equipment limitation in forward areas, particularly artillery; number seven, reduction in the size of military forces; and agreements not only on nuclear weapons but on chemical and biological weapons.

That is a long agenda, and we cannot solve them all at once, but it is important that there be a beginning.

Economic assistance to North Korea, including Government-to-Government food assistance, will be difficult to sell to the American people and to the Congress, and I assume this is probably also true in Japan and South Korea, unless we see clear signs that North Korea is prepared to travel down the path of reducing tensions and dangers and engaging in meaningful dialog with South Korea.

Mr. Chairman, I think this is a critical time, and this may be one of the most critical problems that the Admiral will have when he is confirmed in this job.



Admiral, would you like to make any comments on what you now feel about the situation in Korea?

Admiral PRUEHER. Yes, sir, Senator, I would. One, I acknowledge you have a leg up from your recent trip, and the statements that you have made, though, certainly agree with all of the information I have. Participation and the engagement with North Korea needs to take place on the political, military, and economic fronts. North Korea fits into the mosaic of Asia as a piece of that engagement. The U.S., the Republic of South Korea, and Japan, I think, are the primary actors in dealing with North Korea; in fact, the original members of the Energy Development Organization for North Korea.

It appears to us that the North Koreans are abiding by the agreed framework with respect to the nuclear power plant, and I think we are on a long path, not a short solution. The issue of North Korea, I believe, is the foremost military challenge that we may face in the theater in the near term. It is something that needs to be monitored very closely. The issue of trying to get the dialog going and opening the communications with North Korea is the pivotal part to trying to get to a long-term solution, sir.

Senator NUNN. Thank you.

Mr. Chairman, I know I have used up my time, and I will have other questions as we come back.

Thank you.

Chairman THURMOND. Senator Hutchison.

#### STATEMENT OF SENATOR KAY BAILEY HUTCHISON

Senator HUTCHISON. Thank you, Mr. Chairman.

Admiral Prueher, you have said and we have said that Japan has been among the most gracious host nations where we have foreign bases. But that relationship has been severely disrupted in the last few weeks. I would like to know your thoughts are on how we can add the diplomatic element to your job that I think is going to be very important for our future there, and what you think we ought to be doing to reassure the Japanese Government that we are going to be a team, and that we will have a better handle on our situation there in the future?

Admiral PRUEHER. Thank you, Senator Hutchison.

The alliance and the relationship between the U.S. and Japan I think is probably the most important relationship that exists in East Asia. The things we can do with Japan, we have stressed that relationship on a personal level lately, but the Japanese, I believe, very much want us to be there to be a balance in the area. I know that Ambassador Mondale is working full time with that.

One of my highest priorities, if I am confirmed, will be to go to Japan very early on to stress our continuing commitment, which I think is felt by the Japanese. There are those who report stresses and strains on that, but I think it is felt by the Japanese Government. The new administration in Japan with Mr. Hashimoto will be a factor with which we must deal. It is very high on the priority list, and I think we need to do everything we can with Japan to emphasize our continuing commitment, which has really been unwavering for 50 years, that we are there to protect that relationship and promote stability, as well as our interests in the area.

Senator HUTCHISON. Admiral Prueher, you are going to a place where we have recently experienced, I think, a great embarrassment. Now, there is a report just out today that there is another charge of rape in that area by a member of the Armed Forces.

I am mortified by this. I am sure you are. I know you are. We have talked about it. I know everyone on this committee is, and everyone in our Government is.

The fact of the matter is, you are going into that area. What can you say to us and to our friends in Japan about this situation and what we are doing to try to make sure that everything possible will be done to instill the values that we cherish in your young people that are serving?

We have been a beacon in this country for what is right. We have been looked up to in every foreign country where we have been involved in a conflict. Our young men have, as well as our young women. I do not want to lose that leadership. I know you do not. What are you doing? What are you thinking about to try to correct that situation, not only where you are going but—of course General Ralston I would like your answer to this as well—throughout the Military. We have to address it.

Admiral PRUEHER. All of the military services are keenly aware of this issue. We are also keenly aware that we need to work at a very high standard because we are entrusted with not only the commitment of lives of our citizens and our young men and women, but also a tremendous amount of our national treasure. So it is a very important issue to us that we comport ourselves with a standard where we can maintain that trust.

As a matter of fact, all of the Navy flag officers, absent a few, are meeting today here in Washington. Not only the indoctrination part, but also the continuing leadership issue in the Navy. I hope to bring that flavor to the Pacific Command through the subordinate commanders, through General Lorber, PACAF, General Luck CINCCFK, and Admiral Zladiber, CINCPACFLT, or at least enhance that flavor in the command out there. We need to transmit that to our Japanese hosts, who are very gracious.

Senator HUTCHISON. I wanted to hear from General Ralston, but I just want to say, Admiral Prueher, that I, of course, have talked to many in the Navy leadership, including Secretary Dalton and Admiral Boorda. I know they are trying to do everything they can. They are bringing women into the councils to get advice, and I appreciate that. I would just like to say that I know you are making the efforts, but we must be vigilant until we have every assurance by the cessation of incidents, for example, that we have gotten through at the very basic first levels. I know you are working on it. I am not here to put you on the spot, but it is a problem we all want addressed and we all want to solve.

General Ralston.

General RALSTON. Senator Hutchison, it is a very serious issue, and it is one that the senior leadership of all the military is committed to working very hard. I can speak from my parent service in the Air Force. We have put a great deal of emphasis on putting together seminars that go from the very senior officer all the way down to the youngest airman that we have got. We have got to instill a set of values that goes along with the military profession,

and all I can do is tell you that if confirmed in the new position I will continue that same emphasis on all the services at all levels to make sure that we do adhere to those traditional values.

Senator HUTCHISON. We must be vigilant.

My time is up, and I thank you.

Chairman THURMOND. Senator Lieberman.

#### STATEMENT OF SENATOR JOSEPH I. LIEBERMAN

Senator LIEBERMAN. Thank you, Mr. Chairman. Good morning General Ralston and Admiral Prueher. I would just identify myself with the last line of questioning by Senator Hutchison, and I am sure she speaks for all members of the committee of both parties. I appreciate your reactions to it, for this goes both to the conduct of people in uniform in relationship to civilians in areas where they are serving, and also to the specific question of relations between the sexes and the way in which women are treated in their new and increasing status within our armed services.

I appreciated the tone and the tenor of the exchange here, because there is a lot of talk about this around Washington these days. The President, I believe, spoke eloquently to the whole question of values in our society. We have always looked to the military not only to protect our national security, but, within the code that is part of the life of people in uniform, to not only establish but to meet the highest standards of personal conduct. In my service on this committee, as I have gotten more into that code, I have been increasingly impressed.

Obviously, we humans are an imperfect species, so we do not always live up to our highest hope for ourselves. But I appreciate in this particular way how important it is for the military, as a repository of our traditional values to make sure that they are applied in the most demanding way to the nontraditional, to the unconventional, to the modern circumstances that our forces face where they serve, and also within themselves. Thus, I appreciate the tenor of your answers to the questions Senator Hutchison raised.

I just have a couple of general policy questions in this round of questioning. General Ralston, let me draw you out a bit on the "big" question that perplexes this committee and people in the Pentagon, which is the question of how, with limited resources, we can balance the various demands on those resources. This committee has been particularly concerned about how to balance the need for longer-term modernization with the shorter-term needs that we have.

Your predecessor, Admiral Owens, has played an extraordinary role, as you indicated, in taking us all into the battlefield of the future, and I just want to invite you to speak generally on how you see your role in dealing with the allocation of our limited resources to face short and long-term needs.

General RALSTON. Senator Lieberman, I see that. If confirmed as the chairman of the JROC that we talked about, the Joint Requirements Oversight Council, it is very important to create an atmosphere where the services, all four services, can come together to work the joint requirements. Now, that is easy to say, and sometimes more difficult to do in times of very limited resources. And again, I commend Admiral Owens for establishing that climate.

But I believe that there is a recognition across all the services now that they are in a far better position if they work together to try to come up with, no kidding, the right military answer to the problem, and then present that to our civilian leadership within the Department and to the Congress. And I believe that the services recognize that. I will do everything I can to encourage that atmosphere of cooperation and let us solve the problem at that level.

Senator LIEBERMAN. Thank you.

Admiral Prueher, before my time is up let me ask you this baseline question, which in a way we should not have to ask, but it is good to ask these questions occasionally, particularly in a context of kind of the neoisolationism that we hear around here. Why should we have the substantial presence that America has in the Pacific today? What is the return for the billions of dollars that we are spending on that presence?

Admiral PRUEHER. That is a great question to ask, Senator. One, I think as Senator Nunn pointed out, we have about 37 percent of all of our trade with the Asia-Pacific region. There is not a consistent balance of power and stability without the United States there. There are tensions between several major powers in that area. Were it not for the U.S. presence, we do not know what the outcome of what those tensions might be with China-Japan, Korea-Japan, and Korea and China, all the combinations and permutations of those could be—we do not know that outcome.

The nations there are prospering economically. They are doing well. Indonesia is prospering economically. I think it is in the interest of the United States to engage politically and militarily and economically in a balance to keep that balance in the area, because it is such an important part of our trade and our economy. I think there is a guide pro quo in that relationship.

Senator LIEBERMAN. How do you assess the capabilities of the Pacific Fleet to meet the challenges that you have just described?

Admiral PRUEHER. Well, the Pacific Fleet specifically is, I think, adequate to meet the challenge. In the Pacific Command there are now about 313,000 people, and about 500,000 people if we were to apportion for a major regional contingency out there. The forces are adequate to meet the challenge and to continue an adequate presence in the area.

Senator LIEBERMAN. Thank you.

My time is up. Thank you, Mr. Chairman.

Chairman THURMOND. Senator Lott.

#### STATEMENT OF SENATOR TRENT LOTT

Senator LOTT. Thank you, Mr. Chairman.

Admiral Prueher and General Ralston, congratulations, and good luck in your new positions. Both of you have been selected to serve in obviously very critical jobs, and I have reviewed your records briefly, your background papers, and you have outstanding careers and experience, and you should be able to perform the task ahead of you.

I do want to take the opportunity to impress upon both of you the importance of your role in the defense of our country. We have talked a lot about the importance of military leadership, but the positions you have are certainly very, very critical, and I hope that

you will always, when you come before this committee, give us your best view as a military man without political pressure. I am sure that you will do that.

Admiral Prueher, of course, the Pacific theater is not only a growing economic region of great importance to the United States, it is also one that has emerging military powers that we have to keep a very close watch on, and we will be looking forward to getting reports from you in that regard.

General Ralston, you have to make some sense out of Washington. You are following a former Vice Chairman I thought did a good job, was innovative. You have got to forget, in many respects, the color of your uniform, and, you know, look at the needs of our military services as a whole rather than just the parts, and I know that is always a challenging assignment.

Let me just ask a couple of questions of you, if I could. Admiral, the new Minister of Japan recently promised to reduce the U.S. military presence on Okinawa. And since over half of the 47,000 American troops in Japan are stationed in Okinawa, what is your view on that situation? What will be your stance on that proposal?

Admiral PRUEHER. Well, sir, it is one of the things that I would like, if I am confirmed, that I will get into very early on. The Minister did not necessarily propose any specific ways to do that. I think the other point that he made, as I understand his statement, was that he did not intend to seek to reduce the forces in Japan overall. I am not sufficiently informed to really answer the question on the reallocation of the forces in Okinawa. I would like to get back to the committee on that subject, sir.

[The information referred to follows]

The United States Government and the Government of Japan are working together within the Special Action Committee for Okinawa (SACO) to reduce the burden of U.S. force presence on the Okinawans, while maintaining current combat capabilities. We do not expect any significant changes in the total number of U.S. military personnel stationed in Japan as a result of this process.

SACO objectives are to realign, consolidate, and reduce U.S. facilities on Okinawa; to resolve problems related to the activities of U.S. forces; and to address other mutual issues. SACO has already identified the various planning factors impacting these efforts, and is now studying number of proposals.

Senator LOTT. I know that the Navy is proposing to build an arsenal ship, and it is envisioned that the hull would be built largely to merchant or commercial standards and would be also a floating, if you will, missile battery carrying a lot of firepower. The Navy would benefit from this capability, and our shipyards could use this effort as a springboard to be competitive in this new \$150 billion market over the next 5 years. Do you think the Navy could ever break the paradigm and build a ship like this outside the current Naval Sea Systems Command structure to get the cost down using commercial practices?

Admiral PRUEHER. Yes, sir, I do. In addressing the issues addressed to General Ralston today on how to balance current readiness and future readiness or modernization, we need to look at some different ways of doing business. We are looking not so much at just reorganizing, but also at a great deal of privatization, and for the ideas to shorten the procurement cycle. The arsenal ship is one candidate to increase firepower at a relatively low cost.

Senator LOTT. General, Admiral Owens, as I said, was an innovative thinker, and he was a big supporter of the Mobile Offshore Basing concept, airships and a few others. He often was sometimes criticized for his approach to problems. Personally, I think he was in many respects a breath of fresh air. Will you continue his efforts to identify innovative solutions to some of our more difficult expensive and challenging problems, both on the procurement side and operational side?

General RALSTON. Senator Lott, I share your view of Admiral Owens. He really has provided a vision for where our forces need to go into the future. He will leave very big shoes to fill. I can only promise you that I certainly believe in the thrust of what he is doing, and I will do everything within my power to make sure that we look at innovative solutions to solve the tough problems facing us.

Senator LOTT. Just one last question, and I guess I will address it to you, General. The situation in China with regard to Taiwan is a little tense right now, with some threats going back and forth, and some say that it is just trying to influence the election in Taiwan. But comment briefly on what you think the real situation there is, and what are our military commitments to Taiwan?

Admiral PRUEHER. Shall I take that, sir?

Senator LOTT. If you prefer.

Admiral PRUEHER. One, the U.S. policy, of course, toward China is a one China policy, which has worked well for the last few years. The frictions right now between Taiwan and China are due to the elections coming up in March, the sale of F-16's to Taiwan and their delivery this summer; and the visit of the Taiwanese President to the U.S., I think our relationship is at something of a low ebb right now.

Our relationship with China is a very delicate one. I had a chance to spend some time discussing this balance with Ambassador Sasser yesterday prior to his going out there. It is something that requires steady work. It also requires a balanced approach on the part of the United States with the PRC to deal firmly and yet not make the PRC feel cornered.

Our general thought is that Taiwan will comport themselves in a manner, or is likely to comport themselves in a manner to maintain that balance, though they may well push the envelope a little bit.

Senator LOTT. Under current law, what are our military commitments to Taiwan?

Admiral PRUEHER. I will have to provide that for the record, sir.

Senator LOTT. I would like to get that.

[The information referred to follows]

The applicable paragraph in the Taiwan Relations Act requires the President to inform Congress promptly of any threat to the security or the social or economic system of the people of Taiwan and if there is any danger to the interests of the United States. The President and the Congress then determine the appropriate action in response to any such danger.

Senator LOTT. Thank you, Mr. Chairman.

Chairman THURMOND. Thank you.

Admiral Prueher, I have a question I want to ask you that might be considered rather delicate, but it is an important question for its answer.

Admiral PRUEHER. Yes, sir.

Chairman THURMOND. You were the Commandant of Midshipmen at the U.S. Naval Academy in 1989 when an incident occurred in which a female Midshipman was handcuffed to a urinal by several Midshipmen. In your role as Commandant you were involved in the review of the investigation of the incident, and in the actions taken by officials of the Navy following the incident. Additionally, there have been allegations raised about your handling the photographs of the incident and your discussions with the parents of the female Midshipman involved about the photographs.

Your involvement in this matter has been reviewed prior to your three previous confirmations; however, the treatment of women in the service remains a matter of concern. Would you please respond to the following three questions? First, what were your responsibilities at the time of the incident and in the Academy's response to the incident.

Admiral PRUEHER. All right, sir. I thank you for asking this so that I can provide a response for the record. It has been something, as you mentioned, that has been under discussion for awhile.

First-off, I, the Naval Academy, and the Navy, very much regret the incident that occurred. The Commandant of Midshipmen is responsible for the discipline, the training, and the military education of all the Midshipmen, male and female, of whom there are about 4,500, diminishing to 4,000 now.

The incident occurred. My responsibilities were to initiate an investigation on it. I closely monitored the investigation, subsequently initiated a hearing on the subject and monitored that, and then approved the outcome of that hearing and implemented it.

I would like to say that in the course of a person's life you have experiences that really impact on you and change the way you think about things. This particular incident that occurred at the Naval Academy is something that has been such an incident in my life. It really helped me realize the nature and the hazards of sexual harassment. I think I took that away from the experience at the Naval Academy, as well as some considerable callousness over the incident. I have tried to take the lessons on the unfortunate incident to my subsequent tours. These lessons have had an impact on my subsequent tours and on the Navy in bringing forward our inculcation and our treatment of women in the Navy.

Subsequent to that, the combat exclusion has been lifted. Women really have equal opportunity in the naval service, and in all the services, to participate. One of the impacts of this event was to make me a person who understood better some of these issues through the school of hard knocks. I have had more impact on the Navy in this regard.

With respect to the particular question of photos, there were some two or three photos made of the incident. In one of my conversations with the Midshipman's father, he was quite upset, rightly so, and concerned about the wellbeing of his daughter. In an effort to reassure him that she was all right, I told him that she did

not seem to be distressed. In fact she was smiling in one of the photos. My complete intent was to reassure him of that fact.

It was a very emotional event for him, and for me for that matter, and certainly for a lot of people involved. He interpreted my comments as a threat to distribute the photos. That was not my intent. I have thought about it many times. I cannot think of anything that I said that would have made that seem to be a threat. The photos were destroyed a few days later and have never appeared anywhere to my knowledge. One of my lasting regrets out of this is that I think the father of the Midshipman has harbored this feeling of having been threatened. My regret is a miscommunication on that part, and I hope it is something we can solve in the future, sir.

Chairman THURMOND. Admiral, in looking back on this incident, do you feel that you did all that was necessary under the circumstances?

Admiral PRUEHER. We did the best we could under the circumstances. In light of hindsight, 7 years or several years back, I think I would handle the situation differently now. I have a different outlook than I had in 1989. I learned from the incident. I think we tried to handle it in a balanced way that was fair to the people involved. The outcome of that is arguable. There are people that will argue both sides; we did too much, we did too little. We tried to do it in a balanced way. I think I would implement it differently now, if I had a chance to do it again, sir.

Chairman THURMOND. I believe Senator Warner was here earlier, so I now call on Senator Warner.

#### STATEMENT OF SENATOR JOHN W. WARNER

Senator WARNER. Thank you, Mr. Chairman.

I want to commend the President for selecting these two outstanding nominees for very important positions. Indeed, I have known both of you, and examined your records carefully. It appears to me at this point, subject to what we learned in this hearing, that both of you are eminently qualified for the position to which you have been appointed, subject to confirmation.

Admiral, I am going to direct a question to both officers. I would like to return to the important question raised by my colleague on Taiwan. Admiral, I went back and read the pertinent law, and I would like to read it to you.

The President is directed to inform the Congress promptly of any threat to the security or the social or economic system of the people of Taiwan, and any danger to the interests of the United States arising therefrom. The President and Congress shall determine, in accordance with constitutional processes, appropriate action by the United States in response to any such danger.

Now, Admiral, that is the law, and I am sure you are familiar with that.

Admiral PRUEHER. I am now, sir. Yes, sir.

Senator WARNER. Well, that is a very key part of your responsibility, and it is one that is in the very forefront of contingency situations in the region that you will have supervision as the senior U.S. military officer. I would like to have your views as to how you propose to monitor this situation. What contingencies would you



view of such seriousness as to personally contact the President and give him your best advice on a situation?

Admiral PRUEHER. Yes, sir. Through my briefings with the Pacific Command and talking to them, the situation is very closely monitored with our various systems for listening and looking. I think the political actions which create acts by Taiwan and reactions by the PRC have the potential to create more situations than just military movement. In a closed hearing I could talk a little bit more about what we see in the terms of military movement and how that reconciles with the rhetoric that goes on. Sometimes they are not in consonance.

Senator WARNER. This is based on previous experience you have had as a professional, and your knowledge?

Admiral PRUEHER. It is based on intelligence reports within the last several weeks that I have been privy to my own monitoring of the activities, and my own analysis.

Senator WARNER. Well, I will want to examine very carefully the response to Senator Lott's question, and indeed the followup on my own question, because I must say I have to reserve my final decision based on how you respond to this particular question.

Admiral PRUEHER. Yes, sir.

Senator WARNER. I view this as perhaps parallel with the seriousness of North Korea and the instability in that region. It's relevant to the circumstances under which our country might be asked by a President at some future date to intervene in either a potential conflict or an actual conflict between China and Taiwan.

Admiral PRUEHER. Yes, sir. I did not mean to mislead. If I were confirmed, any events I observe through the monitoring systems and through other intelligence systems, or just by open sources, I would certainly pass back and notify the President.

Senator WARNER. General Ralston, I would like to put the same question to you. You will be the Vice Chairman, who would come directly to the JCS such that they in turn could advise the President. I would like to have your views on that very important question.

General RALSTON. Senator Warner, as the Vice Chairman, I will be required to stay in very constant contact with our unified commanders around the world. Admiral Prueher at CINCPAC obviously will be key in that process. We have had a long personal relationship in the past, and I look forward, if confirmed, to working with him in the future. So I would depend very heavily on him to keep me advised of this, as well as all of the other available intelligence that we have.

Senator WARNER. I do not doubt that you are going to be kept advised, but I view that situation as really a hair-trigger one, and we had better begin to do some very careful thinking and planning at this time and not awaken some morning and have to work with the President to make a quick policy decision.

I hope that planning is underway, because that situation is ever-changing between those two nations, and we have got to be prepared. I am not sure what is the course of action, but we have got to be prepared to evaluate all options, and then decide on the course of action that is directly in the security interests of this country. That is the bottom line.

General RALSTON. Senator, if I may just add, I understand that, and if confirmed that is something that I will pay personal attention to in the position of Vice Chairman.

Admiral PRUEHER. Senator, I could not agree more with that comment. I know that in military planning there are branches and sequels, and for various events that might occur there are contingency plans in place and proposed courses of action to come to the Joint Chiefs, the Secretary, and to the President. They are something that I am sure in the Pacific Command are now currently being refined frequently and will be in the future.

Senator WARNER. But bear in mind this is a statute which is most unusual, it relates only to one situation, and says the President is directed to inform the Congress promptly of any threat to the security or the social or economic system of the people of Taiwan. Now, that is most unusual. I do not know of a parallel situation. That indicates that we, the Congress, are going to have a partnership with the President, this one or a future one, in connection with that contingency situation.

Admiral PRUEHER. Yes, sir, I understand.

Senator WARNER. I see that my time is up. I would just like quickly to ask one last question: We awakened this morning to news of another allegation of criminality with a service person in the sexual harassment area, although this time I think an American citizen was also involved. I do not understand what is going on out there, and that will be within your jurisdiction, Admiral Prueher. Do you have any comment on that case at this time, and why we should see a repetition, given the tragedy of the previous case, in that military command of a second incident?

General RALSTON. Senator, I saw the same newspaper report you did. I have no additional facts at this time. The matter is under investigation. Let me just say from a policy point of view, as we talked earlier in the hearing, this is a very, very serious issue.

Senator WARNER. It is not only serious from the effect of the victim and so forth, but it also directly impacts on the ability of this country to keep forward-deployed elements of our Armed Forces in that critical geographic area of the world, and somebody had better get out there and take charge of that situation and put an end to it. Chairman Thurmond: Senator Inhofe.

#### STATEMENT OF SENATOR JAMES M. INHOFE

Senator INHOFE. Thank you, Mr. Chairman.

Admiral Prueher and General Ralston, I would like to get a response from you. I did not bring the New York Times article with me, but I made a talk on the floor yesterday about it and I am sure you remember a couple of days ago the article that talked about the very subject that Senator Warner is concerned with and we are all concerned with.

A credible Chinese source was quoted as saying that the United States would very likely not take a strong position in their defense of Taipei because they would be much more concerned about San Francisco. That is not exactly the words that they used, but words to that effect. I would like to know from each one of you how you interpret that.

Admiral PRUEHER. I will go first. I think there are two possible interpretations. The interpretation of the article was that it inferred or it implied that there would be a nuclear attack on San Francisco or Los Angeles, I think was one implication. The other was we might have been concerned with internal affairs. I think we have to consider the more serious of those two, as we consider this very delicate issue of China and Taiwan. First we should make sure our facts are straight, and then try to form opinions based on the more serious of those two threats.

General RALSTON. I agree.

Senator INHOFE. General Ralston, I was reading something here that apparently in an interview you had on November 2nd you were talking about the fact that the Air Force has no attrition reserve for the F-15E dual role fighter. In addition, the Air Force will be short 120 F-15 multirole fighters by the year 2010 unless we take corrective action. I agree with that.

The other day, from the administration, a statement came down that some of the activity would be funded that is taking place right now in some of these humanitarian missions around the world by the \$7 billion that was appropriated over and above the recommendation by the White House or by the Pentagon. A lot of that would be in these tactical fighters. Do you share my concern that some may want to pull those programs down?

General RALSTON. Senator, first of all, I did in fact make a statement that based on our force structure today, our F-15E's, we do not have attrition reserve. Based on the fact that our F-16 should last us until the year 2010 when it would be replaced, based on our projected accident rate, the best that we have ever had in history, we would in fact be short the airplanes that you mentioned.

The Department has a lot of priorities, as you understand. But I can tell you that I have personally made the argument to the Deputy Secretary that this is a situation, and I am sure that the Department will make a considered decision as they go through that.

Senator INHOFE. During the State of the Union message one of the statements that was made by the President that concerned me was what I interpreted to be a changing role in our military, when he said the role from defense to peace-making, words to that effect. As we continue these humanitarian missions around the world, which I interpreted he has every intention of doing, in your judgement what impact do these operations have on our ability to react to a real crisis, if one should come up?

I look around the world today and I see what is happening in Iraq and I see the proliferation of nuclear weapons and the development of missile technology to deliver those warheads, and I have a great deal of concern. What impact on our ability do you think this change in the role that was articulated by the President in the State of the Union message would have?

General RALSTON. Well, without going into detail on that, let me tell you one of the concerns that we have worked across all of the services. As we are involved in the contingency operations that we have around the world, there is a possibility that if not addressed, our readiness could be impacted.

For example, if you are flying airplanes over Northern Iraq, for example, every day, your training is going to suffer over an extended period of time. So we have tried to address that, for example, by having more frequent rotation of our crews. You do not leave the same set of crews there for an extended period of time. You get them back to their base where they can get on their instrumentation range and they can do the tactics development and the tactics practicing that they need to do.

So it is something that I believe all the services are working now, because we have to address the situation to make sure that, in fact, if something happens around the world we are ready to respond immediately. Today I can tell you I feel reasonably confident that we can do that. But I must tell you that we do go to sometimes extraordinary lengths to make sure that our readiness does not get adversely impacted while we are on one of these contingency operations.

Admiral PRUEHER. Yes, sir. Obviously we cannot do everything. So the number of contingency operations or peacekeeping operations which we understand, the Nation must pick those. I agree with General Ralston, from my experience in my last job and from what I see of the work of the Joint Staff. I think our forces are ready now to undertake a major operation. It requires a great deal of care, and we are not in extremis at this point. It requires a lot of extraordinary scheduling and extraordinary effort to make us be ready at this point.

Senator INHOFE. Well, I would just say in his statement, and I think I speak in behalf of several members of this committee, that we are very much concerned, and I am not saying this critically at all of you folks, because you are as concerned about readiness as we are. I see the threats that exist around the world today as I am one of those who feels that there is a greater threat out there today than there was during the Cold War. At least then we could identify who was out there. It is very expensive, and it does consume our military assets to go into these humanitarian exercises. It deeply concerns me and several other members of this committee.

Chairman THURMOND. Senator Hutchison.

Senator HUTCHISON. Thank you, Mr. Chairman. Just to follow along that line, I am pleased that, Admiral Prueher, you are here, because I think the real security threats to the United States are going to occur where you are going. I think clearly North Korea is probably the largest national security risk we have right now.

I agree with Senator Warner completely that we must have early policy decisions on how we are going to react if there is an eruption between China and Taiwan, and do everything possible to try to keep that from happening. But your position is going to be crucial, and I think the rearming of Japan is going to be something we must watch, as well, because of their concerns for North Korea and China.

So I think where you are going is the crucial area of the world, and I hope very much that your early intelligence gathering will be a big part of what you see as your responsibilities there. Several of us serve on the Intelligence Committee as well as Armed Services, and I think that is going to be an area where you are going

to need some increased help, and we are going to be willing to give it to you if you will let us know what your needs are.

I would like to just ask one more question of General Ralston, and it is in the context of the downsizing of our military budget. How can we best use our dollars? I would like to know how you feel about the privatization potential in and the use of our defense dollars in a more efficient manner by the increased use of competition in the private sector working with the military. That is something that we are going to have to face in the near future. I had hoped we would have faced it earlier, but I think if we are going to have the bottom-up review results drive our strategy, certainly we are going to have to look at the best ways we can meet our needs on our repair and maintenance efforts.

How do you feel about privatization and the need for reform of the 60-40 rule?

General RALSTON. Senator, if I may, let me address that in two different ways, first with regard to privatization. I can tell you from past experience, and perhaps if you will bear with me I will tell you a little of that. When I was in Alaska we had three remote bases in Alaska, Galena, King Salmon, and Shemya. We had 300 uniformed personnel at Galena, 300 at King Salmon, 550 at Shemya. Their mission was to keep the runway clean, keep the barrier up in operation, keep the command post alive, keep the dining hall up, and the billeting operation up.

Now, we put that out for contract when I was there. And today, instead of having 300 uniformed personnel at Galena, we have 47 contract employees. That is a tremendous savings for the taxpayer.

Now, you might ask the question how could the Air Force be so incompetent that it took 300 people to do what 47 contractors do. Well, as we send the magnificent young Americans to Galena, one of the things that you expect us to do is provide them three meals a day when they are there. You expect us to provide them a place to sleep and live. It is a remote assignment. You would expect me to have some kind of a Morale, Welfare and Recreation (MWR) activity for them there. Every time I add MWR people I have got to add more cooks. If I add more cooks I have got to add more billeting personnel, and pretty soon I am at 300 people.

Well, if we contract that out, I do not need to provide them three meals a day. They eat on the economy downtown. I do not need to provide them a place to sleep. They can sleep on the economy downtown. I do not have to give them an MWR activity, because they are there of their own free will in the area. We did the same thing at King Salmon a year later, and today at Shemya, instead of having 550 uniformed personnel, we are doing it with 120 contract employees. So I am a personal believer that there are functions that you can do within the military, you can do them more economically by contracting out.

I also understand the issue of the 60-40 rule that we have, and I know that there are strongly held positions on both sides of that issue. As I understand the authorization language that will be presented to the Senate today, there is direction to the Secretary of Defense to come back with a policy statement, with good analytical work that talks about the core requirements that must be done within the public sector, and that will give us a basis for making

decision on where we go with the 60-40 rule. And I certainly support that, and look forward to working with the Department as that policy is formulated.

Senator HUTCHISON. I think from what you have said of your experience there is a win-win situation here for the communities involved in privatization efforts in that there is continued economic aid in a community. I do not mean aid as if it is not earned, but if the people are being employed and they are renting places in town and they are eating in town, maybe it should not scare people in depot cities so much as it seems to when you can have economic activity that may not be on the base, but nevertheless is continued economic activity. Perhaps we could look at, when you do the report on 60-40, the economic benefits that are there in privatization, regardless of whether it is actual work done on the base. Thank you.

Thank you, Mr. Chairman.

Chairman THURMOND. Thank you.

As President pro tempore of the Senate, I have got to go and open the Senate. I am going to ask Senator Warner to take over. I would like to announce that the first item of business is the defense bill, the defense authorization bill. If you recall, the President vetoed the first bill. We have got another bill now. It is important that we pass it, and I hope all members will be present and support this bill.

Senator Warner, if you will take over.

Senator WARNER [presiding]. Thank you, Mr. Chairman, and, Mr. Chairman, we thank you for the hard work you have done on that bill in the past 10 days. You were a conferee, together with myself, Senator Lott, and Senator Cohen, and we were able to get that bill resurrected, through conference, and back on the floor today. I think we should note that the House passed that bill.

Chairman THURMOND. Yesterday.

Senator WARNER. Yesterday. So the Senate should act promptly on it today. And thank you, Mr. Chairman.

Gentlemen, I would like to turn now to a very important question, first asked by our distinguished colleague from Texas here, Senator Hutchison, about the growing importance of the trade relationships between the United States and expanding areas in Indonesia, Malaysia, and that particular sector. Admiral, therefore the question comes will that require additional U.S. forces to provide the necessary security to this very important trading area for the United States? In my review yesterday with your jurisdiction, it goes up beyond Diego Garcia, so you are all through that littoral.

Admiral PRUEHER. Yes, sir. The short answer is no, we will not require additional security forces. Indonesia, Malaysia particularly, and the countries there, and this could be a mixed blessing, are financially solvent enough to be arming themselves to some extent. I think the forces we have that work particularly in the archipelagic regions there will be adequate for the presence and engagement that we need, sir.

Senator WARNER. It will not require additional forces. But I would presume, Admiral, it would require additional presence in the terms of port visits and the like.

Admiral PRUEHER. Already, we are doing presence missions with port visits. There is a Cooperation Afloat Readiness and Training (CARAT) exercise that CINCPAC Fleet takes on that works a series of bilateral exercises with Indonesia, Malaysia, and all of the countries there, particularly the archipelagic countries. It will take additional presence, but we have the forces to do it. It is a reallocation rather than an addition, sir.

Senator WARNER. What would you view as the potential sources of instability in that region?

Admiral PRUEHER. In Malaysia?

Senator WARNER. In Malaysia and Indonesia, and along the littoral there.

Admiral PRUEHER. In Cambodia, with the Khmer Rouge, that is an issue; in Burma with sort of a military dictatorship there, as well as some dissident regions; and Indonesia, the largest Muslim population is relatively steady except for the situation in East Timor, where it has been unstable but is abating a little bit now. I look forward to learning more about that if I am confirmed and it will be something that I will get into more.

Malaysia and on down to Singapore seem to be working on a pretty stable mode right now, sir.

Senator WARNER. What other nations provide military presence in that region?

Admiral PRUEHER. Japan does to some extent. They do exercises and they participate in exercises.

Senator WARNER. I will return to that, but that is with what they call their home force, is it not?

Admiral PRUEHER. That is right, their home force, the defensive force for Japan. They participate in RIMPAC exercises that we work in the Eastern Pacific, and they work with the forces of those nations.

In addition, Australia, to the south, of course, our strong ally down there, works with forces in that area.

In addition, France sends a few forces out that way, as does the UK.

Senator WARNER. But from what you say, the burden would fall again on the United States.

Admiral PRUEHER. Yes, sir.

Senator WARNER. Very clearly.

Admiral PRUEHER. Yes, sir.

Senator WARNER. And there are parallel interests that we have economically, as well as strategic security.

Admiral PRUEHER. Yes, sir.

Senator WARNER. What do you view as the current direction in which Japan is now going with regard to its armed forces? I think it is important for you to point out that while we hear about their budget figure, it is a very significant part of their national commitment, that expenditure on their forces, and I would appreciate it if you would recite those figures.

Admiral PRUEHER. Yes, sir. In Japan they spend about \$5 billion on the U.S. presence of the 47,000 U.S. soldiers, marines, sailors, and airmen that are in Japan. It is a huge point. They provide our bases, they provide housing, they provide piers for our ships; they make a tremendous investment in that.

In addition, they have drawn down the numbers of their forces slightly, but at the same time they have brought them to a higher technological level.

Senator WARNER. The quality of their equipment has improved considerably.

Admiral PRUEHER. Yes, sir. It has.

Senator WARNER. Now, a very significant part of their GNP goes into supporting those forces each year.

Admiral PRUEHER. It does. I will have to provide that for the record. I do not know the exact figure.

[The information referred to follows]

According to the Government of Japan, the fiscal year 1995 budget allotted 0.959 percent (4.7236 trillion Yen) of the Japanese' Gross National Product to defense spending.

Senator WARNER. Well, it is significant in comparison to other nations as to the amount they budget.

Admiral PRUEHER. Yes, sir, it is.

Senator WARNER. Would you regard, then, their current direction of strategic commitment as being sort of flat or on the increase in terms of their development of the armed forces? You mentioned the drawdown, perhaps, in personnel, but a compensatory increase in capability through equipment and modernization.

Admiral PRUEHER. Our assessment is that the amount that Japan is spending and what they are doing with their defense is about right. I would characterize it to the best of my knowledge as about flat. There has been some diminution in some areas and increases in others, and they have made a commitment to the U.S. forces which has been difficult for them to meet, but they have met it in each year for our support there.

Senator WARNER. I turn to both witnesses in the subject of North Korea, and I will lead off with you, General. This Senator is gravely concerned about the situation in the Korean Peninsula, and despite the agreed framework with North Korea, that nation is not required to dismantle any of its nuclear weapon capabilities for almost a decade. In the meantime, North Korea continues its aggressive stance toward our ally South Korea. The conventional military buildup in North Korea continues unabated, and North Korea continues to amass its military along the DMZ. How do you plan to deal with this formidable military situation?

General RALSTON. Senator, as you well know, North Korea is of great concern to all of the senior leadership. It is one of our major regional contingencies that we plan for. I can tell you from personal experience within Air Combat Command today, I have numerous squadrons that in a very short period of time will be headed to Korea to reinforce our forces there. So we pay a great deal of attention to it, and I must say that personally I share your concern.

Senator WARNER. Admiral?

Admiral PRUEHER. Yes, sir. Under CINCCFK we have 37,000 people in Korea.

Senator WARNER. Now, that is uniformed.

Admiral PRUEHER. Uniformed.

Senator WARNER. I think you should add also the additional civilian, because when you say people, I want this hearing to clearly



indicate that it is a very significant number of civilians and dependents.

Admiral PRUEHER. Yes, sir.

Senator WARNER. So what is the total figure of U.S. Americans present there?

Admiral PRUEHER. I will have to provide the total number for the record.

[The information referred to follows]

There are approximately 63,000 U.S. personnel in the Republic of Korea. U.S. civilians comprise about 26,000 of the total. The civilians are military dependents, civilian employees, or Department of Defense civilian dependents. The remaining 37,000 are uniformed U.S. military personnel.

Senator WARNER. But it is nearly double the military.

Admiral PRUEHER. It is about 26,000. But in addition to that, the forces that we have talked about, we have our forward-deployed aircraft carrier and the Marines in Okinawa in addition to the division there. By being forward-based in Japan, it decreases their closure to North Korea about 7 to 10 days. General Luck works daily, hourly, on monitoring the situation. Our forces are in an extremely high state of readiness, probably as high as anywhere else in the world, in case there is an incursion by North Korea.

Senator WARNER. Well, General Luck has been before our committee on a regular basis since this committee monitors very carefully that situation.

Admiral PRUEHER. Yes, sir.

Senator WARNER. Undoubtedly we will ask you to appear on a regular basis likewise, Admiral.

Admiral PRUEHER. Yes, sir.

Senator WARNER. General, I am also concerned about the trend of the Joint Staff. I was very active in Goldwater-Nichols. One of the landmark decisions in the Goldwater-Nichols reorganization is to try and strike a balance between your staff responsibilities with respect to the budget versus strategic planning. I want to have your views as to how you are going to work on that balance of effort of the staff.

General RALSTON. Yes, sir. First of all, as I previously stated, I strongly support the role of the JROC to work on those issues of operational requirements and program priorities as directed by the Secretary of Defense, and I believe is the intent of the legislation. There has been some talk of expanding that role to look at more of the resource allocation decisions within the Departments, and while that may be appropriate on some cases, I will tell you that I also, and I have talked to Admiral Owens about this, I believe that if we broaden the scope of the JROC too much that we run the risk of losing focus on those issues that the JROC is uniquely satisfied or structured to look at.

So I believe, again, there is a balance there, and I do not believe it is appropriate for the JROC to look at everything across all the services, because if they do then there is not enough hours in the day to look at all the other things that you must look at.

Senator WARNER. That was required by Congress on the strategic balance of forces throughout the world. I hope that the President is forthcoming with that report. You are familiar with it, are you not?

General RALSTON. I will get familiar with it, sir.

Senator WARNER. Yes. Well, I must say I was one of the co-authors here of the legislative requirement to send that. Unfortunately, it has been in several years quite delayed in getting to the Congress.

The Congress needs that report as it assesses the President's budget and gives its own priorities to the funding levels of the several requests each year submitted by the President, and then, of course, the initiatives that Congress takes of itself. I would like to turn to that question of initiatives.

A major initiative by the Congress this year has been to increase the defense spending. You are aware of that, General?

General RALSTON. Yes, sir.

Senator WARNER. From time to time, as the rhetoric goes back and forth, the administration has said these are funds that are for programs and so forth not requested by the Congress and not needed by the generals and the admirals. I take a different view.

I fully recognize your responsibility, having served in that building myself for many years, of your allegiance to the Commander in Chief, the President, and your obligation to give him your best advise, then accept his judgments with respect to that budget. But when the Congress, on its own initiative, supplements the requests that come forward, I would hope that henceforth the uniformed military would be very cautious in their comments, well, we do not need it. If they do not need it, then state it. But I believe in this particular bill there are a number of items being provided by the Congress which are absolutely essential, and particularly for the modernization of the U.S. military.

The modernization account has been that bank that has provided the funds for the several operations embarked on by the President: Haiti; indeed Bosnia is largely, for a period of time, going to be drawn out of those modernization accounts and O&M accounts; Iraq, we made some provisions for funding in the recent appropriations bill, and today I am optimistic that the Senate will act favorably on the authorization bill. But I cannot stress too firmly with both of you the need to keep the armed forces of the United States modernized.

We understand, hopefully, the strategic situation today and the contingencies facing us. But it is becoming increasingly difficult to project into the future and assess what are the risks confronting this Nation and our allies and freedom in the whole. The proliferation of weapons of mass destruction is indeed the greatest threat facing this Nation today. I would like to ask both of you what your assessment of that problem is, and what you will do in your respective positions subject to confirmation about the proliferation of weapons of mass destruction.

General, why do you not lead off?

General RALSTON. Yes, sir. I again share your concern as stated. I can tell you just from the Air Force perspective today, the hat that I have got on right now, I have 3500 Air Combat Command personnel deployed in the desert today, and that is one of the things that they are certainly subject to, is missile attack with weapons of mass destruction. That is something that we are very concerned about, and I believe that the Department needs to ad-

dress, and I believe that it has put a priority, on fielding a counter to that. Much work remains to be done, but I will give you my personal commitment that that will be a very high priority of mine.

Senator WARNER. Now, those missiles are both the short-range ballistic as well as the short-range flat trajectory missiles, am I not correct?

General RALSTON. Yes, sir. They are ballistic missiles as well as cruise missiles.

Senator WARNER. The cruise is becoming a very significant threat because many, many nations possess them, correct?

General RALSTON. Yes, sir. I believe that the cruise missile will be a significant threat.

Senator WARNER. What about terrorist activities and the likelihood that terrorists are beginning to have an increasing access to weapons of mass destruction, General?

General RALSTON. Yes, sir, that is also an issue of concern.

Senator WARNER. Admiral.

Admiral PRUEHER. I agree with what General Ralston said. The weapons of mass destruction in all of our theaters are something that our operational commanders are constantly aware of and monitoring.

In the procurement sense and in working that issue, we are spending a fair amount of our taxpayers' money trying to work on detection, on counters, and antitoxins and the like to counter this threat.

There is also a lot of strategic thought going on as to how to react to this threat. One thought is with an overwhelming conventional response. So there are a lot of ways to look at that should a national actor use a weapon of mass destruction or should a terrorist. The terrorist is a harder issue to track, sir.

Senator WARNER. Well, also in your jurisdiction was, Admiral, the tragic release of chemical and biological toxins in Japan.

Admiral PRUEHER. In the subway.

Senator WARNER. That is also a threat in the subway system. The military must be ever on guard for that type of situation.

Admiral PRUEHER. Yes, sir.

Senator WARNER. Gentlemen, thank you very much. We look forward to your responses to the questions of the committee to supplement the record. I ask you to do that very promptly, and I am sure the chairman and ranking member, together with others, will urge that the leadership of the Senate take up your nominations at the earliest possible date.

Thank you very much.

[Whereupon, at 12:10 p.m., the hearing was adjourned.]

[Prepared questions submitted to Adm. Joseph W. Prueher, USN, by Senator Thurmond prior to the hearing with answers supplied follow:]

VICE CHIEF OF NAVAL OPERATIONS,  
Washington, DC, January 23, 1996.

Hon. STROM THURMOND,  
Chairman, Committee on Armed Services,  
U.S. Senate,  
Washington, DC.

DEAR MR. CHAIRMAN. Thank you for your letter of January 19, 1996, and for the opportunity to respond to you and the committee.

As you requested, I am providing you and the committee answers to questions concerning defense policy and management issues as they relate to the position of Commander in Chief, U.S. Pacific Command.

It is an honor to be nominated by the President for this position. I look forward to meeting with you and the committee in the upcoming confirmation process.

Very respectfully,

J. W. PRUEHER,  
Admiral, U.S. Navy.

Enclosure.

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## QUESTIONS AND RESPONSES

### DEFENSE REFORMS

More than nine years have passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms. You have had an opportunity to observe the implementation and impact of the reforms, particularly in your assignments as the Commander SIXTH Fleet/Commander Naval Striking and Support Forces, Southern Europe and Vice Chief of Naval Operations.

*Question.* Do you support full implementation of these defense reforms?

*Answer.* Yes.

*Question.* What is your view of the extent to which these defense reforms have been implemented?

*Answer.* Goldwater-Nichols legislation has us well along the path to what Congress intended. It has improved the effectiveness of our joint fighting forces and joint professional military education system. Goldwater-Nichols legislation assures that the President gets the best possible advice from the Nation's senior military leadership; that he can place clear and absolute responsibility on combatant CINCs for the outcome of military operations; and that the Nation's Armed Forces can successfully execute joint operations with complementary warfighting systems.

*Question.* What do you consider to be the most important aspects of these defense reforms?

*Answer.* Two important areas were clearly defined by the Defense Reorganization Act of 1986. First, the authority of the Warfighting CINCs over assigned forces was expanded to establish a clear chain of command to accomplish assigned missions. Second, and of no less importance, responsibility and authority of the Chairman of the Joint Chiefs of Staff as the principal military advisor were clearly established.

*Question.* Based upon your assignment as Vice Chief of Naval Operations and your participation in meetings of the Joint Chiefs in the absence of the Chief of Naval Operations, do you believe that the role of the Service Chiefs as Members of the Joint Chiefs of Staff under the Goldwater-Nichols legislation is appropriate and the polices and processes in existence allow the role to be fulfilled?

*Answer.* Yes. My observation is that Service Chiefs are full players and have every opportunity to impact on the Chairman's decision. The role of the Service Chiefs under Goldwater-Nichols seems to function smoothly.

The policies and processes currently in effect have proven extremely effective in allowing the Joint Chiefs as a body and the individual Service Chiefs to achieve the goals of greater joint interoperability and joint combat effectiveness, as well as more integrated determination of joint requirements. Our fighting forces have proven the benefits of these initiatives since 1986. We shall continue to improve in the future.

### RELATIONSHIPS

Section 162(b) of Title 10, United States Code, provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command.

Please describe your understanding of the relationship of the Commander in Chief, United States Pacific Command to the following offices:

*Question.* The Under Secretaries of Defense.

*Answer.* Current DOD Directives require Under Secretaries of Defense to coordinate and exchange information with DOD components, such as combatant commands, having collateral or dated functions. Combatant commanders are expected to respond and reciprocate. Directives also stipulate that this coordination shall be communicated through the Chairman of the Joint Chiefs of Staff.

*Question.* The Assistant Secretaries of Defense.

*Answer.* Under the current arrangement, only two Assistant Secretaries of Defense (ASD for C<sup>3</sup>I) and (ASD for Legislative Affairs) are principal deputies reporting directly to the Secretary of Defense. All other Assistant Secretaries of Defense work for one of the Under Secretaries of Defense. This means that should USPACOM require any involvement with the Assistant Secretary of Defense for Low Intensity Conflict, for example, it would be through the Under Secretary of Defense for Policy. In the case of the ASD for C<sup>3</sup>I and the ASD for Legislative Affairs, any relationship required would be along the same lines as with an Under Secretary of Defense.

*Question.* The Chairman of the Joint Chiefs of Staff.

*Answer.* Title 10 establishes CJCS as the principal military advisor to the NCA. However, he serves as an advisor and is not, according to the law, in the chain of command that runs from the NCA directly to each combatant commander. The law does allow the President to direct that communications between him or the Secretary of Defense be transmitted through the Chairman. President Clinton has directed this to happen in the Unified Command Plan. This action keeps the Chairman in the loop so that he can execute his other legal responsibilities—a key one being as spokesman for the CINCs, especially on the operational requirements of their respective commands. While the legal duties of the Chairman are many and they require either his representation or personal participation in a wide range of fora, my reading of Title 10 says that as a CINC, I will have the obligation to keep the Secretary of Defense promptly informed on matters for which he may hold me personally accountable. So I see it as a CINC's duty to work with and through—but never around—the Chairman to provide for the security of his command and execute NCA-directed taskings.

*Question.* The Vice Chairman of the Joint Chiefs of Staff.

*Answer.* When functioning as the acting Chairman, the Vice Chairman's relationship with the CINCs is exactly that of the Chairman. The 103rd Congress amended Title 10 to give the Vice chairman the same right and obligation that other members of the Joint Chiefs of Staff have to submit an opinion or advice to the President, National Security Council, or Secretary of Defense if their views disagree with those of the Chairman. If confirmed as CINCPAC, I would readily listen to the Vice Chairman's thoughts on any defense matter considered by the Joint Chiefs of Staff. Finally, because the Vice Chairman also plays a key role on many boards and panels that affect programming and therefore the preparedness of USPACOM, I believe his insights are extremely valuable, and I would certainly seek his counsel.

*Question.* The Assistant to the Chairman of the Joint Chiefs of Staff.

*Answer.* The Unified Command Plan makes the geographic CINC the single point of contact for providing U.S. military representation within his assigned AOR. To meet this responsibility, CINCs must be fully engaged in the interagency process as it considers matters in their AOR. I know that the Assistant to the Chairman has an extensive charter to represent the Chairman in the interagency process here in the Nation's capital. While there are not direct lines connecting the Assistant to the Chairman to any combatant commander, what the Assistant knows and can share about the interagency process with any CINC is useful and will be requested. The Assistant to the Chairman also works on matters of personal interest to the Chairman, which may require him to consult with a combatant commander.

*Question.* The Director of the Joint Staff.

*Answer.* The Director is generally the point of contact for soliciting information from all the CINCs when the Chairman is developing a position on an issue. As the Director and the Joint Staff support the Chairman in meeting the congressional purpose set forth in law to provide for unified strategic direction of the combatant forces, their operation under unified command, and their integration into an efficient, joint fighting force, I would expect frequent interaction between USPACOM and the Director, Joint Staff.

*Question.* The Secretaries of the Military Departments.

*Answer.* Title 10, section 165 provides that, subject to the Secretary of Defense and subject to the authority of combatant commanders, the Secretaries of Military Departments are responsible for the administration and support of the forces that

are assigned to combatant commands. The authority exercised by a combatant command over Service components is quite clear, but requires close coordination with each Service Secretary to ensure there is no infringement upon those lawful responsibilities a Service Secretary alone may discharge.

*Question.* The Chiefs of Staff of the Services.

*Answer.* The Service chiefs have two significant roles. First, they are responsible for the organization, training, and equipping of their respective Service. Without the full support and cooperation of the Service chiefs, no CINC can hope to ensure the preparedness of his assigned forces for whatever missions the NCA directs. Second, as members of the Joint Chiefs of Staff, the Service chiefs are military advisors to the NCA and NSC. Individually and collectively, the Joint Chiefs are a source of experience and judgment that every CINC can call upon. If confirmed as CINCPAC, I intend to conduct a full dialogue with the chiefs of all four Services and will be eager to consult with any Service chief, any time.

*Question.* The other combatant commanders.

*Answer.* The Unified Command Plan, to operate effectively, demands close coordination among all combatant commanders. Any one of the nine unified CINCs may find himself the supported commander or one of eight supporting commanders in support of our National Military Strategy. Our execution orders clearly lay out these formal command relationships; but it is frequent, informal communications that form the basis for mutual trust and unwavering mutual support. Working this coordination will be high priority objective.

#### UNITED STATES PRESENCE IN THE WESTERN PACIFIC

*Question.* We expend significant resources to maintain military forces in the Pacific. What is the threat in the Asia-Pacific region that justifies these military forces? Are other nations in the area contributing their fair share toward maintaining security in the region?

*Answer.* Seven of the largest armed forces in terms of manpower in the world are located in or operate in the Asia-Pacific region and include those of nuclear weapon states. This region will remain an area of uncertainty, tension, and immense concentrations of military power for the foreseeable future. Additionally, the dynamics of Asian economics, upon which world economic vitality is increasingly reliant, is dependent on free passage along the shipping routes through archipelagic sea lanes in Southeast Asia and the major shipping lanes in the South China sea.

The key to shaping the regional environment toward a favorable future is stabilizing and maintaining a regional order of comprehensive security that facilitates cooperation across all dimensions of economic, political, and military relations.

A nation's contributions to the regional security cannot and should not be measured in any single dimension. We must continue to encourage each nation to contribute in its own way to regional stability.

The United States has pledged its commitment to the security of the Asia-Pacific region and has sent a lot of resources fulfilling that pledge. The United States has sent military forces to three major wars against aggression in Asia in the last half century. As these experiences have proven, America's interests in the region must be protected, and commitments will be honored. As home to a majority of the world's armies, Asia's tensions have the potential to erupt in conflict, with dire consequences for global security.

The most significant threat to peaceful process and destabilizing factor in the Pacific Theater is that posed by Democratic Peoples Republic of Korea (DPRK). They have a million person armed force offensively postured, and I remain concerned over their continued pursuit of weapons of mass destruction and the ballistic missiles to deliver them.

Although I do not view the People's Republic of China as a threat, it clearly is a source of concern to its neighbors. China is a nuclear power, which continues to modernize its military and update weapons technology by producing, copying, and buying weapons such as fighters, missiles, and submarines.

Proliferation of WMD and their means of delivery continues in the PACOM region. Several nations in the PACOM region are pursuing development of nuclear, chemical, and biological weapon stockpiles. China, India, and Pakistan are known to have a nuclear weapons facility, while such capability in North Korea is strongly suspected.

At the heart of South Asia is the disputed Kashmir Region, home to a long-standing insurrection. Sri Lanka struggles to control a violent Tamil secessionist movement. In Southeast Asia, Burma is plagued by drug traffickers and disaffected groups. In Cambodia, the Khmer Rouge faction continues as a nagging problem, op-

posing the legitimate government and its military, and continues its destabilizing actions. Indonesia is challenged by the East Timor situation.

These regional tensions, combined with the presence of seven of the largest armed forces in the world, require the maintenance of significant U.S. forces in the Pacific. Without a credible military presence in the Asia-Pacific region, the potential for regional instability and conflict is enhanced.

Without addressing every nation in the Asia-Pacific region, I believe it's fair to characterize our overall security relationships as effective, equitable, and mutually beneficial. Throughout the region, a cooperative approach to security is effectively advancing U.S. interests and meeting U.S. security needs at a significantly lower cost than that we could achieve alone.

Japan supplies by far the most generous host nation support of any of our allies. Japan has increased its share each year, and I am told currently pays over 5 billion dollars annually for labor and utility costs of maintaining U.S. forces, leases for land use by our forces, and funding for facilities construction. Japan Self-Defense Forces continue to modernize and are assuming a larger role in providing for the defense of Japan and regional security.

South Korea has grown as a partner and now seeks equality. The ROK has assumed operational control of ROK military forces and provides in excess of \$330 million dollars for support of U.S. military forces each year.

Australia's participation in combined exercises, operation of joint defense facilities, and granting of access to U.S. ships and aircraft are absolutely essential to our forward presence.

A few other examples include: the Philippines, where we have a solid, mutually supportive relationship; Singapore, which continues to provide access to excellent naval and air facilities, while strongly supporting U.S. forward presence; Thailand, a treaty ally with a long history of collective security with the United States; and a growing Indonesia, leaders in the region occupying a geostrategic position.

*Question.* The political and military balance on the Pacific rim is in an accelerated state of change. How important is American presence in that region, and how can America best enhance stability of the region?

Answer. We have fought three wars in the Pacific during the last half century, and American presence today remains the cornerstone of regional stability. Moreover, this region covers half the globe, encompasses the world's fastest growing economies, has two thirds of the world's people, and is clearly vital to U.S. interests. American presence is a counterweight not only to obvious threats such as North Korea, but also to uncertainty in the region that is home to seven of the world's largest militaries.

Additionally, on a regional basis, U.S. military forces:

- Enable the United States to meet security treaties and agreements
- Promote security cooperation
- Protect our critical lines of communication
- Provide prompt and effective responses to crises
- Increase access to foreign facilities
- Counter proliferation of weapons of mass destruction
- Assist in fighting against terrorism, drug trafficking, and international crime organizations.

The United States can best enhance stability by remaining engaged throughout the Pacific and by reiterating our commitment to present force levels for the foreseeable future. This allows us to maintain our well deserved reputation in the region as the "honest broker" and to preserve the stability that has been key to Pacific prosperity.

*Question.* Do you think the current Unified Command Plan with respect to the PACOM-CENTCOM split between India and Pakistan is appropriate, workable and represents the best interests of the United States?

Answer. Yes. The Unified Command Plan recently realigned the Arabian Sea and part of the Indian ocean to USCENTCOM, moving the boundary away from critical choke points, more accurately reflecting current operational practices. Maintaining the present boundary between USCENTCOM and USPACOM along the Pakistani-Indian border presents a number of challenges, all of which are being met under existing diplomatic/military arrangements. Specifically, two CINCs coordinate to ensure that their strategies do not exacerbate the situation between India and Pakistan. USPACOM and USCENTCOM have many long-standing relationships with these countries, which provide leverage and thus serve to promote stability.

The current organization recognizes Pakistan's orientation as a Middle Eastern country and India's as an Asian nation. The Commission on Roles and Missions (CORM) report reaffirmed retaining India in PACOM because "movement of the cur-

rent seam would necessarily create a new seam elsewhere." Transfer of India to CENTCOM or Pakistan to PACOM for that matter, would place a CINC in the position of officiating between two long-term antagonists. This would also impact the robust peacetime engagement program with India which has been cultivated by PACOM's components and which has led to broader political cooperation. More importantly, shifting India to CENTCOM would undercut PACOM's ability to facilitate the critical India-China relationship. With India's long-term economic interests to their southeast and long-term security interests to their northeast, the current UCP boundary is appropriate, functional, and best supports U.S. regional interests.

*Question.* In your opinion, should Japan increase the size of its defense forces and/or participate to a greater extent in out-of-country exercises and operations?

*Answer.* The size and capability of Japan's Self Defense Force (JSDF) seems about right, but I will study the situation closer if confirmed. Japan, abiding by its constitution, and in accordance with United States-Japan security arrangements, should strive to ensure its own national defense arrangements and contribute to the peace and stability of the international community. I understand the recently completed National Defense Program Outline actually directed modest decreases in personnel and expenditures while emphasizing modernization of Japan's force structure. Our natural interest would be best served if Japan continues to increase her defensive capabilities through technological advances while maintaining current force structure levels.

Additionally, I believe Japan should continue to pursue every opportunity to participate in joint, bilateral exercises, Peacekeeping Operations/International Disaster Relief Operations (PKO/IDRO), and Search and Rescue operations. In consonance with their substantial economic standing in the world community, Japan has participated in three PKO/IDRO operations since 1992 and will send a PKO contingent to the Golan Heights in February. Within the bounds of their constitution, I would like to see them participate in more bilateral and multilateral exercises with U.S. forces as interoperability among Japan, the U.S. and our regional allies is a key factor in maintaining regional stability.

*Question.* What is your assessment of the status of the Agreed Framework on the North Korean Nuclear Program? In your opinion, are the North Koreans complying with the terms of the agreement? What are the long-term implications of this agreement on the region?

*Answer.* There is reason to be optimistic about the prospects for long-term success. The Democratic People's Republic of Korea (DPRK) nuclear development program remains frozen in accordance with the Framework Agreement. International Atomic Energy Agency (IAEA) inspectors are maintaining almost continuous presence to ensure compliance.

While DPRK-Korean Peninsula Energy Development Organization (KEDO) negotiations are difficult, progress is being made caring out the Framework Agreement. The fourth KEDO site survey team is in North Korea, and I understand DPRK cooperation has been satisfactory. The IAEA and the DPRK are discussing the schedule and location of ad hoc and routine inspections. In accordance with the Framework Agreement, these inspections are permissible now that the reactor supply contract is signed.

The long-term implications of this agreement to regional stability are key. Continued stability is contingent upon the DPRK maintaining the freeze to its nuclear development program. I would assess it is too soon to declare success. We have significant remaining hurdles before this program concludes: disposition of spent fuel rods, access by the IAEA to conduct appropriate inspections specified within the agreement, and KEDO partners finding adequate funds to meet our obligations under the Framework Agreement.

*Question.* If Korea unifies, what, in your opinion, are the implications for PACOM operations?

*Answer.* There are many definitions of what Korean unification entails, and a few lessons can be drawn from the German reunification process. Certainly with unification (whatever form it takes) there will be American public pressure to downsize our forces on the Korean peninsula. However, this may not be prudent until the situation there stabilizes and the picture develops for the entire Northeast Asia security relationship. Post-reunification assimilation will represent a tremendous obstacle with respect to financial resources and most likely result in a significant overload on the Korean economy. While we hope and expect that a reunified Korea would create a far more stable security environment, perceptions of neighboring countries and the uncertainty that drive them are all important. Politically and militarily, a reunified Korea may view and be viewed by China and Japan as potential security concerns. Consequently, the Korean government may continue to favor a forward-



deployed U.S. military presence in Korea to enhance regional stability, at least until their economy successfully absorbs the moribund North Korean economy.

With or without Korean unification, USPACOM forward presence will continue to support the U.S. strategy of engagement throughout the region. The long term goal of the United States is stability and balance in the area; Korean peninsula reunification must be evaluated in that light.

*Question.* Are sufficient forces assigned and allocated to PACOM to perform simultaneous operations for both a Major Regional Conflict (MRC) (in Korea) and presence?

*Answer.* Yes, from my look here in Washington, the apportionment to PACOM in crisis of approximately half a million soldiers, sailors, marines and airmen is adequate to support a major regional contingency in Korea. I am confident a conflict in Korea can be won with these forces while operations along our sea and air lines of communication would provide our day-to-day forward presence in the region. Although some of the elements of the Cooperative Engagement Strategy such as major exercises would have to be curtailed as they were during Operation DESERT STORM, high payoff and low-cost operations would continue in the region.

*Question.* What important sea lanes are most vulnerable and how do you plan to meet the threats to those sea lanes? Will the Law of the Sea Treaty affect this ability?

*Answer.* The Malacca Strait of course. Also, the sea lanes of the Southeast Asia archipelagic states are the most vulnerable given a capable force with the intent to impede passage. Significantly, half of the region's oil passes through this area. The historical threat of an outside state closing these sea lanes has been replaced with regional assertions by the archipelagic states. The strategic and economic interests of the countries in the region parallel those of the United States. If confirmed, I will maintain an adequate naval and air presence throughout the region emphasizing freedom of navigation. At the same time, I will seek to further strengthen existing contacts with nations of the region. These contacts will range from existing bilateral discussions and exercises to playing an active role in multilateral fora such as the ASEAN Regional Forum intercessional meeting on Search and Rescue, which the United States will co-host with Singapore in Hawaii in March.

The Law of the Sea Treaty provides the means for achieving a comprehensive and stable legal regime with respect to the traditional uses of the oceans. The Treaty provides for navigational rights and freedoms that are in daily use by the naval and air forces of the United States and our allies. I firmly believe maintaining key air and sea lines of communication open as a matter of international law is a fundamental tenet of our national security strategy.

*Question.* How important is our presence in Okinawa to our PACOM operations?

*Answer.* Forward presence is the key to stability and crisis response. The strategic importance of Okinawa and the forces forward deployed there, in relation to critical sea lines of communication, the Korean Peninsula, and Asian region, are pivotal. The forces and equipment stored on Okinawa can deploy to these areas much quicker than CONUS or Hawaii-based resources.

Many Southeast Asian countries now question whether they can depend on a continued U.S. commitment to the region's security. United States forces on Okinawa counter these concerns by underscoring our commitment through the physical presence of our Air Force, Army, Navy and Marine Corps personnel.

In the event of a regional contingency, U.S. assets on Okinawa are critical to the initial stages of any campaign. Marine forces can respond seven to ten days faster than Hawaii or CONUS based forces. Moreover, these forces are uniquely deployable and capable of responding to any crisis throughout the region. That flexibility plays a critical role in our maintaining credible power projection capability in support of our national goals.

*Question.* What will the effect of a return of the Northern Islands (Kuriles) be on PACOM operations?

*Answer.* The return of the Northern Territories to Japan would be a significant event that would further stabilize northeast Asia by eliminating the major issue between Russia and Japan. That said, it seems unlikely to happen in the near future.

We have seen a number of indicators since President Yeltsin came to power that the Russians have been looking hard at ways to resolve this dispute. However, as you know, Moscow is constrained by domestic opposition, particularly from its military, to the return of any of the islands.

In my view, even if Japan were to offer up a major financial aid package, coupled with guarantees that it would not militarize the islands, Moscow would still need considerable time to make its case to the Russian public that returning the islands is only a modest concession and not evidence of national humiliation.

Recent statements by newly-appointed Russian Foreign Minister Primakov, suggesting the dispute be set aside for the next generation to resolve, bear out this Russian position.

Therefore, I anticipate no impact on PACOM operations for the near term.

*Question.* It has been over two years since the United States closed its military bases in the Philippines. What impact has the redeployment had on our military operations and political standing in the Pacific region?

*Answer.* Largely due to our improved regional interaction and our commitment to the security of the Asia Pacific, we were able to mitigate the loss of our facilities in the Philippines. However, because of the increased distance to and the higher cost of available training and repair facilities, more money and time is required to maintain the same level of force proficiency. As a result of the Philippine Government's decision, we emphasized access to places, not bases. This approach led to wider U.S. cooperation with other nations in the region as they continue to see the inherent value of participating with the United States in maintaining regional security. In the post-bases era, we are able to meet our security commitments; the Philippines remain a strategically important friend with whom we have steadily improved security relations; and we continue to be perceived as an honest broker with this longtime friend.

*Question.* Unlike in Europe, the United States has a series of bilateral security arrangements with Asian nations. Should the United States strive to form a collective security arrangement similar to NATO in Asia?

*Answer.* The diversity of national interests in the Asia-Pacific region suggests that formal mechanisms resembling NATO are not likely in the near future. Although we have great hopes for the Asean Regional Forum, it is not a multilateral forum equivalent to NATO. ARF will evolve only at a pace that is comfortable to the participants. For the foreseeable future, the foundation for Asia-Pacific security and stability will remain the U.S. security commitment built on our network of bilateral security treaties and associated obligations, our regional access arrangements, and the presence of about 100,000 forward deployed forces.

*Question.* The Asian Pacific region accounts for almost 40 percent of all U.S. trade, exceeding that of Europe by a substantial amount. Because of this significant economic reliance on Asia, we have a major role both militarily and diplomatically in that region. In your judgment is the United States focusing enough attention on this region of the globe?

*Answer.* The economic relationship between the United States and countries of the Asia Pacific region is vital to American security and economic well-being. We benefit from increased international order and stability, without which increased trade and investment cannot occur. Our National Security Strategy lays out a strategy for engagement and enlargement that promotes prosperity and security in a balanced way. Our national interest in the region is established through clear priorities:

- A continued U.S. military presence in the Pacific
- Strong alliances
- Ready, effective military capabilities for crisis response.

With more than 313,000 Soldiers, Sailors, Airmen, Marines, and Coast Guard in the U.S. Pacific Command unified armed forces, and the numerous ongoing diplomatic programs, funds and activities, our national commitment is unequivocal.

Our forces are adequate to support this commitment. The harmony of our military actions with political and economic focus of the future certainly bodes no decrease in emphasis.

*Question.* India, with its large population and increasingly sophisticated military, is one of the sleeping giants in the Pacific region. What role do you foresee India will play in that region of the globe and how should the United States react to such a role?

*Answer.* India's size, position, and geography have always made it a key regional power in South Asia and an important interlocutor for the United States. With its growing economy and technological prowess, however, it has the potential to be among the world powers of the Twenty-First Century. India's support for multilateral peace efforts and its role as a leader among developing countries demonstrate its ability to engage globally. It is also important for India, as the most powerful country in its region, to pursue good relations with its neighbors.

India's increasing importance clearly requires us to engage this fellow democracy at all levels. In the defense arena, we see our cooperative relationship as a good example of how expanding military contacts can promote broader political engagement. Strengthening defense cooperation with India under the "Agreed Minute"

signed by Secretary Perry last year allows us to pursue common security interests and provides a firm basis for resolving our policy differences.

In addition, we are concerned that missiles and nuclear proliferation in South Asia are destabilizing and undermine regional security. The United States can best help avert a disastrous outcome by building bridges of trust. Our evolving defense relationship provides a solid beginning to accomplish this objective.

*Question.* What is your assessment of the current state of our relations with China? What would our strategy be for dealing with China both in the near and long-term?

*Answer.* I have read that Sino-American relations plummeted immediately following the visit of President Lee Teng-hui of Taiwan and subsequent PRC military exercises over the summer of 1995. Although stabilized in recent months, there is little forward momentum. It appears that China's leaders are reluctant to engage the United States, substantively at least, until after the March election in Taiwan.

To influence this situation, balanced engagement and dialogue at all levels is the best answer—in other words, a continuous comprehensive engagement strategy designed to promote mutual understanding with an increasingly prosperous China.

*Question.* What is the most effective security policy toward China?

*Answer.* A policy of participation and engagement rather than one of containment would be most effective. China holds the key to progress in a variety of regional challenges and increasingly important global issues. Our allies and friends in the region support this stance.

Our military relationship with China is an integral element of the President's Comprehensive Engagement Strategy. It should not be viewed independently, rather, as one aspect of the comprehensive approach. Similarly, China must be encouraged to join and participate in multilateral regional as well as global security efforts.

We need to continue to expand and develop the full range of military-to-military contacts with China to better understand their concerns and build mutual trust and understanding at every level. China is both a regional leader and developing global power with significant political, economic, and security influence throughout the world. It is in our mutual interest that China implement the Nuclear Nonproliferation Treaty and ratify the Comprehensive Test Ban Treaty in order to advance global security interests limiting the spread of weapons of mass destruction and discouraging export of nuclear missile technology. To support effectively U.S. security policy toward China in the future, the U.S. Pacific Command must remain engaged at many levels, and in tune with our diplomatic and economic initiatives.

*Question.* What kind of bilateral military activities should be conducted in pursuit of this security policy?

*Answer.* In addition to multilateral programs, our strategy includes bilateral activities such as high level visits (e.g., SECDEF, CJCS, CINCPAC), functional (working) exchanges (e.g., logistics, medical, legal), routine military contacts and confidence building measures (e.g., ship visits).

These activities encourage mutual understanding as well as greater transparency and trust. They do not include technology transfers or arms sales.

#### JOINT REQUIREMENTS OVERSIGHT COUNCIL (JROC)

Under Admiral Owens' leadership, the expanded JROC has met more often, traveled to meet with the combatant commanders, conducted Joint Warfare Capability Assessments (JWCAs), and discussed issues beyond those strictly related to requirements. As a member of the JROC, you have obviously devoted a lot of time to this effort.

*Question.* Are you satisfied that your time has been well spent?

*Answer.* Yes, my colleagues and I have devoted an immense amount of time to JROC. The time is well spent. The JROC is a unique forum where the Services get together, at the four star leadership level, to address joint warfighting needs focused on resources and requirements across Service lines. The common understanding gained is a necessary precursor to taking on interservice issues.

*Question.* Does the JROC needlessly duplicate the work of other organizations?

*Answer.* The JROC, led by VCJCS, works for the CJCS and the Joint Chiefs. The JROC is unique in its makeup, focus, and agenda. There is no other military organization that concerns itself with prioritizing our warfighting requirements and procurement, driving systems to be fully interoperable across the uniformed Services. An excellent example of the work done by the JROC/JWCA is pulling together a Joint C4 Intelligence, Surveillance and Reconnaissance C4ISR architecture. There exists no other forum to work this problem in a comprehensive way.

*Question.* Does the expansion into areas other than requirements offer the potential for greater policy cooperation and consistency among the Services?

*Answer.* All of the issues considered by JROC deal with requirements of our warfighting commanders. While many of the subjects on the agenda are not connected strictly to the acquisition process, they all concern requirements for fielding and operating armed forces in the joint arena so issues of equipment, people, training, and organization for those are fertile ground for discussion. The service Vice Chiefs work closely to achieve improvements in joint warfighting and to address rationally the resource constraints of the Department of Defense in order to assist the Chairman of the Joint Chiefs in his advisory role on these matters.

#### OPERATIONAL TEMPO

*Question.* How have American commitments in Bosnia, Haiti, and other areas affected the operational tempo of Pacific Command forces?

*Answer.* Commitments in Bosnia, Haiti and other areas such as the Arabian Gulf have increased the operational tempo of each of the CINCPAC components. It appears that the increased demands are manageable, and they have not had a detrimental effect on readiness or quality of life. CINCPAC has still been able to participate in a wide variety of multilateral and bilateral exercises, contribute to the counter drug operations, promote regional stability and enforce U.N. sanctions in the Arabian Gulf. Obviously, I have been closer to the impacts on Naval forces. On one occasion this past year, two surface combatants were extended in the Arabian Gulf for thirty days as a precaution to possible Iraqi troop movements. However, neither ship was deployed longer than six months, and they remained within the goals of the Navy's Personnel Tempo program.

Additionally we have intensified our efforts on the full accounting of POW/MIAs and the War on Drugs and contribute to security arrangements. These operations most often affect the low density, high demand assets such as security forces, civil affairs, linguist and reconnaissance assets. Each of the components have been impacted to some degree, but we are accommodating the increased Operating Tempo thus far.

#### RELATIONSHIP TO CINC UNC/CFC/USFK

*Question.* As the only CINC commanding a permanent subunified command, how much deference will you give to the CINC UNC/CFC/USFK?

*Answer.* The current command relationship between CINCPAC and CINC UNC/CFC/USFK is widely accepted as an effective, efficient, and successful arrangement. I share this perception and intend to maintain the high level of cooperation that currently exists.

Both General Luck and Commander U.S. Forces Japan play pivotal roles in USPACOM's management of politico-military affairs in Northeast Asia. These commanders are the key to successfully implementing our national strategy in peace and war, and deserve my greatest consideration with regard to all issues affecting their commands.

*Question.* Should we have a separate combatant command for Northeast Asia?

*Answer.* I do not think a separate Northeast Asia Command best serves our nations needs in the region. The trends in the Asia-Pacific region are clearly toward greater integration and cooperation politically, militarily and economically. A separate U.S. command in this area would seem to run counter to this trend and complicate the attainment of U.S. interests in the Pacific. Positioning a unified command headquarters in either Korea or Japan could be perceived as "favoritism." PACOM's location in Hawaii establishes the combatant command headquarters within the region without being the "tenant" of any one nation. General Luck and Admiral Macke seem to have a harmonious working command relationship which, if confirmed, I would continue to foster.

#### POW/MIA MATTERS

The Commander in Chief, U.S. Pacific Command exercises command of Joint Task Force-Full Accounting, which is responsible for activities to achieve the fullest possible accounting of those who did not return from Southeast Asia.

*Question.* How important is this effort and what priority would you assign to it?

*Answer.* The mission of Full Accounting is certainly an emotional topic. Our efforts continue to be very important. We have achieved more results in the last 3 years than in the previous 20. Results continue to be gained incrementally; no dramatic breakthroughs are anticipated.

## ADAPTIVE JOINT FORCE PACKAGES

The concept of adaptive joint force packages has proven to be controversial. Virtually everyone sees the value in joint training, including the training of joint task force commanders.

*Question.* As commander, if confirmed, of one of the primary gaining commands of the forces prepared by USACOM, what are your views of the concept of adaptive joint force planning?

*Answer.* As commander, I share the responsibility to train assigned forces for joint warfare, but to do so in the geographic arenas in which I expect to employ those forces. USACOM prepares assigned forces for joint operations and ensures they possess the specific combat capabilities the other Combatant Commanders have identified through their joint mission essential task list. Combatant Commanders share in the responsibility to identify specific combat capability required as they develop contingency plans for their respective areas of responsibility. Adaptive joint force planning allows us to pull available forces together to meet evolving operational needs and to augment our forward based and forward deployed forces. The proper balance of these forces, to conduct most effectively and efficiently our tasks, is our objective.

*Question.* What role do you believe the commander of the gaining command should play in the configuration of the forces made available and the selection of the joint task force commander for operations within his area of responsibility?

*Answer.* Title 10 specifically states that Combatant Commanders are directly responsible to the President and the Secretary of Defense for the preparedness and performance of their commands to accomplish missions assigned. Title 10 also empowers combatant commanders to organize commands and forces within their commands as considered necessary to carry out assigned missions, to employ forces within their commands as considered necessary to carry out assigned missions, to assign command functions to subordinate commanders, and to select subordinate commanders. Pursuant to their responsibilities, I believe commanders of gaining commands have a critical and explicit role in determining the configuration of forces made available for mission accomplishment and the selection of the joint task force commander who will lead those forces to success.

That said, I stress that whenever possible it is preferable that the gaining commander convey to the providing command the capabilities needed for mission accomplishment rather than the exact configuration of forces to be provided. Specifying thoughtfully derived capabilities provides some latitude to the providing command and promotes innovative, efficient use of forces while minimizing the potential for conflict with other gaining commands with respect to competing demands on specific force packages.

## MAJOR CHALLENGES

*Question.* In your view, what are the major challenges confronting the next Commander in Chief, U.S. Pacific Command? If confirmed, what plans do you have for addressing these challenges?

*Answer.* The major military challenge in the Pacific theater continues to be North Korea. In addition to the decades-old threat of a short-warning invasion of South Korea, we now face the possibility of implosion born of economic failure and food shortages. Additionally, for the future safety of all, we must ensure that North Korea abides by the terms of the nuclear Agreed Framework. In addition to the diplomatic and economic initiatives taken by the United States, we in DOD are preparing for the far wider range of events than a straightforward North Korean attack on South Korea. We must ensure that our military readiness is maintained—and further increased as required—to deal with this broader range of eventualities. Admiral Macke and his staff in conjunction with CINCEUR have been working options and approaches masterfully in the interagency process and with countries in the region. I intend to continue this approach while simultaneously being responsible for the readiness of U.S. and combined military forces.

Of foremost importance is the U.S.-Japan security arrangement. This long-standing arrangement is the bedrock for peace and stability in Asia, not only for the United States, but for all nations in the region. Challenges threatening the security arrangement come from many quarters: trade, economics, land, localized anti-American sentiment, and an evolving Japanese political landscape, to name a few. Working with the other agencies, I would devote significant attention to further strengthening our unique security ties with Japan.

China and its emergence as an economic giant, presents a challenging opportunity to us all. The core of the challenge for the United States, working with our friends and allies, is to ensure that this emergence is mutually beneficial and preserves

peace, stability, and growth of the region. I view my primary role, as part of coordinated U.S. strategy, to engage the powerful People's Liberation Army in military-to-military dialog and activities. We know far less about this pervasive, conservative institution, and they know less about us than is needed to assist China's positive emergence.

Finally, there are the challenges of ensuring the continued stability and growth of the region both for the benefit of the United States and for the countries of Asia. An important part of my job continues to ensure this stability. The stability we see in Asia today is largely built on the foundation of U.S. presence and engagement. This stability has fostered unprecedented economic growth benefiting both the United States and Asia. Sustained high rates of growth in turn provide fertile ground for the emergence of democracy, free trade, and human rights. Many of the countries of Asia depend on this sustained growth; disruption, whether through conflict, protectionism, or unbridled competition will not only threaten relations between countries, but will call into question the legitimacy of existing governments. I plan to work in the inter agency process and with countries and fora in the region to maximize the U.S. military's contribution to peace, growth, stability, and shared prosperity.

#### MOST SERIOUS PROBLEMS

*Question.* What do you consider to be the most serious problems in the performance of the functions of Commander in Chief, U.S. Pacific Command? What management actions and timeliness would you establish to address these problems?

*Answer.* I see readiness of the force as the number one problem. As the United States reduces force structure, it becomes increasingly important that the readiness of our forces be unquestioned. Readiness stems from placing the right equipment in the hands of quality people, who are motivated and trained to defend U.S. interests. Each of these elements must be carefully weighed and balanced to ensure that we receive the greatest return on our scarce defense dollars. This requires continued awareness of readiness indicators and more subjective indications such as the morale of our troops. If confirmed, I will direct my personal attention to define further these indications and to monitor actively and report the trends in the overall force readiness. Where resources are required, I will work tirelessly with my chain of command to ensure our scarce resources are used effectively and efficiently.

Readiness is not simply a problem that can be fixed by a single bold stroke or even by money alone. Rather, it is a challenge that requires continuous attention to meet ever-changing demands of our security. By implementing an effective theater strategy that fosters security through engagement and participation, I hope to address these challenges and problems. Execution of a successful theater strategy requires careful application of resources. Forces, assets, funds, and programs must be efficiently managed in the Pacific to preclude any perception of U.S. withdrawal from the region and to support U.S. national interests. We must continue to maximize available resources to reassure our Asia-Pacific allies that we are ready and will be in the right place when needed.

Undoubtedly other, more specific challenges will arise. Through the coordinated and efficient use of the PACOM staff, component and subordinate commands, and the full spectrum of U.S. military support, I am confident that each can be effectively addressed.

#### QUALIFICATIONS

*Question.* If confirmed, you will be entering this important position at a time of heightened tensions and increased potential for conflict. What background and experience do you have that you believe qualifies you for this position?

*Answer.* My previous experience as Commander Sixth Fleet and currently as the Vice Chief of Naval Operations has given me a unique perspective of both joint warfighter and joint provider. In my role as NATO's Naval Striking and Support Forces Southern Europe, supporting our efforts in Bosnia-Herzegovina, I have gained experience in multilateral planning and operations that will be useful in the Pacific Region. Additionally, our staff developed a regional engagement model for South Europe and Medetarian literal based on Admiral Larson's model for the Pacific. Likewise, in my role as a member of the Joint Requirements Oversight Council, I have gained insight into joint requirements and policy issues germane to not only the Pacific Region, but also to each of the CINCS' AORs.

As a warfighter, my experience is extensive: Combat in Vietnam, commander at the squadron, carrier air wing, battle group, and numbered fleet levels. My time as a battle group commander from our West Coast included involvement in the growth of joint training as well as implementation of the Two Tiered JTF structure now

in use. I believe I have the solid background and experience necessary to further our nation's interests in the Pacific Region and am well versed on the potential conflicts and challenges of this region.

CONGRESSIONAL OVERSIGHT

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

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

Answer. Yes.

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

Answer. Yes.

*Question.* Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Commander in Chief, United States Pacific Command?

Answer. Yes.

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

Answer. Yes.

[The nomination reference of Adm. Joseph W. Prueher, USN, follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,  
SENATE OF THE UNITED STATES,  
*January 10, 1996.*

*Ordered,* That the following nomination be referred to the Committee on Armed Services:

The following named officer for reappointment to the grade of admiral in the United States Navy while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

*To be Admiral*

Adm. Joseph W. Prueher, 5092.

[The biographical sketch of Adm. Joseph Prueher, which was transmitted to the committee at the time the nomination was referred, follows:]

RÉSUMÉ OF SERVICE CAREER OF ADM. JOSEPH WILSON PRUEHER, U.S. NAVY

25 NOV 1942 .....	Born in Nashville, Tennessee
5 JUL 1960 .....	Midshipman, U.S. Naval Academy
3 JUN 1964 .....	Ensign
3 DEC 1965 .....	Lieutenant (junior grade)
1 DEC 1967 .....	Lieutenant
1 JUL 1972 .....	Lieutenant Commander
1 FEB 1979 .....	Commander
1 JUL 1985 .....	Captain
23 APR 1990 .....	Designated Rear Admiral (Lower Half) while serving in billets commensurate with that grade
1 FEB 1991 .....	Rear Admiral (Lower Half)
9 AUG 1993 .....	Designated Rear Admiral while serving in billets commensurate with that grade
1 SEP 1993 .....	Rear Admiral
20 NOV 1993 .....	Designated vice Admiral while serving in billets commensurate with that grade
1 JAN 1994 .....	Vice Admiral

19 APR 1995 .....	Designated Admiral while serving in billets commensurate with that grade Admiral—Service continuous to date
1 JUN 1995 .....	

Assignments and duties	From	To
NABTC, NAS, Pensacola, FL (DUINS) .....	JUN 1964	JUL 1965
NAAS, Kingsville, TX (DUINS) .....	JUL 1965	DEC 1965
Attack Squadron 43 .....	DEC 1965	FEB 1966
Attack Squadron 42 .....	MAR 1966	JUL 1966
Attack Squadron 75 .....	JUL 1966	JAN 1969
Attack Squadron 42 .....	JAN 1969	SEP 1969
Naval Test Pilot School, Naval Air Test Center, Patuxent River, MD (DUINS) .....	OCT 1969	JUN 1970
Naval Air Test Center, Patuxent River, MD (Project Pilot/Flight Instructor) .....	JUN 1970	JUL 1972
Naval War College (DUINS) .....	JUL 1972	JUL 1973
Attack Squadron 42 (DUINS) .....	AUG 1973	DEC 1973
Attack Squadron 34 (Operations/Administrative Officer) .....	DEC 1973	JUN 1976
Headquarters, Naval Material Command (Personal Aide to the Chief of Naval Material) .....	JUN 1976	OCT 1977
Office of CND (Surface Guided Weapons Program Coordinator) (OP-506F1) .....	OCT 1977	OCT 1978
Attack Squadron 42 (DUINS) .....	OCT 1978	MAR 1979
Attack Squadron 65 (XO) .....	MAR 1979	JUN 1980
CO, Attack Squadron 65 .....	JUN 1980	SEP 1981
CINCLANT (Deputy Asst. C/S for Studies and Analysis) .....	OCT 1981	JAN 1983
COMNAVAIRLANT (DUINS) .....	JAN 1983	JUN 1983
Commander, Carrier Air Wing SEVEN .....	JUN 1983	MAY 1984
CO, Naval Strike Warfare Center, Fallon, NV .....	MAY 1984	MAR 1986
Immediate office of Secretary of the Navy (F-A and Naval Aide to SECNAV) .....	MAR 1986	MAY 1987
COMNAVAIRLANT (DUINS) .....	MAY 1987	JUL 1987
Commander, Carrier Air Wing EIGHT .....	JUL 1987	DEC 1988
United States Naval Academy (Commandant of Midshipmen) .....	FEB 1989	JAN 1991
National Defense University (DUINS) .....	FEB 1991	MAR 1991
Commander Carrier Group ONE .....	APR 1991	NOV 1993
Commander SIXTH Fleet/Commander Naval Striking and Support Forces, Southern Europe .....	DEC 1993	APR 1995
Vice Chief of Naval Operations .....	MAY 1995	TO DATE

#### Medals and awards:

Defense Distinguished Service Medal.

Legion of Merit with four Gold Stars in lieu of subsequent awards.

Distinguished Flying Cross.

Defense Meritorious Service Medal.

Meritorious Service Medal with two Gold Stars in lieu of subsequent awards.

Air Medal with Combat "V", Numeral "8" and three Gold Stars in lieu of subsequent awards.

Navy Commendation Medal with Combat "V" and two Gold Stars in lieu of subsequent awards.

Navy Achievement Medal with Combat "V" and two Gold Star in lieu of subsequent awards.

Presidential Unit Citation.

Joint Meritorious Unit Award.

Navy Unit Commendation with one Bronze Star.

Meritorious Unit Commendation with one Bronze Star.

Navy "E" Ribbon with two "E's".

Navy Expeditionary Medal with one Bronze Star.

National Defense Service Medal with one Bronze Star.

Vietnam Service Medal with one Silver Star and four Bronze Stars.

Sea Service Deployment Ribbon with one Silver Star.

Republic of Vietnam Gallantry Cross Unit Citation.

Republic of Vietnam Campaign Medal.

Expert Pistol Shot Medal.

#### Special qualifications:

BS (Naval Science) U.S. Naval Academy, 1964.

Designated Naval Aviator (HTA): 29 December 1965.

U.S. Naval Test Pilot School Graduate, 1970.

MS (International Affairs) George Washington University, 1973.

Graduate of Naval War College, 1973.

Designated Joint Specialty Officer, 1988.



Language Qualification: French (Knowledge).

*Personal data:*

Wife: Suzanne Pearce of Petersburg, Virginia.

Children: Anne B. Prueher (Daughter), born: 30 May 1971; Joshua W. Prueher (Son), born: 27 January 1974.

*Summary of joint duty assignment:*

Assignment	Dates	Rank
Deputy Assistant Chief of Staff, Studies and Analysis, U.S. Atlantic Command	OCT 81-JAN 83	CDR
Commander SIXTH Fleet/Commander Naval Striking and Support Forces, Southern Europe	DEC 93-APR 95	VADM

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Adm. Joseph W. Prueher, USN, in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF  
NOMINEES FOR CERTAIN SENIOR MILITARY POSITIONS

INSTRUCTIONS TO THE NOMINEE: 1. Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

2. If you have completed this form in connection with a prior military nomination, you may use the following procedure in lieu of submitting a new form. In your letter to the Chairman (see Item 2 of the attached information), add the following paragraph to the end:

"I hereby incorporate by reference the information and commitments contained in the Senate Armed Services Committee form 'Biographical and Financial Information Requested of Nominees for Certain Senior Military Positions,' submitted to the committee on [insert date or your prior form]. I agree that all such commitments apply to the position to which I have been nominated and that all such information is current except as follows: . . ." [If any information on your prior form needs to be updated, please cite the part of the form and the question number and set forth the updated information in your letter to the Chairman.]

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)  
Joseph Wilson Prueher.

2. **Position to which nominated:**  
Commander in Chief, U.S. Pacific Command.

3. **Date of nomination:**  
January 10, 1996.

4. **Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

**5. Date and place of birth:**

November 25, 1942, Nashville, TN.

**6. Marital Status:** (Include maiden name of wife or husband's name.)

Married, Suzanne Pettit Pearce Prueher.

**7. Names and ages of children:**

Anne Brooks Prueher (24); Joshua Wilson Prueher (21).

**8. Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.

None other than those listed in the service record extract.

**9. Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None.

**10. Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Association of Naval Aviation, since 1976.

The Retired Officers Association, since 1989.

U.S. Naval Institute, since 1989.

Naval Academy Athletic Association, since 1989.

U.S. Naval Academy Alumni Association, since 1989.

Naval Aviation Museum Foundation, since 1990.

Army-Navy Club (social), since 1987.

The Tailhook Association, since 1992 (also member 1984-1987).

**11. Honors and awards:** List all memberships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

U.S. Navy League Award for Inspirational Leadership, 1984.

**12. Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

**13. Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the administration in power?

Yes.

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[The nominee responded to the questions in Parts B-E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B-E are contained in the committee's executive files.]

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SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

JOSEPH W. PRUEHER.

This eleventh day of January 1994.

[The nomination of Adm. Joseph W. Prueher, USN, was reported to the Senate by Senator Strom Thurmond on January 26, 1996, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on January 30, 1996.]

[Prepared questions submitted to Gen. Joseph W. Ralston, USAF, by Senator Thurmond prior to the hearing with answers supplied follow:]

DEPARTMENT OF THE AIR FORCE,  
HEADQUARTERS AIR COMBAT COMMAND,  
Langley, Air Force Base, VA, January 22, 1996.

Hon. STROM THURMOND,  
Chairman, Committee on Armed Services,  
U.S. Senate,  
Washington, DC.

DEAR MR. CHAIRMAN. Thank you for the opportunity to respond to the questions from the Senate Armed Services Committee. It is an honor to have been nominated by the President to be Vice Chairman, Joint Chiefs of Staff. I respectfully submit the enclosed responses to your questions on the important defense policy and management issues and look forward to working with you and the Committee.

Sincerely,

JOSEPH W. RALSTON,  
General, USAF Commander.

Enclosure.

cc: Senator Sam Nunn,  
Ranking Minority Member.

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## QUESTIONS AND RESPONSES

### DEFENSE REFORMS

More than 9 years have passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms. You have had an opportunity to observe the implementation and impact of those reforms, particularly in your assignment as Commander, Alaskan Command, Deputy Chief of Staff for Plans and Operations, and most recently as Commander, Air Combat Command.

*Question.* Do you support full implementation of these defense reforms?

Answer. Yes, the Defense Reorganization Act of 1986 and the Special Operations reforms have significantly strengthened our Armed Forces.

*Question.* What is your view of the extent to which these defense reforms have been implemented?

Answer. I believe these reforms have been fully accepted and integrated into the Armed Services. The organization of and communication between the President, the Secretary of Defense, the Chairman and our warfighting combatant commanders—the nine Commanders in Chief (CINCs) are sound. The effectiveness of our joint warfighting forces has significantly improved. Our best and brightest officers are educated in joint military schools and serve together in joint assignments. I am confident we will continue these efforts and remain vigilant that the full intent of the reforms is realized.

*Question.* What do you consider to be the most important aspects of these defense reforms?

Answer. The most positive aspect of the legislation is the significant improvement of the effectiveness of our joint fighting forces. In clearly defining the responsibilities of the Chairman of the Joint Chiefs of Staff and the Combatant Commanders, the Goldwater-Nichols Act has resulted in much needed improvements in joint doctrine, joint professional military education, strategic planning, and, as seen in the Gulf War, joint execution by our fighting forces. I expect the momentum gained thus far to continue to drive improvements in quality even as our forces are reduced in size.

*Question.* Based on your assignment as Deputy Chief of Staff for Plans and Operations and your participation in meetings of the Operations Deputies, do you believe that the role of the Service Chiefs as Members of the Joint Chiefs of Staff under the Goldwater-Nichols legislation is appropriate and the policies and processes in existence allow that role to be fulfilled?

Answer. The existing role of the Service Chiefs is entirely appropriate. As a result of Goldwater-Nichols, service Chiefs are no longer directly involved in the operational employment of forces. This allows the Chiefs to concentrate on two primary roles. First, they are responsible for the organization, training and equipping of their respective forces to meet the CINCs' warfighting requirements. Next, as members of the Joint Chiefs of Staff, the Service Chiefs have a lawful obligation to pro-

vide military advice to the National Command Authorities. Individually, and collectively, the Joint Chiefs are also a source of experience and judgment that every CINC can call upon.

*Question.* Based on your assignment as Commander, Air Combat Command, the air component commander for U.S. Atlantic Command, U.S. Central Command, and U.S. Southern Command, do you believe that the role of the component commanders is appropriate and the policies and procedures of the combatant commanders allow that role to be fulfilled?

*Answer.* Yes, in my experience the focus of the component commander has continued to be on training, organizing and equipping the right level of forces to support each of the warfighting CINCs' requirements. From my perspective, the procedures each of the combatant commanders have in place allow the organizing, training and equipping role to be fulfilled subject to the authority, direction and control of the Secretary of Defense and the responsibilities of the CINCs.

#### DUTIES

Section 154 (c) of Title 10, United States Code, provides that the Vice Chairman performs the duties prescribed for him as a member of the Joint Chiefs of Staff and such other duties as may be prescribed by the Chairman with the approval of the Secretary of Defense. In his response to a question during his 1994 confirmation process, Admiral Owens advised that General Shalikashvili and he agreed that "we best serve our country and meet our responsibilities if we share oversight in as many areas as possible. Clearly, as the Vice Chairman, I would expect to be involved intimately in the details of the acquisition process through the Defense Acquisition Board and as Chairman of the Joint Requirements Oversight Council."

*Question.* What duties do you expect will be prescribed for you if you are confirmed as the Vice Chairman?

*Answer.* I agree with Admiral Owen's response in his 1994 testimony and believe that General Shalikashvili will continue to have us share oversight in as many areas as possible. I would expect to continue if confirmed, to be intimately involved in the acquisition process through the Defense Acquisition Board and as designated Chairman of the Joint Requirements Oversight Council. I am prepared to fulfill whatever responsibilities the Chairman prescribes for me.

*Question.* If you are heavily involved in the acquisition and internal program/budget processes within the Pentagon and also participate as a member of the deputies committee of the NSC, as Admiral Owens has done, how would you plan to keep sufficiently abreast of the myriad of issues that arise in these diverse areas?

*Answer.* As with every assignment I have had, I am committed to spending the time to understand and remain actively engaged in the myriad of diverse issues I will be asked to consider. Given the many different opportunities and experiences I've had in the requirements process, the program development process, the budget process and force allocation and execution processes—combined with the high caliber of highly dedicated officers serving in the joint arena, I have many tools at my disposal to help me in my duties.

*Question.* Do you believe that you can provide advice to the Secretary of Defense, the NSC and the President in disagreement with or in addition to the advice of the Chairman without jeopardizing your relationship with General Shalikashvili?

*Answer.* I look forward to working with a man of such high integrity as General Shalikashvili. I believe it is our responsibility as officers serving in the Armed Forces of this country to provide our best advice to our civilian leadership, even if we should happen to disagree with each other. I am confident General Shalikashvili and I are in complete agreement that I should fully meet my responsibilities as a member of the JCS.

#### RELATIONSHIPS

Section 162(b) of title 10, United States Code, provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Other sections of the law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Vice Chairman of the Joint Chiefs of Staff to the following offices:

##### *Under Secretary of Defense*

DOD Directives require Under Secretaries of Defense to coordinate and exchange information with DOD components having collateral or related functions; this would include the Vice Chairman. I would expect to interact frequently with the Under

Secretaries, particularly while being involved in the acquisition process and in directing the efforts of the Joint Requirements Oversight Council.

#### *The Assistant Secretaries of Defense*

With the exception of the Assistant Secretaries of Defense for C<sup>3</sup>I and Legislative Affairs, all Assistant Secretaries are subordinate to one of the Under Secretaries of Defense. This means any relationship the Vice Chairman would require with the Assistant Secretary of Defense for Strategy and Requirements, for example, would be through the Under Secretary of Defense for Policy. Since the Assistant Secretaries of Defense for C<sup>3</sup>I and Legislative Affairs are SecDef's principal deputy for overall supervision of C<sup>3</sup>I and Legislative Affairs matters respectively, any relations required between the Vice Chairman and ASD (C<sup>3</sup>I) of ASD (LA) would be conducted along the same lines as those discussed above regarding relations with the various Under Secretaries of Defense.

#### *The Chairman of the Joint Chiefs of Staff*

Title 10 clearly establishes the Vice Chairman shall perform duties as prescribed for him as a member of the Joint Chiefs of Staff and such other duties as prescribed by the Chairman. Pending specific guidance from the Chairman, I would expect to share oversight in as many areas as possible. As Chairman, General Shalikashvili is principal military advisor to the President, Secretary of Defense, and the National Security Council. He cannot afford to purposely exclude himself from certain matters by delegating them exclusively to me or anyone else. For my part, restricting my focus to narrowly-defined functional areas would limit my ability to regularly substitute for General Shalikashvili as Acting Chairman. As a result of daily contact to exchange information and opinions, I would strive to represent his views in those fora where I am his representative.

#### *The Assistant to the Chairman of the Joint Chiefs of Staff*

I know that the assistant to the Chairman has wide ranging assignments to represent the Chairman in the interagency process in Washington. What the assistant knows and can share with the Vice Chairman about the interagency process and on matters of personal interest to the Chairman is useful and will be requested.

#### *The Director of the Joint Staff*

As the Director and the Joint Staff support the Chairman in meeting Title 10 responsibilities to provide for unified strategic direction of the combatant forces, their operation under unified command, and their integration into an efficient, joint fighting force, I would expect frequent interaction between the Vice Chairman and the Director, Joint Staff, particularly when the Vice is acting for the Chairman. If confirmed, I would depend heavily on the Director and the Joint Staff to assist me in carrying out my many responsibilities as we both support the efforts of the Chairman.

#### *The Secretaries of the Military Departments*

With involvement in the acquisition and internal program/budget processes, as well as the Vice Chairman's directing the efforts of the Joint Requirements Oversight Council, I would expect significant interaction and close coordination with the Secretaries of the Military Departments.

#### *The Chiefs of Staff of the other Services*

The Service Chiefs have two significant roles. First and foremost, they are responsible for the organization, training, and equipping of their respective Service. Next, as members of the Joint Chiefs of Staff, the Service chiefs have a lawful obligation to provide military advice. Individually and collectively, the Joint Chiefs are a source of experience and judgment. If confirmed, I would expect to maintain the same sort of relationship with the other Joint Chiefs of Staff as exists today.

#### *The combatant commanders*

Particularly when acting for the Chairman and therefore as spokesman for all of the combatant commands, the Vice Chairman must be in constant communications with each in order to present the best possible military advice to the President and Secretary of Defense. If confirmed, I expect to continue the same relationship which exists between the Vice Chairman and the combatant commanders, one of mutual respect, trust and confidence.

## REVOLUTION IN MILITARY AFFAIRS

There has been much talk of a revolution in military affairs in recent times, and discussion that revolution calls for putting new technologies to work and changing organization to win future conflicts.

*Question.* Do you agree that there is such a revolution in military affairs, and that it will have far reaching consequences?

*Answer.* In my view the revolution in military affairs refers to the recognition that future war will be fought in the context of an information rich battlefield—and we must recognize and prepare for that change. This recognition calls for a different way of thinking about battle, as well as the training and equipping to prepare for it. In an environment of ever-increasing information, the commander will have staggering situational awareness, e.g. locations and status of friendly and enemy forces, up-to-the-second data on weather, terrain and casualties, the number of specific weapons available in the same timeframe, etc.

There are many tools associated with recognizing and preparing for the revolution in military affairs: communications, computers, unmanned aerial vehicles, precision-guided munitions, sensor-fused weapons, and others. Since the reforms of the Defense Reorganization Act of 1986 and the Special Operations reforms have been fully accepted and integrated into the Armed Services, I believe they have provided the growing capability for each service to mesh its unique contribution to this preparation. The real challenge of our future is to understand more precisely, what we recognize intuitively, that the information age battlefield will be very different, and the force that masters the means and methods will have a decisive advantage.

## BUDGET ISSUES

Recent press accounts have portrayed the military leadership as advocating increases in procurement accounts in the immediate future rather than in the out years. This committee purposely provided a bill with increased procurement of systems in production to ensure our forces have the weapons and systems to fight and win with.

*Question.* How long do you believe our armed forces can go without a rebound in procurement, considering the large cuts in the last ten years?

*Answer.* I believe we have done a reasonable job in balancing force structure, readiness and modernization. But, in my judgment, we have come very close to the margin with respect to modernization. I believe we must address the recapitalization of all the Services in the FY98 budget process that the Services, the Joint Staff and OSD are undertaking at this time. I believe we must work with the Congress to clearly articulate our most pressing needs so that the Executive and Legislative Branches come to a mutually acceptable solution to the future readiness of our Armed Forces.

*Question.* As we look ahead, the prospect of increased defense spending is limited. Assuming that the defense budget remains at a constant rate, where would you recommend the Services should focus their limited fiscal resources?

*Answer.* The services must first program the forces that are required to meet the national military strategy. Secondly, these forces must be ready to meet the CINCS tasking. The services must also program adequately for the future—by prudent modernization. If any of these three basic elements get out of balance, we place the Nation at risk. Therefore, the services must focus their limited fiscal resources on attaining and maintaining this carefully constructed balance.

*Question.* The JAST program is changing from a technology demonstration to a long term acquisition program. Do you think the JAST program will provide the necessary capabilities for the Air Force, Navy and Marine requirements, or will the services work to prevent each others' requirements being met through the process?

*Answer.* The JAST program is moving in the right direction and offers great potential towards achieving an affordable solution to meet our joint warfighting needs. I know from personal experience the services have made much progress toward achieving the high degree of commonality needed to keep costs down while ensuring each service gets the minimum necessary capabilities that they require. This should be our focus—*maximum commonality* while meeting *minimum necessary* capabilities for each service. We should recognize that this will not result in one model of aircraft. If we keep this focus then I believe all the services will cooperate in reaching this goal.

*Question.* Modernization of the force continues to be a concern, as procurement accounts continue to decline. Recent budget requests have not included sufficient recapitalization of major end items to maintain the levels outlined by the national military strategy. How do you propose to overcome this bow wave of equipment that will have to be purchased in the out years?

Answer. First we have to look for opportunities to eliminate unnecessary and unaffordable duplication. This is a fundamental responsibility of the JROC. Next, savings through increased commonality can be achieved. Privatization should result in substantial savings. Finally, we absolutely must reduce the timelines required to field new weapon systems. I believe that acquisition reform gives us the greatest opportunity to reduce the bow wave. If confirmed, I will personally work to achieve savings in all of these areas.

*Question.* Contingency and on-going operations continue to be a draining factor on the force's readiness. How do you propose to control personnel tempo, especially on the low density skills and the adverse effects on operations and maintenance funding?

Answer. I am always concerned with the effect of PERSTEMPO on the force. However, I see in my travels that morale and retention throughout the force is high. Although there remains concern over the long-term impact of increased operations, only localized areas of adverse impact have been noted and these are being addressed by the Services and the Joint Staff. We must continually monitor the levels of operations and their effects to ensure we maintain a ready and capable force. We must review ways to reduce the level of operations through avenues such as reduction in or combining of exercises. The proper employment of Reserve Forces to augment active forces can improve personnel tempo by carefully providing the right mix of forces and capabilities for selected contingencies/crises, as well as exercise support and peacetime augmentation.

From personal experience, the Reserve Components have been particularly helpful to the Air Force in mitigating the adverse PERSTEMPO for many of our systems. If confirmed, I will work to ensure PERSTEMPO impacts are considered in all proposed contingency operations.

*Question.* With emphasis being placed on the procurement of major end items and pieces of equipment, do you feel we are procuring sufficient amounts of less glamorous type items or common soldier type things?

Answer. It is evident by the requests made by the Services for fiscal year 1996 that we are wearing out much of our low end but very integral equipment. Replacement of smaller end items such as trucks, tents, small arms, etc. is part of our modernization challenge. The high visibility systems depend on the infrastructure that supports them. We cannot lose our focus on the totality of our fighting capability as we work through our resource decisions for the 21st Century. "Less glamorous" may mean an item that does not make a budget briefing chart taken to Capitol Hill, but can not translate into forgotten resourcing. A soldier with poor web belting, tents, and trucks is less combat effective regardless of the C<sup>4</sup>I we develop. High and low technology must come together to keep our fighting force the best in the world.

#### JOINT REQUIREMENTS OVERSIGHT COUNCIL (JROC)

Under Admiral Owens' leadership, a new analytic process—the Joint Warfighting Capability Assessments (JWCA)—was created to support deliberations of the Expanded Joint Requirements Oversight Council (JROC). Admiral Owens views the JROC process as a catalyst in managing and using the revolution in military affairs from a joint perspective. One critic views it as an additional layer of programming and budgetary review on top of an excessively detailed exercise in minutia and as detracting from the Joint staffs rightful strategic and operational planning focus.

*Question.* What is your understanding of the present mission and focus of the JROC?

Answer. My understanding of the mission and focus of the JROC is that its purpose was to create a senior military, multi-service review of the needs and requirements of the Services and the CINCs for the purpose of reducing redundancies where appropriate, and insuring joint program and system interoperability. Additionally, a major part of the JROC focus is assisting the Chairman in his title 10 responsibilities to provide advice and recommendations on alternative programs and budget proposals.

In order to provide advice on alternative programs and budget proposals, the JROC must necessarily review the Service programs. The Services—particularly at the staff level—could well view this process as redundant. However, I strongly believe the current focus of the JROC is necessary and appropriate.

*Question.* Do you agree with that mission and focus?

Answer. Absolutely. The JROC plays a valuable role in identifying the best possible joint military capability for the Nation. This senior level council can get to the heart of joint resources for our Nation's defense. The time and energy I see devoted

by this group and the results they have tendered thus far are most impressive. I hope, if confirmed, to contribute to this on-going effort.

*Question.* Do you believe that any changes are needed in the mission and focus of the JROC?

*Answer.* I believe the current focus is correct. With each Chairman's Program Recommendation and Program Assessment, I have seen the process institutionalized within each service as both a methodology and a spirit that can only lead to better deliberations on the key resource decisions facing our military for the next century.

*Question.* The Joint Requirements Oversight Council (JROC) has recently played a more important role in rationalizing Defense systems requirements across the services. Traditionally, the Joint Requirements Oversight Council (JROC) has focused on the procurement of warfighting systems and requirements. Do you see the JROC being expanded as a vehicle to evaluate a service's entire program (e.g. current readiness, housing, quality-of-life, and medical care)?

*Answer.* If the JROC's charter is expanded too broadly we run the risk of losing focus on the critically important elements that only the JROC is equipped to address. My personal belief is that the Services and OSD are in a better position at this time to do detailed evaluation of the Services entire program.

*Question.* How would you use the JROC during the coming years?

*Answer.* I believe the current focus of the JROC is correct and I would strive to continue the direction established by General Shalikashvili and Admiral Owens. I believe the JROC should serve as the major forum in preparing the Chairman to provide military advice, alternative programs and budget proposals.

#### JOINT TRAINING AND ADAPTIVE JOINT FORCE PACKAGES

U.S. Atlantic Command's implementation of its responsibility for joint training of assigned forces and the concept of adaptive joint force packages has proven to be somewhat contentious. As the Air Force component commander for three combatant commanders since June 1995, you have been in a position to observe the maturation of such implementation.

*Question.* What are your views of the viability of these policies and their implementation to date?

*Answer.* The Presidential decision to change the Unified Command Plan (UCP) in 1993 to place one of the five geographic CINCs in charge of ensuring our CONUS based forces are jointly trained and ready to perform their missions in increasingly complex environments around the world came as a result of the confluence of several forces: the DOD Reorganization Act of 1986 (Goldwater-Nichols); Desert Shield/Desert Storm lessons learned; and CJCS Gen. Colin Powell's Report on the Roles and Missions of the Armed Forces. All pointed toward the increased need for preparing our forces for joint operations.

As with any new concept of this magnitude, a period of development should be expected. From my vantage point, I would say we have achieved much in less than three years. The Commander in Chief USACOM uses a board of directors approach in managing change and I have been included in the process. We have worked hard to blend joint training exercises and component training requirements to eliminate unnecessary duplication. We still have a way to go but I believe we have made much progress.

With regard to packaging of joint forces, Air Combat Command routinely deploys squadrons of aircraft as the basic combat unit. We tailor—or adapt—the deploying force to the requirements of the Joint Force Commander. This approach has worked well in the past and is working well today.

#### ROLES AND MISSIONS

*Question.* The Commission on Roles and Missions completed its report last year and Secretary Perry has forwarded his recommendations to the Congress. Are there any roles and missions issues which you believe might save critical resources without jeopardizing the effectiveness of the military forces?

*Answer.* The Department of Defense has already made significant progress in acting on key recommendations in the Roles and Missions Report. DOD has shown strong support for the commission's recommendation to improve the operation of, and possibly downsize, the operational support (OSA) fleet. The Chairman of the Joint Chiefs of Staff directed a study of OSA wartime requirements. This study was completed in October 1995, and determined that the OSA wartime requirement was 391 aircraft. This validated requirement will allow the Department to reduce the OSA fleet by 160 aircraft (551 to 391). With the USTRANSCOM study to recommend the adoption of streamlined, consolidated scheduling system for the OSA



fleet, I believe substantial resources will be saved while increasing operational efficiency.

The Department also strongly endorsed the Commission's recommendation to conduct an assessment of all deep attack systems to determine appropriate force size and mix. The Office of the Secretary of Defense and the Joint Staff have initiated a comprehensive study in this area. This assessment will identify force size and mix, as well as the a C<sup>4</sup>I architecture to support timely, effective deep attacks, and procedures for integrating the employment of our many deep attack systems. If confirmed, I will be a part of that assessment.

I also see potential savings and increased efficiency from the Commission's recommendations to out source commercial-type support activities (e.g. education and training, family housing, finance and accounting, data center operations, and base infrastructure operations), depot maintenance, and direct support of new weapon systems. A department-wide Integrated Process Team (IPT) chaired by the Deputy Secretary of Defense, was created to implement these proposals. In general, the IPT seeks to ensure broad private sector participation while maintaining adequate management control and adequate capability to meet surge requirements during wartime.

With respect to the cross-Service interoperability initiatives cited by the Commission, I see significant potential savings. The Joint Staff is conducting an Electronic Warfare mission area assessment to be completed in April 1996. Based on these findings, the decision will be made on appropriate upgrades to the EA-6B fleet which will serve as the single airborne electronic warfare platform for both the Air Force and the Navy.

*Question.* The Bottom-Up Review is based on a military strategy of our forces being capable of fighting two nearly-simultaneous Major Regional Conflicts (MRC). In your opinion, is this an appropriate strategy? Are our forces, as currently programmed, capable of executing this strategy?

Our National Military Strategy (NMS) of flexible and selective engagement is appropriate for the post-Cold War international security environment. Its strategic components are peacetime engagement, deterrence and conflict prevention, and the capability to fight and win. The requirement within that strategy to be able to successfully respond to two nearly simultaneous Major Regional Contingencies (MRC) is also appropriate. The U.S. is a global power with global interests. The need to be able to deter and defeat aggression in more than one part of the world has marked much of our history in this century. In the recent past the validity of this requirement was again proven by the need to respond in 1994 to dual crises caused by Iraqi and North Korean threats. Our ability to reinforce both theaters served to deter aggression.

In my opinion, we need to ensure that we not only have the capability to successfully respond to two nearly simultaneous MRCs, but have sufficient forces to meet our peacetime contingency requirements. In some cases, the peacetime requirement requires greater force levels than the two MRC scenario.

With respect to the capabilities of our forces, we are able to execute two nearly simultaneous MRCs with the funding requested from Congress. Analysis, commanders' assessments, and war games have concluded that programmed forces can support the National Military Strategy. Of course, we need to continue to keep a close watch for any disconnect developing between strategy and resources. Sufficient funding is essential to provide for the key BUR identified modernizations and enhancements to the force to meet today's and tomorrow's security challenges.

#### LESSONS LEARNED FROM THE PERSIAN GULF WAR

*Question.* The United States is currently recognizing the 5th Anniversary of the Persian Gulf War. What in your judgment are the most important lessons learned from that conflict and how are these lessons applicable to the current operation of our Armed Forces?

*Answer.* The Persian Gulf War gave us volumes of lessons learned, and it is very difficult to say which one area is most important. Most likely the primary lesson learned is that we must not be lulled into thinking that Desert Shield and Desert Storm are a model for operations now, or in the future. The Gulf War was truly unique in the amount of time we had to prepare and the limited response of our foe. Therefore, the lesson we should carry forward from the Gulf War is that preparedness for a conflict begins long before the crisis. In many respects, the forces that go to war are the product of earlier decisions and as we complete our planned draw-down and the defense budget becomes relatively smaller, it is important to improve upon the things that ensured our readiness for Operations Desert Shield and Desert Storm. These include: forward presence, military-to-military contacts to fa-

cilitate regional operations, security assistance to improve regional stability, joint and combined exercises under realistic conditions and continued investments in deployment infrastructure, mobility capabilities and R&D. Maintaining our technological edge has always been one of the more important aspects of preparedness to deter crisis and protect U.S. interests. However, we can not forget that technology is only one part of the equation which excelled in the Gulf War, the other crucial element being the high quality service members who can use the advanced equipment in innovative and efficient ways.

As to the volume of specific lessons learned I spoke of earlier, we have initiatives ongoing which will improve our capability. We must continue to communicate our lessons learned in order to be a more efficient and effective force.

#### CONTRIBUTION TO THE OFFICE OF THE VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF

*Question.* You will be the fourth officer to occupy the office of the Vice Chairman of the Joint Chiefs of Staff. Each of your predecessors is recognized for making a specific contribution toward establishing the credibility of that office. What do you expect to be your most significant contribution to the history of the office?

*Answer.* I believe we are in a period of constrained resources coupled with expanding requirements for U.S. military presence around the world. We can only accomplish our goals by aggressively seeking ways to more efficiently and effectively modernize our forces. I will work closely with the Under Secretary of Defense for Acquisition and the services to make our requirements process more responsive and more willing to embrace commercial practices to fulfill our operational requirements. By significantly reducing the time to field new weapon systems, primarily through streamlining our acquisition processes, we can significantly reduce the cost of modernizing our forces.

#### MAJOR CHALLENGES

*Question.* In your view, what are the major challenges confronting the next Vice Chairman of the Joint Chiefs of Staff?

*Answer.* In my view our greatest challenges stem from the limited resources we can expect to receive, balanced with the appropriate amount of force readiness and modernization to provide for the strongest national defense. Consolidating the views of the CINCs into a process which reasonably considers how to achieve this balance will be part of my duties and will be of great importance to our future defense posture.

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

*Answer.* I will look for ways to be most effective in pursuing joint solutions where they make the most sense to address shortfalls or finding more efficient ways of doing our business. My experience working in the requirements process, the programming and budgeting process and the force application process has given me insight into how to develop consensus on many of these issues. I will work closely with General Shalikashvili, the services, the CINCs, our civilian leadership and the Congress in order that we achieve an integrated, strong national defense posture.

#### MOST SERIOUS PROBLEMS

*Question.* What do you consider to be the most serious problems in the performance of the functions of the Vice Chairman of the Joint Chiefs of Staff?

*Answer.* I know of no serious problems, only the challenges we have noted, and I look forward to the opportunity to continue the tremendous efforts of Admiral Owens and his predecessors.

*Question.* What management actions and timelines would you establish to address these problems?

*Answer.* I will look for ways to constantly reinforce the following message: never lose focus on the welfare of our young soldiers, sailors, airmen, and marines while maintaining the appropriate balance of readiness and modernization.

#### QUALIFICATIONS

*Question.* Section 155 (b) of title 10, United States Code, provides that the Vice Chairman of the Joint Chiefs of Staff must have the joint specialty and must have completed a tour of duty in a joint duty assignment. Have you been designated a joint specialist?

*Answer.* Yes.

*Question.* If so, on what basis did you receive that designation?

*Answer.* In 1988, the Air Force designated me as a Joint Specialty officer based on a combination of Joint Professional Military Education (JPME) and joint equiva-

lent duty. I graduated from National War College (NWC) in 1984. My joint equivalent duty was an assignment as special assistant for Low Observable Technology, HQ USAF, Washington DC from Jul 84–Feb 86. To complete my general officer joint duty, I served as Commander, Alaskan Command, a subunified command of U.S. Pacific Command (USPACOM) and Commander, Alaskan North American Air Defense Command (NORAD) region from 1992–1994.

*Question.* If not, has the President determined that a waiver in your case is necessary in the national interest?

*Answer.* I do not require a waiver.

*Question.* What background and experience do you have that you believe qualifies you for this position?

*Answer.* I believe that I have the right background to bring a balanced approach to the job of Vice Chairman of the Joint Chiefs of Staff. I have spent over 12 years in operational flying assignments where I worked with the other services either in combat or preparing for combat operations. I have spent another 12 years in assignments directly related to the formulation of operational requirements. These latter assignments include service as the Department of Defense Director of Low Observable Technology, the Director of Tactical Programs for the Assistant Secretary of the Air Force for Acquisition, and the Air Force Director of Operational Requirements. I have worked directly with the Joint Requirements Oversight Council (JROC) and its predecessor, the Joint Requirements Management Board (JRMB) since 1984 and have seen the Department of Defense's requirements formulation function evolve to its present state. Finally, I worked a broad array of high level planning and operational matters as the Air Force's Operations Deputy for the Joint Chiefs of Staff.

*Question.* According to the information provided to the committee, you have no prior service on the Joint Staff. How will this factor impact your performance as the Vice Chairman?

*Answer.* While I have not been assigned to the Joint Staff, I was assigned as the Air Force Operations Deputy to the Joint Chiefs of Staff and in that capacity I, along with my counterparts from the other services, reviewed all operational matters prior to their submittal to the Joint Chiefs of Staff. I believe this experience is invaluable to allow me to exercise the duties and responsibilities of the Vice Chairman of the Joint Chiefs of Staff, if confirmed.

#### CONGRESSIONAL OVERSIGHT

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

*Question.* Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of the Congress?

*Answer.* Yes.

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

*Answer.* Yes.

*Question.* Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Vice Chairman of the Joint Chiefs of Staff?

*Answer.* Yes.

*Question.* Do you agree to ensure the testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

*Answer.* Yes.

[The nomination reference of Gen. Joseph W. Ralston, USAF, follows:]

#### NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,  
SENATE OF THE UNITED STATES,  
December 18, 1995.

*Ordered,* That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment as Vice Chairman of the Joint Chiefs of Staff and reappointment to the grade of general under the provisions of title 10, United States Code, Section 154:

## VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF

*To be General*

Gen. Joseph W. Ralston, 9172, USAF.

[The biographical sketch of Gen. Joseph W. Ralston, USAF, which was transmitted to the committee at the time the nomination was referred, follows:]

DEPARTMENT OF THE AIR FORCE,  
HEADQUARTERS UNITED STATES AIR FORCE,  
1040 AIR FORCE PENTAGON,  
Washington DC, December 20, 1995.

Hon. STROM THURMOND, *Chairman,*  
*Committee on Armed Services,*  
*U.S. Senate,*  
*Washington DC.*

DEAR MR. CHAIRMAN: The President, under the provisions of Section 601, title 10 of the United States Code, has submitted to the Senate the nomination of the following general officer for reappointment to the grade of general with assignment as indicated:

Name, grade and SSN	Age	Assignment (from/to)
Joseph W. Ralston General 9172.	52	From Commander, Air Combat Command Langley AFB, VA—To Vice Chairman of the Joint Chiefs of Staff Pentagon, Washington, DC.

General Ralston is replacing Admiral William A. Owens, United States Navy, who is retiring. Confirmation action during December 1995 will help insure a smooth transition for General Ralston. This action will not result in the Air Force exceeding the number of generals authorized by law.

For the information of the Committee, I am enclosing a military history on General Ralston.

Sincerely,

EUGENE E. HABIGER,  
*Lieutenant General, USAF,*  
*Deputy Chief of Staff, Personnel.*

Attachment:  
Military History.

## MILITARY HISTORY OF GEN. JOSEPH WOOD RALSTON, USAF

*Date and place of birth:* 4 November 1943, Hopkinsville, Kentucky.

*Years of active service:* Over 30 years as of 24 July 1995.

*Schools attended and degrees:* Miami Univ, BA, 1965; Central Michigan Univ, MA, 1976; U.S. Army Command and General Staff College, 1976; National War College, 1984.

*Joint specialty officer:* Yes.

*Aeronautical rating:* Command Pilot.

*Major permanent duty assignments:*

Assignment	From	To
USAFR, Not on Active Duty	Jun 65	Jul 65
Stu Ofcr, Undergrad Pit Tng, 3645 Stu Sq, ATC, Laughlin AFB, TX	Jul 65	Sep 66
Stu Ofcr, USAF Opnl Tng Crs, F-105, 4523 CCTSq, TAC, Nellis AFB, NV	Sep 66	Apr 67
Plt, Tac Ftr, F-105, 67 TFSq, PACAF, Kadena AB, Japan	Apr 67	Aug 67
Plt, Tac Ftr, F-105, 12 TFSq, PACAF, Kadena AB, Japan	Aug 67	Jan 70
Plt, Tac Ftr, F-105F, 354 TFSq, PACAF, Takhli RTAFB, Thailand	Jan 70	Nov 70
Instr Plt, F-105, 66 FWSq, TAC, Nellis AFB, NV	Nov 70	Dec 71
Air Ops Ofcr, Air Superiority Div, DCS/Rqmts, Hq TAC, Langley AFB, VA	Dec 71	Jun 73
Acft Comdr, F-4, 335 TFSq, TAC, Seymour-Johnson AFB, NC	Jun 73	Aug 73
Asst Ops Ofcr, F-4, 335 TFSq, TAC, Seymour-Johnson AFB, NC	Aug 73	Jan 74
Asst Ch, Stan-Eval Div, 4 TFWg, TAC, Seymour-Johnson AFB, NC	Jan 74	Mar 74

Assignment	From	To
Ch, Stan-Eval Div, 4 TFWg, TAC, Seymour-Johnson AFB, NC .....	Apr 74	Jul 75
Stu, US Army Cmd & Gen Stf College, Hq Cmd, Ft Leavenworth, KS .....	Jul 75	Aug 76
Tac Ftr Rqmts Ofcr, Tac Div, AF/RDQRT, Hq USAF, Wash DC .....	Sep 76	Aug 79
Ops Ofcr, D/Ops, 68 TFSq, TAC, Moody AFB, GA .....	Aug 79	Oct 79
Comdr, 68 TFSq, TAC, Moody AFB, GA .....	Oct 79	Jul 80
Spec'l Asst to the Comdr, TAC, Langley AFB, VA .....	Jul 80	Nov 80
Exec Ofcr to the Comdr, TAC, Langley AFB, VA .....	Nov 80	Aug 83
Stu, National War College, NDU, Ft. McNair, Wash DC .....	Aug 83	Jul 84
Spec'l Asst for Low Observable Tech, AF/RD, Hq USAF, Wash DC .....	Jul 84	Feb 76
Comdr, 56 TTWg, TAC, MacDill AFB, FL .....	Feb 86	Feb 87
Asst DCS/Ops, Hq TAC, Langley AFB, VA .....	Feb 87	Jul 87
DCS/Requirements, Hq TAC, Langley AFB, VA .....	Jul 87	Jun 90
Dir, Tactical Prgrms, SAF/AQP, Hq USAF, Wash DC .....	Jun 90	Dec 91
Dir, Operational Rqmts, AF/XDR, Hq USAF, Wash DC .....	Dec 91	Jul 92
Comdr, Alaskan Command; Comdr, 11 AF; Comdr Alaskan NORAD Rgn; & Jt Task Force-Alaska, Elmendorf AFB, AK .....	Jul 92	Aug 94
Dep Chief of Staff, Plans and Ops, Pentagon, Wash DC .....	Aug 94	Jun 95
Comdr, Air Combat Command, Langley AFB VA .....	Jun 95	Present.

*Promotions and effective date:*

Second Lieutenant, 6 Jun 65.

First Lieutenant, 24 Jan 67.

Captain, 24 Jul 68.

Major, 1 Dec 73.

Lieutenant Colonel, 1 Apr 78.

Colonel, 1 Jun 81.

Brigadier General, 1 Mar 88.

Major General, 1 Aug 90.

Lieutenant General, 13 Jul 92.

General, 1 Jul 95.

*Decorations:*

Defense Distinguished Service Medal.

Air Force Distinguished Service Medal.

Legion of Merit with two Bronze Oak Leaf Clusters.

Distinguished Flying Cross with three Bronze Oak Leaf Clusters.

Meritorious Service Medal with two Bronze Oak Leaf Clusters.

Air Medal with three Silver Oak Leaf Clusters and four Bronze Oak Leaf Clusters.

Air Force Commendation Medal with four Bronze Oak Leaf Clusters.

*Summary of joint assignments:*

Assignments	Dates	Grade
Comdr, Alaskan Command; Comdr, 11 AF; Comdr, Alaskan NORAD Rgn; & Joint Task Force—Alaska, Elmendorf AFB AK.	Jul 92—Jul 94	Lt Gen
* Special Asst for Low Observables Technology, Deputy Chief of Staff/Research, Development & Acquisition, HQ USAF, Wash DC.	Jul 84—Feb 86	Colonel

\*Joint Equivalent

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Gen. Joseph W. Ralston, USAF, in connection with his nomination follows:]

UNITED STATES SENATE  
 COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF  
 NOMINEES FOR CERTAIN SENIOR MILITARY POSITIONS

INSTRUCTIONS TO THE NOMINEE: 1. Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

2. If you have completed this form in connection with a prior military nomination, you may use the following procedure in lieu of submitting a new form. In your letter to the Chairman (see Item 2 of the attached information), add the following paragraph to the end:

"I hereby incorporate by reference the information and commitments contained in the Senate Armed Services Committee form 'Biographical and Financial Information Requested of Nominees for Certain Senior Military Positions,' submitted to the committee on [insert date or your prior form]. I agree that all such commitments apply to the position to which I have been nominated and that all such information is current except as follows: . . ." [If any information on your prior form needs to be updated, please cite the part of the form and the question number and set forth the updated information in your letter to the Chairman.]

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

Joseph W. Ralston.

2. **Position to which nominated:**

Vice Chairman, Joint Chiefs of Staff.

3. **Date of nomination:**

December 18, 1995.

4. **Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**

November 4, 1943, Hopkinsville, Kentucky.

6. **Marital Status:** (Include maiden name of wife or husband's name.)

Married to Diane Dougherty Ralston.

7. **Names and ages of children:**

Christopher K. Ralston, 26; Paige A. Ralston, 25; David D. Streicker (s/son), 21; Sarah E. Streicker (s/daughter), 16.

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.

None other than that listed in my service record previously provided to the committee.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

Director, Armed Forces Benefit Association (not for profit insurance company) (non-compensated).

10. **Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Air Force Association.

Order of Daedalians.

Alumni Association, National War College.

Council on Foreign Relations.

11. **Honors and awards:** List all memberships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

None.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the administration in power?

Yes.

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[The nominee responded to the questions in Parts B-E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B-E are contained in the committee's executive files.]

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SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

JOSEPH W. RALSTON.

This 15th day of December 1995.

[The nomination of Gen. Joseph W. Ralston, USAF, was reported to the Senate by Senator Strom Thurmond on January 26, 1996, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on January 26, 1996.]





**NOMINATIONS OF LT. GEN. HENRY H. SHELTON, TO BE GENERAL AND COMMANDER IN CHIEF, U.S. SPECIAL OPERATIONS COMMAND; AND LT. GEN. EUGENE E. HABIGER, TO BE GENERAL AND COMMANDER IN CHIEF, U.S. STRATEGIC COMMAND**

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THURSDAY, FEBRUARY 1, 1996

U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:41 a.m., in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman of the committee) presiding.

Committee member present: Senator Thurmond.

Committee staff members present: George W. Lauffer, deputy staff director; and Shawn H. Edwards, receptionist.

Professional staff members present: Charles S. Abell, Gregory J. D'Alessio, Stephen L. Madey, Jr., Steven C. Saulnier, Cord A. Sterling, and Eric H. Thoemmes.

Minority staff members present: Arnold L. Punaro, minority staff director; Andrew S. Effron, minority counsel; Richard D. DeBobes, counsel; and Patrick T. Henry, professional staff member.

Staff assistant present: Deasy Wagner.

Committee members' assistants present: Richard F. Schwab, assistant to Senator Coats; Glen E. Tait, assistant to Senator Kempthorne; David W. Davis, assistant to Senator Hutchison; Patty Stolnacker, assistant to Senator Santorum; Andrew W. Johnson, assistant to Senator Exon; John P. Stevens, assistant to Senator Glenn; Lisa W. Tuite, assistant to Senator Byrd; Suzanne Dabkowski, assistant to Senator Robb; and John F. Lilley, assistant to Senator Lieberman.

**OPENING STATEMENT OF SENATOR STROM THURMOND,  
CHAIRMAN**

Chairman THURMOND. The committee will come to order.

The committee meets today to receive testimony concerning two very important nominations. Lt. Gen. Henry Shelton has been nominated for promotion to General, and to be Commander in Chief, United States Special Operations Command. Lt. Gen. Eugene Habiger has been nominated for promotion to General, and to be the Commander in Chief, United States Strategic Command.

We all know both these nominees very well. General Shelton is currently commander of the Army's 18th Airborne Corps at Fort Bragg, North Carolina. General Habiger is the Air Force Deputy Chief of Staff for Personnel in the Pentagon. I believe every member of the committee has their biographies, so there is no need for me to recite their records of challenging assignments and accomplishments. In the interest of time I would like to move as quickly as possible to the questions.

Before I yield to Senator Nunn—I guess he will be here in a few minutes—I would like to recognize the family members who are here today. General Habiger, I understand that your wife Barbara and your son Karl are here today. Ms. Habiger, would you and Karl raise your hands? I want to welcome each of you here today. I am delighted that you could be part of this important experience.

General Shelton, I understand your family could not join you here this morning.

The committee asked General Shelton and General Habiger to respond to a series of advance policy questions, and they have both responded to those questions. Without objection, I will make the questions and the responses part of the record.

General Shelton, if you have any opening remarks, we will give you the opportunity to address the committee at this time. General Habiger, we will offer you the same opportunity following General Shelton's remarks. You may proceed.

**STATEMENT OF LT. GEN. HENRY H. SHELTON, NOMINEE FOR APPOINTMENT TO THE GRADE OF GENERAL AND TO BE VICE COMMANDER, U.S. SPECIAL OPERATIONS COMMAND**

General SHELTON. Thank you very much, Senator Thurmond. I would just like to say that I am pleased to be here today. I am humbled by the nomination, and, if confirmed, look forward to working with you and the other Senators.

**STATEMENT OF LT. GEN. EUGENE E. HABIGER, NOMINEE FOR APPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER IN CHIEF, UNITED STATES STRATEGIC COMMAND**

General HABIGER. Mr. Chairman, I, too, am honored and humbled to be here today. It is ironic that almost 12 years ago to the day I stood before this group to brief them on how then the Strategic Air Command would counter the new SA-10 surface to air missile system, and it is again a pleasure to stand before this august group.

I would also like to express my appreciation to the Chairman, General Shalikashvili, the Secretary of Defense, Dr. Perry, and the President for their confidence and support in this nomination process.

Chairman THURMOND. I have several questions we ask of every nominee who appears before the committee. If each of you will respond to each question then we can move on to policy questions.

Have you adhered to applicable laws and regulations governing conflict of interest?

General SHELTON. Yes, sir.

General HABIGER. Yes, sir.

Chairman THURMOND. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

General SHELTON. No, sir, I have not.

General HABIGER. No, sir, I have not.

Chairman THURMOND. General Shelton, I note that you served in the Special Forces as a young officer in Vietnam. But despite your extensive experience as a combat leader in the Army, that seems to be the extent of your experience in Special Operations forces. Do you feel that you have enough Special Operations experience for the job as commander of Special Operations Command?

General SHELTON. Sir, I have served for over 32 years, as my record indicates, in every position from company to corps level. I have been very fortunate in being allowed to do that. My service has included attending U.S. Army Ranger school, which I completed and I was an instructor in the Ranger department. I completed Special Forces training, and as you indicated, led a Special Forces A Team in Vietnam. I am also a scuba and a free-fall qualified officer.

More recently, as the J-33, Deputy Director for Operations on the Joint Staff, I was responsible for worldwide control of current operations. This position not only involved special operations, but special technical operations and planning for counter-terrorism, reconnaissance, and counter-narcotics missions.

Most importantly, as Commander, Joint Task Force 180 during Operation UPHOLD DEMOCRACY in Haiti, where I was responsible for the planning and executing this operation. This position also involved the planning process for every type of special operations force and incorporating these forces into the overall plan for UPHOLD DEMOCRACY. These plans included not only the Army Rangers but also Special Operations Forces,—civil affairs, psychological operations, special operations aircraft, Navy Seals, and the Joint Special Operations Command. These forces include both active and reserve components.

Chairman THURMOND. General Habiger, the United States is currently planning to have all Peacekeeper ICBM's eliminated by 2003, pursuant to the START II treaty. But the fate of START II in Russia is uncertain at best. What contingency planning is required for Peacekeeper in case Russia fails to ratify START II, and when will we need to program resources for this purpose?

General HABIGER. Mr. Chairman, the Air Force has been working on contingency plans to phase out the Peacekeeper, assuming START II. If START II does not materialize, we have looked at the continuation of that major weapons system, and just looking at the programming process, we would have until the Program Objective Memorandum (POM) of the year 2000 in order to begin putting money into that program, and I am confident that we will be able to keep Peacekeeper online for as long as necessary, should START II not materialize.

Chairman THURMOND. General Shelton, according to unclassified sources approximately 45,000 Special Operations personnel from all the services are assigned to your future command. What percent of this number is provided by the Reserve components, and in what areas do the Reserves provide the greatest contribution?

General SHELTON. Mr. Chairman, I would like to provide an answer for the record although I know we have a large contingency of Reserve Component Forces.

(The information follows:)

Thirty-two percent of SOF are Reserve Component. The Reserves are employed in all areas but particularly in civil affairs, psychological operations, special forces, special boat units, and special operations squadrons. USSOCOM regularly assesses the proper mix of forces. The most recent assessment indicates the mix appears to be right. Specifically, based on actual contingencies, historical analysis, and projected requirements, the existing structure and mix is considered adequate to meet the requirements of the theater CINCs.

Chairman THURMOND. If you would like to answer that for the record it will be all right.

General SHELTON. For the record, in terms of the numbers, yes, sir. But in terms of the second part of the question, we do have a large number of Reserve special operations forces Reserves, where civil affairs and psychological operations forces are a large portion of the force as well as AC-130 crews in the Special Operations aircraft.

Chairman THURMOND. General Habiger, the Air Force has developed a proposal to use existing Minuteman facilities and missiles made available through the base closure process for a limited national missile defense system. I believe that the Strategic Command has been consulted on this idea. Do you believe that this concept is meritorious and deserves to be carefully considered?

General HABIGER. I am familiar with the proposal, Mr. Chairman, and I do agree if there is a requirement to deploy this system that it does have merit.

Chairman THURMOND. General Shelton, as the Commander of the 18th Airborne Corps you have under your command the 82nd Airborne Division. The armored gun system was being developed by the Army to replace the Sheridan armored reconnaissance vehicle in the 82nd Airborne Division. It appears that the Army may cancel the armored gun system program. If the program is canceled, how will you replace the Sheridan? What impact will this loss of mobile firepower have on the 82nd Airborne Division's rapid reaction capability?

General SHELTON. Mr. Chairman, the decision to cancel that program, as I understand it, was made after looking at all of the various alternatives available to General Reimer, the Army Chief of Staff. This was a tough decision for him to make, but had it to be made in order to preserve force structure in the Army.

We are currently looking at other tactics, techniques, and procedures we can modify the way we would normally conduct the airborne operation, which includes introducing the immediate ready company in the 24th Infantry Division (mechanized). This company is on the same timeline as the 82nd Airborne, moving quickly once the lodgement area or the air-head had been established by the 82nd. We will continue to explore other means of getting more firepower into the lodgement area, since we will not have the AGS to replace the Sheridan.

Chairman THURMOND. General Habiger, before this hearing I had asked you to respond in writing to numerous questions on the Department of Energy's nuclear weapons program. You responded that you were not sufficiently familiar with the details of these

matters to provide answers in the time available. Can I depend on you to provide your answers to these questions for the record as soon as possible?

General HABIGER. Absolutely, Mr. Chairman. If confirmed, you will have them very quickly.

(The information follows:)

Yes, I am in full agreement with the findings of the NPR. I am also in agreement with the Nuclear Weapons Stockpile Memorandum (NWSM) that establishes DOD's requirement for nuclear weapons. In combination with the Stockpile Stewardship and Management Plan, the NWSM delineates the requirements for the Department of Energy's infrastructure.

Yes, consistent with the responsibilities of my position.

The hedge called for in the NPR is intended to maximize the effectiveness of our forces should Russian START II implementation be interrupted for some reason. This hedge requirement is to allow upload of our weapons platforms and will be reviewed when we gain confidence that Russia's START II drawdown is "on track". Reactivation rates and timelines depend on the circumstances, but we will be able to react appropriately.

Yes.

No. There are two ways in which warheads in the Inactive Stockpile will be configured differently than warheads in the Active Stockpile. First, warheads in the Inactive Stockpile may have their tritium reservoirs removed. Second, those warheads will receive only modifications and alterations necessary for the warhead to be reactivated within the required timeliness DOD has been working closely with DOE in refining the guidance for the Inactive Stockpile to ensure it meets DOD requirements. [DELETED]

Yes, a post START II Inactive Stockpile will require tritium gas and limited lifetime components to meet upload hedge requirements.

DOD has established a requirement for tritium production, and we have been involved in the development of the DOE plan to supply tritium.

Yes, provided it receives proper funding and support. DOE has stated that, with or without START II, the "dual track" program for tritium production will be sufficient to meet DOD requirements.

Yes. The DOE strategy to provide adequate pits to support the projected stockpile includes programs to refurbish and re-qualify existing pits; manufacture new pits; and demonstrate the capability to expand the production capacity in response to operational requirements. With sufficient support and funding, this plan appears to be adequate.

Today, I believe that the stockpile is safe and reliable. The planned Science Based Stockpile Stewardship tools are designed to give us a degree of confidence in the stockpile that would not otherwise be possible without nuclear testing. Until all these tools are operational, some degradation in the safety and reliability of the stockpile might occur, but we cannot judge its significance at this time.

In the documentation available to us, there is insufficient detail for us to judge whether the FY97 budget proposal will be sufficient. As for out years, funding projections reflect major uncertainties and will have to be carefully scrutinized each year.

Until all of the currently planned tools under the Science Based Stockpile Stewardship program are operational, projected for 2007, there will be a gap in some of our monitoring capability, but not necessarily a gap in our confidence. That will depend on whether problems occur in the stockpile and how significant they are.

Over the past year, DOD has enjoyed a strong working relationship with DOE, and looks forward to continuing this relationship.

Stockpile stewardship, hydronuclear tests, and underground 500 ton tests are all useful ways to increase confidence in the safety and reliability of the stockpile. Science Based Stockpile Stewardship is necessary to provide nearly the same confidence in the safety and reliability of the stockpile without any of these tests.

Yes, I will look to the laboratory directors for their advice, as well as the advice of other experts, as I form my own assessment in the confidence in the safety and reliability of the stockpile.

The START II Treaty limit of 3,500 warheads only applies to deployed strategic nuclear weapons and not to stockpiles. [DELETED]

We are confident that the technical experts will determine the best production method, whether it involves accelerator technology or light water reactor technology, to meet all our tritium requirements.

In the President's 11 August 1995 announcement of Safeguards associated with a zero-yield Comprehensive Test Ban Treaty, CINCSTRAT was tasked to advise, through the Secretary of Defense, regarding confidence in the safety and reliability of the nuclear stockpile. USSTRATCOM is working within DOD and with DOE to develop reporting procedures that will allow CINCSTRAT to make an informed assessment in this regard.

DOE funding must be adequate to support the Stockpile Stewardship and Management Plan while maintaining the current surveillance and other stockpile support programs. Funding requirements will need to be carefully reviewed each year.

Chairman THURMOND. General Shelton, in your opinion are Special Operations personnel being selected for promotion and schools at a rate commensurate with the rest of the force fleet? If not, what are your plans to correct this inequity?

General SHELTON. Mr. Chairman, to the best of my knowledge, the selection rates for SOF soldiers are commensurate with the rest of the armed forces. I have not had a chance to look at that in great detail, but it will be an item of interest, if confirmed by this committee.

Chairman THURMOND. General Habiger, in your answers to the advanced questions submitted by the committee, you made reference to the nuclear posture review implementer which was signed by Secretary Perry on September 11th, 1995. Would you please provide the committee a copy of this document for our records?

General HABIGER. Yes, Mr. Chairman, I will do that.

Chairman THURMOND. Is there anything else either one of you would like to say?

General SHELTON. No, Mr. Chairman.

General HABIGER. I have nothing further to add, Mr. Chairman.

Chairman THURMOND. I want to thank you for your testimony, both of you. I know Senator Nunn and Senator Exon wanted to be here this morning, and they may submit some questions for the record, and I wish you would please answer those. Since we have a joint session of Congress, I will adjourn this hearing so we can go to the joint session.

There is nothing else, I believe, so the committee now stands adjourned.

[Whereupon, at 10:53 a.m., the hearing was adjourned.]

[Prepared questions submitted to Lt. Gen. Henry H. Shelton by Senator Thurmond prior to the hearing with answers supplied follow:

*January 31, 1996.*

Hon. STROM THURMOND, *Chairman,*  
*Committee on Armed Services,*  
*U.S. Senate,*  
*Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter of January 29, 1996, concerning my nomination for Commander in Chief, U.S. Special Operations Command. I feel honored to have received the nomination and look forward to appearing before the Senate Armed Services Committee as part of the confirmation process.

I respectfully submit my enclosed responses to the questions of the committee.

Sincerely,

HENRY H. SHELTON,  
*Lieutenant General, USA Commander.*

Enclosure.

cc: Senator Sam Nunn,  
Ranking Minority Member.

## QUESTIONS AND RESPONSES

## DEFENSE REFORMS

More than 9 years have passed since the reenactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms. You have had opportunity to observe the implementation and impact of those reforms, particularly in your assignments as Deputy Director for Operations, National Military Command Center, Deputy Director for Current Operations, and Commander, Joint Task Force, Haiti.

*Question.* Do you support full implementation of these defense reforms?

*Answer.* Yes, the Defense Reorganization Act of 1986 has significantly enhanced the readiness and warfighting capabilities of the US Armed Forces.

*Question.* What is your view of the extent to which these defense reforms have been implemented in general and the Special Operations reforms in particular?

*Answer.* My sense is that the reforms have been successfully implemented. CINCOSOC appears to enjoy a firm position of equality among the CINCs, and the Special Operations forces of this nation are without equal, largely as a result of the Defense Reorganization Act of 1986.

*Question.* What do you consider to be the most important aspects of these defense reforms?

*Answer.* I believe the legislation is accomplishing what Congress intended. It has clearly strengthened civilian authority by clarifying the chain of command from the National Command Authorities to the combatant commanders. Similarly, it has placed clear responsibilities on the unified commanders. Finally, the legislation ensures that the authority of the combatant commanders is commensurate with their responsibilities.

## RELATIONSHIPS

Section 162(b) of title 10, United States Code, provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Other sections of the law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander in Chief, United States Special Operations Command to the following offices:

*Question.* The Under Secretaries of Defense.

*Answer.* Current DOD Directives require Under Secretaries of Defense to coordinate and exchange information with DOD components, such as combatant commands, having collateral or related functions. Combatant commanders are expected to respond and reciprocate. Directives also stipulate that this coordination shall be communicated through the Chairman of the Joint Chiefs of Staff.

*Question.* The Assistant Secretaries of Defense.

*Answer.* With the exception of the Assistant Secretaries of Defense for C<sup>3</sup>I and Legislative Affairs, all Assistant Secretaries are subordinate to one of the Under Secretaries of Defense. This means a relationship SOCOM would require with the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, for example, would be through the Under Secretary of Defense for Policy. Since the Assistant Secretaries of Defense for C<sup>3</sup>I and Legislative Affairs are SecDef's principal deputies for overall supervision of C<sup>3</sup>I and legislative matters respectively any relations required between SOCOM and ASD(C<sup>3</sup>I) or ASD(LA) would be conducted along the same lines as those discussed above regarding relations with the various Under Secretaries of Defense.

*Question.* The Chairman of the Joint Chiefs of Staff.

*Answer.* Title 10 clearly establishes CJCS as the principal military advisor to the NCA. However, he serves as an advisor and is not, according to the law, in the chain of command that runs from the NCA directly to each combatant commander. The law does allow the President to direct that communications between him and the Secretary of Defense be transmitted through the Chairman, and President Clinton has directed this to happen in the recently revised Unified Command Plan. This action keeps the Chairman in the loop so that he can execute his other legal responsibilities. So I see it as a CINC's duty to work with and through—but never around—the Chairman to provide for the security of his command and execute NCA directed taskings.

*Question.* The Vice Chairman of the Joint Chiefs of Staff.

*Answer.* When functioning as the acting Chairman, the Vice Chairman's relationship with CINCs is exactly that of the chairman. The 103rd Congress amended title 10 to give the vice Chairman the same right and obligation that other members of the Joint Chiefs of Staff have to submit an opinion or advice to the President, Na-

tional Security Council, or Secretary of Defense if their views disagree with those of the Chairman. If confirmed, I would readily listen to the Vice Chairman's thoughts on any general defense matter considered by the Joint Chiefs of Staff. Finally, because the Vice Chairman also plays a key role on many boards and panels that effect programming and therefore the preparedness of SOCOM, I believe his insights are extremely valuable and I would certainly seek his counsel.

*Question.* The Assistant to the Chairman of the Joint Chiefs of Staff.

*Answer.* The Unified Command Plan makes the geographic CINC the single point of contact for providing US military representation within his assigned area of responsibility. To meet this responsibility, CINCs must be fully engaged in the interagency process as it considers matters under their cognizance. The Assistant to the Chairman has an extensive charter to represent the Chairman in the interagency process here in the Nation's capital. While there are no direct lines connecting the Assistant to the Chairman to any combatant commander, what the Assistant knows and can share about the interagency process with any CINC is useful and will be requested. The Assistant to the Chairman also works on matters of personal interest to the Chairman which may require him to consult with a combatant commander.

*Question.* The Director of the Joint Staff.

*Answer.* The Director of the Joint Staff has many significant responsibilities which require frequent interaction with SOCOM. Key among these is that the Director is generally the point of contact for soliciting information from all the CINCs when the Chairman is developing a position on any key issue.

*Question.* The Secretaries of the Military Departments.

*Answer.* Title 10, section 165 provides that, subject to the authority, direction, and control of the SecDef and subject to the authority of combatant commanders, the Secretaries of Military Departments are responsible for the administration and support of the forces they have assigned to combatant commands. The authority exercised by a combatant commander over Service components is quite clear, but requires close coordination with each Secretary to ensure there is no infringement upon those lawful responsibilities a Service secretary alone may discharge.

*Question.* The Chiefs of Staff of the Services.

*Answer.* Service Chiefs are no longer involved in the operational chain of command. They now have two significant roles. First, they are responsible for the organization, training, and equipping of their respective Service. Without the full support and cooperation of the Service Chiefs, no CINC can hope to ensure the preparedness of his assigned forces for whatever missions the NCA directs. Next, as members of the Joint Chiefs of Staff, the Service Chiefs have a lawful obligation to provide military advice to the NEA Individually and collectively, the Joint Chiefs are a source of experience and judgment that every CINC can call upon. If confirmed as CINCSOC, I intend to conduct a full dialog with the Chiefs of all four Services and certainly look forward to working with them.

#### CIVILIAN OVERSIGHT

The Special Operations reforms enacted by Congress as part of the Defense Appropriations Act for Fiscal Year 1987 specified that one of the Assistant Secretaries of Defense shall be the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD(SO/LIC)) whose principal duty would be the overall supervision (including oversight of policy and resources) of special operations activities and low intensity conflict activities of the Department of Defense.

*Question.* What is your view of the importance of this position, in terms of oversight and advocacy?

*Answer.* ASD SO/LIC is an important partner to USCINCSOC; he provides the SECDEF with senior civilian oversight of special operations activities, develops special operations policy, and is the essential special operations advocate within OSD and the interagency community.

Title 10 USC, section 136 establishes ASD SO/LIC's principal duty as the overall supervision (including oversight of policy and resources) of special operations activities and LIC activities of DOD. The special operations activities are defined in section 167 of Title 10 USC.

While USSOCOM has principal responsibility for readiness and preparation of special operations forces in support of regional CINCs, it appears that USSOCOM's ability to execute that mission would be greatly hindered without the sound policy, and the interagency coordination provided by the ASD(SO/LIC).

DOD Directive 5111.10, Subject ASD(SO/LIC) further defines ASD(SO/LIC) oversight role. Bottom line is they develop, coordinate and oversee the implementation



of policy for SO and LIC activities and ensure adherence to approved policy and planning guidance.

*Question.* Does the presence of this level of civilian oversight enhance or hinder USSOCOM's ability to carry out its mission?

*Answer.* Based on my knowledge, the civilian oversight enhances USSOCOM's ability to carry out its mission. This relationship provides the best possible source of advice and information reporting to both the SECDEF and CJCS. The absence of ASD(SO/LIC) would have a negative impact on USCINCSOC's ability to execute his assigned mission. As previously stated, senior civilian oversight of policy and resources, and advocacy of special operations activities at the highest levels is essential to USCINCSOC's ability to carry out his primary mission of preparing trained and ready SOF for assigned worldwide missions.

*Question.* What do you believe is the appropriate role of the ASD(SO/LIC) in the preparation of Major Force Program 11 and the Special Operations Command Program Objective Memorandum?

*Answer.* ASD(SO/LIC)'s proper role in Major Force Program 11 programming and budgeting is that which he currently performs. ASD(SO/LIC) and the CINCSOC co-chair the USSOCOM Board of Directors. This Board makes the key decisions in the USSOCOM POM process. The office of ASD(SO/LIC) is also involved in all aspects of the MFP-11 budget development and execution. This involvement is an invaluable contribution to ensuring the viability of our special operations forces.

#### OPERATIONAL AND PERSONNEL TEMPO FOR SPECIAL OPERATIONS FORCES

Special Operations Forces are increasingly being used for contingencies and other non-combat operations. This has been done without a corresponding increase in force size, and thus has led to a dramatic increase in the OPTEMPO of these forces (125 percent increase in missions between 1991 and 1994). In 1995, more than 43,900 special operations soldiers, sailors and airmen were sent to more than 140 countries to accomplish some 1,300 missions ranging from humanitarian relieve to combat operations. The SOF mission in Haiti is just one of the numerous successes. Obviously, the demand for SOF is extremely high since they can be employed throughout the total spectrum of conflict.

*Question.* How do you envision the future employment of SOF in other regional "hot spots" such as Bosnia?

*Answer.* SOF, by their very nature are ideally suited to operate in the diverse geographical and cultural regions that will continue to be "hot spots" around the world. We anticipate continued employment of SOF by theater commanders, both unilaterally and in concert with larger conventional force deployments. SOF will continue to be both a cost effective option and highly effective force multiplier for future multi-national operations.

*Question.* What has been the impact of this increase on the special operations personnel?

*Answer.* I am informed that there are presently no indications that these contingency operations are having an adverse affect on morale. The feedback from our PERSTEMPO model does indicate that some of the specialized, high demand skills are experiencing in excess of 180 deployed days-per-year away from home station. These skills include the Air Force AC/MC-130 aircrews, Army Civil Affairs personnel, Navy SEALs, special tactics squadrons, and Army CH-47 pilots. As the Joint Chiefs implement the Global Military Force Presence (GMFP) Policy, this will help manage the deployment schedule of the high demand and low density skills for USSOCOM components. (GMFP is a CJCS initiative to develop guidelines for more effective management of scarce assets with unique mission capabilities which are currently experiencing excessive OPTEMPO/PERSTEMPO.) Such guidance will provide senior decisionmakers with quantifiable data on the cost of long-term high OPTEMPO for these assets in terms of readiness, maintenance, training, and quality of life. The resulting policy should improve operational decisions regarding the worldwide allocation of these scarce resources. If these high operating tempos continue unabated, they may begin to adversely affect morale.

*Question.* Have there been any problems associated with the readiness of these forces?

*Answer.* I am unaware of any significant problems. Because many special operations forces are regionally oriented with a mission that involves working with indigenous forces, these continuing operations help contribute to regional expertise and experience. However, long term, repetitive deployments can impose constraints on ability to maintain some specialized warfighting skills. To minimize this, SOF works closely with all the warfighting CINCs to rotate forces to ensure mission es-

sential combat skills are maintained. If confirmed, this will be a matter of special interest.

#### EMPLOYMENT OF AC-130 AIRCRAFT

After the successful close air support mission of an Air Force Special Operations Force (AFSOF) AC-30 "Spectre" gunship on January 31, 1991, during the battle of Khafji, the aircraft turned southward to return to its base. Unfortunately, the plane had remained on station into the predawn hours and in an instant an Iraqi infrared-guided surface-to-air missile (SAM) locked-on and knocked the "Spectre" into the Gulf, killing all 14 crew members. It was the Air Force's single largest loss of the war.

*Question.* How has or will the Special Operations Command combat this obvious threat to its fixed wing as well as rotary wing assets?

*Answer.* Since the shutdown of AC-130H Gunship (Spirit 03) on January 31, 1991, United States Special Operations Command components have strengthened their Command and Control (C2) of all Special Operations Forces Aviation Assets to ensure assets are selected and operated with the maximum consideration, under the circumstances, of their vulnerabilities. In addition, Air Force Special Operations Command and United States Army Special Operations Command are continuously developing and implementing new tactics and doctrine to counter the latest threats to their aircraft. Finally, USSOCOM and its components are testing and fielding improved countermeasure systems for their current fleet of aircraft, as well as procuring new weapon systems like the AC-130U, MC-130H Talon II, MH-60K and MH-47E.

*Question.* What are some of the operational procedures or new technologies that will make our airmen less vulnerable?

*Answer.* SOCOM and its components have developed the Special Operations Liaison Element (SOLE) which provides a critical C2 node that coordinates and synchronizes SOP Air and Surface Operations with Joint Air Operations. The SOLE integrates and deconflicts SOF missions in support of the Joint Forces Commander's overall mission objectives.

I am informed that USSOCOM and its components are developing and implementing new tactics and doctrine as countermeasures to new threats to SOF aircraft. AFSOC and USASOC have conducted new exploitation testing of its various aircraft. AFSOC has completed a comprehensive rewrite of its tactics manual, and its 18th Flight Test Squadron created a branch dedicated specifically to tactics. Finally, Research and Development programs at AFSOC/USASOC have provided new systems to aid in the survivability of SOF. These advances fall into two main areas, Aircraft Survivability Equipment and Weapons Technology.

#### SPECIAL OPERATIONS FORCES IN HAITI

Army Special Forces soldiers played a vital role in Haiti and have been described as the sinews that are holding the island together.

*Question.* With the eventual redeployment of Special Forces from Haiti to other critical regions, how will this affect the overall stability of the island? Should Special Forces remain in Haiti, and if so, in what quantity and for how long?

*Answer.* The performance of Special Operations Forces (SOF) in Haiti was nothing less than spectacular and clearly demonstrates the value of SOF in an era when the traditional roles and missions of the military are being challenged almost daily. The hallmarks of SOF, that is, their maturity, discipline, cultural awareness, and language abilities, are what enabled them to be such an effective force multiplier, essentially allowing us to maintain an effective presence throughout the entire country with a minimum of conventional combat forces. SOF, perhaps more than any other force, seem particularly suited to some of these "non-traditional" operations. Their contribution in Haiti cannot be overstated \* \* \* they were a critical part of the team and they performed superbly.

SOP have performed and accomplished their mission in a manner that does credit to the institution and the United States. That mission is complete now in my opinion, and the next mission belongs to the U.N. and the government and people of Haiti. U.S. involvement in peacekeeping operations will come to a close on 29 February 96. The military component of will be sharply reduced in the next few weeks and responsibility for maintaining a secure and stable environment will largely default to the Haitian National Police.

#### PRINCIPAL ROLE OF SPECIAL OPERATIONS FORCES SPECIAL OPERATIONS

Forces are used for a wide variety of missions ranging from humanitarian operations to unconventional warfare.

*Question.* What do you envision as the principal role for Special Operations Forces?

*Answer.* SOF are a strategic asset to be applied when the mission cannot be performed by conventional means. SOF serve three strategic purposes in the promotion of national security: (1) SOF expand the range of options available to decisionmakers confronting an increasing number of military operations that fall between wholly diplomatic initiatives and overt use of large conventional forces, such as terrorism, insurgency, narcotics trafficking, subversion, and sabotage. (2) SOF provide a strategic economy of force and generate a strategic advantage disproportionate to the resources they represent. They are able to operate without the infrastructure often needed by a larger force. SOF can be skillfully integrated with conventional forces as a force multiplier, increasing the efficiency and effectiveness of the total military effort. (3) SOF provide the broadest range of capabilities to react to situations requiring exceptional sensitivity, such as benign, noncombatant humanitarian assistance and peace operations missions.

#### CIVIL AFFAIRS FUNCTION

One of the most highly stressed segments of the Special Operations Forces community has been civil affairs. Composed primarily of component personnel, these forces have been the backbone of the United States' effort in recent years in such remote places as the Kurdish area of northern Iraq and the Haitian countryside.

*Question.* Are you concerned about the stresses on the civil affairs segment and do you have any plans to alleviate those stresses?

*Answer.* The Joint Staff completed a study for the Committee on Armed Services in May 1995 that addressed whether operational requirements were adversely impacting reserve CA and PSYOP units. The results showed that US Army Reserve (USAR) CA and PSYOP soldiers averaged 42.8 duty days per year. The study did not consider this number of mandays to be unusually high. USSOCOM and HQS DA concurred in the conclusion.

USASOC conducted an analysis of the active CA/PSYOP forces' PERSTEMPO. The result of this analysis indicated that the average active CA/PSYOP soldier was deployed for 139 days. This was considered acceptable as it was below the UOC desired 179 day annual limit for deployments.

The OPTEMPO of all SOF, and the effects thereof, will be a matter of special interest to me if confirmed. That interest will certainly encompass the members of our civil affairs teams. I do know that average personnel numbers do not provide visibility to the SOF CA/PSYOP team or individuals that frequently exceed the desired limit of 179 days. I know commanders are proactively manage their forces to ensure the PERSTEMPO is maintained at an acceptable level by planning unit rotations and personnel replacements.

#### DEMINEING ASSISTANCE

Another important area for the use of Special Operations Forces is to train cadres of foreign personnel to detect and remove landmines so that cadres can, in turn, train other indigenous personnel for the important demining mission. This training has provided entry for U.S. military personnel to countries in which they have not previously had access. Some critics have maintained that these activities would be better carried out by civilian contractor personnel.

*Question.* What is your view as to whether these activities should be carried out by U.S. military personnel?

*Answer.* It is extremely important that US military personnel continue to play a role in humanitarian demining operations. Our ability to conduct these operations has gained access into nations that were previously not disposed to allow our forces in for any reason.

An example is the demining operations that will commence this year in Laos. These operations will facilitate our ability to conduct Joint Task Force Full Accounting missions in that nation which are our efforts to locate remains of MIAs. Equally important is the contact between our military and a host nation's military and governmental officials in exposing them to our system in which a professional military exists to serve democratically elected officials and the citizens of a nation.

*Question.* What is the value of these activities to the United States?

*Answer.* First, it is simply the right thing to do. Thousands of human beings, many of them children, are killed or maimed around the world each year as a result of indiscriminate use of landmines. Demining assists nations in which the ability to grow crops, move them over roads safely to market and generally conduct the normal processes of travel and trade has been degraded by landmines.

The resulting economic hardships, (magnified by the problem of providing expensive emergency medical care and long term rehabilitation to those maimed by mines) destabilizes nations that are located in regions in which the US has vital interests.

By training host nations to solve their mine problem, the United States helps ensure that it will not be necessary to send more forces to help solve more serious problems. Humanitarian demining funds are provided to the Regional CINCs by ASD SO/LIC (HRA) and they have covered all unit costs associated with providing all phases of demining training to a host nation under current authority. There is a tremendous humanitarian payoff, SOF soldiers get to train foreign military personnel (a primary task for them), they get to hone their language and cultural skills and obtain valuable regional experience. SPECIAL OPERATIONS BUDGET

*Question.* Given the increased TEMPO and the continuing pressures on the defense budget, how has the budget for the Special Operations Command been impacted?

*Answer.* I know that the geographic CINCs worldwide operational requirements for SOF have increased and that this trend is expected to continue. At the same time, the USSOCOM MFP-11 TOA has been reduced by 11 percent from its original programmed level in POM 94-99. I am informed that resources have been taken from moderation accounts to cover the reduction in TOA, delaying essential on-going programs and terminating others. The increased operational demands for SOF worldwide require more MFP-11 resources. With a declining budget, resources are being taken from some currently funded modernization projects and applied to meet real world emergent missions.

*Question.* Are there sufficient O&M funds programmed to maintain current readiness?

*Answer.* Current O&M resources, including funds taken from modernization, are sufficient to maintain readiness. However, some new moderation programs have been delayed to allocate sufficient resources to ensure combat readiness. For 1997, some reductions were taken in the operations account. Future reductions could endanger moderation efforts, and negatively impact force structure and try.

*Question.* Are there sufficient procurement funds programmed to ensure long term readiness and modernization of these forces?

*Answer.* I am informed that the projected MFP-11 procurement and research and development resources levels are not sufficient to pursue current moderation needs. Sufficient funds must be provided to avoid the "hollow force" experiences of the past.

Due to the shrinking budgets and increased OI/TEMPO, many modernization programs have been delayed. This inhibits the ability to continue to give our warfighting soldiers, sailors, and airmen—who go in harm's way—the very best equipment and training available.

#### V-22 AIRCRAFT

*Question.* Is the SOF version of the V-22 affordable? How many are planned to be procured?

*Answer.* The V-22 fills a critical mission need for SOF. It appears at this point that the program is affordable. Joint efforts with the Navy are producing cost savings and have minimized or eliminated potential redundancies within the program. Additionally, the SOF V-22 purchase is dovetailed into the Marine purchase, which ensures SOF airframes are produced at the most economical price. The basic V-22 airframes (identified as service common) are being procured by the Air Force. MFP-11 should fund the SOF peculiar equipment and its installation.

The plan to procure 50 CV-22 aircraft, to replace approximately 100 older aircraft currently in the SOF inventory, is key to the SOF modernization program.

#### INTERNATIONAL TERRORISM

Terrorism has proven to be an increasing threat to law enforcement and national security. For years, our basic image of terrorism consisted of terrorists planning against specific targets and primarily using weapons and explosives to deliver their messages. U.S. law enforcement agencies have become involved in investigating crime and terrorism which are associated with modern telecommunications such as computer E-mail, the INTERNET, and the use of automated data bases. Weapons of mass destruction are now in the picture.

*Question.* Have you observed similar occurrences: and, if so, how do you recommend dealing with the matter?

I am aware of no evidence of terrorist groups attacking or seriously planning to attack computer or communication systems, although this is a potential future threat.

I am aware of only a handful of terrorist-related weapons of mass destruction (WMD) incidents, but this also an area of increasing concern. The sarin gas released in the Tokyo subway by the Japanese cult last March underscores the impact of an improvised WMD type of attack. While terrorist attacks should continue to be conducted with explosives and/or small arms, the extremely high impact of a WMD type attacks mandates priority intelligence collection to support early warning and, as appropriate, preemption.

*Question.* In the same regard, what are your view on what motivates terrorists and what we might do to counter those motivations? Are we focusing on the causes, motivations, individuals and groups which are independent from the terrorists, but may find benefit in cooperating with them?

*Answer.* Terrorist group motivations run the range of perceived grievances such as political, regional, religious, cultural, ethnic, economic, and various combinations of each. The causes are as varied as the countries the terrorists groups are based in, but are common in that they use violent methods to bring attention to their cause. States sponsor, use, and will continue to use, terrorism as an extension of their foreign policy objectives. However, because of the extremist nature of individuals that become terrorists, anything short of total victory for their causes will not satisfy them.

*Question.* Are you satisfied with the level of international cooperation in resolving terrorism? Do you have any recommendations for improvement?

*Answer.* Generally, the level of international cooperation is good, especially with our traditional western allies. Cooperation has in fact increased with other nations over the past year as shown with the success of the terrorist extradition program directed at World Trade Center bombers remaining at large. International cooperation is one of the keys to combatting terrorism.

#### POW/MIA MATTERS

The Commander in Chief, U.S. Special Operations Command is responsible for many of the activities to achieve the fullest possible accounting of those who are missing, captured, or detained by a hostile force.

*Question.* How important is this effort and what priority would you assign to it?

*Answer.* For any commander, achieving the fullest accounting of those who are missing, captured, or detained by a hostile force must rank as one of his highest priorities. Any member of our armed forces must have an abiding faith in this precept. USSOCOM was established with the primary function of preparing special operations forces (SOF) to carry out assigned missions. USSOCOM's ability to carry out its primary SOF missions and collateral tasks gives the National Command Authorities a wide range of options to deal with POW/MIA issues.

#### MAJOR CHALLENGES

*Question.* In your view, what are the major challenges confronting the next Commander in Chief United States Special Operations Command?

*Answer.* USSOCOM has four primary functions in support of the National Security Strategy and the National Military Strategy of the United States. These are:

1. Provide trained and ready SOF to the NCA and Regional Unified Commanders, in peace and war, in support of strategic or operational objectives.
2. Provide integrated, joint strategic planning designed to support the needs of USSOCOM customers, now and into the future.
3. Develop resourcing strategies designed to provide the most effective and capable special operations force to the NCA and Regional Unified Commanders.
4. Design requisitions and programs to support the SOF warrior in our operational missions, now and into the future.

Accordingly the major challenges facing USCINCSOC are to develop forward thinking, customer oriented strategies that ensure the availability and relevancy of SOF while managing Major Force Program 11 to effectively support those strategies. USSOCOM must accomplish these challenges in light of increased operational requirements in an environment of decreased personnel and resources.

SOF must provide the NCA with a force capable of answering the special needs of our nation. SOF has already moved down that road with the assignment of the mission areas of Counterproliferation of Weapons of Mass Destruction and Information Warfare.

As new threats emerge, SOF will closely examine those threats and provide timely and effective response through strategic planning, resourcing, acquisition, and operational support. Using SOF's newly implemented Strategic Planning System, we will identify those missions that are no longer relevant for SOF. These missions will be proposed for transfer to conventional forces, as appropriate.

Finally, with the increase demand for SOF worldwide, USCINCSOC will face the scant challenge of balancing our operational tempo and personnel tempo to ensure successful accomplishment of the SOF mission while maintaining the effective training, education, professional development and quality of life programs.

#### MOST SERIOUS PROBLEMS

*Question.* What do you consider to be the most serious problems in the performance of the functions of Commander in Chief United States Special Operations Command?

*Answer.* The most serious challenge I see for CINCSOC is to continue to provide trained and properly equipped SOF to meet the requirements of the regional commanders while simultaneously ensuring these forces maintain their technological advantage.

*Question.* What management actions and time lines would you establish to address these problems?

*Answer.* A meaningful answer to this question requires a familiarity with the USSOCOM operation beyond my knowledge as the Commander, Airborne Corps. If confirmed, I would welcome the opportunity to return and discuss this matter in depth with the committee. This issue will obtain my immediate attention.

#### QUALIFICATIONS

If confirmed, you will be entering this important position at a time of heightened tensions and increased potential for conflict.

*Question.* What background and experience do you have that you believe qualifies you for this position?

*Answer.* I believe I am qualified for this position by virtue of my previous assignments training, and responsibilities. As both a Ranger and special forces qualified officer, I have served as a Ranger instructor and as a Special Forces Commander in the Republic of Vietnam. Personally, I am both SCUBA and free-fall qualified. Most importantly, my experiences while serving in two separate joint assignments have provided me with the most significant learning experience to assume the position under your consideration.

While serving as the Deputy Director for Operations, National Military Command Center, J-3, Joint Staff, I was responsible for the immediate response to requests and directives of National Command Authorities. I was the mediator for sensitive worldwide operations, exercises and events. I briefed and supervised briefings on worldwide political-military matters. I eventually assumed the position of Director for Current Operations where I was responsible for worldwide control of current operations, maintenance of plans, and emergency procedures during crises. I was the focal point for matters pertaining to current military operations. Unconventional warfare, special plans special technical operations and activities, counterterrorism, reconnaissance and counternarcotics.

Perhaps most importantly was my role as the Commander, Joint Task Force Haiti. In this capacity, I had the distinct pleasure of serving with the best and the brightest within our military. Steering the helm of such an organization provided me with the insight and knowledge necessary for the overall management of a unified command. I was able to effectively plan for and employ a wide range of SOF capabilities and activities involving special forces, rangers, SOF aviation, civil affairs, PSYOP, SEALs and JSOC. This included both active and reserve components.

#### CONGRESSIONAL OVERSIGHT

*Question.* In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information. Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of the Congress?

*Answer.* Yes, I do.

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

*Answer.* Yes, I do.

*Question.* Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Commander in Chief, United States Special Operations Command?

*Answer.* Yes, I do.

*Question.* Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

*Answer.* Yes, I do.

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[The nomination reference of Lt. Gen. Henry H. Shelton follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,  
SENATE OF THE UNITED STATES,  
*December 18, 1995.*

*Ordered,* That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment to the grade of general while assigned to a position of importance and responsibility under Title 10, United States Code, Section 601(a):

*To be General*

Lt. Gen. Henry H. Shelton, 4698, United States Army.

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[The biographical sketch of Lt. Gen. Henry H. Shelton, which was transmitted to the committee at the time the nomination was referred, follows:]

DEPARTMENT OF THE ARMY,  
*Washington, DC, January 5, 1996.*

Hon. STROM THURMOND, *Chairman,*  
*Committee on Armed Services,*  
*U.S. Senate,*  
*Washington, DC.*

DEAR MR. CHAIRMAN: The President has forwarded to you under separate cover the following nomination.

*For appointment to the grade of General.*

Lieutenant General Henry H. Shelton, Commanding General, XVIII Airborne Corps and Fort Bragg, Fort Bragg, North Carolina, as Commander in Chief, United States Special Operations Command, MacDill Air Force Base, Florida.

For the information of the Committee, I am enclosing a military career résumé for this officer showing his assignments and grades held.

Sincerely,

MORRIS J. BOYD,  
*Major General, U.S. Army,*  
*Chief of Legislative Liaison.*

Enclosure.

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RÉSUMÉ OF SERVICE CAREER OF LT. GEN. HENRY HUGH SHELTON

*Date and place of birth:* 2 January 1942, Tarboro, North Carolina.

*Years of active commissioned service:* Over 32.

*Present assignment:* Commanding General, XVIII Airborne Corps and Fort Bragg, Fort Bragg, North Carolina 28307, since June 1993.

*Military schools attended:*

The Infantry School, Basic and Advanced Courses, Air Command and Staff College, National War College

*Educational degrees:*

North Carolina State University—BS Degree—Textile Engineering

Auburn University—MS Degree—Political Science

*Foreign language(s):* None recorded.

## MAJOR DUTY ASSIGNMENTS

From	To	Assignment
Jul 63	Sep 63	Student, Infantry Officer Basic Course, United States Army Infantry School, Fort Benning, Georgia
Nov 63	Apr 64	Platoon Leader, Headquarters Company, 1st Battalion, 38th Infantry, 2d Infantry Division, Fort Benning, Georgia
Apr 64	Jun 64	Student, Ranger Course, United States Army Infantry School, Fort Benning, Georgia
Jun 64	Jul 65	Platoon Leader, Company D, 1st Battalion, 5th Cavalry, 1st Cavalry Division, Fort Benning, Georgia
Jul 65	Sep 66	United States Army Reserve, not on Active Duty
Sep 66	Jul 67	Platoon Leader, Detachment B52, 5th Special Forces Group, 1st Special Forces, United States Army, Vietnam
Jul 67	Dec 67	Commander, Detachment A-104, Company C, 5th Special Forces Group, United States Army Pacific
Jan 68	Mar 68	Executive Officer, 11th Battalion, 3d Training Brigade, United States Army Training Center, Fort Jackson, South Carolina
Mar 68	Dec 68	S-4 (Logistics), 3d Advanced Individual Training Brigade, Fort Jackson, South Carolina
Jan 69	Jan 70	S-2 (Intelligence), later Commander, Company C, later Acting S-3 (Operations), 4th Battalion, 503d Infantry, 173d Airborne Brigade, United States Army, Vietnam
Mar 70	Nov 70	Student, Infantry Officer Advanced Course, United States Army Infantry School, Fort Benning, Georgia
Nov 70	Jul 72	Instructor, later Operations Officer, Ranger Department, United States Army Infantry School, Fort Benning, Georgia
Aug 72	Jun 73	Student, Air Command and Staff College, Maxwell Air Force Base, Alabama
Jul 73	Jul 75	S-1 (Personnel), later S-3 (Operations), 2d Brigade, 25th Infantry Division, Schofield Barracks, Hawaii
Jul 75	Jun 76	Chief, Officer Management Branch, later Deputy G-1 (Personnel), 25th Infantry Division, Schofield Barracks, Hawaii
Jun 76	Jun 77	Executive Officer, 1st Battalion, 14th Infantry, 2d Brigade, 25th Infantry Division, Schofield Barracks, Hawaii
Jun 77	Apr 79	Professional Development Officer, Combat Arms Branch, later, Chief, Assignments Branch, Majors Division, Officer Personnel Management Directorate, United States Army Military Personnel Center, Alexandria, Virginia
Apr 79	Jun 81	Commander, 3d Battalion, 60th Infantry, 2d Brigade, 9th Infantry Division, Fort Lewis, Washington
Jun 81	Jun 82	Assistant Chief of Staff, G-3 (Operations), 9th Infantry Division, Fort Lewis, Washington
Jun 82	Jun 83	Student, National War College, Fort McNair, Washington, DC
Jun 83	Oct 83	Chairman, Reserve Components Study Group, Office, Deputy Chief of Staff for Personnel, United States Army, Washington, DC
Oct 83	Oct 85	Commander, 1st Brigade, 82d Airborne Division, Fort Bragg, North Carolina
Nov 85	Jul 87	Chief of Staff, 10th Mountain Division (Light Infantry), Fort Drum, New York
Jul 87	Jun 88	Deputy Director for Operations, National Military Command Center, J-3, Organization of the Joint Chiefs of Staff, Washington, DC
Jun 88	Jul 89	Deputy Director for Operations (Current Operations), J-3, Organization of the Joint Chiefs of Staff, Washington, DC
Jul 89	Aug 90	Assistant Division Commander, 101st Airborne Division (Air Assault, Fort Campbell, Kentucky)
Aug 90	Mar 91	Assistant Division Commander, 101st Airborne Division (Air Assault, DESERT STORM, Saudi Arabia)
Mar 91	May 91	Assistant Division Commander, 101st Airborne Division (Air Assault), Fort Campbell, Kentucky
May 91	May 93	Commanding General, 82d Airborne Division, Fort Bragg, North Carolina

## DATES OF APPOINTMENT

Promotions	Temporary	Permanent
2LT .....		19 Sep 64
1 LT .....	7 Jan 65	19 Sep 67
CPT .....	19 Mar 67	19 Sep 71
MAJ .....	7 Feb 74	19 Sep 78
LTC .....		6 Nov 78
COL .....		1 Oct 83
BG .....		1 Aug 88
MG .....		1 Oct 91
LTC .....	7 Jun 93	



*U.S. Decorations and badges:*

Defense Distinguished Service Medal (with Oak Leaf Cluster)  
 Distinguished Service Medal  
 Legion of Merit (with Oak Leaf Cluster)  
 Bronze Star Medal with "V" Device (with 4 Oak Leaf Clusters)  
 Purple Heart  
 Meritorious Service Medal (with 2 Oak Leaf Clusters)  
 Air Medals  
 Army Commendation Medal (with 2 Oak Leaf Clusters)  
 Combat Infantryman Badge  
 Master Parachutist Badge  
 Pathfinder Badge  
 Special Forces Tab  
 Ranger Tab  
 Air Assault Badge  
 Joint Chiefs of Staff Identification Badge

*Source of commission:* ROTC.

## SUMMARY OF JOINT ASSIGNMENTS

Assignments <sup>1</sup>	Dates	Grade
Deputy Director for Operations, National Military Command Center, later Deputy Director for Operations (Current Operations), J-3, Organization of the Joint Chiefs of Staff, Washington, DC.	Jul 87–Jul 89	Brigadier General
Commander, Joint Task Force, Haiti .....	Sep 94–Oct 94	Lieutenant General

<sup>1</sup>As of 5 January 1995

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Lt. Gen. Henry H. Shelton in connection with his nomination follows:

## UNITED STATES SENATE

## COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

## COMMITTEE ON ARMED SERVICES FORM

## BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

**INSTRUCTIONS TO THE NOMINEE:** Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

## PART A—BIOGRAPHICAL INFORMATION

**INSTRUCTIONS TO THE NOMINEE:** Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

Henry Hugh Shelton.

2. **Position to which nominated:**

Commander, XVIII Airborne Corps, Fort Bragg, NC 28307-5000

**3. Date of nomination:**

December 18, 1995.

**4. Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

**5. Date and place of birth:**

January 2, 1942; Tarboro, NC.

**6. Marital Status:** (Include maiden name of wife or husband's name.)

Married.

**7. Names and ages of children:**

Jonathan Hugh Shelton, 28; Jeffrey Michael Shelton, 26; and Mark Philip Shelton, 17.

**8. Government experience:** List any advisory, consultative, honorary of other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the Committee by the Executive Branch.

Chairman, Combined Federal Campaign.

**9. Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational or other institution.

None.

**10. Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civil, business, charitable and other organizations.

Member, North Carolina Farmers' Alliance

Member, North Carolina State Alumni Association

Member, National War College Association

Member, Association of the United States Army

Ex-Officio Member, Fayetteville Chamber of Commerce Board of Directors, Fayetteville, North Carolina

Honorary Chairman, Combined Federal Campaign

Member, 82d Airborne Division Association

Member, Ranger Association

**11. Honors and awards:** List scholarships, fellowships, honorary society memberships, and any other special recognition for outstanding service or achievements other than those listed on the service record extract provided to the Committee by the Executive Branch.

None.

**12. Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

Yes.

**13. Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the administration in power?

Yes.

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[The nominee responded to Parts B-E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B-E are contained in the committee's executive files.]

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## SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

HENRY H. SHELTON.

This 20th day of Nov., 1995.

[The nomination of Lt. Gen. Henry H. Shelton was reported to the Senate by Senator Strom Thurmond on February 1, 1996, with

the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on February 1, 1996.]

[Prepared questions submitted to Lt. Gen. Eugene E. Habiger by Senator Thurmond prior to the hearing with answers supplied follow:

DEPARTMENT OF THE AIR FORCE,  
HEADQUARTERS UNITED STATES AIR FORCE,  
January 31, 1996.

Hon. STROM THURMOND, *Chairman,*  
*Committee on Armed Services,*  
*U.S. Senate,*  
*Washington, DC.*

DEAR MR. CHAIRMAN. Thank you for the opportunity to respond to the questions from the Senate Armed Services Committee. It is an honor to have been nominated by the President to be Commander in Chief, U.S. Strategic Command. I respectfully submit the enclosed responses to your questions on the important defense policy and management issues and look forward to working with you and the committee.

Sincerely,

EUGENE E. HABIGER,  
*Lieutenant General, USAF,*  
*Deputy Chief of Staff, Personnel.*

Enclosure.

cc: Senator Sam Nunn.  
Ranking Minority Member.

## QUESTIONS AND RESPONSES

### DEFENSE REFORMS

More than nine years have passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and Special Operations reforms.

*Question.* Do you support full implementation of these defense reforms?

*Answer.* Yes, I strongly support the Defense Reorganization Act of 1986 and the Special Operations reforms. They have definitely strengthened our Armed Forces and the effectiveness of our combatant commanders.

*Question.* What is your view of the extent to which these defense reforms have been implemented?

*Answer.* I believe the entire Department of Defense has vigorously and successfully pursued implementation of these important reforms.

*Question.* What do you consider to be the most important aspects of these defense reforms?

*Answer.* The most positive aspect is the overall improvement of our joint warfighting ability. The Goldwater-Nichols Act has resulted in much needed improvements in joint doctrine, joint professional military education, and strategic planning. Another important element is clarity in the chain of command from the National Command Authorities to the combatant commanders and unambiguous responsibility placed upon each CINC for execution of mission and preparedness of assigned forces.

*Question.* Do you believe that the authority of the combatant commanders under Goldwater-Nichols legislation is appropriate and the policies and processes in existence allow that role to be fulfilled?

*Answer.* Yes. The law gives combatant commanders sufficient authority they need to carry out their assigned missions. This has been well demonstrated through the many comply joint operations conducted since legislation was enacted, as well as the ongoing superb work of strategic deterrence by U.S. Strategic Command.

### RELATIONSHIPS

Section 162(b) of title 10, United States Code, provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander in Chief, United States Strategic Command to the following offices.

*Question.* The Under Secretaries of Defense.

*Answer.* Under current DOD Directives, Under Secretaries of Defense coordinate and exchange information with DOD components, such as combatant commands, having collateral or related functions. As a combatant commander I will respond and reciprocate. This coordination I expect will be communicated through the Chairman of the Joint Chiefs of Staff.

*Question.* The Assistant Secretaries of Defense.

*Answer.* With the exception of the Assistant Secretaries of Defense for C<sup>3</sup>I Legislative Affairs, all Assistant Secretaries are subordinate to one of the Under Secretaries of Defense. This means any relationship STRATCOM would require with any Assistant Secretary of Defense would be through the Under Secretary of Defense for Policy. Since the Assistant Secretaries of Defense for C<sup>3</sup>I and Legislative Affairs are SecDefs principal deputies for overall supervision of C<sup>3</sup>I and Legislative matters respectively, any relations required between STRATCOM and ASD(C<sup>3</sup>I) or ASD(LA) would be conducted along the same lines as those discussed above regarding relations with the various Under Secretaries of Defense.

*Question.* The Chairman of the Joint Chiefs of Staff.

*Answer.* The Chairman is clearly established by title 10 as the principal military advisor to the NCA. However, he serves as an advisor and is not in the chain of command that runs from the NCA directly to each combatant commander. The law does allow the President to direct that communications between him and the Secretary of Defense be transmitted through the Chairman, and President Clinton has directed this to continue to happen in the recently revised Unified Command Plan. This action keeps the Chairman fully involved so that he can execute his other legal responsibilities. Certainly a key responsibility is his role as spokesman for the CINCs, especially on the operational requirements of their respective commands. While the legal duties of the Chairman are many and they require either his representation or personal participation in a wide range of issues, my reading of Title 10 says that as a CINC, I will have the obligation to keep the Secretary of Defense promptly informed on matters for which he may hold me personally accountable. A CINC's duty is to work with and through the Chairman to provide for the security of his command and execute NCA-directed taskings.

*Question.* The Vice Chairman of the Joint Chiefs of Staff.

*Answer.* When functioning as the acting Chairman, the Vice Chairman's relationship with CINCs is exactly that of the Chairman. The 103rd Congress amended Title 10 to give the Vice Chairman the same right and obligation that other members of the Joint Chiefs of Staff have to submit an opinion or advice to the President, National Security Council, or Secretary of Defense if their views disagree with those of the Chairman. As a CINC I would readily listen to Vice Chairman's thoughts on any general defense matter considered by the Joint Chiefs of staff. Finally, because the Vice Chairman also plays a key role on many boards and panels that affect planning and programming, and therefore the preparedness of STRATCOM, I believe his insights are extremely valuable and I would certainly seek his counsel.

*Question.* The Assistant to the Chairman of the Joint Chiefs of Staff.

*Answer.* The Unified Command Plan makes the CINC the single point of contact for providing US military representation within his assigned responsibilities. To meet this responsibility, CINCs must be fully engaged in the interagency process as it considers matters under their purview. I know that the Assistant to the Chairman has an extensive charter to represent the Chairman in the interagency process. While there are no direct lines connecting the Assistant to the Chairman to any combatant commander, what the Assistant knows and can share about the interagency process with any CINC is useful and will be requested. The Assistant to the Chairman also works on matters of personal interest to the Chairman which may require him to consult with me as a combatant commander.

*Question.* The Director of the Joint Staff.

*Answer.* The Director of the Joint Staff has many significant responsibilities which require interaction with STRATCOM. Most importantly, the Director is generally the point of contact for soliciting information from all the CINCs and their staffs when the Chairman is developing a position on any important issue.

*Question.* The Secretaries of the Military Departments.

*Answer.* Title 10, section 165 provides that, subject to the authority, direction, and control of the SecDef and subject to the authority of combatant commanders, the Secretaries of Military Departments are responsible for the administration and support of the forces they have assigned to combatant commands. The authority exercised by a combatant commander over Service components is quite clear, but requires close coordination with each Secretary to ensure there is no infringement upon those lawful responsibilities a Service Secretary alone may discharge.

*Question.* The Chiefs of Staff of the Services.

*Answer.* Service Chiefs are no longer involved in the direct operational chain of command. They now have two significant roles. They are responsible for the organization, training, and equipping of their respective Service. Without the full support and cooperation of the Service Chiefs, no CINC can hope to ensure the preparedness of his assigned forces for whatever missions the NCA directs. Next, as members of the Joint Chiefs of Staff, the Service Chiefs have a lawful obligation to provide military advice. Individually and collectively, the Joint Chiefs are a source of experience and judgment that every CINC can and should call upon. If confirmed as STRATCOM, I intend to conduct a full dialogue with the Chiefs of all four Services.

#### STRATEGIC RELATIONSHIPS WITH RUSSIA

*Question.* As political and strategic relations between the United States and the Russian Federation continue to improve, and as proliferation increases the complexity of the deterrence equation, do you believe that the United States should begin to integrate strategic defensive capabilities and strategies into its deterrence planning?

*Answer.* I believe the proliferation of weapons of mass destruction and the means to deliver them (missiles), in some cases by nations with an historical or demonstrated enmity toward the United States, gives us reason to pursue development of defensive capabilities against missile threats to United States interests in a measured, threat based program.

Strategic defense must be viewed in light of its effect on the entire deterrence equation, including alliances and treaties, as well as on technological capabilities and resource limitations. I believe that consideration of strategic defense will increasingly be viewed as an essential element of our deterrence planning.

*Question.* Notwithstanding the U.S.-Russian de-targeting agreements, there seems to be little evidence of a fundamental shift in Russian strategic doctrine. In fact, the trend in Russia seems to be continued adherence to a nuclear war-fighting, damage-limiting strategy. Does this trend pose any serious challenges for STRATCOM as U.S. strategic forces are reduced and as the United States reduces the robustness of its strategic command and control posture?

*Answer.* Russia's strategic nuclear forces continue to be an important foundation for their national military power, and they continue to modernize their forces. As long as we maintain a stable and reciprocal drawdown with Russia to agreed levels, we will retain the strategic force structure necessary to maintain an effective deterrent.

#### NUCLEAR POSTURE REVIEW

*Question.* When Deputy Secretary Deutch presented the Nuclear Posture Review to the Committee in September 1994, he stated that a detailed implementation plan would be forthcoming. What is the status of this plan?

*Answer.* The Nuclear Posture Review's recommendations, approved by the President, were based on the ratification and entry into force (EIF) of the Strategic Arms Reduction Treaty (START) II. Since the Russian DUMA has not yet ratified START II, full implementation of the NPR is being held in abeyance. The NPR implementer which Secretary Perry signed 11 September 1995, gives specific guidance to the Service Secretaries and explicitly ties their actions to START II EIF. I understand that no strategic systems will be downloaded, deactivated or removed from combat status prior to START II EIF except to comply with START I limits. Additionally, Service Secretaries must notify the Secretary of Defense 180 days prior to beginning any download or deactivation of weapon systems to ensure our drawdowns are synchronized with Russian implementation of START II.

*Question.* Do you believe that any of the findings or recommendations contained in the Nuclear Posture Review need to be reconsidered?

*Answer.* No. The Nuclear Posture Review (NPR) was a comprehensive review of all aspects of our nuclear force structure and policies. This review was conducted over a period of 14 months by representatives from the Office of the Secretary of Defense, the Joint Staff, combatant CINCs, and the military services with full consideration of the then current political conditions, the best threat intelligence assessment, and with the expectation of a START II Treaty entry into force. I believe that the results of the NPR were completely correct for the conditions under which the review was conducted, and remain so today; reconsideration would be appropriate if the assumptions under which the NPR was conducted were to change.

## MISSILE DEFENSE AND START TREATY

*Question.* Some have advocated early retirement of the Peacekeeper ICBM and early downloading of the Minuteman III. Do you believe that the United States should take either of these actions prior to entry into force of the START II Treaty?

*Answer.* No. It is important that we maintain a stable drawdown of forces and not make any irreversible arms reductions unilaterally. To that end, I do not advocate proceeding to START II limits or recommend negotiating follow-on agreements without START II entry into force. I am hopeful that START II will eventually enter into force and that we can continue to manage a stable drawdown of nuclear forces in cooperation with Russia. However, as long as implementation of START II remains in question, we must retain the full complement of weapons and platforms consistent with our START I obligations.

*Question.* If Russia does not ratify the START II Treaty in the near future, the United States will have to consider plans for retaining the Peacekeeper ICBM beyond 2003. What would this entail, both in terms of planning and budgeting? When would the decisions need to be made?

*Answer.* In the event that START II is ratified, I understand that our plans involve the complete retirement of the Peacekeeper system by 2003. There are several years of lead time needed to incrementally retire the system to meet that deadline. With the START II treaty awaiting Russian ratification, we need to continue to maintain the viability of the Peacekeeper system. I am not aware that final decisions on planning and budgeting for that possibility have been made.

*Question.* Do you favor reductions in strategic nuclear delivery systems beyond those envisioned in the START II Treaty?

*Answer.* Over the last decade, we've reduced our strategic delivery systems by about 70 percent, and START II is a point of departure for further reductions. In my view, the essential criterion is whether further reductions would enhance strategic stability and serve the national interest, and that will depend on many variables. In my opinion from the outside looking in right now, further limitations on delivery systems without achieving commensurate reductions in the weapons themselves can be destabilizing rather than stabilizing. And this will require substantial progress in gaining mutual transparency in weapon stockpiles and fissile materials.

*Question.* Do you believe there is a floor below which the United States should not proceed?

*Answer.* Our strategic objective should be stability, not a specific nuclear weapons "floor". Our actions should be guided by a mutual trust which not only involves warhead reductions, but other issues such as transparency into nuclear weapon stockpiles. In addition, we must always take into account our broader strategic concerns beyond the specific U.S.-Russian relationship, including emerging threats and the impact of reductions on our allies.

*Question.* Are you familiar with the Air Force proposal to use some part of the Grand Forks ICBM infrastructure to support national missile defense (including silos, launch control centers, and Minuteman boosters)? Given that any NMD system based on this infrastructure would be START accountable, how many NMD interceptors/silos would we be able to deploy (up to the limit of 150 feasible at Grand Forks) without undermining U.S. strategic offensive requirements?

*Answer.* Yes. However, I am not in a position to address the specific tradeoffs involved without further study.

*Question.* Has DOD made any formal decision to equip some or all of the Minuteman III ICBMs with the Mark 21 warhead? In your view, how many of the Minuteman III missiles should carry the Mark 21, and when should that transition begin?

*Answer.* I am aware the Air Force has a program to replace the MM III Mk12 warheads with the Mk21 warheads removed from the Peacekeeper missile, and that USSTRATCOM and the Air Force are working toward a mutually agreeable solution. The full program is predicated on the successful ratification of START II which will determine the availability of Mk21 warheads and the timelines under which such a transition would occur.

*Question.* Do you believe the United States should initiate START II arms reductions before Russia ratifies the agreement?

*Answer.* No. We should not proceed unilaterally with START II reductions. To do so could remove Russia's incentive to ratify the Treaty and jeopardize strategic stability.

*Question.* Do you think we should maintain essential parity as the U.S. and Russia begin to implement the START II Treaty?

*Answer.* Yes, both sides should be comfortable that the other is proceeding in good faith in fulfilling Treaty obligations.

## BOMBERS

*Question.* If the U.S. keeps 94 B-52H bombers in the active inventory, how would that affect warhead loading under START I and START II (assuming we also have 20 B-2s capable of performing the nuclear mission)?

*Answer.* In my opinion, the Nuclear Posture Review's recommended bomber structure of 66 B-52Hs and 20 B-2s is the right strategic bomber force see to meet STRATCOM's warfighting requirements under START II. Under START I counting rules, keeping 94 B-52s in the active inventory does not impact warhead loading. Under START II, additional bombers would require adjustments in warhead loading. There are many variables involved, and I would have to study this carefully with the command if confirmed to assess the full impact.

## STRATEGIC EXERCISES

*Question.* How should STRATCOM exercises be modified, if at all, to reflect the post-Cold War era?

*Answer.* I understand that STRATCOM's exercise program has indeed evolved in the post-Cold War era. The basic exercise architecture has changed to encompass a more adaptive way of responding to diverse threats. More recent, exercises have increasingly emphasized support for the theater commanders in addressing regional crises where the proliferation of weapons of mass destruction is an issue.

## INDUSTRIAL BASE

*Question.* From STRATCOM's perspective are there key sectors of the U.S. Industrial Base that must be protected? What is the current status of on-going efforts in this area?

*Answer.* It is my personal conviction that the support and sustainment of our strategic systems are absolutely essential to ensure a continued, viable deterrent. This nation has in hand or in production all of its major strategic systems. Since there are no follow-ons in progress, and existing systems must be maintained for an unforeseeable length of time, it is crucial for us to ensure continued support for key strategic components and systems unique to the defense sector.

In that light, it is my understanding that Strategic Command, in coordination with the Office of the Secretary of Defense and the Services, is currently pursuing such industrial capability initiatives as those supporting space based communication and sensor systems, strategic missile guidance technology, propellant technology and reentry vehicle design capability. These initiatives and others supporting crucial technologies and systems set a foundation which will be built upon to keep strategic forces robust and modern in both the near and long term.

## TRIDENT II SUBMARINE FORCE

*Question.* The Committee has expressed concern that the United States not prematurely rule out the option of retaining an 18 Trident II force, even though this exceeds the number recommended by the Nuclear Posture Review. What are your views on these concerns?

*Answer.* I understand an SSBN force of 14 submarines carrying the D-5 missile, as recommended by the NPR, is sufficient for the sea-based leg of the START II force structure. Ensuring that all our operational SSBNs are equipped with the D-5 missile is of particular concern; the C-4 missile will not last the life of the submarine hulls without substantial investment in life extension programs. In any event, until START II enters into force, we should retain 18 Trident submarines.

## CONVERSION OF STRATEGIC SYSTEMS FOR CONVENTIONAL MISSIONS

*Question.* Do you believe that the United States should configure some part of its inventory of ICBMs and SLBMs to perform conventional missions, such as attacking deep underground facilities?

*Answer.* I am aware and support the Services in evaluating the technological feasibility of using conventionally armed ballistic systems in this manner. Such a capability could provide valuable options to decision makers. However, the arms control and policy implications of fielding a conventionally armed system of this type will have to be studied carefully.

## EXTREMELY LOW FREQUENCY (ELF) COMMUNICATIONS

*Question.* Do you support continued operation of the Extremely Low Frequency (ELF) communication system? Do you believe that this system is cost effective and

necessary, especially in light of other U.S. decisions to downgrade U.S. strategic command and control?

Answer. A strong command and control capability remains of the utmost importance to the success of our nation's strategic deterrence in this and any era. Post-Cold War reposturing resulted in placing more emphasis on submarines as the major leg of our nuclear deterrence. ELF is the only communications system that allows SSBNs to utilize their full range of tactical capabilities and maximize inherent stealth, thereby providing the operational flexibility needed to support command and control requirements stemming from force structure and mission changes. Both ELF communication sites, operating simultaneously, are needed to meet our worldwide requirements. Dismantling this critical system would unacceptably impact the survivability and flexibility of our submarine forces.

#### NUCLEAR WEAPONS AND THE DOE NUCLEAR WEAPONS COMPLEX

*Question.* Are you in full agreement with the findings and approach of the Nuclear Posture Review (NPR) as it delineates requirements for the Department of Energy's infrastructure for producing and maintaining nuclear weapons?

Can you describe any differences you may have with the NPR, in particular with the requirements for the DOE weapons infrastructure?

Can you describe those areas of the NPR which you believe need to be more complete, more explicit, or which you intend to give special emphasis should you be confirmed as CINCSTRAT in particular with respect to DOE?

Which elements of the NPR need to be updated, in particular with respect to DOE?

If you determine that there is a problem with a U.S. nuclear weapon, will you immediately notify the Senate Armed Services Committee?

The Nuclear Posture Review called for an affordable hedge in which the approved force structure could support weapons levels greater than those called for under START II should major geostrategic changes demand it.

Can you define this hedge both qualitatively and quantitatively?

How long will it take to uphold the number of platforms available under these circumstances?

If DOE is required to maintain both the active and inactive stockpiles in the same state of readiness, will DOD have an adequate number of platforms to accommodate the number of warheads kept in that state of readiness, with exception of weapons set aside for quality control and other similar purposes?

Will the hedge require that the inactive stockpile be maintained in the same state of readiness as the active stockpile?

Will a post-START II active and inactive stockpile, as planned in the new Nuclear Weapons Stockpile Memorandum, be adequate to fulfill the requirements for such an upload hedge? Will a post START II inactive stockpile require tritium gas and limited lifetime components to meet the upload hedge requirements? Is the DOD plan for tritium production adequate to meet present and future needs in the present START I scenario without a signed START II treaty? Is the DOE plan for tritium production adequate to meet present and future needs in the present START I scenario, without a signed START II treaty? Is the DOE plan for tritium production adequate to meet present and future needs if the START II treaty is finally signed?

Is the DOE plan for pit production and re-fabrication adequate qualitatively and quantitatively?

DOE has testified that its plan for maintaining stockpile confidence in lieu of underground testing is not guaranteed to work. DOE has also testified that it does not believe that the weapons in this oldest of nuclear stockpiles need to be rebuilt and that DOE does not have a plan for ensuring an adequate remanufacturing infrastructure.

In light of this, of the DOE programs for Stockpile Stewardship (confidence) and for Stockpile Management (surveillance and production) provide suitable milestones for DOD to judge, with confidence, that the stockpile will remain safe and reliable?

Has DOE requested sufficient funds to ensure that the U.S. nuclear stockpile will remain safe and reliable in both the near and long term?

The stockpile stewardship program is a long-term plan. Even if this program is demonstrated to be successful, will the "bow wave" be so far out that there will be a gap in our confidence in stockpile safety and reliability?

By statute, the DOE R&D and production program is to be under a flag officer. Under the present Administration, this does not appear to be the case. Does this affect STRATCOM's working relationship with DOD?



In June 1995 the DOE laboratory directors recommended that stockpile stewardship, underground hydro nuclear tests and underground 500 ton test be performed to maximize stockpile confidence. This conclusion and this 50-year-old means of doing business was ignored by the Secretary of Energy in favor of a JASON report which recommended no underground testing and which did not involve the nuclear weapons laboratory directors or responsible military and DOD officials.

What is your view of the technical accuracy of each of these processes?

Will you look to the weapons laboratory directors in the future for expert views on the safety and reliability of nuclear weapons stockpile or will you look to outside consultants instead?

Some Administration officials have suggested that under START II, only 3,500 nuclear weapons need to be maintained in the active U.S. nuclear weapon stockpile, and that a ready inactive stockpile is unnecessary. What is your opinion on this matter?

As the customer, are you confident an improved accelerator technology can meet all the tritium requirements of the United States?

Please comment in detail on the role you will play in certifying the safety and reliability of our nuclear weapons?

Do you believe the Congress will need to increase DOE funding to allow that department to meet its nuclear weapons responsibilities to the Nation?

Answer. Given my current position, I am not familiar with the intricate details necessary to give you a thoughtful, comprehensive response to your many questions in this area at this time. If confirmed, I pledge to immerse myself in this area to come up to speed, but please allow me to comment generally on the focus of your questions.

The Nuclear Posture Review (NPR) reaffirmed the viability of the Nuclear Triad as well as the importance of a "lead and hedge" strategy. Under START II limits, we have a minimum force structure, with sufficient flexibility to respond to future challenges. It is essential to preserve our reconstitution capability as a hedge against unwelcome political or strategic developments. When START II is ratified by the Russians and entered into force, we will need to move toward the NPR-approved force structure in a prudent way. We should not be hasty in taking irreversible steps to eliminate weapons platforms or capabilities.

With or without nuclear testing, the United States must ensure that its nuclear stockpile remains safe, secure, and reliable. I recognize that CINCSTRAT has specific responsibility in that regard. Strategic Command should continue to carefully monitor DOE progress in developing a viable stockpile stewardship plan, and assist as necessary to lay out tasks to be accomplished and resources required. I understand that good progress is being made through the coordinated efforts of DOD and DOE, but I have not seen the final product of their efforts.

#### NUCLEAR TRIAD

*Question.* Do you believe that the nuclear triad is essential to maintain nuclear deterrence? Would you support negotiations with Russia to eliminate the land-based leg of the triad?

Answer. The triad is essential, and as it now exists, is sufficient to carry out national policy guidance, given the current strategic environment. The triad has served us well in the past, and planned adjustments under the NPR and START II preserve the triad well into the future. Before considering changes to the composition of our forces, we must carefully weigh the effects that such a change would have on the synergy of our nuclear forces. Each triad leg brings its own unique strengths to the equation, providing the National Command Authority with options and flexibility in time of crisis.

It seems to me that elimination of the ICBM leg would be risky and destabilizing, by simplifying an adversary's targeting problem and removing an important capability that can not readily be replaced.

#### MAJOR CHALLENGES

*Question.* In your view, what are the major challenges confronting the next Commander in Chief, United States Strategic Command? If confirmed, what plans do you have for addressing these challenges.

Answer. Strategic Command's mission is to ensure that the nation's deterrent remains viable so that we do not have to use our nuclear forces. In my view, the command's principal challenge is to continue to ensure a safe, reliable, and effective deterrent in a world still characterized by instability, uncertainty, and real and potential dangers. This challenge has two facets. First, the end of the Cold War has brought substantial improvements to our security, allowing significant reductions in

the nuclear arsenals of both the United States and the former Soviet Union. At the same time, I am especially concerned about the persistent and, in some respects, growing threat posed by the proliferation of weapons of mass destruction and their means of delivery.

The Nuclear Posture Review recognized the reduced role of nuclear weapons in our defense posture but reaffirmed the important contribution which nuclear weapons will continue to make to our nation's deterrent strength. The United States is already well on its way to meeting its obligations under the START I Treaty and is prepared to move toward START II force levels once that treaty enters into force. As these reductions continue (with or without START II), we need to ensure that our force reductions are managed in a way that reinforces the stability of our strategic relationships. I expect to be quite active in ensuring that we strike the right balance in our resource allocation and force sizing efforts and in fostering productive military-to-military contacts which further our threat reduction and confidence building activities.

In parallel with responsible management of our relationship with Russia, I believe we need to strengthen our capabilities to respond to strategic challenges that may emerge elsewhere, whether in a global or regional context. In that regard, I look forward to building on the cooperation which Strategic Command already enjoys with other combatant CINCs. This is not just a weapons issue, but also one of planning, intelligence, exercises, force management, resources, and command and control so that the nation is prepared to respond to a variety of contingencies.

#### MOST SERIOUS PROBLEMS

*Question.* What do you consider to be the most serious problems in the performance of the functions of Commander in Chief, United States Strategic Command? What management actions and time lines would you establish to address these problems?

*Answer.* As I noted, Strategic Command's challenge is to continue to ensure a viable deterrent for the nation. Strategic nuclear forces today do not require an excessive investment to provide a safe, reliable, and effective deterrent in this uncertain world. I have been told that they constitute little more than three percent of the nation's defense budget. But we need to maintain and strengthen this deterrent for the long haul. Weapons platforms will typically need to be sustained well beyond their initial design lives. Industrial sectors on which we rely must not be allowed to atrophy. We must maintain the safety and reliability of our nuclear weapons stockpile. We will grow increasingly dependent on technology and information so that we can do our job more efficiently. And we must always support and keep faith with our people: We ask a lot of them and their families, whether on alert, on patrol, on deployment, or juggling multiple missions with fewer resources.

Ultimately, these issues require the judicious investment of scarce resources. If confirmed, I intend to ensure that, as a combatant command, we have identified our requirements carefully, and to work with those responsible for allocating defense resources to fill those requirements in a cost-effective manner.

#### QUALIFICATIONS

*Question.* Section 164 of Title 10, United States Code, requires a combatant commander to have the joint specialty and to have completed a full tour of duty in a joint assignment as a flag or general officer. The military history provided by the Air Force in connection with your nomination indicates that you have not served in any joint duty assignments and merely served in three joint equivalent assignments from June 1982 to August 1984. Do you meet the requirements of the law or did the President have to grant a waiver in your case?

*Answer.* I did not meet the Title 10 requirements you so state in that I have not served in a general officer joint duty assignment. The President waived this prerequisite based on Secretary of Defense Perry's recommendation.

*Question.* What background and experience do you have that you believe qualifies you for this important position?

*Answer.* I have extensive experience in offensive strategic support to theater commanders, a thorough comprehension of force employment and nonstrategic operations. Additionally, I served as Director, Plans and Resources, Headquarters Air Force. I am also a graduate of the Joint Flag Officer's Warfighting Course.

#### CONGRESSIONAL OVERSIGHT

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

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

Answer. Yes, I do.

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

Answer. Yes, I do.

Question. Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Commander in Chief, United States Strategic Command?

Answer. Yes, I do.

Question. Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes, I do.

[The nomination reference of Lt. Gen. Eugene E. Habiger follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,  
SENATE OF THE UNITED STATES,  
December 18, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment to the grade of general while assigned to a position of importance and responsibility under Title 10, United States Code, Section 601:

*To be General*

Lt. Gen. Eugene E. Habiger, 5234, United States Air Force.

[The biographical sketch of Lt. Gen. Eugene E. Habiger, which was transmitted to the committee at the time the nomination was referred, follows:]

AFGOMO  
1040 AIR FORCE PENTAGON,  
Washington, DC, December 18, 1995.

Hon. STROM THURMOND, *Chairman,*  
*Committee on Armed Services,*  
*U.S. Senate,*  
*Washington, DC.*

DEAR MR. CHAIRMAN: The President, under the provisions of Section 601, Title 10 of the United States Code, has submitted to the Senate the nomination of the following general officer for appointment to the grade of general with assignment as indicated:

Name, Grade and SSN	Age	Assignment (From/To)
Eugene E. Habiger, Lieutenant General, 5234 .....	56	From Deputy Chief of Staff, Personnel, Headquarters, United States Air Force, To Commander in Chief, United States Strategic Command.

General Habiger is replacing Admiral Henry G. Chiles, Jr., United States Navy, who is retiring. Confirmation action during December 1995 will help insure a smooth transition for General Habiger. This action will not result in the Air Force exceeding the number of generals authorized by law.

For the information of the Committee, I am enclosing a military history on General Habiger.

Sincerely,

T. MICHAEL MOSELEY,  
*Colonel, U.S. Air Force,*  
*Chief, Air Force General Officer Matters Office.*

Attachment:  
Military History

### RÉSUMÉ OF SERVICE CAREER OF LT. GEN. EUGENE EMIL HABIGER

*Date and place of birth:* 11 June 1939, Oakland, California.

*Years of active service:* Over 34 years as of 24 August 1995.

*Schools attended and degrees:* Univ of Georgia, BS, 1963; Geo Wash Univ, MS, 1974;  
Air Command and Staff College, 1975; National War College, 1982

*Joint specialty officer:* Yes.

*Aeronautical rating:* Command Pilot.

### MAJOR PERMANENT DUTY ASSIGNMENTS

Assignment	From	To
Enlisted Status, US Army .....	Mar 59	Sep 63
Stu, Ofcr Tng Sch, ATC, Lackland AFB, TX .....	Sep 63	Oct 63
Stu Ofcr, Air Intel ofcr Crs, 3415 Tech Sch, ATC, Lowry AFB, CO .....	Oct 63	May 64
Tng Ofcr, E—Fit, 3637 CCTSq, ATC, Stead AFB, NV .....	May 64	Oct 64
OIC, Element II, 3637 CCTSq, ATC, Stead AFB, NV .....	Nov 64	Jul 65
Stu Ofcr, Undergrad Pit Tng, 3526 Stu Sq, ATC, Williams AFB, AZ .....	Jul 65	Jan 67
Co-Pit, B-52, 524 BMSQ, SAC, Wurtsmith AFE, MI .....	Jan 67	May 69
Acft Comdr, B-52H, 524 EMSQ, SAC, Wurtsmith AFB, MI .....	Jun 69	Jan 71
Fit Comdr, C-7A, 457 TASQ, PACAF, Cam Ranh Bay AB, Vietnam .....	Jan 71	Sep 71
Intel Ofcr, 4500 Spt Sq, TAC, Langley AFB, VA .....	Sep 71	Jan 72
Air Intel Ofcr, DCS/Intel, Hq TAC, Langley AFB, VA .....	Jan 72	May 73
Ch, Operations Er, DCS/Intel, Hq TAC, Langley AFB, VA .....	May 73	Aug 74
Stu, Air Comd & Staff College, AU, Maxwell AFB, AL .....	Aug 74	Jun 75
Ops Ofcr, 644 BMSQ, SAC, K.I. Sawyer AFB, MI .....	Jun 75	Sep 77
Bomber Contingency Plnr, DCS/Ops Plans, Hq SAC, Offutt AFB, NE .....	Sep 77	May 79
Exec ofcr to DCS/Ops Plans, Hq SAC, Offutt AFB, NE .....	May 79	Jan 80
Comdr, 325 EMSQ, SAC, Fairchild AFB, VA .....	Jan 80	Jul 81
Stu, National War College, NDU, Ft McNair, Wash DC .....	Jul 81	Jun 82
Ch, Strat Ofcr Fracs Div, AF/XOXFS, Hq USAF, Wash DC .....	Jun 82	Mar 83
Dep Asst Dir for Jt & NSC Mtrs, AF/XOI, Hq USAF, Wash DC .....	Apr 83	Oct 83
Exec Ofcr to the Vice CofS, AF/CV, Hq USAF, Wash DC .....	Oct 83	Aug 84
Vice Comdr, 5 BMWG, SAC, Minot AFB, ND .....	Aug 84	Mar 85
Comdr, 379 BMWG, SAC, Wurtsmith AFB, MI .....	Mar 85	Jan 86
Comdr, 2 BMWG, SAC, Barksdale AFB, LA .....	Jan 86	Jan 87
Inspector General, Hq SAC, Offutt AFE, NE .....	Jan 87	Jan 88
Dep Dir, Prgms & Eval, AF/PRP & Chmn, Prgms Review Council, Hq USAF, Wash DC .....	Jan 88	Jan 90
Dir, Prgms & Eval, AF/PRP & Chmn, AFB, Hq USAF, Pentagon, Wash DC .....	Jul 90	Sep 90
Dir, Prgms, AF/PRP; & Chmn, AFB, Hq USAF, Pentagon, Wash DC .....	Oct 90	Aug 91
Vice Comdr, Hq ATC, Randolph AFB, TX .....	Aug 91	Jul 93
Vice Comdr, Hq AETC, Randolph AFB, TX .....	Jul 93	Apr 95
DCS, Personnel, HQ USAF, Pentagon, Wash DC .....	Apr 95	Present

### DATES OF APPOINTMENT

Promotions	Effective date
Second Lieutenant .....	24 Sep 63
First Lieutenant .....	24 Mar 65
Captain .....	1 Apr 67
Major .....	1 Jun 74
Lieutenant Colonel .....	1 Apr 79
Colonel .....	1 Jul 81
Brigadier General .....	1 May 88
Major General .....	1 Dec 90
Lieutenant General .....	26 Mar 93

### Decorations:

Air Force Distinguished Service Medal  
Legion of Merit with one Bronze Oak Leaf Cluster

Distinguished Flying Cross  
 Defense Meritorious Service Medal  
 Meritorious Service Medal with one Bronze Oak Leaf Cluster  
 Air Medal with four Bronze Oak Leaf Clusters  
 Air Force Commendation Medal with one Bronze Oak Leaf Cluster

## SUMMARY OF JOINT ASSIGNMENTS

Assignments <sup>1</sup>	Dates	Grade
* Executive Officer to the Vice Chief of Staff, HQ USAF, Washington DC .....	Oct 83-Aug 84	Colonel
* Dep Asst for Joint and National Security Council Matters, Directorate of Plans, Deputy Chief of Staff, Plans and Operations, HQ USAF, Washington DC .....	Apr 83-Oct 83	Colonel
* Ch, Strategic Offensive Forces Div, Directorate for Force Development, Deputy Chief of Staff, Plans and Operations, HQ USAF, Washington DC .....	Jun 82-Apr 83	Colonel

<sup>1</sup> Joint Equivalent

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Lt. Gen. Eugene E. Habiger in connection with his nomination follows:]

## UNITED STATES SENATE

## COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

## COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF  
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

## PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

Eugene Emil Habiger.

2. **Position to which nominated:**

Appointment to the grade of General with duty as the Commander in Chief, United States Strategic Command.

3. **Date of nomination:**

December 18, 1995.

4. **Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**

June 11, 1939; Oakland, California.

6. **Marital Status:** (Include maiden name of wife or husband's name.)

Married: Barbara Anne Veal.

7. **Names and ages of children:**

Karl Eugene Habiger, 30; Kurt Henderson Habiger, 28.

**8. Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the Committee by the Executive Branch.

None.

**9. Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational or other institution.

Armed Forces Benefit Association—pro bono

United States Soldiers and Airmen's Home—pro bono

Armed Forces Retirement Home—pro bono

**10. Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Psi Chi, University of Georgia

Phi Kappa Phi, University of Georgia

National War College Alumni Association

University of Georgia Alumni Association

George Washington University Alumni Association

Association of Old Crows

Air Force Association

Harvard Kennedy School Alumni Association

MIT Seminar XXI Alumni Association

**11. Honors and awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the Committee by the Executive Branch.

1988–1989 Massachusetts Institute of Technology Fellow, Seminar XXI Program

1988 Harvard University—Program for Senior Executives in National and International Security

**12. Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

**13. Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the Administration in power?

Yes.

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[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

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#### SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

EUGENE E. HABIGER.

This 11th day of December, 1995.

[The nomination of Lt. Gen. Eugene E. Habiger was reported to the Senate by Senator Strom Thurmond on February 1, 1996, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on February 1, 1996.]

NOMINATION OF KENNETH H. BACON TO BE ASSISTANT SECRETARY OF DEFENSE FOR PUBLIC AFFAIRS, FRANKLIN D. KRAMER TO BE ASSISTANT SECRETARY OF DEFENSE FOR INTERNATIONAL SECURITY AFFAIRS, AND ALVIN L. ALM TO BE ASSISTANT SECRETARY OF ENERGY FOR ENVIRONMENTAL MANAGEMENT

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THURSDAY, MARCH 7, 1996

U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
*Washington, DC.*

The committee met, pursuant to notice, at 11:20 a.m., in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman of the committee) presiding.

Committee members present: Senators Thurmond, Warner, Smith, and Robb.

Committee staff members present: Romie L. Brownlee, staff director; George W. Lauffer, deputy staff director; Melinda M. Koutsoumpas, chief clerk; Donald A. Deline, general counsel; and Christine K. Cimko, press secretary.

Professional staff members present: Gregory J. D'Alessio, John H. Miller, Bert K. Mizusawa, and Cord A. Sterling.

Minority staff members present: Andrew S. Effron, minority counsel and Richard D. DeBobes, counsel.

Staff assistants present: Patricia L. Banks, John R. McLeod, Deasy Wagner, and Jennifer L. Wallace.

Committee members' assistants present: Judith A. Ansley, assistant to Senator Warner; Thomas L. Lankford, assistant to Senator Smith; and Suzanne Dabkowski, assistant to Senator Robb.

Chairman THURMOND. The committee will come to order.

Senator, did you want to say a few words?

Senator ROBB. Mr. Chairman, if I might. I am not going to be able to stay for the hearing.

I have had occasion to meet with all three of these distinguished nominees, and I am very pleased to say that I look forward to their confirmation and to working with them. But I hope you will forgive me. I had very good individual meetings, and I suspect the confirmation process will find similar favor with the President's nominations.

With that, Mr. Chairman, I thank you, and I will take your leave.

Chairman THURMOND. Thank you very much.

#### OPENING STATEMENT OF SENATOR STROM THURMOND, CHAIRMAN

Chairman THURMOND. Gentlemen, I thank you for joining us this morning to discuss your nominations to these very important positions in the administration. We have put all of you together today so that we can expedite your nomination procedures. I hope you will not mind the inconvenience.

I see Senator Warner is here to introduce Mr. Alm, and then I hope he will rejoin me at the committee table.

Let me take just a few minutes to address each of you individually. Mr. Bacon, you get the honor of being first.

I believe that your job will prove to be one of the more difficult. My press secretary has some pretty long and very difficult days, and she only has to manage one senator. You have the entire Pentagon to deal with. However, you know what is involved, because you have been doing this job for sometime now, as the assistant to the Secretary of Defense for Public Affairs. I believe your wife, Darcy, is here today. I would like to ask her to raise her hand so we can all greet her.

We thank you for joining us for this hearing.

Mr. Bacon, I notice from the material you have supplied the committee that you have attended both Amherst College and Columbia University, receiving a Masters of Science degree in Journalism. Regardless of how hard you tried to convince me in my office, I know that Columbia University is not located in Columbia, South Carolina. [Laughter.]

But you appear to be very qualified for this position anyway. I would just like to give you a small piece of advice about members of Congress. We prefer not to have surprises. If you are confirmed, please give us all the advance notice you can about matters of interest to you.

Mr. Kramer, I understand you are accompanied by your wife, Noel, and your son, Christopher. Would you two please raise your hands so everyone can see where you are seated.

I thank you and appreciate your joining us today.

Mr. Kramer, you have been involved with the Office of the Assistant Secretary of Defense for International Security Affairs before. From 1977 to 1979, I believe, you were the Special Assistant. From 1979 to 1981, you were the Deputy Assistant Secretary in that office.

I also noticed that you graduated cum laude from Yale in 1967, and received your J.D. from Harvard magna cum laude in 1971. You are currently the Deputy Assistant Secretary of Defense for European and NATO Affairs. You may even be overqualified for this position, but you certainly should not be surprised by any of the day-to-day activities, if you are confirmed.

Mr. Alm, you are our last nominee, and I am very interested in the position for which you have been nominated. Mr. Alm, each year large sums of money from the Department of Defense go to the Department of Energy to clean up materials that resulted from



nuclear facilities that produced or stored nuclear weapons. Each year we have concern that the money will not be used efficiently or in the best interest of the Department of Defense. I hope that, if you are confirmed, you will keep this committee advised on the conduct of your activities.

Your background indicates that you are well qualified. You started your association in 1961 as an intern with the Atomic Energy Commission, and served for 7 years with what we all know now as the Office of Management and Budget. I notice that in 1970, you became the first Staff Director of the newly created Council on Environmental Quality. You were also the assistant Secretary of Energy for Policy and Evaluation in 1977. In 1983, you became Deputy Administrator for the Environmental Protection Agency. I also notice that you spent a number of years in the private sector, as well, but always in the environmental area.

Again, I would like to welcome all of you, and thank you for appearing before this committee. I will ask you some questions that we ask all nominees, but first, I would like to let Senator Nunn—he is not here today—is there any Democrat here to make a statement? [No response.]

Chairman THURMOND. I would also like to ask you to keep your remarks as short as possible, because our time is limited today. Suppose we go ahead and take you gentlemen's opening remarks, to save time, all right.

Glad to hear from you, Mr. Bacon?

#### STATEMENT OF KENNETH H. BACON, NOMINEE TO BE ASSISTANT SECRETARY OF DEFENSE FOR PUBLIC AFFAIRS

Mr. BACON. Thank you very much, Mr. Chairman.

I do not have an opening statement for the record, but I would like to make a very brief comment.

I am honored that Secretary Perry has selected me to serve as Assistant Secretary of Defense for Public Affairs. I am honored that President Clinton has nominated me for that position.

As you have mentioned, I have had a considerable period of on-the-job training. During that time, I have tried to respond quickly to all requests from the Senate Armed Services Committee. If I am confirmed, I pledge that I will continue to respond quickly, and I will also continue to work with our legislative affairs staff to follow the Thurmond no-surprises policy, one with which I agree totally.

In 1968 and 1969, I worked for the late-Senator Thomas McIntyre, who was a member of this committee. It was my privilege to do some of his staff work on defense matters. I saw firsthand that there were two keys to a strong defense: first, Democrats and Republicans must work together; and second, the administration and Congress must work together.

Mr. Chairman, you and Senator Nunn are both dedicated to maintaining a bipartisan policy for a strong national defense; so is Secretary Perry and his team. If confirmed, I will do my best to work with this committee in a bipartisan fashion to keep our military the world's best.

Thank you.

Chairman THURMOND. You may proceed.

**STATEMENT OF FRANKLIN D. KRAMER, NOMINEE TO BE ASSISTANT SECRETARY OF DEFENSE FOR INTERNATIONAL SECURITY AFFAIRS**

Mr. KRAMER. Thank you, Mr. Chairman. Mr. Chairman, it is a great honor to appear before you as President Clinton's nominee to be the Assistant Secretary of Defense for International Security Affairs. If confirmed, it will be an honor to represent our country and the American people.

I am also honored to have the opportunity, if confirmed, to work with Secretary Perry, Deputy Secretary White, and Under Secretary Slocombe, and particularly, again, with the men and women of the U.S. military, whom this committee knows, far better than I do, of their superb dedication and professionalism. I look forward to working also with this committee and with the Congress.

Mr. Chairman, I do have a prepared statement. It has been provided to the committee previously, and I would ask that it be submitted for the record, and then I would just make some very brief remarks.

Mr. Chairman, we are at an historic juncture now. The opportunities for achievement are great. The dangers of missed opportunities are also great. As we deal with those opportunities and challenges, defense and military force are inherent components of our U.S. national security strategy. Properly calibrated, our defense effort provides a framework in which our other elements of international security posture—diplomacy, economic relations, the leadership that our political and moral systems give us—can provide.

Military power, as utilized by the United States, is a source of stability and security throughout the world. Military power does more than that. It prevents the emergence of threats, if possible; it deters would-be aggressors, and when called upon, it defeats an enemy as effectively and as decisively as possible. The role of the Assistant Secretary of Defense for International Security Affairs is to support a strong defense and to help the development of that international framework in which we, our allies and our friends can thrive.

Mr. Chairman, there are numerous worldwide challenges with which the Assistant Secretary of Defense can help Secretary Perry, the President, this committee, and the Congress. I would leave to questions from the chair and from the Senators any specifics on that. But I look forward very much, sir, to working with you, if confirmed, and to having the opportunity to serve our country.

Thank you.

[The prepared statement and information of Mr. Kramer follows:]

PREPARED STATEMENT BY FRANKLIN D. KRAMER

Mr. Chairman, members of the committee, it is a great honor to appear before you today as President Clinton's nominee to be Assistant Secretary of Defense for International Security Affairs. If confirmed, it will be an honor to represent our country and the American people. Equally, I could not ask for better persons to work for than Secretary Perry, Deputy Secretary White, and Under Secretary Slocombe, nor better colleagues than the other leadership and staff in the Policy section. I am honored to have occasion to work again with the men and women of the United States military. This committee knows well, and even better than I, the superb dedication, professionalism, and willingness to sacrifice that the military brings to its tasks. I look forward also to working with this committee and with the Con-

gress. I am very much a believer in our Constitution, and together I believe we can achieve much.

We are at an historic juncture when the opportunities for achievement are great, and the risks and dangers of missed opportunities are also great. It is a task to which we must rise even as we acknowledge the fundamental and overriding success of the United States in recent years—in the transformation of Europe and the demise of the Soviet Union, in the achievements of the Middle East peace process, in the Gulf War, and in the ongoing efforts in Bosnia.

As we deal with the challenges and risks which we face, defense and military force are inherent components of our United States national security strategy. Properly calibrated, our defense efforts provide a framework in which the other elements of our national security posture—diplomacy, economic relationships, the leadership ability our political and moral systems give us—can successfully operate. In the context of our Asia policy, Secretary Perry has said that it is the US defense effort which provides the oxygen that has fed the great economic achievements of that area. I subscribe to that statement. Military power, as utilized by the United States, is a source of security and stability throughout the world. Of course, military power does more than provide a framework of stability and security. Military power seeks to prevent the emergence of threats to our security. In circumstances of potential or actual conflict, military power deters would-be aggressors, and, when called upon, defeats an enemy as effectively and quickly as possible. This committee has always worked to ensure a strong, effective defense in its annual budget efforts, in its organizational achievements such as Goldwater-Nichols (which, I can assure you a returnee to the Pentagon most appreciates) and in its policy efforts, including consultations between members of the committee and the Department of Defense.

The role of the Assistant Secretary of Defense for International Security Affairs is to support a strong defense and to help the development of that international security framework in which the natural abilities of ourselves, our allies, and our friends can thrive. It is to help establish deterrence through declaratory policy, force deployments, and agreements with allies and friends. It is to support our military efforts, so that when they are actively engaged, the results are as effective and efficient as can be accomplished.

The scope of the Assistant Secretary's tasks is worldwide, with the exception of the non-Baltic states of the former Soviet Union. Let me briefly address some of the opportunities for achievement and some of the challenges we face in those areas.

In Europe, we are changing the security strategy of a continent through NATO adaptation, through NATO enlargement, through the Partnership for Peace, and through our relations with Russia. There can be no doubt that Europe is critical to the security of the United States, and that the United States is critical to the security of Europe. We have demonstrated that in Bosnia where the military effort is moving forward very successfully to date. Indeed, as the IFOR deployment demonstrates, there can be no successful major military effort in Europe without U.S. involvement. As IFOR also demonstrates, we can and should seek out our common interests with Russia. While keeping a clear-eyed view on what is happening in Russia, we want to do our best to have Russia demonstrate its commitment to constructively participate in the security architecture of Europe. As we develop that security architecture through NATO adaptation and NATO enlargement—which, I believe, is appropriate and inevitable, we should particularly recognize that through security cooperation countries subscribing to the Partnership for Peace are working to uphold democracy, build market economies, improve civilian control over their militaries, resolve border disputes with their neighbors, and make their military forces compatible with NATO, a security transformation of remarkable promise.

In East Asia, we have some of our most significant relationships and challenges. We have no more important bilateral relationship than our relationship with Japan. We have our historic and enduring commitment to the Republic of Korea and, in the South, to Australia, to which we are bound by treaty, culture and shared sacrifice. We have close relations with the ASEAN countries, and critical relations with China and with Taiwan. Our strategy is fourfold—to maintain our forward presence of approximately 100,000 military personnel in Japan, Korea, and afloat; to maintain our alliances; to build on multilateral initiatives such as the ASEAN Regional Forum, and Secretary Perry's call for a meeting of regional defense ministers; and to continue a policy of constructive engagement with China consistent with the three communiqués and the Taiwan Relations Act.

In the Middle East and Southwest Asia, challenges and opportunities abound. We must maintain our fundamental commitment to Israel, forged on moral, political, and historic grounds. We seek to assist Israel in its quest for peace in which it has made such great strides with Egypt, with the Palestinians, and with Jordan. We must assure that Israel has military qualitative superiority over any combina-

tion of potential enemies it might face, and we must support them in dealing with the problems of terrorism which they have so graphically faced in recent days. We must work closely with the other countries of the region who have supported the peace process—particularly Egypt and Jordan—and maintain our critical relations in the Arabian Gulf with the countries of the Gulf Cooperation Council. We must make every effort to contain and reduce those sources of danger, terrorism and instability represented by Iraq, Iran, and Libya. We must strive to avoid the proliferation of weapons of mass destruction in the Southwest Asian Subcontinent, and we continue to work with the governments of India and Pakistan in an effort to persuade each not to take actions that would precipitate regional nuclear and missile arms races.

In other areas of the world, we similarly face opportunities and challenges. In Latin America and the Caribbean, we must continue our progress as partners in security, to consolidate democracy, to oppose narco-terrorism, to encourage the continued leadership of military forces by elected civilian officials, to promote transparency and mechanisms for peaceful conflict resolution, and to advance cooperation on global peacekeeping and humanitarian missions. Last year Secretary Perry hosted the first ever Defense Ministerial of the Americas. It was a remarkably successful enterprise, and a tradition on which to build.

In Africa we need to continue to help resolve old conflicts and prevent new ones. We maintain the military capacity to respond to unpredictable circumstances, but our focus should be to work with African states to have them deal with the responsibilities of the continent and to help regional organizations, like the Organization for African Unity, and regional powers, such as the new South Africa, resolve the conflicts of sub-Saharan Africa.

I want to close with one commitment and one challenge. International Security Affairs includes within its offices the responsibility for POW/MIA affairs. It is a responsibility that I know this committee takes very seriously, and it is a responsibility which I want the committee to know that I take very seriously. This administration has consistently reaffirmed that this issue is of highest priority and that is the context in which we will pursue this effort diligently in Southeast Asia, in Korea, in Russia—wherever this critical work takes us. The American people and the families of unaccounted for servicemen deserve no less than the fullest possible accounting. Finally, although not traditionally within this committee's purview but within the Congress's, of course, is the issue of security assistance. Security assistance includes both the well established forms of Foreign Military Funding and International Military Education and Training and those more recent evolutions such as the Warsaw Initiative funding for the Central European states and countries of the former Soviet Union. I know from prior personal experience the impact such funds can have, and I cannot too strongly encourage their support by the members of this committee and the Congress.

I thank you again for the opportunity to appear before this committee, and I hope that, if I am confirmed, we will have the chance to work together on the important issues facing our country.

Chairman THURMOND. Thank you.  
Mr. Alm.

#### **STATEMENT OF ALVIN L. ALM, NOMINEE TO BE ASSISTANT SECRETARY OF ENERGY FOR ENVIRONMENTAL MANAGEMENT**

Mr. ALM. Mr. Chairman and members of the committee, I appreciate the opportunity to appear before this committee as the nominee for Assistant Secretary of Energy for Environmental Management. I am honored to have been nominated by President Clinton to serve in this critical position. If confirmed, I look forward to serving at the Department of Energy, under Secretary O'Leary's leadership.

Mr. Chairman, I have a statement for the record. I would like to just summarize a few of the major points in the testimony. First of all, I think that the Congress and the American people have a right to expect that the taxpayer dollars that go into this program are prudently invested, that results are achieved, and that the public and workers are protected. The task that I would undertake, if

confirmed, is one of the most daunting and most difficult jobs in the Government. Certainly, it is one that I would devote all my energies to.

I would like to just make five quick points. First, I believe it is important that we reduce the most serious risks as quickly as possible. Some of these risks pose threats to the environment, to communities and to workers. The risk-based priority system initiated last year should play a major role in budgeting and in actions taken in the field. In many cases, risks can be dramatically reduced by stabilizing waste and by removal actions while awaiting permanent solutions.

Second, we must reduce the so-called mortgage costs as soon as possible. A very large amount of the total funds for this program are used merely to keep current facilities safe. To the extent we can get in and clean these facilities up, a major savings can be made in future surveillance and maintenance costs.

Third, we must take our regulatory obligations seriously. The Federal Government cannot play by a different set of rules than the private sector. If we establish the credibility that DOE takes these obligations seriously, then we should be in a position to negotiate changes when it makes sense to do so. It is very important that in taking actions we have the support of the Congress, of the stakeholders, the States, and all interested parties as we move ahead, particularly in a period of tight budgetary limitations.

Fourth, we must improve the cost-effectiveness of the program. We must assure that we are not only doing the right thing, but also that we are doing it right. Even when we have chosen a cost-effective course of action, we need to make sure we are achieving the objective in the most efficient way through sound project management and cost control.

Finally, we need to apply the best science to the environmental management program. There are many opportunities. The cost savings could be very substantial if we could begin to deploy many of the new technologies that have been developed under the program.

Mr. Chairman, let me just close by saying that, if confirmed, I would pledge to work closely with this committee, the members and the staff, in carrying out these duties. Thank you very much, and I will be happy to answer any questions you may have.

[The prepared statement of Mr. Alm follows:]

#### PREPARED STATEMENT BY ALVIN L. ALM

Mr. Chairman and members of the committee, my name is Al Alm. I appreciate the opportunity to appear before this committee as the nominee for Assistant Secretary of Energy for Environmental Management. I am honored to have been nominated by President Clinton to serve in this critical position. If confirmed, I look forward to serving at the Department of Energy under Secretary O'Leary's leadership.

Few positions in the Federal establishment offer greater challenges. The Department of Energy's Environmental Management program was established to manage and clean-up wastes generated from 45 years of production of nuclear weapons. This program is the largest single environmental activity in the world, with an unsurpassed technical and management challenge.

The Congress and the American people have the right to expect that taxpayer dollars are prudently invested, that results are achieved and the public and workers are protected. This task of managing and cleaning-up the weapons complex sites must be achieved during a period when discretionary budget resources will be increasingly scarce. To succeed, it is critical to retain the support and help of the Congress, the States and the stakeholders at DOE's facilities. It is clearly a tall order.

I believe success is possible. From its beginnings in the late 1980's, the Environmental Management program has evolved into a major undertaking. The first Assistant Secretary, Leo Duffy, shaped the program during its early years. Tom Grumbly, who has been nominated by President Clinton to be Under Secretary of the Department, has accomplished a great deal over the last 3 years in this position. Incentive contracts are in place at most of the facilities, costs have been reduced, advisory committees have been established at the sites and comparative risk assessment is being used to establish priorities. These accomplishments are not only attributable to leadership at the top, but also through dedicated work by DOE employees and contractors. I have been impressed with the dedication and competence of many of the DOE employees and contractor staff that I have met recently, as well as over the years. Success in the position for which I have been nominated would be impossible without their efforts.

I subscribe to the direction and goals that Tom Grumbly has established for the program. The task is now to translate this momentum into lasting achievements at the sites, based on the following priorities.

First, we must reduce the most serious risks as quickly as possible. Some of these risks pose threats to the environment, to communities and to workers. The risk-based prioritization system initiated last year should play a major role in budgeting and in actions taken in the field. In many cases, risk can be dramatically reduced by stabilizing wastes and by removal actions, while awaiting permanent solutions. Putting off actions awaiting "final" solutions only exposes the public and workers to unnecessary risk in the interim.

Second, we must reduce the so-called mortgage costs as quickly as possible. These mortgage costs include the surveillance and maintenance costs necessary to keep facilities safe. In many cases, investments made today could be paid off in a few years by dramatically reducing these costs. These cost savings would occur upon decontaminating, and in some cases, decommissioning these facilities. A private business would never hesitate to make such investments. Savings from mortgage reduction would allow for funding more risk reduction projects in the future.

Third, we must take our regulatory obligations seriously. The Federal Government cannot play by a different set of rules than the private sector. If we establish the credibility that DOE takes these obligations seriously, then we should be in a position to negotiate changes when it makes sense to do so. As I implied earlier, support of stakeholders, the States and Congress will be key as we move ahead, particularly in light of tight budgetary limitations.

Fourth, we must improve the cost-effectiveness of the program. We must assure that we are not only doing the right thing, but also that we are doing it right. Through life-cycle analysis, risk analysis and other tools, we need to assure that the actions we are taking represent the most cost-effective option. Even when we have chosen a course of action, we need to make sure we are achieving the objective the most efficient way through sound project management and cost controls.

Today, many new tools are being used to create a more cost-effective clean-up program. Some of these include incentive contracts, re-engineering, benchmarking, privatization, activity-based costing, overhead analysis and life-cycle analysis. Their use is resulting in solid accomplishments across the weapons complex. I would intend to rely strongly on these tools to assure we are doing the right things efficiently.

Fifth, we need to apply the best science to the Environmental Management program. There are substantial opportunities to characterize wastes more efficiently and deploy new, more cost-effective technologies. New technology will allow DOE to conduct the program at lower costs and, by allowing it to tackle some currently intractable problems, win result in greater health protection.

I firmly believe that streamlining processes and shortening the deadlines for final actions will be less costly and more protective to the public and workers than searching for a "perfect" solution. Moving ahead with clean-up actions, even if they are interim in nature, will reduce risk and future costs. To the extent that mortgage costs are reduced, more funds would be available for future clean-up. This is greatly preferable to spending money continuously on surveillance and maintenance at existing facilities. In my brief review of the program to date, it appears that a phase I effort—aimed at reducing most of the risk and mortgage costs—could be achieved within a decade. Such a goal could mobilize DOE staff, contractors and stakeholders toward a realistic interim end point that would demonstrate large benefits within a finite period of time.

Before discussing my qualifications for this position, I would like to make one final observation. The current debate about the budget deficit reflects a concern by the President and the Congress that the current generation is placing unfair obligations on future generations. Government expenditures that result only in current

consumption raise that issue. Many of the investments made in the Environmental Management program, however, have the opposite effect ; they reduce future obligations by a much greater amount than the current investment. I would hope that we can demonstrate that these investments will burden our children and grandchildren with smaller health and ecological risks and of less costly future obligations to maintain deteriorating facilities.

I believe that my previous experience in both Government and the private sector have provided me a solid basis for taking on the challenges of the Environmental Management program. My many years in the environmental area have acquainted me with the complete range of environmental issues, from public health concerns to ecological values. As Deputy Administrator of the Environmental Protection Agency during the tenure of William Ruckelshaus, I acted as chief operating officer for a program of comparable size to that of DOE's Environmental Management program. In that position, I learned how to establish goals for an organization, how to make decisions rapidly and how to assure program results. My private sector employment has provided me further management experience, including understanding the importance of being efficient. My service on EPA's Science Advisory Board and National Academy of Sciences panels have given me an understanding of the scientific community. On nuclear issues, I am currently co-chairman of the Environmental Management Advisory Board and have previously served at both the Atomic Energy Commission and The Department of Energy.

If I am confirmed by the Congress, I pledge to devote all my energies to clean-up of the weapons complex and to work closely with members of this committee. I realize the magnitude of this task and am humbled that the President and the Secretary have expressed their confidence in me to undertake this endeavor.

Thank you very much for the opportunity to make this statement and I look forward to answering your questions. I also look forward to working with you in the future if you see fit to confirm me. Thank you very much.

Chairman THURMOND. Mr. Alm, General Fogleman, the Chief of Staff of the Air Force, is out there to see me, so I am going to have to go out for a few minutes. I am going to ask Senator Warner to take over, and he wanted to make some remarks about you, too.

#### STATEMENT OF SENATOR JOHN W. WARNER

Senator WARNER [presiding]. Thank you, Mr. Chairman. It is my privilege to join in the introduction of Mr. Alm this morning. He has been a Virginia resident for over 6 years, and has an outstanding background in both public and private service. He is currently the Senior Vice President—I guess that should be a Senior Vice President or is it the Senior Vice President?

Mr. ALM. A Senior Vice President.

Senator WARNER. A Senior Vice President for the Environmental Business Area at Science Applications International Corporation's SAIC, a very well-known and very prestigious organization. In the public sector, the nominee has held positions as the Deputy Administrator of the Environmental Protection Agency, as well as Assistant Secretary for Policy and Evaluation at the Department of Energy. He established an excellent reputation throughout the energy and environmental communities, and I am confident that he will succeed in the challenging position to which the President has designated him.

We are fortunate, if I may say, just as an American citizen, for all three of you stepping forward and serving your country and your President, and indeed, working with the Congress.

In looking over the background, each of you are very, very well-qualified, and you will have my support.

I would like, however, to lead off with one or two questions, and the first, to you, Mr. Kramer. I do not have the article in front of me. I put it in the Congressional Record, but we will get you the

citation. It is a very interesting article in the Washington Times within the past 10 days, describing the future of the principal NATO partners today, Great Britain, Germany, France, and perhaps others who were in the article, of how they are beginning to address their manpower requirements, how some are thinking of suspending the drafting and taking other modifications to those procedures which result in acquiring sufficient men and women to man their force structure.

But clearly, from the article, there is sort of a message out there that tough times are ahead for these countries, particularly those have relied on conscription. The reader is left with a doubt as to whether they can, frankly, get the quality and the quantity they need to man their force structure. I forwarded the article to the Secretary of Defense, and asked him some questions. Undoubtedly, it is within your Department somewhere, so I expect you can track it down.

Because, if that is the case, is there a greater burden, then, to be thrust upon the United States in carrying forward our participatory responsibilities in NATO? That leads me, of course, to this question of the NATO expansion. Speaking for myself, indeed, I would like to see, at the appropriate time, NATO expanded to allow certain Warsaw Pact countries to join.

But I do have some conditions. One is that that procedure clearly indicate that a requirement to join would be a manifestation by those countries of a military capability to carry a proportionate part of the burden associated with membership in NATO. Because, given this other foundation I laid, and you add on additional countries, I am becoming increasingly concerned about the United States being called upon.

Do they have the military hardware which is modern, which is capable of providing a defense force to any aggression? Can that hardware be integrated with existing NATO hardware? What about the level of training of the personnel, the level of their professional commitment to do or die, in the immortal words of Rudyard Kipling, I believe? Then, of course, it is the question of the timing as it relates to Russia.

We do not want to inject into that increasingly unstable situation a development which could precipitate a reaction that would be to the detriment of NATO and the current partnership. So, take a minute or two, and give us your thoughts on that.

Mr. KRAMER. Senator, that is a large question, and I hope that, actually, you and I can discuss that, and will discuss that, if I am confirmed in the forthcoming months. Even that will be a question to discuss in the forthcoming years, regardless of who is sitting in this chair. But let me give you some thoughts as to each of the three major portions of the question: One, the manpower; two, the NATO expansion aspect with the potential countries; and, three, the issue with respect to Russia.

As you are aware, Senator, NATO itself, I think, has begun a process of potentially historic transformation, both looking at the issues as to the areas in which it might be engaged. It was always, and appropriately so, always purely a collective defense organization, and that certainly was the right thing to be, prior to the de-



mise of the Soviet Union. NATO is now considering looking beyond, if you will, the old NATO area.

In this regard, I personally am greatly heartened by the changes and the statements made by President Chirac and his staff with respect to France's willingness to come closer to NATO—to work more closely with us. I think NATO has to look very carefully in the overall at working out, in a militarily effective way, a revised approach to security as we go forward into the new century.

With respect to the specific point on manpower, the French in particular, have announced what they call a great national debate on the draft. They have always had conscription. I believe that they will in fact do away with the draft—perhaps not in the entirety, but in substantial part. One of the things President Chirac said in his speech to the French nation was that they found in the Gulf War that they were only able to project approximately—I may have the number wrong, but approximately 10,000—forces into the Gulf. They are hoping, with the restructuring—and I have had personal discussions on this point—to create a much more effective force that could go beyond France's own borders and be more valuable.

Now, the British have had a professional force, essentially a professional force, for a long time. I have spoken with the counterparts in Germany. I had the honor to actually be a meeting with Chancellor Kohl when he met with Secretary Perry. I believe the Germans will maintain conscription for the foreseeable future, but obviously there can always be an issue.

I think, if the countries do as France is doing there, and if we do NATO adaptation appropriately, we will find that we have a greater capability. It is certainly our policy and NATO's to enhance the European component of defense.

On NATO expansion, I could not agree with you more. We cannot just have, if you will, consumer nations. We have to have producer nations. We also have to have nations that share our values, that truly are democracies, that have the same strategic approach. In the Partnership for Peace, as you are aware, those are criteria to which we are working. The Secretary is very committed to that. Again, I have been in meetings, and that point is very, very clearly made.

Another aspect with respect to the Partnership for Peace is interoperability, the ability to work with NATO nations. We are working very hard on that. Obviously, as you said, these were, most of them—all of them, really—were Warsaw Pact nations, and so interoperability is not built in a day. But it is a clear goal of the Partnership for Peace.

With respect to Russia, I, too, agree that NATO expansion, assuming the appropriate criteria are met—that they are true democracies, that there is civil control of the military, that they have free market economies, that they do not have border disputes with their neighbors, that they have interoperability—I think that will be appropriate for some countries.

NATO has a quite deliberate timetable. We certainly cannot give the Russians a veto. At the same time, we certainly have to treat the Russians sensibly and appropriately. We are sticking with our timetable. This year, we have what is called an intensified dialogue with the countries that have indicated particular interest in joining

NATO. That is really starting up right now. Towards the end of this year, we will be able to make some decisions or preliminary decisions.

All these decisions, I might say, obviously, have to be done in consultation with the Congress, and they have to be done, essentially, in consultation with the parliaments of all the countries, because NATO operates by consensus. There will be a ratification process. So this is something that we are at the front end of, not the back end of, and we need to go forward steadily, neither stepping away from the decisions nor acting precipitously.

I could spend a much longer time talking to you.

Senator WARNER. Well, I recognize that. But I think, as I listened very carefully, that you recognize my concerns.

Mr. KRAMER. Yes, sir.

Senator WARNER. In a very adroit policy manner, you have sort of said, Yes, Senator, I think I sort of agree. Would that be correct?

Mr. KRAMER. Yes, it would.

Senator WARNER. You have got enough exit there, but basically I think you are proceeding in the right direction.

Now, Mr. Bacon, that is an impossible job that you are about to take on. One must ask what level of sanity you have to get into this, but you are well-experienced. I think you have developed a lot of respect in the manner in which you have handled current assignments up to date.

One thing that always sort of lingers back in mind, and I guess I am sort of a product of the World War II and Korea era, but I must say, when we went into Somalia and we were greeted on the beaches by all the television, everybody had their weapons on safety, and it was hard to understand. Then I had the task, together with my good friend and distinguished colleague, Senator Levin, to go to Somalia in the very closing days, and to write a fairly tough report on that situation. This committee heard from, I think it was from General Zinni, was it not, that took the troops out, and how they were fired upon as we left. This is quite different than when we arrived.

How do you want to deal with those situations? There is no real pattern, but each is different. But it seems to me that when the American people commit their sons and daughters, and have to have them go ashore or wherever, go in with weapons, prepared to defend themselves, that is darn serious business. That message should start from the very, very beginning. Possibly your area of responsibility can set a framework so that a very serious message is conveyed back to the families and to the men themselves and the women.

Mr. BACON. You have raised a very serious issue. Let me deal with it in three sections. The first is that when we initially went into Somalia, I was not in my current job, but Pete Williams had my job then. I have talked to Pete about this actually, and I think there was a feeling that perhaps the media was little over-exuberant in its photography of the troops coming ashore. However, this was arranged with the Pentagon. Had we to do it over again, I think we would do it differently.

Second, I read the report on Somalia. It was a good and tough report. It followed a number of internal reports. It focused pri-

marily, as I recall on, the news headlines, on the decision within the Pentagon to deny the commander's request for more armor and other equipment. The Somalia experience was a searing experience for America. Those television images, as much as anything, showed why public affairs is such an important part of the battlefield today.

Following our initial Somalia involvement, the Clinton administration revised its policy for peacekeeping operations in Presidential Decision Directive 25. The administration adopted much stronger standards for getting involved in peacekeeping operations. There has to be a clear goal. There has to be a clear exit strategy. There has to be a clear appreciation of what America can bring to the table, how America can help an important mission succeed. There has to be, first of all, of course, a real reason for getting involved.

When we pulled out of Somalia last year, under General Zinni's direction, I think we had an entirely different press operation. We invoked the pool. It was well-controlled. It was well-covered. There was some shooting at the very end. I do not think the troops ever felt they were in terrific danger. The shooting was pretty much over their heads as they were pulling off the beach.

Senator WARNER. I talked to General Zinni about when he lost power in his vehicle.

Mr. BACON. Now that was a much scarier operation. I understand that, when he was floating at sea for a while.

Senator WARNER. Take the record and work on that record a little bit there.

Mr. BACON. Yes.

Senator WARNER. I got your point.

I am going to yield now to my colleague, Senator Smith. But I would like to say, Mr. Alm, I take note that Colonel Anthony Aldwell is with you. I notice that you have with you Colonel Anthony Aldwell, is that correct? Maybe I am wrong. Mr. Kramer does.

Mr. KRAMER. Yes, sir.

Senator WARNER. A well-qualified colonel. Do not promote him, keep him right there, and get the last ounce of energy. He is a well-qualified professional. I saw him under some seriously tough situations in traveling with the Secretary from Saudi Arabia to Kuwait to China. You are fortunate.

Yes, Mr. Chairman, I've completed my questions.

Chairman THURMOND [presiding]. I will ask these questions.

Senator WARNER. I would ask that you designate Mr. Smith. I have to depart.

Chairman THURMOND. Senator, can you take over, after I ask these four questions?

Senator SMITH. Yes, go ahead.

Chairman THURMOND. I would like to ask each of you these questions. They are a series of questions we ask each nominee, prior to confirmation, that I must ask each of you. These questions concern your activities prior to the hearing, in relation to the Department of Defense. I need a response from each of you to each question. Would you please answer the questions one at a time, from my left to right?

First, Mr. Bacon, what is your current position? What association have you had with the Department of Defense since you learned of your possible nomination to your position?

Mr. BACON. My current position is assistant to the Secretary of Defense for Public Affairs. This had been my position since I started on September 19, 1994.

Chairman THURMOND. Mr. Kramer?

Mr. KRAMER. Sir, my current position is Deputy Assistant Secretary of Defense for Europe and NATO Affairs in the International Security Affairs Section of the Pentagon. That has been my position since January 31st of this year, sir.

Chairman THURMOND. Mr. Alm?

Mr. ALM. Mr. Chairman, since being nominated, I have had no direct relationships with the Department of Defense. I obviously have with the Department of Energy, for which I am being nominated.

Chairman THURMOND. Second question: Have you adhered to the applicable laws and regulations governing conflict of interest?

Mr. BACON. Yes, sir, I have.

Mr. KRAMER. Yes, sir, I have.

Mr. ALM. Yes, sir, I have.

Chairman THURMOND. Third question: Have you made any authoritative decisions or provided authoritative guidance?

Mr. BACON. Yes, in my current job, I have done so, Senator.

Mr. KRAMER. Yes, I have, as the Deputy Assistant Secretary, but not beyond that, sir.

Mr. ALM. No, sir.

Chairman THURMOND. Fourth, have you assumed any duties or undertaken any actions that would appear to presume the outcome of the confirmation process?

Mr. BACON. No, Senator, I have not.

Mr. KRAMER. No, Mr. Chairman, I have not.

Mr. ALM. I have not, Mr. Chairman.

Chairman THURMOND. Now, I have another engagement scheduled, and I am going to have to leave. Senator, if you will take over. I have some questions here, if you care to ask them.

Senator SMITH [presiding]. Thank you, Mr. Chairman. I just have a couple of questions and comments for each of you, and then I think we can wrap it up. There may be a period of time—Mr. Chairman, do you want to leave a period of time open for—how much, a week, 3 days? There will be a period of 3 days, where members may submit questions to you in writing.

Mr. Bacon, I did not know your former boss very well. I met him a couple of times. He, of course, was finishing his Senate career involuntarily at the time I was just getting into politics in New Hampshire. But there is a great story about him that is legendary in New Hampshire, and I never really asked anybody if it was true, but I hope it is, because it is a great story. But maybe you can verify. It is a little bit off the subject, but just to be light for a moment.

Senator McIntyre was interviewed after the election allegedly and was asked what he thought happened in the loss to Senator Humphrey. He said, "Senator McIntyre, did not the polls indicate to you that you were leading?" He said—this was about a week or

so after the election—he said, “Yes, they did.” “As a matter of fact, I took a poll after the election and it was still indicating that I was in the lead.” [Laughter.]

Is that a true story?

Mr. BACON. I have heard that story. I never asked him. But I have heard the story, Senator.

Senator SMITH. I have corresponded a number of times with Mrs. McIntyre over the years. She is a delightful person and still keeps in contact with me.

I would like to pick up, just for a moment, sir, on the question that Senator Warner asked you. How much of a right to know is there in the media, to the media, regarding battlefield and strategic actions now? We are seeing now a sophistication that was beyond anyone’s imagination. The press has a right to know, but there would have to be limits, it would seem to me. I mean, we saw examples in the Persian Gulf, with correspondents literally in positions in Baghdad that could have influenced the military actions taken—I am not saying it did, but it could have.

For example, they were staying in such-and-such a hotel or they may have been on the ground in some area where it may have been a prospective target—not necessarily the hotel, but some other area. How much information should they have in advance to a strategic or a tactical action in your opinion?

Mr. BACON. The short answer is they should have as much information as they can without jeopardizing the lives of the troops or the success of the mission. Where that balance is, of course, is how public affairs people and commanders spend their time in the days just before an operation and during an operation. There is no firm answer, because it varies with every operation. The only way to reach the answer, I believe, is to work closely with the commanders and to gain an appreciation of what type of operational security they need to be successful, and then try to provide everything up to that point, but not beyond it.

Senator SMITH. I think that is a fair answer. But the devil is in the deed, is it not? How do you make that happen? I mean, there is a great amount of demand placed on the military today. There was criticism, I remember, during the Grenada situation. The press was critical of the fact that they did not know in advance, so they could sit there. I mean, there is no element of surprise.

Mr. BACON. There has been a lot of evolution since Grenada, in 1983 or 1984. The press, as you point out, was completely excluded from covering that as it was happening. Since then, we have set up a very elaborate pool operation, which is a group of pre-identified news people who are called to go in with troops in an operationally secure environment. We have activated this pool a number of times, I think five or six times, in 1994 and 1995.

It was used, for instance, when we extracted the United Nations troops from Somalia with the Marines in the spring of 1995. We did not activate it in Bosnia, because there were already several thousand journalists in Bosnia, and it would have been futile to bring them in. But, there again, because we work very closely with bureau chiefs and with reporters, I think we have established a degree of trust and understanding that we lacked back in the early eighties.

This has been a good vehicle for sitting down before operations, or as operations are unfolding, and saying, OK, this is how we are going to arrange it, this is the type of access we can set up for you. So far, it has worked. But, as you say, the devil is always in the detail, and it is a process of negotiation.

Senator SMITH. Yes, I think once forces are on the ground and there is a conflict occurring, of course it is a little different. It basically becomes a logistical situation. But when you get into the surprise, the element of surprise, when in fact any type of leak at all—not necessarily deliberately—I mean, the fact that the press may take action to get there, even though you have told them that it has to be held in confidence, any type of action that could in some way tip off the so-called enemy could be a serious problem.

Then you get into this ethical question, in terms of the constitutional right to know.

Mr. BACON. Absolutely, I agree. That is what makes it challenging.

Senator SMITH. The reason I brought it up is I think it is going to even be more challenging in the future, with the technology and computers. It is just going to be incredible, and certainly a big challenge for your successors, I think, as well as yourself, in the future.

Mr. Alm, we have some common concerns. I chair the Superfund subcommittee in the Environment and Public Works Committee, and we are now in the process of trying to draft a bill. One of those areas of great controversy is natural resource damages. Your predecessor, Mr. Grumbly, stated that natural resource damages is a gorilla in the closet for the Department of Energy. Do you share that analogy? Is that a good analogy?

Mr. ALM. Senator, unfortunately, I have not reviewed that particular issue. I reviewed some of the issues of CERCLA as it applies to the DOE cleanup program, like the need for lead regulator flexibility in some of the measures, taking land use into account. But I have not studied the natural resource claims section as it applies to DOE. I will be glad to do that, if confirmed.

Senator SMITH. The hundreds and hundreds of billions of dollars, if not maybe a trillion—it would certainly be tens of billions of dollars in potential Federal liability for natural resource damage, just under Superfund. So it is going to be a huge problem.

Another example that I would just call your attention to, and this is a very poor copy of a photograph here, but this is Oak Ridge, Tennessee, where you have a 40-acre building—the building itself is 40 acres—the K-25 site in Oak Ridge, Tennessee, where you are just looking at a huge cost to decontaminate these buildings. How do you address this? Where do you start? What do you do to address something that astronomical? First of all, it is a huge problem; second, the cost.

We get criticized, and you will hear, I am sure, if you are confirmed, that we are not acting. Here is a building that is contaminated. Is it really harming anybody right now, because it is fenced off, quote, unquote? Probably not. But, yet, the pressure is on us to clean it up because it is there. So we get into the question of prioritization. Do we clean up a 40-acre building full of contaminants or do we go someplace else where there may be an aquifer

under a site somewhere that is polluting wells, that is an immediate threat?

Do you clean up something that is not an immediate health threat, because it is there?

Mr. ALM. Senator, you have asked a very good question. I think that the two priorities that play off against each other are, on the one hand, as I indicated in the testimony, risk—and there is a risk prioritization system. The other concern is the mortgage cost. We spend a huge amount in this program just keeping buildings safe. I do not know the facts on K-25, but I assume that there is probably very, very high continuing surveillance and maintenance costs.

To the extent to which we can decontaminate those buildings, you can drop those costs down to almost nothing. There are investments I have looked at where the payoff period is 1 year. So I would say that where you have opportunities to clean up these buildings and drive down the mortgage costs, that is the most cost-effective thing that can be done. That would have the effect of reducing obligations on future generations, not increasing them.

Senator SMITH. You are talking about an amortization?

Mr. ALM. That is correct, Senator. In other words, where you have high current operating costs, it makes good business sense to clean them up and get out. That would be one of my objectives, if confirmed.

Senator SMITH. Whether or not they have an immediate health threat? Would you assess that risk first or would you just do it?

Mr. ALM. Yes, Senator, they would all have some health threat or you obviously would not have a high maintenance cost in the first place. But, again, you would continually look, in terms of priorities, between the risk and the ability to drive down the mortgage costs.

Senator SMITH. I do not know how much you have looked into the NRD issue, but are you familiar with the terms "lost use" and "non-use" in natural resource damages?

Mr. ALM. I am not an expert in natural resource damage claims. It is one part of CERCLA that I was never really involved with.

Senator SMITH. Do you believe that your ability to prioritize risks at these sites has been adversely affected by the tri-part agreements that DOE has entered into?

Mr. ALM. Senator, that is a third consideration that goes into the budgetary process, namely, the agreements that have been reached, some of which were reached many years ago. It is my hope, if confirmed, that in cases where the regulatory agreements do not make sense, either in terms of risk or in terms of the ability to drive down mortgage costs, that we can meet with the regulators, with the regulators and the stakeholders, and come up with a more sensible plan.

Now, I think there is a little bit more than just optimism behind my comment. There have been some very good cases, like at the Fernald works in Ohio, where a consensus was agreed among the stakeholders. They came up with an option that was not the most the most protective. It was substantially less costly than some of the options. I have heard that they have saved about \$2 billion.

So I think if you can develop the information and work with the regulators and stakeholders, we can hopefully reach a more sensible conclusion. If confirmed, this is something I would plan to do at the major DOE facilities.

Senator SMITH. Do you support final Federal say or would you involve the States more in the decisionmaking process?

Mr. ALM. Senator, my feeling is that there should be a lead regulator at all the facilities. In many cases, that would be the State. Now, most of the environmental programs are delegated to the States. With the DOE facilities, there is a greater chance of working with EPA than you would if it were a private facility.

Senator SMITH. I just want to leave you with this point. There is great concern by me and many others about the potential liability out here for NRD, and where the parameters ought to be on it. I hope that, if you do get confirmed, you could spend some time on this and get back, certainly, to myself or to the environment and public works committee. I am sure at some point you will probably be asked to testify over there on what that cost may be, because it is astronomical.

I do not see how you can plan or amortize or lay out amortization schedules unless you know what the numbers are. At this point, I do not think anybody does know. They are just beginning now to get into the court cases on NRD. So it will be challenging.

Just one area of concern for you, Mr. Kramer, that I have that has long been an interest. Your shop is involved in the supervision of the POW/MIA office.

Mr. KRAMER. Yes, sir.

Senator SMITH. You will probably hear a lot of things about me as you get into that, not all of it true, but you may want to take whatever you hear with a grain of salt. But I think that there is a clear difference between what you will hear in the MIA shop, in terms of what information we are getting or not getting from the Vietnamese, in terms of, quote, unquote, full cooperation. You will hear a big difference between what is stated in the State Department and by the administration policy folks about cooperation with Vietnam, on the one hand, and then, on the other hand, what you are hearing from your analysts in the POW/MIA shop.

I would encourage you to look very closely at that. There is a schism, and I think it is something that has not been addressed, frankly, in the administration. I think it has been ignored. I say this because this is not just opinion.

If you look at the testimony over the past several years before Congress by the DOD POW/MIA analysts and folks who worked these issues with the Vietnamese over the years, you will find them saying constantly, over and over again, almost without exception, that the Vietnamese are not cooperating, have not been cooperating, and certainly, by no stretch of the imagination, are they fully cooperating. Yet, the information that comes from the State Department folks and the policy folks who really have pushed the normalization and restoration of diplomatic relations say the opposite.

I would very much encourage you to look at the cases, case by case, look at them, and see where you will see evidence that the Vietnamese have information about resolving these cases that they are not sharing with us, in spite of what you hear. I can tell you



that if you look at those cases, you will see it, and your analysts will tell you that, either off the record or probably on the record.

Mr. KRAMER. I suspect they will tell me it on the record. Senator, I know you have the interest. I have the interest, too. We have not had occasion to work together. I hope you will find that I work on the basis of facts, and that I really will look into it. I will do my very best.

Senator SMITH. Sure, I understand. On that, the battle of restoration of relations with Vietnam is lost, or won, depending on which side you are on. But, in my opinion, it was lost.

Mr. KRAMER. It has happened.

Senator SMITH. So I am not trying to replay that. I am just saying we can make the best of that, but to move on. But I think it is very important that we continue to press the Vietnamese, because there are families who still await information that the Vietnamese have.

Mr. KRAMER. Yes, sir.

Senator SMITH. I can assure you they have it, and they are not giving it to you—not all of it. They have given some, and they have been more cooperative lately than they have in the past.

Let me just add one more point that I hope that you would look at. I have visited Pyongyang. As far as I know, I am the first U.S. Senator, and maybe the only one, to go there and talk with the North Koreans on MIA/POW issues. They told me in those meetings that I held with Kong Suk Chu and other leaders of the Foreign Ministry of North Korea that the Chinese not only took American prisoners across the Yalung River into China, but manned the camps and have a huge amount of information that could be provided on American service personnel from the Korean War.

The Chinese have literally shut the door in our faces on this. The North Koreans have been more cooperative than the Chinese have, and that is not saying much. I would just encourage you, as we go through all of these other issues of MFN and others, that probably have a higher priority level for obvious reasons, that we not forget that issue. Because the Chinese do have information, there is no question about it. I do not know what kind of archival data they have, but I would encourage you to explore that avenue, of opening up contact.

Mr. KRAMER. I will, Senator. It is interesting, I had not known that you had been to North Korea. It is an area in which I—

Senator SMITH. A lovely place for a vacation.

Mr. KRAMER. I am sure it is quite wonderful for a vacation. It is a country in which I am told that, just as you said, there have been limited indications that they may be more forthcoming, but there's nothing really happening yet—would be the way I would say it.

With respect to the Chinese, I simply will have to look into that, and I will.

Senator SMITH. Thank you very much.

I have no further questions. I would like to thank all of you for being here today. This tends to be a long, drawn-out process sometimes, in awaiting confirmation, but I do not think we will be delaying it here at the committee too much longer. So, beyond that, we cannot speak what will happen on the floor, but I think action

should be forthcoming very quickly, based on the information I have seen.

Thank you all very much. The hearing is adjourned.  
[Whereupon, at 12:17 p.m., the hearing was adjourned.]

[Prepared questions submitted to Kenneth H. Bacon by Senator Thurmond prior to the hearing with answers supplied follow:]

DEPARTMENT OF DEFENSE  
ASSISTANT TO THE SECRETARY OF DEFENSE,  
1400 DEFENSE PENTAGON,  
Washington, DC, March 5, 1996.

Hon. STROM THURMOND, *Chairman,*  
*Committee on Armed Services,*  
*U.S. Senate,*  
*Washington, DC.*

DEAR SENATOR THURMOND: This is in response to your letter posing a series of questions concerning the Office of the Assistant to the Secretary of Defense for Public Affairs. Your questions and my responses are set forth below.

Sincerely,

KENNETH H. BACON,  
*Assistant to the Secretary of*  
*Defense for Public Affairs.*

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#### QUESTIONS AND RESPONSES

*Question.* From your service as an Assistant to the Secretary of Defense for Public Affairs, what do you consider to be the most serious problems in the management and operation of the public affairs activities of the Department of Defense? What management activities and timetables would you establish to address these problems?

*Answer.* The office has two primary missions: to provide timely and accurate information about the activities of the Department of Defense to the media and to the American public and to help keep the men and women in the U.S. military informed. I have not identified any serious management problems that affect our ability to accomplish these missions. Still, there are always management challenges.

One of my concerns is how to get more and better quality photography and video imagery from military operations and exercises. The Department deploys combat photographers to document these activities, but we need to do a better job of training these photographers, defining their missions, clearing imagery for release, and centralizing the storage and distribution of that imagery. My staff met in January with senior military public affairs officers to discuss these problems. I have asked my principal deputy to lead this project. He plans to have specific oversight and policy recommendations to the Services and the Joint Staff in the next few months.

Another challenge is how to cope with the rising demand for documents under the Freedom of Information Act and Mandatory Declassification Review. We are looking at a range of management steps that will enable us to provide timely service within staff limits. Among those are reorganizations and reallocation of assets, and technology enhancements, such as bar code scanning, to reduce some of the manpower-intensive aspects of the FOI and security review processes.

*Question.* Why is it important to you to be an "Assistant Secretary of Defense" rather than an "Assistant to the Secretary of Defense"?

*Answer.* The senior spokesman for the Department of Defense must have the stature and authority to set and enforce the principles of openness, accuracy, and timeliness in providing information to the public and the media. When this position was downgraded from an Assistant Secretary of Defense in 1993, the Pentagon press corps voiced concern about possible reduced access to the Secretary and other leaders. I enjoy an excellent working relationship with Secretary Perry, his senior staff and the Joint Staff, but this relationship is personality-based. Elevating the job by making it subject to Senate confirmation would strengthen the public affairs function in two ways. First, it would institutionalize necessary access to senior civilian and military leadership. Second, it would make it easier for me and my successors to represent the Department in dealings with other Government agencies and with foreign governments.

*Question.* Should you be confirmed as Assistant Secretary of Defense for Public Affairs, what would you view as your principle responsibilities to the Secretary of Defense?

Answer. My principle responsibility is to help the Secretary and the defense leadership keep the public informed about the activities of the Department. I will continue to make as much information as possible available to the public and to our Armed Forces, constrained only by operational and intelligence needs and statutes such as the Privacy Act of 1974.

*Question.* How would you describe your access to Secretary Perry? How often do you see him and what activities are you routinely included in?

Answer. My access to Secretary Perry is excellent and extensive. I usually see him several times a day, both in regular meetings and as-needed. I generally brief him before every dealing with the press. Last year he talked to the press 173 times in the United States and more than 130 times on foreign trips. A direct telephone line links our desks, making communication quick and easy.

*Question.* DOD directives provide that the ASD(PA) shall "ensure a free flow of news and information to the media, appropriate forums, and the American people limited only by national security constraints and statutory mandates." What guidelines would you use to determine what information can and cannot be released to the news media and the public?

Answer. I will continue to ensure that the release of information is consistent with the provisions of applicable statutes, executive orders and Department of Defense directives and instructions. Our goal is to release all useful information, unless specifically exempted by law, national security requirements, or privacy considerations.

*Question.* The ASD(PA) has responsibility for the security review of DOD materials for publication or public release, including testimony before congressional committees. What policy would you intend to follow in carrying out these responsibilities?

Answer. I intend to continue to use the procedures prescribed under executive order and to ensure that information will not be classified unless the disclosure could reasonably be expected to damage national security.

*Question.* Aside from restrictions related to classified and sensitive source-related information, what restrictions, if any, would you apply in approving material prepared for publication by DOD personnel?

Answer. In order to protect the Department and the author, our review should ensure that publication does not violate the law or codes of conduct. Our review should also ensure that the information published does not constitute, or even appear to constitute, a misuse of official information.

*Question.* The ASD(PA) has responsibility for overseeing the provision of news analysis and news clipping services for the Office of the Secretary of Defense, Joint Staff, and the military Departments' headquarters. What policy would you intend to follow in providing this news analysis and in determining what news media reports should be disseminated throughout the DOD's Washington headquarters?

Answer. The goal of our news clipping and broadcast transcript service is to give senior defense leaders an unvarnished selection of international, national and community coverage of defense issues. I intend to continue this policy, which gives us the bad news with the good. This helps the department respond appropriately to public issues.

*Question.* Allegations of censorship and news management by military commanders of *Stars and Stripes* newspapers led to a requirement in the fiscal year 1988/89 Defense Authorization Act that the U.S. General Accounting Office (GAO) investigate the validity of these allegations. GAO reported that, according to a panel formed by the Society of Professional Journalists, evidence of censorship and inappropriate news management was conclusive at *Stars and Stripes* in the Pacific, but inconclusive for *Stars and Stripes* in Europe. What do you believe is the role of the *Stars and Stripes* newspapers? Do you believe that the military chain of command should be allowed to interfere with, or influence the news content of the articles in these newspapers?

Answer. The role of the *Stars and Stripes* is to provide an unbiased, free flow of news and information to military service members, DOD civilians, and their families, who are serving in the European and Pacific theaters. The newspapers help to:

- Provide a free flow of news from the United States,
- Foster a sense of community within the theater,
- Keep personnel educated and informed, thereby making them better service members, and better citizens.

The military chain of command should not interfere with news coverage of the *Stars and Stripes* and should not attempt to influence the news content.

The only circumstances under which the military command may order information withheld from the *Stars and Stripes* are in matters involving (1) the disclosure of classified information, (2) threats to national security, or (3) endangerment of the lives of U.S. personnel. In any such case, the matter must be immediately referred to me and to the Secretary of Defense.

These principles are reflected in the Department's internal regulations governing *Stars and Stripes* operations.

I believe that the steps taken since 1989 have strengthened the independence of the *Stars and Stripes* and minimized the potential of undue command influence.

*Question.* Do you believe that there is a need for an ombudsman to investigate and report independently to the Director of the American Forces Information Service or to the ASD(PA) on questions of censorship in the *Stars and Stripes* newspapers?

*Answer.* Yes, I believe the ombudsman to the *Stars and Stripes* plays an essential, continuing role in maintaining the editorial integrity of the newspapers.

The ombudsman position was created in 1990 in an effort to guarantee the editorial integrity of the newspaper. The three individuals who have held the position since then have been seasoned professionals who were well known and respected in the journalism community.

The ombudsmen have served as a vital safeguard. I know of no substantive allegations of censorship at the *Stars and Stripes* while ombudsmen have been serving. The ombudsman position should be continued.

*Question.* What role do you currently play in monitoring the activities of the operations of *Stars and Stripes* and other service publications, and do you plan to change this role?

*Answer.* As the principal advisor to the Secretary of Defense on public affairs matters, I direct the activities of the American Forces Information Service (AFIS). AFIS exercises policy guidance and oversight of the *Stars and Stripes*, and military service command information publications.

AFIS also provides management assistance, and controls the disbursement of appropriated fund financial support to the *Stars and Stripes*. This is particularly crucial at the present time, when *Stars and Stripes* faces severe financial problems in the wake of troop reductions and the transfer of the *Stars and Stripes* bookstores to the military exchanges.

It should be noted that neither my office, nor AFIS exercise control over the editorial content of the *Stars and Stripes*.

I do not anticipate changing my role or the current structure for overseeing the operations of the *Stars and Stripes* and service command information publications.

*Question.* If confirmed as ASD(PA), do you intend to employ the "pooling" arrangement that the Defense Department developed during Desert Shield/Desert Storm to permit selected members of the news media to accompany DOD operations? What, if any, modifications would you make to this process based on past experience and your own views?

*Answer.* Whenever possible, I will continue to advocate free and open media coverage of military operations, as we are currently doing in Bosnia. However, when access to a military operation is not otherwise available to the totality of the media desiring coverage, the pool system has proven to be an acceptable alternative to the media and to military commanders. When pool coverage is required, I will continue to monitor the situation and ensure that the pool is as large as the operation will permit and is terminated in favor of free and open coverage as soon as the situation permits, as we did in Haiti. We work closely with news bureau chiefs and reporters to refine and improve pool operations. We have instituted regular meetings with the bureau chiefs and quarterly meetings for media "on call" for pools. We convene after-action meetings with the media after each deployment to discuss lessons learned and to make needed modifications. We have also upgraded and standardized our satellite and computer technology to mesh with the media's equipment. I will continue this trend of working closely with the media to improve pool operations and the overall relationship between the Department and the media.

*Question.* Has the Department of Defense encountered any significant difficulties in recent years in the administration of the Freedom of Information Act or the access provisions of the Privacy Act?

*Answer.* We have not yet encountered significant problems; however, as indicated in my response to Question 1, if the trend toward increased caseload and decreased personnel continues, a problem could arise. We are attempting to resolve this problem before it occurs.

**Question.** What role, if any, do you foresee for the ASD(PA) in the formulation and articulation of national defense policy?

**Answer.** The ASD(PA) is charged with formulating policies to ensure a free flow of news and information to the public and the news media, consistent with national security requirements and other legal and regulatory requirements. While I do not anticipate direct participation in policy development, as the Defense spokesman, I do work closely with the Secretary and his staff on the articulation of that policy.

**Question.** How many civilian employees and military personnel are assigned to the Office of the Assistant Secretary of Defense for Public Affairs? How is the Office organized? What other DOD components does the Assistant Secretary oversee?

**Answer.**

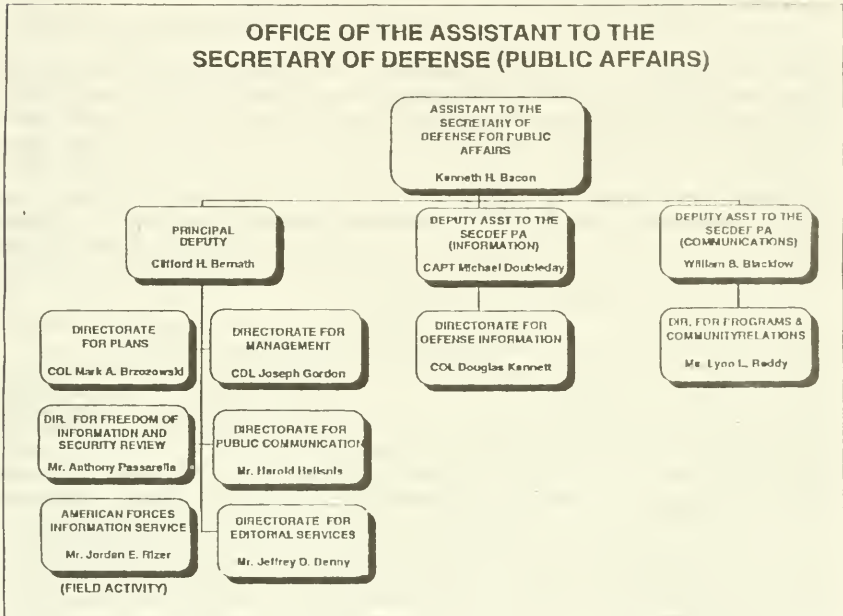
(a) The Office of the Assistant to the Secretary of Defense employs:

Civilian—64

Military—50

Total—114

(b) See organizational chart below.



(c) The ATSD(PA) oversees the activities of the American Forces Information Service:

**AMERICAN FORCES INFORMATION SERVICE (AFIS)**

	Civilian	Military	Total
Washington DC .....	94	50	144
AFRTS/BC, CA .....	82	35	117
DINFOS, MD .....	59	211	270
Photo Sch, FL .....	12	87	99
T-ASA, CA .....	132	10	142
DVIS, MD .....	30	0	30
<b>AFIS Totals .....</b>	<b>409</b>	<b>393</b>	<b>802</b>

**Question.** Which management positions are occupied by civilians and which by military? What determines this breakout?

Answer. As indicated on the organizational chart, the leadership of the Office of the Assistant to the Secretary of Defense for Public Affairs includes the ATSD(PA), who is a civilian; 3 deputies (2 civilians and one military); and 8 directorates. Three of these directorates are headed by military personnel (Management, Defense Information, and Plans). The rest are headed by civilians. There is no regulatory reason for designating a position as military or civilian. However, I believe that the deputy spokesman should be a military officer. Traditionally, the Directorates for Defense Information and Plans have been led by military officers, and they are staffed primarily by military officers.

*Question.* What percentage of public affairs management personnel are political appointees and what are their roles in the following areas?

Answer. The OATSD(PA) has 2 non-career SES employees (counting myself) and 9 Schedule C employees. No such appointees are assigned to the American Forces Information Service. Assignment to the roles in question are:

- Media Relations: 3
- Public Relations: 3
- Information Dissemination: 4
- Other (Administrative) 1

*Question.* What is the difference between directors and Deputy Assistant Secretaries?

Answer. As seen in the organizational chart, the Deputy Assistants to the Secretary work directly for the ATSD(PA), supervise and coordinate the overall activities of the individual directorates, and have broader responsibilities than the directors in establishing and implementing policies and procedures.

*Question.* What ability do directors have to make policy within the public affairs field?

Answer. As the people who implement public affairs policy on a day-to-day basis, the directors are normally the first to determine when policy needs to be adjusted. Directors normally have a primary role in drafting new policies for coordination; however, overall PA policy is the responsibility of the ATSD(PA). Directors do have the authority to implement policies and procedures within their directorates to ensure efficient, effective and equitable operations.

*Question.* Some believe you have too many "layers" in your organization. Do you agree, and if not, why not? If you agree, how do you plan to restructure?

Answer. Our personnel strength has fallen from 126 people (72 civilian; 54 military) in 1988 to 114 people now. By the end of fiscal year 2001, we are scheduled to lose another 17 civilian slots. In response, we are streamlining the organization. We have already eliminated 2 deputy director positions and combined 2 directorates into one and eliminated the extra director position.

*Question.* Usually at the end of a Presidential term, employees begin to "burrow in" to avoid losing their jobs during an administration change. Have you witnessed any of this recently within Public Affairs? Do you have a program for promotion from within this organization? (i.e. "upward mobility" similar to Army provisions).

Answer. I am not aware of any "burrowing in" from either this administration or the previous one. All hiring and promotions within this organization are conducted in strict compliance with Civilian Personnel Regulations and are based on merit and qualifications. We provide pathways for upward mobility but do not make personnel decisions based solely on that factor.

*Question.* Are you aware of anyone within the OSD/PA organization who received a senior level political appointment and then converted their employment to a career civil service position?

Answer. No, however, I am aware of two instances that may appear to fall within the scope of this question. One involves one of my deputies, Clifford Bernath. He was a career civilian employee, with the Office of the Assistant Secretary of Defense at the GS-15 level from August 1990 until August 1993. In March 1993, he was asked by then ATSD(PA) Vernon Guidry to assist in the transition to the new administration. He was given a Limited Term Senior Executive Service appointment to perform those duties in August 1993.

In August 1994, Dennis Boxx, the Acting ATSD(PA), requested re-establishment of the position of Deputy ATSD(PA). The position was competitively recruited and advertised to "all qualified persons" for a 30-day period. Twenty-three candidates applied for the position. Two professional review panels reduced the list to six "Best Qualified" candidates and referred them to me for consideration. I interviewed them all and selected Mr. Bernath, based on his proven leadership, managerial, and technical skills. His career SES appointment was approved by the Office of Personnel Management Qualification Review Board in March 1995 and he was appointed to the position.

The second case involves a deputy under the previous administration, Robert Taylor. Mr. Taylor served under an SES noncareer appointment from December 1989 through June 27, 1993. Initially, he was appointed to the position of Deputy Assistant Secretary of Defense for Public Affairs. Upon leaving this position at the change of the administration, Mr. Taylor was asked to serve intermittently as a consultant to the Special Assistant to the Secretary of Defense for Public Affairs. He was subsequently appointed to a career-conditional position based on merit competition, which included subsequent certification from the Office of Personnel Management, at the American Forces Information Service.

*Question.* Please give us your philosophy on hiring practices and promotions within Public Affairs.

*Answer.* As stated in my response to question 21, all hiring and promotions within this organization are conducted in strict compliance with Civilian Personnel Regulations and are based on merit and qualifications. I do not tolerate any favorable or unfavorable decisions made on the basis of race, gender, age or other factors which are unrelated to job performance and qualifications. I want my organization to be known as one in which qualified people can achieve notice and promotions.

*Question.* What other public affairs offices exist in the Washington headquarters of the Department of Defense? What is the relationship of the Assistant Secretary of Defense for Public Affairs to each of these offices?

*Answer.* Each of the Military Services (Army, Navy, Air Force and Marine Corps) has a public affairs office, as does the office of the Chairman of the Joint Chiefs of Staff. In addition, several of the Defense Agencies have public affairs staffs: Defense Contract Audit Agency, Defense Mapping Agency, Defense Finance and Accounting Service, Defense Logistics Agency, Defense Nuclear Agency, and the On-site Inspection Agency.

The Office of the Assistant to the Secretary of Defense for Public Affairs provides policy oversight and guidance to these activities in the areas of media relations, community relations, internal information, and Freedom of Information and Security Review.

*Question.* The perception on Capitol Hill is that the number of news sources within DOD is increasing. Can you give us an idea of how many sources there were 10 years ago and how many there are now? If there is a substantial change, can you explain it?

*Answer.* We work closely with the Defense Agencies, the Unified Commands and the military Services, and those organizations have not changed significantly over the past 10 years. In fact, almost every organization's PA staff has decreased in size. My office does maintain some control over public affairs slots in OSD. Every request to establish a public affairs position must be coordinated with my staff. Over the years, very few new requests have been approved. That said, due to the growth and demands of the media itself, many organizations have made one or more persons responsible for direct coordination with my staff on public affairs related matters. These people do not, however, serve as "media outlets" or as spokespersons and do not, normally, work public affairs as full-time duties.

There have been substantial changes over the last 10 years in how the news media cover the Department of Defense. Most importantly, the success of CNN has driven most national based news media into a 24 hour news cycle. This need for around the clock information, when coupled with the numerous technological advances available to the media, puts added pressure on the DOD to provide factual, coordinated responses as quickly as possible. The proliferation of trade journals and newsletters over the past 10 years has also added to the public affairs challenge—there are many more deadline-pressured reporters looking for very detailed technical data. In response, the Public Affairs office has launched DefenseLINK, BosniaLINK and GulfLINK to provide information over the internet.

*Question.* Not long ago, you finished a "Joint Public Affairs Doctrine." When was it begun and finished? Who was it coordinated with? What lines of authority does it establish in a joint operation environment? What is the current status?

*Answer.* Joint Publication 1-07, "Doctrine for Public Affairs in Joint Operations," has not yet been completed. The project was begun in mid-1992 and took about a year to research and write. Since the doctrine would affect other wartime doctrine, both in all of the military services and with the Joint Staff, the coordination process for this doctrine has been extensive. It was formally staffed within Service and CINC PA channels twice before it was ready for formal staffing at the Service Chief of Staff, Chairman Joint Chiefs of Staff and CINC level. It is now completing its third—and, I hope, last—staffing. The suspense to the Joint Staff is March 8, 1996. We expect publication within a few months from that date. The doctrine states that the ATSD(PA) "retains primary responsibility for the development and consistent implementation of DOD information policy" and lists the further responsibilities of

this office. The doctrine also defines the responsibilities of the Joint Staff, the Military Services and the Combatant Commanders.

QUESTIONS SUBMITTED BY SENATOR STROM THURMOND

Senator THURMOND. You stated in your answers to policy questions that there are about eleven other public affairs offices existing in the Washington headquarters of the Department of Defense. What do you have to coordinate the activities of these offices?

Mr. BACON. Although each of the Military Services and the other organizations listed in my response to Question 24 have public affairs offices, my office is responsible for the public affairs policies of the entire Department of Defense. That means that all activities must adhere to the Department's Principles of Information, DOD Principles for News Media Coverage of DOD Operations, and other policies defined in DOD Directive 5122.5 which defines the duties and responsibilities of the Assistant Secretary of Defense for Public Affairs. My staff and I work regularly and closely with each of these public affairs offices to ensure the timely and accurate release of information to the media and the public.

Senator THURMOND. In your answers to the committee, you indicated you are trying to resolve problems with the increasing number of Freedom of Information requests. Give us some idea of how serious this problem has become and how your solutions, such as bar code scanning, would help.

Mr. BACON. In my answer, I wrote that "another challenge is how to cope with the rising demand for documents under the Freedom of Information Act and Mandatory Declassification Review." This is not a current problem. But, as the Department and my office continue to downsize, and as requests continue to rise, I must ensure that these functions continue to operate effectively. So I am exploring a range of options, including bar code scanning, to use technology to reduce manpower intensive activities.

Senator THURMOND. How do you plan to keep Members of Congress informed prior to news releases that will impact them?

Mr. BACON. I work closely with our Assistant Secretary of Defense for Legislative Affairs. In almost every case, as my staff is developing public affairs guidance and information for release to the media, we are also coordinating with Legislative Affairs so that they can keep Members of Congress informed.

Senator THURMOND. During time of conflict, Congress receives information briefings from both Department of Defense and Department of State. How will your office interface with these briefings in the future?

Mr. BACON. My staff and I coordinate regularly with Department of State and other Government agencies, both in times of conflict and during day-to-day activities. We also work closely with DOD representatives who brief Congress.

Senator THURMOND. In your answer to question 17, you listed a number of individuals you supervise in Public Affairs. One of the roles you listed for these people is that of "Public Relations." Are there any restrictions on the use of appropriated funds for "public relations?"

Mr. BACON. We used the category "Public Relations" because it was listed in your original question. I am aware that public law prohibits the use of appropriated funds for payment for publicity experts unless specifically appropriated for that purpose. The three people listed in this category coordinate with veterans organizations and other groups that have an interest in the Department of Defense. They provide information and authorized support *as requested by those organizations* and in accordance with DOD directives; therefore their roles can be loosely defined as "public relations." However, they have no publicity function or responsibility. I will continue to ensure our compliance with public law in this matter.

[The nomination reference of Kenneth H. Bacon follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,  
SENATE OF THE UNITED STATES,  
May 25, 1995.

*Ordered*, That the following nomination be referred to the Committee on Armed Services:

Kenneth H. Bacon, of the District of Columbia, to be an Assistant Secretary of Defense. (New Position)



[The biographical sketch of Kenneth H. Bacon, which was transmitted to the committee at the time the nomination was referred, follows:]

#### BIOGRAPHICAL SKETCH OF KENNETH H. BACON

Mr. Kenneth H. Bacon was appointed by Secretary of Defense William J. Perry as Assistant to the Secretary of Defense for Public Affairs on September 20, 1994. Prior to his appointment, he was an Assistant News Editor for the Wall Street Journal.

Mr. Bacon was born November 21, 1944, in Bronxville, New York. He attended Phillips Exeter Academy in Exeter, New Hampshire, and graduated in 1962. He received his B.A. in English in 1966 from Amherst College, and an M.S. in Journalism and an M.B.A. from Columbia University in 1969.

From 1968 to 1974, Mr. Bacon served in a civil affairs unit of the U.S. Army Reserve as an enlisted man.

In 1968 and 1969, Mr. Bacon served as the Legislative Assistant to Senator Thomas J. McIntyre of New Hampshire. He then moved to the Wall Street Journal to cover regulatory agencies, economics and the Nixon wage-price control program. From 1976 to 1980, he covered the Pentagon, including the Iranian hostage crisis, the development of the cruise missile and the beginning of the effort to rebuild the military.

From 1980 to 1983, Mr. Bacon was an economics reporter and a regular author of the weekly "Outlook" column. He became an assistant news editor in 1983, supervising economics and foreign policy coverage out of Washington and continued as one of the "Outlook" authors. From 1988 to 1990 he covered health and education.

Covering the banking industry from 1990 to 1993, he covered the political crisis in confidence in the deposit insurance fund's ability to meet the cost of bank failures and the passage of the 1991 law tightening bank regulation. He then became a global financial correspondent covering banking, the IMF and World Bank and U.S. dollar policy in 1993. From June 1993, until his appointment, he was *Wall Street Journal's* assistant news editor supervising health, crime and other coverage.

He is married to Darcy Bacon, who is a producer for a public radio program. They have two daughters, Katharine and Sarah.

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[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Kenneth H. Bacon in connection with his nomination follows:]

#### UNITED STATES SENATE

#### COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

#### COMMITTEE ON ARMED SERVICES FORM

#### BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

#### PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior

to the hearings and will also be published in any hearing record as well as made available to the public.

**1. Name:** (Include any former names used.)

Kenneth Hogate Bacon.

**2. Position to which nominated:**

Assistant Secretary of Defense, Public Affairs

**3. Date of nomination:**

May 26, 1995.

**4. Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

**5. Date and place of birth:**

November 21, 1944; Bronxville, NY.

**6. Marital Status:** (Include maiden name of wife or husband's name.)

Married since June 14, 1966 to Dorothy Tufts Wheeler.

**7. Names and ages of children:**

Katharine Day Bacon, 24; Sarah Hogate Bacon, 20.

**8. Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.

1959-1962. Phillips Exeter Academy, High School Diploma

1962-1966. Amherst College, B.A. (Cum laude)

1966-1968. Columbia University, MBA, M.S. (Journalism)

**9. Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

1984-September 16, 1994. Assistant News Editor, The Wall Street Journal, 1025 Connecticut Ave., Washington, DC 20036.

September 20, 1994-Present. Assistant to the Secretary of Defense, Public Affairs, 1400 Defense Pentagon, Washington, DC 20301-1400.

**10. Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

None.

**11. Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None.

**12. Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Trustee, Amherst College, Amherst, MA.

Trustee, Folger Shakespeare Library, Washington, DC.

Member, Metropolitan Club, Washington, DC.

**13. Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

1993-\$100.00 to Kidspal, Cambridge, MA

1994-\$200.00 to Lisle Baker, Candidate for Mayor, Newton, MA

1994-\$100.00 to Ed Bradley, Candidate for Maine House.

**14. Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

N/A

**15. Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

During 25 years with the Wall Street Journal, I wrote thousands of articles on a wide range of topics.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None.

17. **Commitment to Testify Before Senate Committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

Yes.

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[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

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#### SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

KENNETH H. BACON.

This 7th day of June, 1995.

[The nomination of Kenneth H. Bacon was reported to the Senate by Senator Strom Thurmond on May 25, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on March 28, 1996.]

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[Prepared questions submitted to Franklin D. Kramer by Senator Thurmond prior to the hearing with answers supplied follow:]

#### QUESTIONS AND RESPONSES

##### I. REGARDING DUTIES

*Question.* Having served in the International Security Affairs office currently and on previous occasions, please share with us what you see as your biggest challenges and your highest priorities, if you are confirmed as ASD/ISA.

*Answer.* If confirmed as ASD(ISA), my biggest challenges and highest priorities would include:

In *Europe*, NATO has begun to adapt its structures and missions to the challenges of the post-Cold War world. As the deployment in Bosnia demonstrates, NATO will look increasingly beyond its traditional collective defense mission. The recent announcement by France of its desire to move closer to NATO provides the Alliance a great opportunity. A thoughtful restructuring of the Alliance military structure which maintains the concepts of unity of command and military effectiveness while allowing NATO to deal with the new missions it will face will be challenging and productive.

Beyond its internal restructuring, NATO is engaged in the transformation of European security architecture through the Partnership for Peace and NATO enlargement. The 27 Partnership for Peace nations are promoting democracy, civilian control of the military, market economics, resolution of disputes with neighbors, and NATO interoperability. It is a task well-started but with much yet to be done.

NATO enlargement is both appropriate and inevitable for the nations which truly share the values of the North Atlantic Alliance. This year NATO will engage in an intensive dialogue with nations seeking membership. Decisions on who and when will promptly and steadily follow according to NATO's current timetable.

Although not within the purview of the ASD(ISA), relations with Russia are obviously critical. In this regard, ISA works closely with the Assistant Secretary of Defense for International Security Policy in promoting a constructive Russian policy, particularly as undertaken in conjunction with our allies and friends.

In the *Asia-Pacific* region, we face some of our most promising opportunities and difficult challenges. On the one hand, it is the world's most dynamic economic region

and America's largest collective trading partner. Longstanding, well-developed treaty relationships with five countries in the region form a strong network that promotes U.S. security interests. At the same time, Asia-Pacific is characterized by diversity and historical animosities, which, in turn, have inhibited a sense of cohesion among countries in the region. Although the United States no longer faces a hegemonic Soviet threat, we still confront a challenging military threat on the Korean peninsula, as well as a complex array of tensions and uncertainties.

There is no more important bilateral relationship than that with Japan. Over the past year, we have engaged in a dialogue to reaffirm and strengthen the U.S.-Japan security relationship and improve overall cooperation in bilateral, regional, and global areas. As our security relationship developed to protect mutual interests during the 50 years since the end of World War II, the security dialogue addresses the direction in which our security relationship will evolve into the next century. The U.S.-Japan partnership has become the cornerstone of U.S. security policy in East Asia. Several programs will be highlighted at the bilateral Summit in Tokyo in April. First, the President and Prime Minister will conclude a joint Security Declaration reaffirming the importance of the security alliance for the next century. Second, progress will be made on arms cooperation with an agreement to coproduce the F-2 fighter. Finally, significant progress will be presented by the bilateral Special Action Committee on Okinawa (SACO), which addresses the concerns of the people of Okinawa regarding the impact placed upon them by the U.S. military presence on Okinawa.

The rapid growth of Chinese material strength has raised the importance of China in Asia and, increasingly, in the global security equation. China is a nuclear weapons state, a leading regional military power, and a global power with a permanent seat on the UN Security Council. Although it still has a low GNP per capita compared to other leading economic powers, it has one of the largest and fastest growing economies in the world. It is thus essential for peace, stability, and economic growth in the Asia-Pacific region that China is stable and continues to develop friendly relations with its neighbors. In support of this objective, the Defense Department pursues a dialogue with the People's Liberation Army designed to increase transparency, avoid misunderstandings and miscalculations, and gain operational insights. This is done through high-level visits, functional exchanges, implementation of confidence-building measures such as ship visits, and encouraging PLA participation in Asia-Pacific regional multinational military activities sponsored by USCINCPAC.

At the same time, the Department of Defense carries out its responsibilities under the 1979 Taiwan Relations Act by providing Taiwan with sufficient defensive arms and by maintaining our own capabilities at levels necessary to deal appropriately with any threat to stability in the Taiwan Strait. Beijing's recent announcement of missile tests in the vicinity of Taiwan from 8-15 March has caused the administration, Congress, and the American people great concern. The continuation of intimidation tactics would inevitably have a profound effect on U.S.-PRC relations. We are counseling all parties to avoid provocative actions.

On the Korean peninsula, the United States confronts its most direct and challenging security threat in the region. Therefore, our focus in Korea continues to be on deterring aggression and maintaining readiness. Recently, a new dimension of this challenge has emerged in the spiraling decline and increasing fragility of the internal situation in North Korea. While the United States and South Korea continue to closely coordinate our assessments and approaches to North Korea, we are moving ahead with implementation of all aspects of the vitally important Agreed Framework on North Korea's nuclear program.

We have enduring commitments to Australia, where we are bound by treaty, culture, and shared sacrifice. Southeast Asia is also an important component of our Asia-Pacific security strategy. In addition to including two of our five Asian treaty allies, the Association of Southeast Asian Nations (ASEAN) provides military access necessary for a long-term regional presence; has been the driving force behind the evolution of regional security dialogue, most importantly the ASEAN Regional Forum (ARF); and has taken the lead in addressing specific regional security issues such as Cambodia and the South China Sea. We enjoy good bilateral military ties with the ASEAN states (though not yet with the newest member, Vietnam). We must continue to remind the region just how important Southeast Asian security is to the United States, and to deepen our engagement in regional security through training, joint exercises, ship visits, and public statements such as the East Asia Strategy Report. The U.S. understands the importance of remaining attuned to the strategic thinking, political dynamics, and regional sensitivities of these countries. We are committed to addressing country and regional concerns, building useful policy dialogues, and reinvigorating valuable defense relationships.

In the *Middle East*, the United States has enduring strategic interests including our relationship to Israel, maintenance of the unhindered flow of oil from the Persian Gulf and establishing the security of key regional partners.

In furtherance of these objectives, we work in strategic partnership with Israel in areas that ensure Israel's security and qualitative military edge while accommodating any regional security arrangements that may emerge from the peace process. We will continue to work closely with Israel on security assistance to maintain the necessary flow of arms, on cooperative research and developments (such as the Arrow ATBM system), and on combined planning and exercises. We take extremely seriously the recent terrorist blows against Israel and the peace process, and we will strongly support Israel to counter such terrorism.

In Egypt, we have established a strategic partnership, fostered in part by our substantial foreign military financing program. Egypt has been a critical participant in the peace process and a crucial friend to the United States, particularly in the coalition in Desert Storm, and actively undertaking peacekeeping efforts. In Jordan, we are committed to help the King meet Jordan's legitimate defense needs in the context of the risks he has taken for regional peace.

With the Gulf Cooperation Countries (GCC), we promote a three-tier cooperative approach, including strengthening local self-defense capabilities, promoting GCC defense cooperation, and enhancing the ability of U.S. and Western forces to return and fight effectively alongside local forces in a crisis. These efforts are well established, and we have extensive exercise and prepositioning programs underway with our Gulf partners which significantly enhance our ability to deter aggression from Iraq and Iran.

In *South Asia*, the potential for a nuclear dimension to any future Indo-Pakistani conflict makes it essential for the U.S. to remain actively engaged. We seek to lessen the tensions between these two. To that end, I will support an active DOD effort to maintain and expand contacts between the U.S. Armed Forces and those of India and Pakistan. Active U.S. engagement can serve a facilitating role in the resolution of their differences and will require them to deal with their problems bilaterally.

We also seek to deal with the dangers posed by Iran and Iraq. While our current military posture in the Gulf is designed primarily to counter the threat posed by Iraq, our forces, in concert with those of coalition partners, are engaged in a carefully constructed regional strategy to ensure that neither Iraq nor Iran can dominate the Gulf. The peacetime forward presence of U.S. naval, air, and land forces in the Gulf, and our prepositioning program are essential elements of this strategy. These also provide an initial capability to deal immediately with any direct challenge and serve as key symbols of our commitment to deter regional aggressors. In addition, Iran is clearly dedicated to developing weapons of mass destruction, including chemical, biological and nuclear weapons, a prospect that would have serious regional repercussions.

Despite its humiliating defeat by Coalition forces during Operation Desert Storm, Iraq retains a sizable military and remains a serious threat to American interests in the Gulf region. To contain this threat, the U.S. must ensure that Iraq complies with all applicable UN Security Council resolutions—particularly those relating to Iraq's weapons of mass destruction programs—before there is any relaxation in UN sanctions. In addition, the U.S. should seek the emergence in Baghdad of a government that respects human rights, does not threaten the peace and stability of the Gulf, and can preserve Iraq's territorial integrity.

In other areas of the world, we similarly face opportunities and challenges. In *Latin America and the Caribbean*, we must continue our progress as partners in security, to consolidate democracy, to oppose narcoterrorism, to encourage the continued leadership of military forces by elected civilian officials, to promote transparency and mechanisms for peaceful conflict resolution, and to advance cooperation on global peacekeeping and humanitarian missions.

In *Africa* we need to continue to help resolve old conflicts and prevent new ones. We maintain the military capacity to respond to unpredictable circumstances, but our focus should be to work with African states to have them deal with the responsibilities of the continent and to help regional organizations, like the Organization for African Unity, and regional powers, such as the new South Africa, resolve the conflicts of sub-Saharan Africa.

Finally, in connection with our unaccounted for servicemen, we need to ensure the American people and the families no less than the fullest possible accounting.

*Question.* Please share with the Committee the tasks you have undertaken since assuming your position as Deputy Assistant Secretary of Defense for European and NATO Affairs.

*Answer.* Since I only returned to the Pentagon in January, my activities as the Deputy Assistant Secretary of Defense for European and NATO Affairs have been

necessarily modest. However, in the past 2 months, I have been able to focus heavily on the twin questions of NATO adaptation and enlargement in the post-Cold War environment, including the Partnership for Peace initiative and a reinvigorated role for France in the alliance. In a multilateral context, I traveled to Munich with Secretary Perry for the annual Wehrkunde conference to examine the future of European security after Bosnia, including meetings there with German Chancellor Kohl; the UK, French, German, and Dutch Ministers of Defense; and the NATO Secretary General. I have engaged in informal multilateral meetings with British, French, and German colleagues. I also participated actively in the separate visits of the Czech and Bulgarian Ministers of Defense, the NATO Secretary General, and the Secretary General of the WEU to Washington for meetings with the Secretary and have been fully engaged in preparations for the Secretary's participation in the South Balkans Defense Ministerial. I have been involved in bilateral discussions with the British, the Danes, the Portuguese, and the Norwegians. The tensions in the Aegean between our two allies, Greece and Turkey, compelled my attention and ensure that the challenge of building a climate of confidence in the Eastern Mediterranean will be high on our agenda.

*Question.* How do you see the duties of the ASD/ISA in the interagency setting? How is business conducted? How do you insure that the best interests of the Department of Defense, our Armed Forces, and this Nation's international security interests are best served?

*Answer.* The fundamental task of the Assistant Secretary of Defense for International Security Affairs is to support the Secretary of Defense and the Under Secretary of Defense for Policy in ensuring that matters of defense and military power are appropriately considered in our international security strategy. These matters are reviewed under the auspices of the National Security Council at various levels of Government, including Cabinet and lower-level meetings. While different institutions in the interagency arena bring different perspectives to the National security and foreign affairs challenges our nation faces, there is a common objective in advancing our nation's well-being. To ensure that the best interests of the Department of Defense and our Armed Forces are met, ISA works very closely with the joint Staff and through them the Unified Commanders to develop critical defense perspectives. By ensuring that these defense and military issues are appropriately presented and considered in the process, ISA undertakes to advance our nation's international security interests. ISA's perspective is further developed by, on the one hand, frequent and candid consultations with the Congress and, on the other, frequent and candid consultations with our allies, our friends, and officials of other countries. Taken together, these efforts support the role of the Secretary of Defense in the interagency process.

*Question.* Please review specifically the relationships and functions of the ASD/ISA with regard to the Department of State, the joint Chiefs of Staff, and the commanders (especially the CINCS) in the unified and specified commands?

*Answer.* The Assistant Secretary of Defense for International Security Affairs is the principal staff assistant and advisor to the Under Secretary of Defense for Policy and the Secretary of Defense for formulating and coordinating international security strategy and policy and political-military issues of interest to the Department of Defense that relate to foreign regions and nations, their governments and defense establishments, except for the non-Baltic states of the former Soviet Union. While there is extensive informal communications and consultation at all levels among the ISA organization and its counterparts in the joint Staff, the Department of State, and the National Security Council staff, there is also a formal structure established by Presidential Decision Directive 1 that was issued by the President at the opening of the administration to govern the NSC system. The structure is one of hierarchical committees ranging from interagency "working groups" to the National Security Council itself, with the President in the chair, and groups in between that are composed of deputy or under secretary level officials. The ASD/ISA or his deputies normally represent the Office of the Secretary of Defense at the Interagency Working Group (IWG) level; IWGs can be convened and chaired by any of the three major national security players—Defense, State, or the NSC staff—as appropriate to the issue at hand. The joint Chiefs of Staff are represented at all levels of interagency coordination, ranging from the Chairman in his statutory responsibility as military advisor to the NSC itself, to the Vice Chairman at the level of the Deputies Committee, to other senior flag or general officers from the joint Staff at the working group level. The views of the Unified and Specified Commands are represented by the JCS participant, although members of the CINC staffs frequently participate directly at the IWG level.

*Question.* In practical terms, explain specifically how U.S. security policy is implemented with the various friendly countries around the world. How are these ex-

changes conducted, agreements made, and joint readiness between the U.S. and other countries undertaken?

Answer. The modalities of implementing U.S. security policy with friends and allies around the world are varied as the relationships themselves. The NATO treaty relationship is the most structured, with formal committees and a permanent secretariat to complement alliance meetings throughout the year at all levels of both the civilian and military defense establishments. Our long-standing bilateral treaty relationships, such as with Japan and Korea, also have regularly scheduled meetings at the Secretarial level. Elsewhere around the world, we have regularly scheduled meetings with friends at the Under, Assistant, or Deputy Assistant Secretary level that are labeled variously as "Joint Military Committees," "Military Consultative Commissions," "Consultative Groups," "Bilateral Working Groups," and the like. Whatever they are called, there is a common structure that includes both policy-level exchanges, military planning sessions, and topical working groups that address specific areas of cooperation. Issues as broad as NATO expansion or as narrow as mapping, charting and geodesy may be addressed. Discussions may include reviews of multilateral or bilateral strategic goals, analyses of foreign military sales and security assistance, and consideration of specific defense topics ranging from status of forces agreements to the actions of other countries. In these meetings, the Office of the Secretary of Defense is often joined by representatives from the key national security agencies, including the Department of State, the National Security Council staff, the joint Chiefs of Staff, the Unified Commands, and the U.S. country teams.

*Question.* What sort of business is conducted at the bilateral U.S.-foreign meetings? How are the agreements made and business conducted conveyed to the executive branch and Congress? Is this information adequately conveyed to Congress?

Answer. As noted above, the business conducted at bilateral U.S.-foreign meetings ranges from high-level strategy and policy exchanges to military planning sessions to foreign military sales and security assistance to topical matters such as mapping, charting and geodesy. How agreements are conveyed to the executive branch and Congress depends on the nature of the agreement. The interested agencies of the executive branch would normally have been involved in reaching any such agreements as members of the U.S. delegations and/or through approval in the inter-agency process. Both informal and formal consultations with the Congress by members of the ISA organization, something which I intend to emphasize if confirmed as ASD/ISA, serve to convey an understanding of what has developed in the international arena. Agreements on arms sales issues are communicated to the Congress formally as required by the Arms Export Control Act and informally by mutual arrangement in the normal notification process. Formal international agreements entered into by the Executive Branch that are not subject to the advice and consent of the Senate are also notified to Congress by the Department of State as required by the Case-Zablocki Act.

*Question.* Many who have testified before this Committee assert that there are no quick fixes for the overwhelming majority of internal conflicts, such as the former Yugoslavia. Once armed intervention occurs, the challenge becomes one of avoiding interminable entanglement in the conflict, protecting peacekeeping forces, and ensuring a modicum of stability and order. The latter requirement, however, may lead to the temptation for intervening powers, such as the U.S., to try their hand at institution-building, particularly when dealing with failed states—a process often dubbed "mission creep." Are we headed in this direction in Bosnia or other parts of the world? Please explain.

Answer. As far as Bosnia is concerned, IFOR's mission was deliberately and tightly circumscribed, both in the Dayton agreement and in the NATO OPLAN, to prevent mission creep. IFOR's primary task is to ensure implementation of the military aspects of the Dayton agreement. This mandate was clearly delineated in the agreement itself and reflected in NATO's plans. The Dayton accord also authorized IFOR to fulfill certain supporting tasks "within the limits of its assigned principal tasks and available resources." These subsidiary tasks include: helping create secure conditions for civilian aspects of the peace settlement such as the holding of free and fair elections; assisting the movement of organizations in the accomplishment of humanitarian missions; assisting the United Nations High Commissioner for Refugees (UNHCR) and other international organizations in their humanitarian missions; observing and preventing interference with the movement of civilian populations, refugees and displaced persons, and responding to deliberate violence to life and person; and monitoring the clearing of minefields and obstacles. The Secretary and the Chairman have made clear their determination to keep the mission limited to 1 year and to avoid being drawn into expanded missions.

*Question.* DOD's Defense Security Assistance Agency reports to the ASD/ISA. This agency directs, administers, and supervises the execution of approved security assistance plans and programs, such as military assistance, IMET, and foreign military sales. DSAA is an important tool for implementing U.S. defense policy internationally. How do you see your role with DSAA and what are some of the challenges this Agency is having?"

*Answer.* Security assistance is an extremely important tool of U.S. foreign and national security policy. It is often a key tangible expression of U.S. military relations with the governments of friendly and allied countries. The military side of security assistance, which DSAA administers, has concrete benefits to national security. Foreign Military Sales (FMS) and grant aid through the Foreign Military Financing (FMF) program promote interoperability with our friends and allies—the benefits of which were spectacularly demonstrated in the Gulf War. FMS can also lengthen production runs, which can result in lower unit costs for DOD purchases while supporting American jobs.

IMET is probably the most cost-effective component of security assistance. In addition to offering foreign students an opportunity to establish and improve professional proficiency in their military skills, it provides for U.S. access to and influence with a critical sector of society. Our regional CINCs consistently reinforce the importance of this program.

Currently, DSAA and the security assistance program face the same budgetary resource problems as does any program that falls under the foreign aid rubric. Foreign aid budgets have been cut drastically over the last few years, even as the challenges we face overseas have increased. If confirmed, I would appreciate your continued support for robust, fully funded IMET and IMF programs in this year's foreign aid bill.

I expect to take an active role in the policy aspects of security assistance field through daily interactions with the DSAA Director, LTG Tom Rhame.

*Question.* Defense Prisoner of War/Missing in Action Office: The Defense Prisoner of War/Missing in Action Office (DPMO) was established in July 1993, under the authority, direction, and control of the Assistant Secretary of Defense for International Security Affairs. What do you plan to do in further resolving the MIA problem?

*Answer.* With the creation of the Defense POW/MIA Office, the U.S. Government developed a central mechanism with which to correct deficiencies regarding how this country has handled the issue of American POWs/MIAs during past wars. The guidance provided by the recent missing persons legislation will help us to continue this process, as well as provide a focus for future conflicts.

We continue to work hard to attain the fullest possible accounting for the 2,157 missing Americans in Southeast Asia. The completion of the comprehensive case review is the most recent example of that effort, identifying next step actions to pursue the resolution of cases of unaccounted for Americans with the governments of Vietnam, Laos, and Cambodia. We are aggressively pursuing these actions through joint field activities and unilaterally with each country's government.

With regard to Korea, we have made some progress in the last few years in gaining increased cooperation from the North Koreans on the POW/MIA issue. We continue to push for joint recovery operations which should lead to significantly more identifications. We are also receiving indications the North Koreans are willing to grant us access to their war museums and archival collections. Additionally, the joint U.S.-Russia Commission on POW/MIAs provides the U.S. Government (USG) a mechanism for investigating possible Soviet involvement with Korean War missing, as well as men lost on Cold War missions over Soviet territory.

We are striving to improve communications with the families, the Congress, and other interested Americans through weekly updates, quarterly newsletters and annual family briefings. In addition, we also conduct family forums throughout the country which have been well received. During the past year, our representatives met with families in Los Angeles, San Antonio, Indianapolis, Atlanta and Orlando.

The Department is also actively pursuing new technologies that may help ensure we do not have unaccounted for Americans again. We are now the leading experts in the use of mitochondrial DNA technology as a forensic identification tool, which is already being applied to remains from WWII, Korea and Vietnam.

The Department is moving proactively to establish a U.S. Government program that is more responsive and better prepared to reduce the likelihood of personnel becoming unaccounted for and to protect those who do in future conflicts. I look forward to overseeing this effort.



## II. REGARDING RESPONSIBILITIES IN THE NATIONAL DEFENSE AND TOWARD THE ARMED FORCES

*Question.* After 50 years of being able to easily identify the chief threat to the United States, the U.S. military may be turning to planning with the view that the world is full of dangers but no one knows where or how the U.S. military will get involved in combating those dangers. In your view, what is the best way to plan in a world with unknown enemies? How should we identify the sorts of tasks that the military will be called upon to do? Should we be specific about under what terms and where and with whom the military will be asked to fight?

*Answer.* While the post-Cold War environment presents far less certainty than we were accustomed to during most of the last 50 years, there are known, identifiable threats, such as North Korea, Iran, and Iraq, that require us to plan intelligently for future challenges to our interests. Beyond those specifics, the U.S. may not know with certainty who the enemy will be, how the enemy will fight, or how a conflict might unfold. What is important is for the U.S. to maintain the military capability to keep threats to our interests from emerging, if possible; to deter the threats that do emerge and threaten ourselves, our allies, or our friends; and to defeat those threats if active military power is required as promptly and decisively as possible. The Secretary of Defense's planning guidance for fighting and winning two nearly simultaneous Major Regional Conflicts provides the framework to ensure these capabilities are available to the Commander in Chief. The United States sets forth the conditions under which its forces will be used through a combination of its formal alliances and its declaratory policy as set forth in the President's National Security Strategy, the Secretary of Defense's Annual Report to the President and the Congress, and the JCS Chairman's National Military Strategy. In response to section III, Q-2, I have discussed that guidance at greater length.

*Question.* Regional instability is increasing, nations are more threatened by heightened nationalism, and there is a potential resurgence of communist factions in Russia. We must have clarity about what is or is not a threat and what is or is not in our Nation's best interest. Are you confident that policy guidance that you receive is not blindly and irresponsibly setting our Armed Forces on an ill-conceived path? Please explain.

*Answer.* The policy guidance that the National Command Authorities, the President, and the Secretary of Defense have provided the Department is set forth in the documents noted above, but is also reviewed in the crucible of the interagency process where broad policy is required to interact with particularized facts. Policy is continually tested by results, and when policy requires review, it receives that review at appropriate levels of government. Accordingly, the policy guidance that is set forth is neither blindly nor irresponsibly applied. Instead, it is shaped, reviewed, and continually considered to ensure that its application will be in the best interests of the United States.

*Question.* Nationalism and ethnic conflict are on the rise and may bring into question using our military in more nontraditional missions. We are concerned about these developments, and believe such trends will present a different future challenge to the unity of commands. In the past 10 years, our military has proven that operational missions can be improved vastly under a clear chain-of-command. With the same objectivity and clarity, this same unity must also advise the President as Commander-in-Chief and the Congress on the appropriate use of military intervention and foreign policy objectives. How would you see yourself as ASD/ISA contributing to this vital effort?

*Answer.* There can be no doubt that the military advice presented to the President as Commander-in-Chief and to the Congress must be clear and unfiltered. The role of the Secretary of Defense is to receive and analyze that advice in the context of our national security objectives and, as part of the National Security Council, to present recommendations to the President. The ASD(ISA) supports the Secretary of Defense in the role of integrating military advice and national security objectives in a geopolitical context.

*Question.* Unclear policy is unfair to all Americans, senior military officers who become saddled with seeking foreign policy solutions rather than military solutions, and most importantly our service members who are placed in peril performing in situations which are bewildering and many times unresolvable. Are our National interests sufficiently clear to avoid having those in uniform left holding the bag? Please explain.

*Answer.* To ensure that U.S. national security strategy and defense policy are clearly and widely understood, the administration has devoted considerable attention to the preparation of public and internal documents that identify U.S. security objectives, resources, and the strategies that link them. Important guidance is pro-

vided in the President's *National Security Strategy Report*, the Secretary of Defense's *Annual Report to the President and the Congress*, and the JCS Chairman's *National Military Strategy*. In addition to these annual reports, the Defense Department, through the Office of International Security Affairs, recently completed a series of five public reports on U.S. regional security strategies.

The U.S. military views influence the development of defense policy in several ways. First, section 151 of title 10, United States Code, provides that the Chairman and other members of the joint Chiefs of Staff are military advisors to the President, the National Security Council, and the Secretary of Defense. In that capacity, the Chairman, Vice Chairman, and the Service Chiefs of Staff significantly affect defense policy. Second, the combatant commanders influence defense policy—through frequent contact with the Secretary of Defense and other senior civilian Defense Department officials. In addition, the JCS Chairman has the statutory responsibility to serve as the combatant commanders' spokesman, especially on their operational requirements. Third, many military officers serve in policy positions in the Office of the Secretary of Defense and on the National Security Council staff.

Accordingly, through the combination of broad policy guidance as applied in the interagency process to specific situations, our national interests are explicitly clarified to provide guidance to our uniformed military.

*Question.* Military involvement ought to be an instrument of policy, never an end in itself. Political calculations are the tasks of the statesman, military operations that of the commander. We must not involve the military in circumstances where the mission was not founded on sound policy. This is why honest and direct exchanges must precede crucial decisions on military involvement. Do you agree that while it is fair to say that the world remains uncertain, it is also fair to say that American interests should and can be defined with more certainty? Please explain.

*Answer.* In my answers to the preceding questions, I explained the measures that the administration takes to identify clear, attainable security objectives that are informed by the views of the military personnel who share responsibility for achieving them. There can be no doubt that such a process of review and clarification is critical to ensure that the use of military power serves the goals of policy. While consensus on broad policy goals is necessary, it is in the review of specific, particular issues that the policy guidance to the military commander must be provided to allow him to understand and accomplish the task of his military operation. Only with clarity of policy and intent can the commander achieve the desired result.

*Question.* The issue of unity of command in international organizations, such as the UN, and other regional organizations is difficult to resolve. The general reluctance to place our forces under a foreign commander is shared by other nations with regard to their forces. When the United States is the lead nation, as in the 1991 Gulf War, it will assume primary responsibility for planning and coordinating operations with military representatives from other nations. In such situations, negotiating skills and appreciation of differing military traditions are crucial. In circumstances where the U.S. is not the leading partner, however, planning and command-and-control arrangements may prove more contentious from the point of view of the U.S. military. How do you suggest we deal with this issue?

*Answer.* The President, as Commander-in-Chief of the Armed Forces, never relinquishes command of U.S. troops. In select circumstances, including coalition or UN operations, the U.S. will delegate limited, temporary operational control of U.S. units to a competent foreign commander. This is done to maximize the effectiveness of our forces, is supported by our senior military, and has been undertaken in well-established circumstances such as our alliance arrangements in NATO and the Republic of Korea. In general, the greater the U.S. contribution or potential for U.S. involvement in combat, the greater the likelihood of U.S. leadership. Therefore, when the U.S. has the most at stake, the likelihood of a command and control problem will be minimized. The command arrangements in both the Gulf War and the IFOR deployment in Bosnia are illustrations of this principle. In those limited circumstances where the U.S. would not be in the lead but still involved in the mission, temporary operational control will only be allowed if U.S. commanders are satisfied that the appropriate requirements of military command and military effectiveness are satisfied.

*Question.* The U.S. is seeking a transfer of up to \$100M worth of military equipment to the Bosnian Federation. The administration is leading an international effort to equip and train the Bosnian Federation's army to the same level as its Bosnian Serb counterpart. The Serbs control the other half of Bosnia and outgun the numerically superior Muslim forces. The U.S. traveled a similar path in Beirut during 1983 when nearly 250 marines were killed with a truck bomb. The Long Commission report, which investigated this tragedy, concluded that our forces in Beirut were targeted by terrorists because the U.S. failed to maintain its neutrality.

Given the fact that U.S. aircraft bombed Serbian positions during the UNPROFOR days and we are now about to arm and train the Federation's Army, are we not moving further toward the dangers in Bosnia that we found ourselves in Beirut over a decade ago? Please explain.

Answer. The U.S. is leading an international effort to provide the Bosnian Federation with the capability of achieving a stable balance and providing for its own defense if deterrence fails. To reach a balance, it is necessary to reduce the military advantage of the Bosnian Serbs in heavy weapons and training. To the extent possible, the Bosnian Serb edge should be reduced through arms control and confidence- and security-building measures. This is one of the major objectives of Dayton Annex 1-B, now being negotiated under OSCE auspices in Vienna by the former warring parties. As significant as arms control measures are, however, they likely will not be sufficient to achieve the balance we seek.

Training and equipping the Federation under U.S. leadership is an insurance policy guaranteeing that a decision to resume the war will not succeed—and will therefore not be made—when IFOR withdraws from Bosnia. A stable military balance will also facilitate the safe departure of IFOR, including U.S. military forces.

We believe that key leaders in the region understand that military stabilization is in their best interests. U.S. efforts are directed toward a deterrence and defense capability for Federation forces, not an offensive capability. The program, moreover, will be transparent to all parties in the former Yugoslavia and will fall well within the arms control limits established at Dayton. Training and equipping the Federation under U.S. leadership is not a threat to anyone who complies with the Dayton agreements.

Nonetheless, given the importance of maintaining IFOR's impartiality in Bosnia-Herzegovina, the train and equip program is being kept completely separate from IFOR. The international effort will be managed by a private contractor hired by the Federation. No IFOR military personnel and no U.S. military personnel in Bosnia will be directly involved in the program. In this context, Section 540(b) of the fiscal year 1996 Foreign Operations Appropriations Act authorizes the President to transfer up to \$100 million in military articles from DOD stocks and services to assist the Bosnian Federation in strengthening its self defense.

Finally, it should be noted that the train and equip program being planned is contingent on the removal of radical Islamic forces from Bosnia. Their removal will decrease the chances of a terrorist attack on U.S. or other IFOR forces in Bosnia.

*Question.* With each day the polarity of all the factions in the Balkans seems to become more pronounced. In addition to arming the Federation Army, we are also on the verge of becoming involved in helping find and arrest those who have been accused of war crimes. Generally, those reported to be war criminals are Bosnian Serbs. What kind of problem does this pose for us and what should we do?

Answer. On the question of increasing polarity, the parties have been through a brutal and devastating war. Despite this and with some difficulties, the fact is that all, the formerly warring factions have complied generally with the key provisions of Dayton. The ceasefire has held for almost 6 months and the fighting has not resumed. This, in itself, is a major accomplishment and demonstrates that Bosnians are tired of war. In addition, the parties are complying with most of the other provisions of the agreement.

On the subject of support to the International War Crimes Tribunal, IFOR—with in the limits of its principal military tasks and available resources and if requested—has the authority to conduct supporting tasks, including providing assistance to the International War Crimes and other international organizations in their humanitarian missions. At a meeting in Sarajevo on January 26, Justice Richard Goldstone, Chief Prosecutor of the International Tribunal on War Crimes for the Former Yugoslavia, and IFOR Commander Admiral Smith agreed on the modalities to coordinate their respective missions under the Dayton peace agreements. This includes, for example, appropriate IFOR assistance to ensure security for Tribunal teams carrying out investigations and activities at mass grave sites. IFOR also has discretionary authority to detain individuals already indicted and for whom an arrest warrant was issued by the Tribunal only if such individuals are encountered in the course of IFOR's primary military mission and if it is practical at the time to do so. IFOR will not be searching for war criminals.

### III. REGARDING U.S. INVOLVEMENT IN ARMED CONFLICTS AND REGIONAL SECURITY

*Question.* In 1994, among the 31 major armed conflicts in 27 locations around the world, no classical interstate war was waged. All of them were intrastate conflicts. However, there were interstate components in several conflicts, such as Nagorno-Karabkh, Bosnia and Herzegovina and Tajikistan. Listed below are areas of armed

conflict or having a great potential for conflict. As ASD/ISA, you will participate in formulating U.S. security policy regarding the world's troubled areas. The troubled areas listed below will likely come to your attention if you are confirmed as ASD/ISA. What are your views and thoughts on how to deal with each?

Answer. The countries identified are each discussed in the annex to these responses.

*Question.* Treaties will remain central to serving U.S. security interests. However, because of today's fast-breaking and sometimes unpredictable hot spots, the U.S. may become more reliant on inter-operability and quick coalition-building with other nations to quickly meet emerging or unpredictable threats. Give us some idea as to how you intend working with the State Department, JCS, and the CINCs to foster greater military-to-military relationships which enhance inter-operability and coalition-building with friendly nations.

Answer. Coalition-building with friendly nations and enhancement of interoperability are crucial elements in United States national security strategy. Coalitions are built best among countries which have common interests and common national security strategies. Reviews of these interests, analyses of potential threats, and developments of common approaches are important to laying the basis for effective, future coalitions. One critical forum in which these matters are discussed is NATO, and NATO has become the central element of the coalition of forces now operating in Bosnia as IFOR. In other circumstances, coalitions may develop outside the treaty context. Frequent and substantive consultations as undertaken in bilateral and multilateral fora provide the foundations for necessary coalitions. For example, the United States had discussed security issues for many years with the Nations involved in the Gulf War coalition.

Interoperability is a key functional element in making any coalition effective. Prior discussion and coordination in acquisition and operational matters are the key elements of interoperability. One significant aspect of the Partnership for Peace is enhancing interoperability between Partnership nations and NATO.

International Security Affairs is very significantly involved in the discussions and activities which are key to achieving the relationships important to effective coalitions and interoperability. Likewise, numerous military-to-military contacts support these actions. ISA will facilitate and support those activities in order to strengthen our security efforts.

*Question.* The U.S. faces some vexing challenges when faced with Haiti-type intervention situations. One relates to consistency. In late 1994, there were 18 civil wars in progress, all with numerous civilian casualties and little immediate prospect of conclusion through a negotiated settlement. It does not seem likely that either the international community or the U.S. will intervene in all these conflicts. What do you see as the criteria for selecting where to intervene?

Answer. The President's National Security Strategy sets forth three categories of national interests, which justify the use of U.S. armed forces.

The first category involves America's vital interests; that is, interests that are of broad, overriding importance to our country's survival, security, and vitality. We should do whatever it takes to defend these interests, including—when necessary—the unilateral and decisive use of military power. This was demonstrated clearly in Operation Desert Storm and, more recently, in Operations Vigilant Warrior and Vigilant Sentinel.

The second category includes cases in which important, but not vital, U.S. interests are threatened. That is, the interests at stake do not affect our national survival, but they do affect importantly our national well-being and the character of the world in which we live. In such cases, military forces should only be used if they advance U.S. interests, they are likely to accomplish their objectives, the costs and risks of their employment correspond to the interests at stake, and other means have been tried and have failed to achieve our objectives. Such uses of force should also be selective and limited, reflecting the interests at stake. The U.S. military operation in Haiti is a recent example in this category.

The third category involves primarily humanitarian interests. Here, our decisions should focus on the resources we can bring to bear by using the unique capabilities of the U.S. military rather than on the combat power of military force. Generally, the military is not the most appropriate tool to address humanitarian concerns. However, under certain conditions, the use of our armed forces may be appropriate: when a humanitarian catastrophe dwarfs the ability of civilian relief agencies to respond; when the need for relief is urgent and only the military has the ability to jump-start the longer-term response to the disaster; when the response requires resources unique to the military; and when the risk to American troops is minimal. The relief operation in Rwanda is a good case in point.

Beyond the decision on *when* to use U.S. military force is the decision on *how* to use it. That decision should be guided by a similar set of considerations. First, when we send American troops abroad, we should send them with a clear mission and, for those operations that are likely to involve combat, the means to achieve their objectives decisively. We should have answered the questions: What types of U.S. military capabilities should be brought to bear, and is the use of military force carefully matched to our political objectives?

Second, as much as possible, we should seek the help of our allies and friends or of relevant international institutions. If our most important national interests are at stake, we should be prepared to act alone. But especially on those matters touching directly the interests of our allies, there should be a proportionate commitment from them.

One final consideration: the United States cannot long sustain the use of military force without the support of the public, and close consultations with Congress are important to this effort. This is true for humanitarian and other non-traditional interventions, as well as war.

*Question.* Another problem is the likelihood that armed intervention will be viewed by one or more of the contending parties as lacking legitimacy or prejudicial to their interests—as in Somalia and Bosnia. In due course, the intervening forces become targets for local militia. How do you recommend we deal with such problems?

*Answer.* The U.S. decision to deploy forces to Bosnia was taken in the context of a Dayton Accord, which all parties signed and have shown a willingness to implement. U.S. commanders have taken extraordinary measures to ensure an even-handed approach to compliance and through the use of joint military commissions has established good working relations with all the parties. The Bosnian Serb military is now meeting with IFOR commanders, and BSA compliance has been generally good. As mentioned elsewhere, there is always the danger of rogue elements challenging IFOR units, but we believe that the presence of decisive NATO force and a willingness to use it will deter any serious confrontation with IFOR units.

*Question.* We are facing an increasing problem as to how to cope with strains on Department of Defense resources. The growing demand for military intervention in the internal conflicts of other nations has raised concerns in Washington that peace operations are placing a heavy burden on some U.S. forces. For example, Marine and Naval units were operating at a high tempo in 1994 in order to meet the demands of various peace operations. In addition, concerns have been raised about budgetary strains and the possible adverse consequences of excessive attention to peace operations on training, morale, and combat force readiness. How do we balance the needs of the U.S. Armed Forces' readiness with the demand for the U.S. to intervene worldwide.

*Answer.* I have discussed above the criteria governing U.S. involvement in military operations. In substance, such operations are appropriate only if they serve vital or important United States interests. By contrast, readiness is a means to an end; readiness provides us the capability to accomplish United States interests if the decision is made to undertake military operations. Thus, readiness and operations are not in conflict with one another. Rather, readiness supports the ability to accomplish missions.

The critical issue raised by the question arises because the United States has many potential worldwide missions, and thus many potential uses of its military assets. Speaking generally, if we are accomplishing one mission, we will be affecting our ability to use the assets involved in the first mission to accomplish the second mission. Necessarily, then, a critical element of our decision to use United States military force is its impact on our ability—and the risks associated with it—to accomplish a potential second mission.

It is the recognition of the risks of a potential second mission that lies behind the Department's planning strategy of being able to accomplish two nearly simultaneous major regional contingencies. Maintaining that ability allows us in the judgment of the President, the Secretary of Defense, and the senior military authorities a sufficient military capability to deal prudently with the risks we are likely to face in national security environment of today and the reasonable future.

Within this broad policy context, readiness remains the top priority in the Department of Defense. Quality personnel, realistic training, sufficient stocks of spare parts and equipment, timely maintenance and the ability to conduct effective joint operations are the key ingredients of a high readiness posture.

The Congress and DOD share the responsibility to sustain a consensus on how to fund America's international commitments without degrading the readiness of its forces. To that end, maintaining readiness is critically dependent on timely and full reimbursement of costs associated with unplanned contingency operations. DOD is

also working diligently to understand and manage better the complexities of O&M programs and their funding. With continued attention to assessing the readiness of its force, and timely funding for contingency operations, the U.S. will continue to have the world's best trained and equipped force, with the highest quality personnel.

*Question.* There is no overpowering threat that will create enduring alliances the way the Soviet threat brought NATO into being. Like-minded states, including the NATO states, will not always agree on which regional crises deserve attention, so coalitions will shift from case to case. Public opinion, in the U.S. and internationally, will usually insist on intervention by a coalition rather than by U.S. forces alone, even when coalition partners add nothing to—or even complicate—the military effort. Most important, as defense spending declines, the U.S. will increasingly need to rely on coalition partners. What can we do short of U.S. involvement that will be useful militarily with the appropriate political impact? Do you foresee situations in which the U.S. may decide the most appropriate response to a security problem is to encourage a coalition in which it does not participate?

*Answer.* I have discussed above the broad policy parameters which would justify U.S. military involvement in particular situations. When vital U.S. interests are engaged and use of military power is appropriate, it seems inconceivable that the U.S. would not be militarily engaged. When truly important U.S. interests are involved and use of military power is appropriate, it seems improbable that the U.S. would not be militarily engaged.

It is, however, quite possible to—postulate security problems in which neither vital nor important U.S. interests are sufficiently engaged to warrant direct U.S. military involvement in the circumstance. In that event, the United States has available a variety of mechanisms that would be useful militarily with appropriate political impact.

At one end of the spectrum would be United States diplomacy, either bilaterally or multilaterally. For example, the United States can work bilaterally with other nations to ensure that the proper capabilities are brought to coalition operations by other states. At a higher level of involvement would be diplomacy backed by economic actions, either aid and/or sanctions. At a further increased level of involvement would be security assistance through sale and lease of articles or services, with potentially associated financing. At the next level of involvement, the United States can contribute non-military personnel to an operation to demonstrate U.S. support and commitment to its objectives, as we are currently doing in the UN operation in Eastern Slavonia. Finally, the U.S. can support coalition activities by providing logistical or intelligence support if appropriate.

As a small example of encouragement of coalitions without U.S. involvement, one need only look at our efforts on the African continent. In Angola, we have long played an important role in pressing both parties to the civil war to put their national reconciliation into practice. More actively, the U.S. military also helped train staffs of the UN peace operation there in 1995 (UNAVEM II). At another level of involvement, in Liberia, the U.S. has extended financial and logistical assistance to the West African force deployed by the Economic Community of West African states, especially to the Senegalese contingent (which received \$15M in FMF and “drawdown” support); U.S. military personnel were not, however, deployed.

*Question.* The world seems to be providing more and more need for assisting failed states, such as Somalia. What are your views on this dilemma? Will the U.S. public be likely to support assistance to failed states in those cases where the military intervention is needed, but U.S. interests are either unclear or negligible? What about local conflicts threatening to spill over into neighboring states? What about clashing parties agreeing on a political solution but suspicious of the willingness of the other side to live up to its promises?

*Answer.* The United States cannot long sustain a substantial military effort without the support of the public and close consultations with the Congress. Vivid images of humanitarian crises may grip a viewing public, stirring the impulse to intervene. But it is neither possible nor advisable for the U.S. to intervene in every regional conflict. In all cases, costs and risks must be judged to be commensurate with the stakes involved. This is as true of lower level conflicts and humanitarian efforts as it is of more significant military coalitions. Of the many key questions to be asked, whether we have reasonable assurance of support from the American people and their elected representatives remains critical to an ultimate decision on whether and when to use force.

*Question.* There has been much discussion about the U.S. Armed Forces responding to transnational threats. Problems like drug trafficking and terrorism are increasingly becoming transnational in character, as criminals operate across borders and environmental problems arise on a global scale. These problems have become

an important part of the National security agenda because they affect the well-being of so many American. What are your views as to how the U.S. military should be involved in dealing with transnational threats?

Answer. Technological advances and democratic societies allow unprecedented movement of goods, people, and ideas. Though most of these flows are beneficial, enhancing freedom and an exchange of ideas such as democracy and human rights to the far corners of the globe, others are not. Threats take many forms—from terrorists exchanging technical data, to internationalization of crime and drug cartels, to migration resulting from political turmoil or natural disasters. Most important, if the efforts by irresponsible states and groups to acquire weapons of mass destruction are successful, it will be difficult for the U.S., or anyone, to be secure.

The significance of borders to protect our citizens from pernicious transnational threats is deteriorating. U.S. military will continue to be called upon to combat these transnational threats—primarily to counter terrorism and drug trafficking. Much of this work calls for specialized units and capabilities under the watchful policy oversight of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (SOLIC). Much of their operations take place within the countries on ASD/ISA's watch.

Though SOLIC has the policy lead on many of the initiatives to combat transnational threats, I am most cognizant of ISA's need to support this difficult mission. For instance, under bilateral arrangements, we share intelligence in anticorruption and money laundering programs to fight drug trafficking at its source. At the Defense Ministerial of the Americas, 34 nations pledged to cooperate in a supportive role in the fight against narcoterrorism. We continue to play a supportive role to maintain UN Security Council sanctions against Libya for the Pan Am 103 and UTA 772 bombings.

It is my intention to continue to support the broad based initiatives to combat transnational threats, for ultimate success will depend upon partnerships within government, with the private sector and the public, and with international bodies.

*Question.* While we are faced with many quickly emerging nontraditional threats, many have testified before this committee that insuring peace among the major powers remains most important. In your view, should the most important U.S. interest be to maintain peace among the major powers? We have heard testimony to the effect that besides having good bilateral relations with each of the major powers, the U.S. should also seek the peaceful resolution of disputes among other major powers—for example, the Kurile Islands dispute between Russia and Japan. Do you agree with this notion? If so, how would you approach the matter.

Answer. At the broadest level, U.S. national security strategy includes preserving our security, bolstering our economic revitalization, and promoting democracy. Preservation of peace is, of course, an important interest, but so too are the preservation of freedom, of security, and of democracy.

The role of the United States as the only country with truly global interests and assets in each of the military, economic, and political arenas of international relations is to promote the interests set forth above in an atmosphere of security and stability. It may be that, in undertaking to achieve those objectives, the United States will be able to facilitate the peaceful resolution of disputes among other major powers. However, whether such opportunities exist will depend on the circumstances, including the relationship of the United States to the relevant parties. Just as the United States should not be involved as the world's policeman in the myriad of military confrontations now ongoing, it cannot be the world's mediator and arbitrator of all the world's disputes. Selectively, however, such involvement could potentially be beneficial.

*Question.* In the same regard, some experts cautioned this Committee that U.S. interests will be primarily and vitally linked to how the world divides into distinct great power spheres of influence, because history suggests that great powers tend eventually to fight over the boundaries of their spheres of influence. This seems to mean that we must calculate the importance of our interests in regional conflicts against the status of great powers spheres of influence. Sometimes the two are related and sometimes not. How do you view this particular matter?

Answer. The United States has worldwide national security interests. Part of achieving these security interests is avoiding the emergence of an international security system based on great power spheres of influence. This is not to suggest that there will not be major regional powers. There will be, and are. But the thrust of U.S. security strategy is to be able to achieve our interests in conjunction with major regional powers (as is obviously true with our allies and friends) or despite them if necessary (as, for example, is the case with Iran).

*Question.* Defining U.S. interests is also no easy matter. Some have testified that the most important U.S. ties are with the other major powers, both in Europe and

increasingly in rapidly-growing East Asia. The U.S. has several vital ties in other parts of the world, based on access to key resources (the Persian Gulf), historic interests (the Korean peninsula and the Arab-Israeli conflict), and concern about problems in the U.S. backyard (the trans-Caribbean basin). Do you agree with this assertion, and why?

Answer. The United States has fundamental interests that are both clear and well-defined. These include our traditional interests and relationships in Europe with the countries of NATO; in East Asia with Japan, the Republic of Korea, and Australia; in the Middle East with Israel, Egypt, Jordan, and the countries of the Gulf Cooperation Council; in the Americas with Canada and our partners in Latin America. We have important interests in transforming the security architecture of Europe through the Partnership for Peace, through NATO expansion and adaptation, and through establishing a constructive relationship with Russia based on its own interests in security and stability if that can be accomplished given the internal, sometimes plainly negative, stresses that Russia is undergoing. We have key interests in dealing with China and Taiwan based on the three communiques and the Taiwan Relations Act. We have important interests in the ASEAN countries. We have quite significant interests in controlling the dangers posed by North Korea, Iran, Iraq, and Libya. Worldwide, we have substantial interests in controlling weapons of mass destruction, including means of delivery.

To be sure, this brief description of vital and important U.S. interests will not resolve the policy and practice of every geopolitical problem faced by the United States, but the United States has a central core of interests upon which to base a consistent worldwide national security strategy. The administration's fundamental strategy is found in the National Security Strategy of Engagement and Enlargement.

To give greater detail on the regional security dimensions of this strategy, Secretary Perry commissioned ISA to prepare a series of unclassified reports on U.S. regional security strategies. While copies of these reports have been widely distributed to SASC Committee members, I would be pleased to provide additional reports, or answer specific questions on our regional interests and concomitant threats within each region.

IV. THERE ARE SEVERAL INTERNATIONAL MATTERS ASSOCIATED WITH ASD/ISA DUTIES WHICH HAVE BECOME INCREASINGLY NOTEWORTHY RECENTLY. PLEASE SHARE YOUR VIEWS AND RECOMMENDATIONS ON THE FOLLOWING:

*Question.* India/China/Pakistan: The nuclear issue in India has acquired a political dimension, there seems to be a changing attitude to nuclear weapons. The U.S. is considering imposing economic sanctions against China for shipping nuclear weapons components to Pakistan. Shots were recently exchanged in Kashmir. India and Pakistan have fought three wars since attaining independence from Britain in 1947 including two over control of Kashmir, the only Muslim majority state in India.

Answer. The problem of settling the differences between India and Pakistan over Kashmir is a critical factor in resolving many of the problems in the subcontinent. As this Committee is well-aware, nuclear issues are also crucial, with the weapons programs in each country presenting significant challenges. India is also concerned about ensuring the Comprehensive Test Ban Treaty (CTBT) negotiations move forward, and the results may affect its approach toward nuclear weapons. China is a major player in any solution to reduce the tensions in Southern Asia, both as a bilateral player as the India-China dynamic and as a supplier to Pakistan. Our policy is centered on bilateral engagement that can lead to fruitful direct discussions between the antagonists. Furthermore, we are trying to reduce the tensions in the region by seeking talks that can address these issues and others that are the cause of this stressful situation.

Secretary Perry firmly believes that by staying engaged and by building on our shared security interest with Pakistan and India, America can be an important force for peace and stability on the subcontinent. We strive to avoid a future that leads to an escalation of the arms race and dangers of a fourth India-Pakistan war—possibly even a nuclear war. Instead, we are working to cap the arms race, lower tension, and encourage India and Pakistan to work together to resolve the problems of the region.

*Question.* Kuwait's Crown Prince has made public statements warning that Saddam Hussein could be preparing another attack on the emirate.

Answer. Our forward presence in the region is the key element of military posture which demonstrates U.S. commitment, strengthens deterrence, and facilitates transition from peace to war. This includes naval forces in the form of The Carrier Battle Group (CVBG) and Amphibious Ready Group, air force assets to deter aggression



and enforce U.N. resolutions under Operation SOUTHERN WATCH, Patriot air defense batteries, and frequent exercises to enhance that presence. Based on our VIGILANT WARRIOR experience in October 1994, prepositioned equipment and supplies for heavy armed forces, and supporting military construction, have become increasingly important elements of forward presence. These stocks reduce the strategic lift demands inherent in deploying combat force and improve responsiveness for our forces in the region.

*Question.* Iran: Iran has been rebuilding its military steadily. It has announced a massive program of 38 naval exercises over the next several months. Iran has test fired a Chinese built cruise missile renewing Western concerns about its naval capabilities.

*Answer.* While overall conventional military capability is limited and will remain so throughout the 1990's, recent purchases demonstrate Iran's desire to develop an offensive capability in specific mission areas that endanger U.S. interests. We are concerned about the recent sales of Russian Kilo submarines and tactical aircraft and Chinese and North Korean missiles to an Iranian government that makes no secret of its desire to dominate maritime traffic in and out of the Persian gulf. Of even greater concern, Iran is also dedicated to developing weapons of mass destruction, including chemical, biological, and nuclear weapons, a prospect that would have serious repercussions for regional stability and perhaps our ability to protect our interests in the area.

*Question.* Taiwan-China: Chinese military exercises were condemned as provocative by Taiwan after being held in a neighboring province on the eve of Taiwan's elections.

*Answer.* We remain concerned about the PRC's announced plans to conduct exercises near Taiwan that may include missile firings. We have communicated this concern through a strong demarche to the PRC. We reiterated our long-standing policy that any attempt to resolve the Taiwan Strait dispute by other than peaceful means as a matter of grave concern to the United States. We continue to believe that PLA activity will remain at the exercise level, and the greatest danger in the Taiwan Strait comes from the potential for miscalculation and misperception. Such missteps could have unintended consequences for both sides.

Our defense obligations to Taiwan continue to be governed by the Taiwan Relations Act. We will assess the military balance to ascertain Taiwan's defense needs and provide articles and services necessary to maintain a sufficient self-defense capability. We will keep Congress informed about Taiwan's security requirements, and we will maintain a U.S. capacity to resist force or coercion against the people of Taiwan.

We have communicated to the PRC on many occasions that any effort to determine the future of Taiwan by other than peaceful means would constitute a threat to the peace and security of the Western Pacific area and of grave concern to the United States.

*Question.* Japan's new defense policy will cut force levels by 20 percent, and maintain a purely defensive doctrine. A-5. On November 28, 1995, the Government of Japan issued its revised National Defense Program Outline (NDPO) which establishes the basis for Japan's defense policy into the next century. This document replaces the first NDPO issued in 1976. It describes the post Cold War security environment and the Japanese defense strategy to meet future challenges. It outlines adjustments in force levels and Japan's commitment to a defensive doctrine, as determined by the Japanese constitution.

At the core of the new NDPO is the U.S.-Japan alliance, which it states is "indispensable" to Japan's security. The Japanese press has heralded the NDPO as a complete endorsement of the Pentagon's own East Asia Strategy Report (EASR) released in February 1995. The strategy report established the U.S. commitment to maintain a presence of about 100,000 troops in the region, and outlined a strategy emphasizing strengthening U.S. alliances. The NDPO and the EASR demonstrate clearly not only that the alliance is on firm footing, but that the U.S. and Japan share a strategic view of the future. It is no coincidence that the two reports are complementary. Beginning in November 1994, the U.S. and Japan have engaged in an intensive security dialogue thinking through the basis of the alliance—these reports are the fruit of that discussion.

Importantly, the NDPO states Japan's willingness to respond to regional situations with important implications for Japan's security. It restructures forces and front line equipment and trims anti-submarine and mine warfare forces in response to the end of the Cold War and technology developments—much as the U.S. Bottom-Up review adjusted the U.S. military in 1993. It cuts authorized army troop strength from 180,000 to 160,000—a level 5,000 more than Japan's current actual troop number. But it also proposes a ready reserve of 15,000 troops.

These cuts do not mean Japan is shying away from the burden of its security. On the contrary, the NDPO envisions maintaining a flexible defense capability by creating lighter, more mobile ground forces capable of responding to a wider range of tasks, including disaster relief operations. It also shows Japan's willingness to help shoulder the burden of global security through promoting security dialogues, arms control and disarmament, and participation in peacekeeping operations. At the same time Japan committed in September 1995 to the Special Measures Agreement, a funding arrangement which contributes to a total Host Nation Support package for U.S. forces of over \$5 billion annually over the next 5 years.

*Question.* The U.S. is attempting to provide Jordan with F-16A/B aircraft and M60 MBTs under a military assistance package.

*Answer.* King Hussein has taken a very courageous stand for peace not only by signing the peace treaty with Israel, but also by turning that peace into a very warm relationship including military to military relations. We have a tremendous opportunity to nurture this new relationship in the context of new political realities in the Middle East. Both the late Israeli Prime Minister Rabin and Prime Minister Peres gave unwavering support to the transfer of F16s to Jordan. King Hussein requires these aircraft to reinforce a small, aging fleet of fighters which are the first line of defense for Jordan. As Jordan continues its strategic realignment away from Saddam Hussein, we believe that Saddam has a greater incentive to exact retribution from Jordan thus further endangering the Hashemite Kingdom. These aircraft will serve to identify the interests of Jordan with the United States and which will serve as a further deterrent against Iraqi aggression in the region.

The USG will provide Jordan with 50 M60A3 Main Battle Tanks as part of the \$100M drawdown package. These tanks augment M60A3s already in the Jordanian Armed Forces inventory and will replace many obsolete tanks.

*Question.* Exportation of dual-use technology. Some suggest to the Committee that the U.S. needs to more closely monitor sales of dual-use equipment and technology to restricted nations.

*Answer.* The chief responsibility for monitoring dual-use technology belongs to the Defense Technology Security Agency, which does not fall within my purview, but that of the ASD for International Security Policy. However, dual-use technology cases are reviewed on an interagency basis. The Defense Security Assistance Agency, which is responsible for foreign military sales, also reviews dual-use cases as part of the interagency review process. While not my specific responsibility, I strongly support the close monitoring of sales of dual-use equipment and technology.

#### ANNEX

##### *Angola*

U.S. interests in Angola are political, economic and humanitarian. We seek the establishment of an inclusive multi-party democracy with broad respect for human and political rights. The attainment of this goal is crucial both for Angola and for the precedent it establishes for situations elsewhere in the region. The greatest obstacle to successful implementation of the Lusaka Accords are the attitudes of the two parties. The level of mutual mistrust is extremely high. As a result none of the security provisions of the Accords have been fully implemented. However, increased UN and Troika (U.S.-Russia-Portugal) pressure has resulted in some positive movement in the last 8 weeks, to include the renewal of UNITA troop movement into UNAVEM controlled quartering areas. This process must be sustained but it is not an end in itself. The next equally crucial step is the integration of those UNITA troops into the government armed forces. Until UNITA senior officers and most troops are fully integrated, the entire peace process will continue to stand at the edge of a precipice.

DOD has no direct involvement in Angola (although we do have a three person DAO in Luanda) and we are only peripherally involved in the PKO. No U.S. troops are assigned to UNAVEM and we have refused specific requests to provide aerial surveillance assets (either military or contract). We have provided humanitarian support to the PKO in the form of demining funds and Bailey bridges. It is possible that we may receive additional requests for humanitarian support (e.g. tents). If the peace process continues to proceed successfully, we will want to begin to establish normal military to military relations with Angola, to include activating Angola's new IMET program.

##### *Burma*

The State Law and Order Restoration Committee (SLORC) continues to suppress domestic opposition, and has steadfastly refused to implement the results of the 1990 elections in which the National League for Democracy garnered the majority

of votes, even though its leader, Aung San Suu Kyi, was under house arrest at the time. The military government continues to arrest large numbers of people for any and all political activity. Periodic releases of political prisoners are token and timed for maximum political advantage. They do not indicate a change in SLORC treatment of political prisoners.

We hope to see progress in national reconciliation, in particular a direct dialogue between the State Law and Order Restoration Committee (SLORC) and Aung San Suu Kyi. There is an unprecedented opportunity to begin the process of reconciliation with the National League for Democrats (NLD). It would be desirable if the Government of Burma should enter into a dialogue with the NLD, which should have an essential role in the drafting of the new constitution. At this point, however, the U.S. is concerned that the SLORC is not talking with the NLD in a serious fashion.

### *Burundi*

The Department of Defense is a key member of USG interagency efforts at addressing the potential crisis in Burundi. DOD bore the brunt of ameliorating the effects of ethnic violence in Rwanda. We know that the situation in Burundi must be kept under a spotlight until all concerned realize that we are serious about preventing any repeat, even on a small scale, of the violence that tore its neighbor to the north apart. We fully support the Department of State's efforts at preventive diplomacy, the fruits of which we may now be seeing. Ambassador Madeleine Albright's recent trip to the region drove home to the senior members of the Burundian government and military the seriousness with which the USG views the inflammatory rhetoric of both Hutu and Tutsi extremists. DOD's follow-on military briefing team made it clear that Burundi is of paramount concern to the USG. We must maintain our focus on Burundi, and continue our attempts to bolster the voices of moderation in Burundian society, particularly those within the military. In this regard, a military attaché is being assigned to our Embassy in Bujumbura. This will enable us to strengthen our relationship with the Burundian military and influence moderates. Another important step is to make available to the Burundian military the opportunity for U.S. training that helps contribute to their understanding of the role of the military in a democratic society. IMET is key to DOD's efforts towards helping to prevent a crisis in Burundi.

### *Chechnya*

The Office of the Assistant Secretary of Defense for International Security Policy takes primary responsibility for this issue

### *Cyprus*

Cyprus occupies a strategic crossroads between Europe, the Middle East and North Africa and offers a growing market for U.S. products and suitable location from which to expand American exports. A peaceful and stable Cyprus is fundamentally important to our interests in the eastern Mediterranean, and removing it as a potential flashpoint between close NATO allies, Greece and Turkey, is important. The U.S. therefore seeks a just, intercommunal settlement which will guarantee a secure future for both sides and establish a bi-zonal, bi-communal federation, firmly anchored in Europe. The U.S. strongly supports the UN Secretary General's good offices mission, advancing the negotiating process in Cyprus, and controlling tensions between Greece and Turkey which can interfere with that process. The Department of Defense contributes to those objectives through our NATO and bilateral military relationships with Greece and Turkey, acting as a frequent interlocutor with both countries during periods of heightened tensions.

### *East Timor*

It is in America's interest to see a peaceful, internationally accepted resolution to the problem of East Timor achieved under the auspices of the UN Secretary General, as well as significant improvement in human rights conditions there. U.S. efforts to improve human rights conditions in East Timor have included frank discussions at all levels, including between President Clinton and Secretary Christopher and their Indonesian counterparts, and in defense channels. Unfortunately, the GOI has not followed through on a full accounting of those listed as missing, and the civilian demonstrators involved in the incident received sentences far harsher than the military personnel. Some positive developments have occurred over the past year or so, including greater access to East Timor by human rights groups and the media; meetings between the Indonesian and Portuguese foreign ministers on confidence-building measures under the auspices of the UNSYG; and announcement by the military to draw down its heavy security presence (but decreases thus far have been marginal).

Our engagement with the Indonesian military, through the IMET program and other military activities, seeks to enhance U.S. ability to positively influence Indonesia's human rights policies and behavior. It also serves our broader security objectives in the region. IMET brings the best of the Indonesian officer corps to the U.S. We have sought to place strong emphasis on our Expanded IMET programs which are designed to address issues of democracy, human rights, civil-military relations and the concept of civilian control of the military.

### *Haiti*

Despite the unarguable success of the U.S.-led military intervention in Haiti, which not only restored elected government but also drastically cut the level of politically-motivated violence, Haiti will remain vulnerable to security challenges for the foreseeable future. While DOD has a role in preserving and consolidating recent democratic gains, our future role will be constrained by several factors, the most obvious being that Haiti possesses no military forces and faces no credible external threat. The principal challenges to security and stability in Haiti arise instead from internal economic, social and environmental pressures—pressures with which the Haitian state will have difficulty coping alone, and for which the DOD has no remedy.

Haiti's international donors must take the lead in providing the short-term assistance to avoid humanitarian crises while private markets supply the longer-term capital investment needed to grow the Haitian economy. Unless means can be found to spur genuine economic renewal—and, moreover, a renewal which narrows the tremendous gap between rich and poor that earmarks Haitian society—we may at some future point once again face migrant outflows to which the DOD, in conjunction with the Coast Guard, could be called upon to respond.

The other principal determinant of Haiti's internal security calculus is the ability of the new Haitian National Police (HNP) to respond to the challenges imposed by a centuries-old culture of political violence. The principal response to HNP shortfalls must again come from non-Defense agencies, such as the 5-year program for professional education and development of the HNP operated by the Department of Justice's International Criminal Investigative Training Assistance Program (ICITAP). DOD has played a modest supporting role to ICITAP in developing and equipping the HNP, and should continue to the extent we may do so within the legal limits imposed on DOD participation in support to police and other internal security forces. DOD support in developing a Haitian coast guard is one example of the type of assistance in which DOD's unique expertise can be applied to an area for which the GOH presently has no domestic capability. Contributions in such areas are likely to serve the common interests of Haiti and the U.S., while drawing on fields in which DOD possesses singular expertise.

### *India-Pakistan*

The potential for a nuclear dimension to any future Indo-Pakistani conflict makes it essential for the U.S. to remain actively engaged in South Asia. We seek to lessen the tensions between these two and ultimately, we hope, to persuade them to abandon their nuclear and missile programs. To that end, I will support an active DOD effort to maintain and expand contacts between the U.S. Armed Forces and those of India and Pakistan. We are also supporting U.S. efforts to persuade both India and Pakistan to become signatories to the Comprehensive Test Ban Treaty and the Fissile Materials Cutoff Treaty—their agreement to these two treaties would be key to preventing a nuclear arms race in South Asia. Active U.S. engagement can serve a facilitating role, but resolution of their differences will require them to deal with their problems bilaterally.

### *Middle East*

The U.S. and its friends and allies in the Middle East face a range of serious threats that are diverse and often interrelated. While I have reviewed a number of these points in my testimony and in response to other questions, four challenges deserve comment.

- Iran and Iraq are the most serious dangers to the secure flow of oil from the Persian Gulf to world markets. They pose a direct military threat individually and their rivalry for regional hegemony could spill over into the countries of the Arabian Peninsula.
- Although the external threat to Israel is at an historic low as a result of the coalition defeat of Iraq and the peace accords between Israel and Jordan, the recent blows against the Peace Process must be taken extremely seriously and we must support Israel in its efforts to counter such terrorism.

- Several of the countries in the region face challenges from radical Islamic movements. While these are internal concerns that the countries themselves must ultimately resolve, our support to friends facing such issues can be important.
- Traditional efforts to control the spread of Weapons of Mass Destruction and missile delivery systems—which are often overlooked as part of the problem—in this region have been largely unsuccessful. However, we must continue to work with our friends and allies, and the international community including multilateral control regimes, to support their efforts. The indefinite extension of the Nuclear Non-Proliferation Treaty last year was particularly noteworthy, but there is far to go.

### *Northern Ireland*

As the President's December visit clearly showed, British and Irish officials have increasingly recognized Washington's role in the peace process. London and Dublin have actively sought U.S. help to encourage all sides, especially Sinn Fein, to advance the Northern Ireland peace negotiations. While the August 1994 IRA cease-fire may appear severely jeopardized, the peace process is not dead. Undoubtedly, London, Dublin and Washington must continue in earnest to look for a way to bring all parties together for talks. The resumption of the IRA's terrorist campaign has enormously complicated the process, not least by casting severe doubt on Sinn Fein's commitment to exclusively peaceful methods and its willingness to abide by the democratic process.

A key objective of U.S. policy over the last 2 years has been to encourage the Republican movement to seek legitimate political means of expression rather than terrorist tactics. This should remain our policy; to cut off all political dialogue with Sinn Fein could encourage those who see violence as the only means of achieving their political goals. At the same time, however, we cannot relax our firm policy against terrorism. We must make it very clear that there are demonstrable negative consequences for the Republican movement resulting from the IRA's return to violence. We should follow the lead of the British and Irish Governments by maintaining lower level discussions with Sinn Fein, but refusing high-level, high-profile contact. Waivers of visa ineligibility for Sinn Fein members, including Gerry Adams, should be considered on a case-by-case basis for single-entry admittance, as was the case before the cease-fire.

We should encourage all parties to focus on the political track of the twin-track process in order to move rapidly to all-party talks.

### *Peru-Ecuador*

The U.S. is a guarantor of the 1942 Rio Protocol along with Argentina, Brazil and Chile. The protocol committed the guarantors to assist the parties, including by means of military observers, to resolve any disagreements arising from the execution of the protocol until completion of definitive demarcation of the frontiers. There are approximately 65 military personnel assigned to Task Force Operation Safe Border in support of the Guarantor Observer Mission. Their mission is to observe the terms of agreement between Ecuador and Peru. They are not involved in a combat role. If separation of forces is not maintained or Peru and Ecuador initiate armed conflict, the Observer Force will pull out. U.S. military personnel will not be involved in armed conflict in any manner along the Peru-Ecuador border.

### *Somalia*

The Department of Defense has already expended a great deal of both blood and treasure over the problems in Somalia. We are proud of the fact that our intervention there saved hundreds of thousands of lives. But only Somalis can solve Somali problems. Until the Somali people are able to decide for themselves what direction they want their country to take, we can only encourage them from the sidelines. The clan and faction leaders must overcome the limiting influence of internecine warfare and personal political agendas. Perhaps one day there will be a government to deal with and we can resume a normal relationship.

### *Sri Lanka*

The current Sri Lankan government is a freely elected People's Alliance that was elected to find a solution to the 12 year insurgency action by the Tamil Tigers. It is making progress and has a devolution plan to share power with the Tamil Tigers; however, a recent Tiger attack against the financial district in downtown Colombo, raises new concern for achieving progress.

### *Rwanda*

The Department of Defense has made a commitment to the GOR to assist it in its efforts to rebuild its society in the aftermath of the genocide. We have provided humanitarian assistance to its schools, hospitals and refugee repatriation programs. We were instrumental in having the UN arms embargo lifted in order that the GOR would be better able to defend itself against the forces of the former genocidal regime. We have brought Rwandan military officers to this country for training in the role they must play in a democratic society. Those same officers are now conducting their own seminars for other officers around their country. We have much more joint training scheduled for the remainder of this year. Rwanda still faces very significant problems; however, progress needs to be made on both the prisons and the trials for those being held on suspicion of genocide. We believe that we can best help the GOR address these problems by remaining engaged and continuing to build upon our past successes.

### *The Former Yugoslavia*

The best way to prevent a resumption of the conflict in the former Yugoslavia is our current policy which is based on a two-track approach of military and civilian actions. A large and well-armed force led by NATO is implementing the military provisions of the settlement agreed to by the warring parties. This has proven to be an effective way to separate the armed forces of the various factions and maintain a cease-fire. So far the number of casualties has been light, and the few losses that have been incurred have been the result of accidents or small-scale attacks by rogue elements. The second track is a series of civilian actions that are made possible by the peaceful conditions created by the military implementation force. These civilian measures include economic reconstruction, refugee resettlement, and elections among others. We expect the military implementation to be accomplished within a year, leading to the withdrawal of the NATO-led force. Civilian implementation, on the other hand, is likely to take several years.

### *Algeria*

The administration considers the impressive turnout in the November 1995 elections as a signal that most Algerians support a peaceful resolution of the current political crisis. An opportunity now exists for the Zeroual government to move forward with a process of national reconciliation. Our policy has been one of consistently encouraging—in close coordination with the French and other friends of Algeria—this political process leading to national reconciliation. We will use the political and economic means at our disposal to help Algeria move toward a more open and inclusive political system and economy.

### *Cambodia*

Though there are still serious problems, security conditions in Cambodia have improved. The Royal Cambodian Government (RCG) has outlived two ill-fated coup attempts. The military has remained loyal and obedient to the coalition. The threat posed by a seriously weakened Khmer Rouge has receded. The dismal performance of the RCAF against Khmer Rouge (KR) targets in February and May 1994 underscored serious institutional weaknesses including corruption, incompetent leadership, poor training, weak logistics, and lingering factional and political differences within the unified military. In June 1994, the RCAF began to discuss a reform plan that would reduce the 120,000-strong military to half that size and cut the size of the officer corps; establish effective basic training institutions; attract external support for the efforts to professionalize the RCAF; and modernize an extremely old weapons inventory. The Khmer Rouge remains organized for, and capable of, little more than low-level guerrilla actions in an increasingly confined set of areas in the Cardamon mountains, around the Great Lake, and in the northern border area. The Department of Defense remains committed to assisting the Cambodian military primarily in the areas of English-language training, demining training, engineering road building equipment and training, and excess property support for the defector program (primarily in the form of deliveries of humanitarian daily rations and medical consumables). By helping to instill democratic values and professional discipline in the military, these programs contribute to Cambodia's stability and its capacity to hew to a democratic course.

### *Colombia*

Colombia is involved in an internal conflict between government forces and insurgency/narco-terrorist forces. Because of the strength of the narco-terrorist forces and their involvement with President Samper, we have recently decertified Colombia as a recipient of U.S. aid. There is no plan to involve U.S. military forces in any operation in Colombia.

### *Cuba*

The U.S. has a strategic interest in the consolidation of democracy in the region, including Cuba. However, recent events show the limits of building a civil society in Cuba. DOD strongly supports the steps that the President and the Congress are taking in response to the unwarranted killings.

### *Iran*

While our current military posture in the Gulf is designed primarily to counter the threat posed by Iraq, our forces, in concert with those of coalition partners, are engaged in a carefully constructed regional strategy to ensure that neither Iraq nor Iran can dominate the Gulf. The peacetime forward presence of U.S. naval, air, and land forces in the Gulf, and our prepositioning program are essential elements of this strategy. These also provide an initial capability to deal immediately with any direct challenge and serve as key symbols of our commitment to deter regional aggressors. In addition, Iran is clearly dedicated to developing weapons of mass destruction, including chemical, biological and nuclear weapons, a prospect that would have serious regional repercussions.

### *Iraq*

Despite its humiliating defeat by Coalition forces during Operation Desert Storm, Iraq retains a sizable military and remains a serious threat to American interests in the Gulf region. To contain this threat, the U.S. must ensure that Iraq complies with all applicable UN Security Council resolutions—particularly those relating to Iraq's weapons of mass destruction programs—before there is any relaxation in UN sanctions. In addition, the U.S. should seek the emergence in Baghdad of a government that respects human rights, does not threaten the peace and stability of the Gulf, and can preserve Iraq's territorial integrity.

### *Israel—Neighbors*

This administration is unswervingly committed to ensuring Israeli security while fostering an atmosphere conducive to progress in Israel's quest for peace with its neighbors. By preserving Israel's qualitative/technological edge while simultaneously bolstering ties and trade with those countries which make a comprehensive and just peace with Israel, the U.S. continues to make significant progress toward peace in the region. Moreover, OSD/ISA continues to work side-by-side with Israel to further advance the forces of peace in order to craft a truly regional settlement. In response to the recent horrific terrorist attacks, DOD is providing assistance to the GOI and will work closely with Israel to prevent future acts of terrorism.

### *Korea*

Our first priority on the Korean-peninsula is maintaining a strong deterrent posture and, if necessary, defending the Republic of Korea against external aggression. We fulfill this mission through our security alliance with the ROK, which is a central pillar of our defense presence in East Asia and has served the interests of both states admirably for many decades. The U.S. will work to maintain this strong security relationship into the foreseeable future. We also seek to ensure a Korean peninsula free of nuclear weapons and look forward to a time of peaceful reconciliation between the two Koreas. To that end, the U.S. has begun a process of limited engagement with North Korea in an effort to freeze its potentially destabilizing nuclear weapons program and create circumstances conducive to South-North dialogue. Eliminating tensions on the peninsula, which will enhance all of Asia's stability, can only come from a permanent peace between the central parties, South and North Korea.

### *South Africa*

The successful transition to majority rule in South Africa is critical to sub-Saharan Africa's future. A healthy South African economy and political base will have a major positive impact on regional stability. Failure means disaster for the region, threatening an eruption of civil war with concomitant destruction of infrastructure and cross border spill over. DOD views on South Africa are guided by two key premises. First, the new South African National Defense Force (SANDF) has the potential to become a sub-Saharan Africa power capable of acting as a cornerstone for regional military cooperation in conflict resolution, thus raising significantly the threshold of international community involvement. Second, the SANDF is unable to assume that role unless South Africa remains internally stable and internal stability depends, in large part, on successful integration of South Africa's disparate military forces into the SANDF.

While we have no military requirement for southern Africa facilities or even access to South African airfields or ports, we will derive considerable benefit from in-

creased military to military exchanges. Consequently, DOD is seeking to play a modest, constructive but non-prescriptive role in helping to further the SANDF transformation, insure the maintenance of a competent, capable, professional military and help develop an effective mechanism for civilian control. Although great progress has been made, there is still much to be done to put our relationship on a "normal" footing. A normal defense relationship could include personnel exchanges and contacts at all levels; provision of security assistance to address legitimate defense needs; exchange of information; research and development cooperation where applicable and appropriate; and conduct of joint exercises and joint training.

#### *Tibet*

Our firm policy is that Tibet is a part of China. Although we do not believe the United States should have a direct role in resolving the dispute, the USG urges (1) direct and serious negotiations between Beijing and Dharamsala; and (2) better treatment for ethnic Tibetans in China and the protection of Tibet's unique cultural, linguistic, and religious heritage.

#### *Turkey*

Our challenge in dealing with Turkey is to maintain strong defense relations with a vital NATO ally in a time of diminished security assistance, while promoting progress in key areas of interest to the United States Government, including Greek-Turkish relations, Iraq, the Middle East peace process, and human rights. We have been encouraged by progress to date and Turkish willingness to discuss these issues with us openly and frankly, and we are optimistic that further progress will be made in the coming months. We are pleased that the two center-right political parties (True Path and Motherland) appear to have resolved their differences and are ready to form a coalition government. We have worked well with both parties individually in the past, and look forward to the fruits of their combined efforts to keep Turkey's international focus on Europe and the West. With this new government we anticipate further progress in the areas of human rights and Greek-Turkish relations. We also hope to continue our joint effort to maintain pressure on Saddam Hussein through enforcement of relevant UN resolutions and Operation Provide Comfort.

A key objective in the post-Soviet era is to help Turkey deal with instability along its borders, and ensure that Turkey plays a positive role in the region as the only secular democracy governing a predominantly Muslim population. Given the close cultural ties among Turkey and many of the newly-formed states of the former Soviet Union, many states will look to Turkey for assistance in a variety of areas, from economic development to assistance with state-building. Additionally, Turkey's long-standing ties with Israel and border with Syria place it in a position to influence the Middle East peace process, both by serving as an example of a Muslim nation with excellent relations with Israel and by alleviating Syria's concerns over access to water from the headwaters of the Tigris and Euphrates rivers.

#### *Vietnam*

Vietnam appears intent on avoiding the entangling alliances that characterized its relationship with Moscow in the late 1970's. Vietnam will therefore continue to place great stock in expanding its relations with all countries to avoid the possibility of becoming the captive of any relationship. The President has firmly communicated that continued progress toward the fullest possible accounting for unaccounted for servicemen must be understood by the Vietnamese as our highest national priority, and the most important issue in our bilateral relationship. The key to keeping Hanoi focused on appropriate regional behavior and peaceful resolution of conflict, as well as continued integration into the region, is to press forward with normalization, to seek contacts and dialogue on security issues of mutual interest, and to gradually involve the Vietnamese in the regional approaches to conflict resolution and confidence building through the mechanisms of the ASEAN Regional Forum.

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[The nomination reference of Franklin D. Kramer follows:]

#### NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,  
SENATE OF THE UNITED STATES,  
February 6, 1996.

*Ordered*, That the following nomination be referred to the Committee on Armed Services:



Franklin D. Kramer of the District of Columbia, to be an Assistant Secretary of Defense, vice Joseph Nye.

[The biographical sketch of Franklin D. Kramer, which was transmitted to the committee at the time the nomination was referred, follows:]

#### BIOGRAPHICAL SKETCH OF FRANKLIN D. KRAMER

Mr. Franklin D. Kramer was appointed Deputy Assistant Secretary of Defense for European and NATO Affairs, Office of the Assistant Secretary of Defense, International Security Affairs on January 31, 1996.

Prior to assuming this position, he served as a partner in the Washington, DC, law firm of Shea and Gardner. Mr. Kramer served at the Department of Defense as Principal Deputy Assistant Secretary of Defense for International Security Affairs from 1979 to 1981 and as Special Assistant to the Assistant Secretary of Defense for International Security Affairs from 1977 to 1979. In 1992, he advised the Democratic Presidential campaign on defense and politico-military matters. Mr. Kramer was the President of the World Affairs Council of Washington, DC; on the advisory board for the Center for Nation Policy; on the Technical Advisory Committee for the Center for Naval Analyses' Strategic Policy Analysis Group; currently a member of the International Institute of Strategic Studies; and a principal of the Council for Excellence in government.

Mr. Kramer received a B.A. degree cum laude from Yale University in 1967 and a J.D. degree magna cum laude from Harvard Law School in 1971. He was Executive Editor of the Harvard Law Review in 1970-71. He was law clerk to the Honorable J. Edward Lumbard of the United States Court of Appeals for the Second Circuit in 1971-72.

He is married to Noel Anketell Kramer, a Washington DC Judge, and has two children, Katherine and Christopher.

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate, and certain senior military officers as determined by the committee, to complete a form that details the biographical, financial and other information of the nominee. The form executed by Franklin D. Kramer in connection with his nomination follows:]

#### UNITED STATES SENATE

#### COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

#### COMMITTEE ON ARMED SERVICES FORM

#### BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

**INSTRUCTIONS TO THE NOMINEE:** Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

#### PART A—BIOGRAPHICAL INFORMATION

**INSTRUCTIONS TO THE NOMINEE:** Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

Franklin D. Kramer.

**2. Position to which nominated:**

Assistant Secretary of Defense for International Security Affairs.

**3. Date of nomination:**

February 6, 1996.

**4. Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

**5. Date and place of birth:**

November 13, 1945; Liberty, New York.

**6. Marital Status:** (Include maiden name of wife or husband's name.)

Married—Noel Anketell Kramer (Anketell)

**7. Names and ages of children:**

Katherine Anketell Kramer, 19; Christopher Anketell Kramer, 15

**8. Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.

Harvard Law School, 1967–1971, J.D.

Yale University, 1963–1967, B.A.

Andrew Jackson High School, 1959–1963

**9. Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Deputy Assistant Secretary of Defense for European and NATO Affairs, Washington, DC., January 1996–Present

Partner, Shea & Garner, Washington, DC, 1972–1977, 1981–January 1996 (part-time since 1982)

**10. Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

Principal Deputy Assistant Secretary of Defense for International Security Affairs, 1979–1981

Special Assistant to Assistant Secretary of Defense for International Security Affairs, 1977–1979

**11. Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None.

**12. Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Yale Club, Washington, DC (Approximately 1975 to present)

Harvard Law School Association, Washington, DC (Intermittent since 1970's)

International Institute for Strategic Studies, London, England (Approximately 1978 to present)

Cleveland Park Club, Washington, DC, (Approximately 1983 to present) (Board of Directors in 1980's)

American Arbitration Association, Washington, DC (Approximately 1985 to present)

American Bar Association, Chicago, Illinois (Approximately 1972 to present)

St. Alban's Church, Washington, DC (Approximately 1985 to present)

St. Alban's School, Washington, DC (1990 to present)

District of Columbia Bar, Washington, DC (1972 to present)

Council for Excellence in Government, Washington, DC (Approximately 1992 to present)

**13. Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties' election committees during the last 5 years.

Democrat: I advised the 1992 Democratic Presidential Campaign on national security issues and the 1992 Kerry for President Campaign on national security issues.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

None.

**14. Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Department of Defense Medal for Distinguished Public Service

**15. Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

David E. McGiffert and Franklin D. Kramer, "U.S. Military Strategy," in *China Policy for the Next Decade*

Walter B. Slocombe and Franklin D. Kramer, "The Secretary of Defense and the National Security Process" in *Public Policy and Political Institutions*

Franklin D. Kramer, "The Government's Approach to Security Assistance" in *U.S. Security Assistance in the 1980's*

Franklin D. Kramer, et al., Defense Chapter of Democratic Fact Book (1986)

Franklin D. Kramer, The Logic of Mobile Missiles, New York Times (July 17, 1989)

Franklin D. Kramer, Defense Spending: It's the *How* That's Bad, Los Angeles Times (May 18, 1982)

Franklin D. Kramer, op-ed on criminal sentencing; op-ed on intermediate court of appeals, *Washington Post* (approximately 1975)

I have testified for Congress in a nongovernmental capacity on the following occasions:

Testimony of John G. Kester and Franklin D. Kramer, Subcommittee on Defense Appropriations, Senate Committee on Appropriations (March 19, 1985) (defense budget)

Testimony on Military Assistance Programs before Military Assistance Overview Panel, Subcommittee on Foreign Operations, House Committee on Appropriations (March 26, 1985) (military assistance)

Testimony of John G. Kester and Franklin D. Kramer, Subcommittee on Department of Defense Appropriations, House Committee on Appropriations (May 15, 1985) (defense budget)

**16. Speeches:** Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None.

**17. Commitment to Testify Before Senate Committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

Yes.

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[The nominee responded to the questions in Parts B-F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B-F are contained in the committee's executive files.]

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SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

FRANKLIN D. KRAMER.

This 8th day of February, 1996.

[The nomination of Franklin D. Kramer was reported to the Senate by Senator Strom Thurmond on February 6, 1996, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on March 28, 1996.]

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[Prepared questions submitted to Alvin L. Alm by Senator Strom Thurmond prior to the hearing with answers supplied follow:]

## QUESTIONS AND RESPONSES

*Question.* Should you be confirmed as Assistant Secretary of Energy for Environmental Management, what would you view as your principal responsibilities to the Secretary of Energy?

*Answer.* The Assistant Secretary for Environmental Management has five major responsibilities to the Secretary:

- Recommendations for major policies, budgetary levels and other matters requiring secretarial approval
- Establishing priorities for the Environmental Management program
- Establishing accountable objectives and metrics for the EM staff
- Follow-up to assure achievement of goals
- Working closely with the Congress, states, regulators and stakeholders to develop consensus on programs and policies

*Question.* What is your understanding of the specific responsibilities of the Office of the Assistant Secretary of Energy for Environmental Management? Should you be confirmed, what would be in carrying out these responsibilities, what would your relationship be to the Assistant Secretary for Environment, Safety and Health, the Assistant Secretary for Defense Program, and the Director of the Office of Nuclear Safety? How do these responsibilities compare to previous positions that you have held in your career? What background and experience do you possess that you believe qualify you to perform these duties? Do you believe that there are any steps that you need to take to enhance your expertise to perform these duties?

*Answer.* The Assistant Secretary has a number of responsibilities in managing the Office of Environmental Management. The most important functions of the Office include the following:

- Treating, storing, and disposing of legacy wastes
- Managing wastes from ongoing operations
- Stabilizing, storing and preparing spent nuclear fuels, as well as other nuclear materials such as plutonium, for disposition
- Remediation to meet regulatory requirements
- Protecting workers from radiation and from accidents
- Development of new characterization, treatment and robotics technologies

The Assistant Secretary of Energy for Environment, Safety and Health has responsibility for policy development, independent internal oversight, technical assistance, NEPA policy and technical assistance. (The Office of Nuclear Safety is part of this organization.) The Assistant Secretary for EM would have the following relationships with ES&H:

- Participating in the development of policy
- Following-up on any ES&H recommendations dealing with worker safety, environment, NEPA, etc.
- Implementing ES&H policies and procedures
- Seeking out and teaming with ES&H on technical assistance activities, such as training

The Assistant Secretary for Defense Programs has responsibility for management of the nuclear stockpile, including production of components used for weapons. Currently, when a facility is no longer needed for production purposes, it would be transferred to EM for stabilization, disposition of surplus nuclear materials and remediation.

The Assistant Secretary for EM would have the following interactions with the Assistant Secretary for Defense Programs:

- Development of charge-back policies and technical assistance to encourage reduction of wastes at the source
- Assuring an orderly transition from production to stabilization, remediation and decommissioning of sites
- Determining the most appropriate DP responsibility for preparing facilities and materials for transfer

During my career, I have been involved with virtually all environmental problems and issues. As Deputy Administrator of EPA, I served as the chief operating officer of a program of comparable size. I am well acquainted with environmental laws and remediation activities. As staff director at the Council on Environmental Quality, I gained familiarity with the NEPA process. As co-chair of the Environmental Management Advisory Board, I have kept abreast of DOE EM issues and initiatives. My earlier experience as DOE Assistant Secretary for Policy and Evaluation and as a management intern for the Atomic Energy Commission give me background on both issues and the culture of DOE.

Although I believe I am well-qualified for this position, the EM program provides daunting challenges. I intend to work hard to understand the policy and management issues facing this program.

*Question.* In your view, what are the major challenges confronting the next Assistant Secretary for Environmental Management? Assuming you are confirmed, what plans do you have for addressing these problems?

*Answer.* The major challenges to the new Assistant Secretary will be to create a cost effective, environmentally protective program that has the confidence of the Congress, state officials and the stakeholders at the sites. To gain this confidence, DOE needs to work toward developing a consensus on what needs to be done and to show real performance quickly. I believe that most of the risks to the public and workers and the ongoing costs of managing facilities, waste, and nuclear materials can be dramatically reduced in a phase I program over the next decade. The phase I program would consist of a tangible plan of action to achieve these goals within a decade.

To succeed, I will need to work with DOE staff to develop the vision and program to carry this out. I will also need to convince Congress that the program makes sense in a period when discretionary resources will be limited. I will also need to develop a consensus with regulators and stakeholders at the sites on the best course of action.

The pieces are in place. Incentive contracts are in place at most of the facilities, costs have been reduced, advisory committees have been established at the sites, a number of privatization efforts have been undertaken--and comparative risk assessment is being used to set priorities.

*Question.* What do you consider to be the most serious problems in the performance of the Assistant Secretary for Environmental Management function in the Department of Energy? Assuming that you are confirmed, what management actions and timetables would you establish to address these problems?

*Answer.* This program faces the following major hurdles:

- Sustaining support for a program that has a currently projected baseline cost of \$235 billion over 70 years
- The lack of precedent for undertaking an endeavor of this magnitude
- The number of regulators and other interested parties
- The unavailability of cost-effective technology to address some of the problems

I believe a 10-year set of goals and actions should be formulated to reduce most of the mortgages and most of the risk to the public and workers. Major efforts need to be undertaken to forge consensus with regulators and stakeholders at the sites. New technologies need to be employed, using more performance-based procurements to encourage their deployment.

*Question.* What steps will you take to ensure that protection of the environment is a key component of the projects and activities of the Department of Energy?

*Answer.* The most important steps include the following:

- Eliminate the most serious risks first
- Use removal actions to reduce risk in an expeditious fashion
- Dramatically reduce surveillance and maintenance costs by stabilizing and disposing of wastes

I believe that aggressive management can result in greater protection of the environment. By setting priorities, the most serious risks can be addressed quickly. Using removal actions can result in protecting public health much earlier and, by avoiding costly studies, can release funds for more remediation projects. Also by reducing surveillance and maintenance costs, the funds saved can be applied to remediation projects in subsequent years.

*Question.* The Department of Energy's Environmental Management Program grew very rapidly, but recently has been declining. What are your greatest challenges in dealing with this situation?

*Answer.* The biggest challenge will be to fund activities consistent with agreements entered into with EPA and the states. Lower budgets will likely require negotiated adjustments to some of these agreements. Hopefully, it will be possible to meet the intent of the regulatory agreements within the amounts appropriated, assuming that a level of general financial stability can be maintained.

DOE needs to work very closely with stakeholders to reach agreement on the best approach to implement the regulatory agreements. It will take cooperation on all sides to avoid gridlock.

*Question.* In the past, the Department of Energy Environmental Management Program has experienced funding shortages. How have these arisen and how do you intend to prevent funding shortages in the future?

Answer. The out-year budget estimates in last year's budget should allow achievement of most program objectives, assuming substantial improvements in productivity. Any further reductions by the Congress could cause substantial disruptions to the program. I pledge to work hard to create a clear rationale for the program and to sell that rationale to the Congress.

I believe that the EM program represents an investment that will reduce obligations on future generations. Currently DOE spends a large portion of its funds just to maintain facilities, waste and nuclear materials in a safe manner. Investments to reduce these "mortgage" costs will result in a smaller set of obligations on future generations, as well as much less risk.

*Question.* In responding to this question, would you please address plans to anticipate necessary funding levels for signed environmental agreements and for environmental agreements that are not yet finalized or signed, but that will be finalized or signed during the current or coming fiscal year?

Answer. I have not been privy to discussions concerning the level of funding proposed for fiscal year 1997. If confirmed, I will review this question and report back to the committee. I do not currently have enough knowledge to provide an intelligent answer.

*Question.* Periodically there are press reports indicating that the Environmental Management budget for fiscal year 1997 may be inadequate to meet the Department's responsibilities. Are you aware of any shortages in the fiscal year 1997?

Answer. If confirmed, I will review this question and report back to the committee. I do not currently have enough information to provide an intelligent answer.

*Question.* What are the criteria being used to determine the Department's Environmental Management Program for fiscal year 1998?

Answer. The fiscal year 1998 budget will represent an optimum mix of projects that meet four criteria: risk reduction, mortgage reduction, regulatory requirements (including recommendations of the Defense Nuclear Facilities Safety Board), and stakeholder concerns. Such a budget is designed to achieve the following:

- Eliminating the highest risks, particularly those that are near at hand
- Reducing mortgages by funding projects that would result in substantial, near-term savings
- Meeting regulatory agreements
- Undergoing projects that have the greatest concern to stakeholders

In addition to these programmatic considerations, every effort will be made to improve productivity and reduce overhead costs.

*Question.* The Department of Energy has the difficult challenge of ensuring that the Environmental Management budget is sufficient to meet its obligations, but at the same time must take every effort to reduce the skyrocketing costs of the program. How would you meet this challenge?

Answer. Strong management efforts must be continued and strengthened in the following areas:

- Fund mortgage reduction projects that reduce future surveillance and maintenance costs
- Use life-cycle costing to develop more cost-effective solutions. (For example, an INEL study showed that it was cheaper to treat wastes destined for WIPP, rather than to characterize and separate them. The savings in characterization, storage, transportation and WIPP storage offset the costs of treatment.)
- Eliminate unnecessary studies on remedial actions that are common around the complex
- Use benchmarking as a way to emulate best practices
- Use process re-engineering to reduce redundant requirements
- Streamline the NEPA process
- Use privatization wherever feasible
- Eliminate unnecessary overhead costs

Overall, costs can be reduced through sequencing of projects to reduce mortgages, by choosing cost-effective approaches, by employing privatization and by efficiency improvements. In order to succeed, DOE managers must be given clear direction and be held accountable and contractors need to be incentivized. Contractors should not be rewarded when they fail. On the other hand, when they succeed, particularly when they identify and execute cost savings, they should be rewarded for their efforts.

*Question.* How would you deal with mixed waste streamu for which no treatment and disposal methods are either in place or identified?

Answer. DOE is developing site treatment plans for all of its mixed wastes. These plans assume treatment for over 95 percent of the mixed waste, with the majority

of the remaining 5 percent requiring additional characterization before treatment can be identified.

Most DOE mixed wastes include nuclear materials and various forms of solvents. Technologies such as plasma torches, molten metal, incineration and vitrification are available to eliminate the organic materials and concentrate the residuals.

DOE faces the unique problem that a large percentage of the volume of these stored wastes contain mercury. To prevent mercury vapors from being vented to the atmosphere, some form of pretreatment and monitoring will most likely be needed. In the request for privatization proposals for the Idaho mixed waste facility, DOE is hopeful that the private sector will come up with solutions. If not, DOE will fund demonstrations of such technology.

*Question.* If you are confirmed, what will you do to ensure open, frequent, and positive communication with the Environmental Protection Agency and State regulators at the headquarters, field and regional levels, as well as with the general public?

*Answer.* If confirmed, I would meet regularly with regulators, both at the Federal and State level. I already know some of these regulators personally. I would plan to visit the major sites frequently, meeting with local stakeholders as well as DOE staff and contractors. I will also strongly encourage EM staff to be open and have frequent interaction with the public. Our decision-making process must provide ample opportunity for input—from states and EPA as well as interested citizens—at the formative stages, not after the decisions are made. I believe open and continuous dialogue with the public is crucial to attaining credibility for the program.

*Question.* If you are confirmed, would you include the concept of prioritization in the DOE Environmental Management Program, and how would you plan to do this?

*Answer.* As I indicated in question 8a, priorities would be a function of risk reduction, mortgage reduction, regulatory requirements and stakeholder concerns. Risk priorities would be established, based on the system developed in the report to the Congress last year. (That report is currently being updated.) Mortgage reduction would be based on analyses conducted by the sites. For each of the four considerations above, a budget would be prepared optimizing each of the four values. A final case would optimize among the four cases. The overall budget would not only encompass these site specific priorities; it would also deal with priorities among the sites. To the extent possible, budgetary shifts between sites would be held to a minimum.

If confirmed, I would like to move toward development of 10 year plans for each site designed to reduce most of the mortgages and risks. These plans could eventually be the baseline for each annual budget.

*Question.* In the future, fewer DOE weapons sites may be needed for weapons production, and thus management responsibility for some of these sites will shift from the Assistant Secretary for Defense Programs to the Assistant Secretary for Environmental Management. How would you deal with the existing workforce? Would you work to retrain these individuals and place them in new jobs?

*Answer.* I believe that efforts should definitely be made to retrain workers transferred from production sites.

*Question.* The environmental cleanup process must become more efficient faster and cheaper. One of the keys to achieving this is R&D. How would you organize and fund the environmental R&D of the program for DOE?

*Answer.* The Environmental Management Advisory Board has created a technology committee that will recommend ways to improve the technology development program. The work of that committee, combined with an independent review, should provide the basis for improvements to the technology development program.

As a result of the EMAB technology committee's preliminary findings, 10 new demonstrations of innovative technology have been authorized by DOE. Moreover, new procurements will be "performance-based" to encourage the use of new technology.

I support the focus group approach used by EM's Office of Science and Technology, but believe steps could be undertaken to improve its effectiveness. I also support DOE's technology outreach efforts with stakeholders to assure that new technologies have markets and deployment possibilities. Overall, the technology development program could result in savings of billions of dollars if we can get more innovative technologies deployed. I would foresee stable funding for the next few years at a minimum.

*Question.* Will you work to maintain a stable Environmental Management Program budget at the \$6 Billion/year level, or do you think that annual decrements are appropriate?

*Answer.* I agree that stability in this program is absolutely critical and that sufficient funding must be provided to prevent disruption and avoid larger costs being

imposed on future generations. I also believe that it is important to take all measures possible to ensure a cost-effective program. Given the overall constraints on the Federal budget, it is important that the budget for this program be critically evaluated to ensure its cost effectiveness.

I have not been privy to discussions on the level of funding proposed for fiscal years 1997 and beyond. If confirmed, I would be committed to supporting the President's budget and to working within the administration and with this committee to ensure that sufficient and stable funding is provided to carry out the EM program.

*Question.* Will you work to support chemical processing of spent fuel rods in the canyons at the Savannah River Site followed by vitrification of the resulting high level radioactive waste?

*Answer.* I support the current effort to reprocess the Mark 31 targets and the Mark 16 and 22 spent fuel and vitrify the resulting waste. I also support the development of other alternatives to stabilize spent fuel. I believe that Savannah River should not be a permanent repository for spent fuel. The alternative chosen to get wastes "road ready" would be based on a number of criteria, including total system costs, proliferation concerns, safety, and total environmental impact.

*Question.* DOE has stated that its preferred alternative for dealing with the foreign spent nuclear fuel rods to be sent to the Savannah River Site is dry storage. Do you agree with this approach or will you work to formally reexamine this conclusion and consider processing these foreign spent fuel rods in the Savannah River Site canyons?

*Answer.* I do not understand that dry storage is necessarily the preferred alternative for dealing with the foreign spent nuclear fuel rods that could be sent to the Savannah River site. As I understand it, the Department is evaluating a number of technological alternatives to put the fuel in a "road ready" condition. The eventual choice should be based on total system costs, proliferation concerns, safety, and total environmental impact.

Reprocessing technology will be retained as a backup contingency until a final decision is made on the proper technology. If a new treatment or packaging technology is not ready for implementation by the year 2000, DOE might use the F-Canyon to reprocess some foreign research reactor spent nuclear fuel elements. I understand the Department will conduct an independent study of the policy, technology, and schedule implications of reprocessing the foreign research reactor spent fuel.

*Question.* What is your opinion on the desirability of external regulation of the Department of Energy's nuclear clean-up and nuclear weapons programs?

*Answer.* I have not studied the implications of external regulation on the Environmental Management program. On the one hand, I understand the premise that DOE should not regulate itself. On the other hand, I believe that external regulation could, if not implemented properly, create uncertainty and confusion during a transition period-something that should be avoided just as the program is gaining momentum. Regardless of whether DOE becomes externally regulated, it must ensure that a strong internal safety management system is in place. If confirmed, I would give this issue immediate attention.

*Question.* Do you know whether the Ahearne report unanimous on this recommendation? If not, what was the committee vote on this matter?

*Answer.* The committee vote was unanimous in favor of external regulation. There was, however, a wide divergence among the committee on whether the NRC or the DNFSB should assume that role. As I understand it, there were nine votes for NRC, seven for DNFSB and six abstentions.

*Question.* Is there another management approach than external regulation to assure safe management of the DOE clean-up program while meeting program goals in a cost effective manner?

*Answer.* DOE currently takes the recommendations of the Defense Nuclear Facilities Safety Board seriously. An even stronger management effort to implement these recommendations might be appropriate, coupled with increased effort to improve the DOE's Safety Management System.

*Question.* Do you believe that external regulation will open the door to citizen lawsuits on federal decisions in this program?

*Answer.* I do not have the legal background for making a judgment on this matter.

*Question.* What would you do differently in managing this program, if you are confirmed for this position? How do you propose to get this program to show real results with the highest priority program objectives?

*Answer.* As I indicated, I believe all the pieces are in place to manage the program successfully. If confirmed, I would focus heavily on cutting red tape, drawing down mortgages, funding the highest risk projects, privatization and improving efficiency.



*Question.* Section 3142(a) of the National Defense Authorization Act for Fiscal Year 1996 provides an additional \$45 million for processing and treatment of high-level nuclear waste and spent nuclear fuel rods. \$30 million of this amount is designated for the Savannah River Site (SRS) and \$15 million is designated for the Idaho National Laboratory. A 5-year program plan associated with these activities is also required. Has DOE allocated these resources to these activities in fiscal year 1996? Will you work to implement this program at least at this level in fiscal year 1996 and following years?

*Answer.* I understand that funds have been allocated in fiscal year 1996 for the program authorized in Section 3142 of the National Defense Authorization Act. At Savannah River, processing of the Mark 31 targets is underway and resources are being applied to reprocess Mark 16 and Mark 22 spent fuel. In addition, funds have been allotted to develop and evaluate a range of technologies to make aluminum clad spent fuel and foreign fuel rods "road ready" for ultimate disposal. The incremental cost for these activities was \$26 million in fiscal year 1996.

At Idaho, resources were allocated from the fiscal year 1996 appropriation to meet the requirements in the Agreement between the Department, Idaho and the Navy to make the spent fuel and high level waste "road ready." An incremental amount of more than \$10 million has been allotted for this purpose in fiscal year 1996.

The total costs for processing and/or treatment of high level nuclear waste and spent nuclear fuel rods, at Hanford and INEL, is much larger than the amounts described above.

A 5-year plan is being prepared for the overall program. Hence, if confirmed, I can commit to supporting fiscal years 1996 and 1997 funding of these activities and to a thorough review of the entire program document.

*Question.* Section 3142(c) of the National Defense Authorization Act for Fiscal Year 1996 provides an additional \$25 million electrometallurgical waste treatment technologies. Is DOE implementing this program? Will you work to support this program?

*Answer.* I understand that during fiscal year 1996, DOE is deploying the \$25 million authorized in the National Defense Authorization Act for electrometallurgical waste treatment to fund process development and testing at the Argonne West site in Idaho. The project will be funded in the Nuclear Energy account in the future. An evaluation of the applicability of this technology will probably be completed within 2 to 3 months.

*Question.* DOE has decided to consolidate DOE stainless steel clad spent fuel rods at INEL, DOE aluminum clad and foreign spent fuel rods at SRS, and will keep Hanford spent fuel rods at that site. Coupled with the administration's refusal to meet the deadline date for opening a permanent nuclear waste repository or to open an interim nuclear waste repository, DOE appears to be making the three sites in question de facto nuclear waste repositories for the indefinite future. Do you have a plan for closing the nuclear fuel cycle and alleviating the situation at these three sites? If so, can you please describe your plans at each site?

*Answer.* I support the need to open a permanent nuclear disposal facility, preferably an underground repository. If that is not possible, I believe interim, retrievable storage should move forward as quickly as possible.

In the interim, I believe that the Department should move forward on making spent nuclear fuel "road-ready." DOE is currently evaluating a number of technologies that could assure that spent nuclear fuel would be moved to a repository as soon as it opens. I support those efforts.

I do not believe the Savannah River, INEL and Hanford sites should become "de facto" nuclear waste repositories for the foreseeable future.

*Question.* What do you think should be the role of the Defense Nuclear Facilities Safety Board in the DOE EM program?

*Answer.* The Defense Nuclear Facilities Safety Board plays a strong role in making recommendations on how to make DOE facilities safer. I endorse the functions of the Board and, if confirmed, would plan to work closely with it.

*Question.* The DOE EM program was given a Congressional directive to spend \$50 million to accelerate basic science programs by employing the national laboratories. This program is being managed by the Office of Energy Research, not the office of Environmental Management. Why?

*Answer.* The fiscal year 1996 Energy and Water Development Appropriations conference included language directing that at least \$50 million of the technology funds provided to EM be used to develop a program to stimulate basic research, development and demonstration efforts to seek new and innovative cleanup methods to replace current conventional approaches. The conference report specifically directed that the program be managed by the Office of Energy Research.

*Question.* Is EM not capable of managing this activity or is this an appropriate management arrangement? Why?

*Answer.* I believe that EM is perfectly capable of managing this activity. However, the conferees suggested enhanced utilization of the existing basic research infrastructure within the Office of Energy Research. Thus, the Department has created a partnership between EM and Energy Research for fiscal year 1996 and will report back to Congress on how well this partnership has performed and will make recommendations for the future.

The Environmental Management Advisory Board is establishing a science committee to evaluate how this program should be managed and how to evaluate success. That committee, under the leadership of Dr. Frank Parker of Vanderbilt University, should provide additional guidance as to how to structure this initiative in the future.

If confirmed, I will look to the EMAB committee and other sources to determine the best management structure.

*Question.* What performance measures will you apply to this program to assure it yield mission oriented results and does not simply become an entitlement to do research?

*Answer.* Performance measures for basic research are considerably different from those for applied research and technology development. The EMAB science committee, the National Academy of Sciences, and the science community in general have been, or will be asked to recommend metrics that can be used. If confirmed, I will look closely at these metrics to ensure that they will effectively evaluate results.

*Question.* Do you believe that the large number of lengthy, expensive overlapping Environmental Impact Statements generated under the EM program are necessary to meet the intent of NEPA? Do we have NEPA gridlock in the Em program?

*Answer.* For whatever reason, DOE's past implementation of NEPA has been costly and the environmental impact statements have taken a great deal of time to complete. Overall, many of the environmental impact statements provided useful guidance for major decisions, but the process was laborious and the statements voluminous. At this point, the major programmatic and site-wide environmental impact statements are in the pipeline and moving toward completion. In June 1994, Secretary O'Leary created a streamlined EIS process with the goal of reducing the time to conduct and complete an EIS from 33 months to 15 months, saving an estimated \$26 million over 5 years. I strongly applaud this effort.

*Question.* The DOE EM baseline report estimated the cost of accomplishing the EM program goals at \$350 billion over 70 years, assuming no significant technology development. Do you believe that the report's assumptions, methodology and conclusions are correct? How would you do the annual baseline report?

*Answer.* The \$350 billion estimate assumed no productivity improvements. If productivity improvements are taken into account, the Baseline Environmental Management Report estimated a baseline cost of \$235 billion. Preliminary field estimates for an updated BEMR indicate that the productivity improvements assumed appear realistic.

In my opinion, the BEMR was well-done and an important first step in understanding the magnitude of this program. In the future, the BEMR should explore more alternative scenarios. The application of new technology is an assumption worth considering, although difficult to quantify. New technology would both reduce costs by finding cheaper ways to achieve current objectives, but could also raise cost estimates in cases where currently intractable problems could then be dealt with.

[Questions for the record with answers supplied follow:]

#### QUESTIONS SUBMITTED BY SENATOR STROM THURMOND

##### ENVIRONMENTAL MANAGEMENT BUDGET

Senator THURMOND. Mr. Alm, news reports are indicating that the DOE is anticipating Environmental Management receiving a smaller budget to support its programs. Do you believe Environmental Management will have a sufficient allocation of the overall DOE budget in 1997?

Mr. ALM. I have not yet had an opportunity to study the budget in depth. I understand that EM has 36 percent of the overall DOE budget and EM will experience a reduction of 3.4 percent between fiscal years 1996 and 1997. However, the Department expects work at the sites to achieve increased productivity at a rate of 1-2 percent per year and to be 5-10 percent more productive by fiscal year 2000. With the productivity gains, I understand the President's proposed fiscal year 1997 bud-

et for EM will allow DOE to handle the urgent risks in the system and make progress toward cleanup goals while still essentially maintaining compliance with applicable laws and regulations. Further congressional reductions would make it more difficult to achieve these objectives.

Senator THURMOND. What projects could you reasonably accelerate if you had 1020 percent more fiscal year 1997 resources?

Mr. ALM. Again, I would need to give the issue more review but I would look for projects where the mortgage could be written down, thereby resulting in savings for future investment in getting additional work accomplished.

#### ENVIRONMENTAL MANAGEMENT EFFICIENCY

Senator THURMOND. Mr. Alm, do you believe that the Environmental Management program will continue to be able to "do more with less" and keep up with existing compliance agreements for 1997?

Mr. ALM. Although I have not thoroughly reviewed the budget, I understand that if the President's budget is enacted, the Department should be able to essentially meet its commitments through productivity and efficiency savings and regulatory streamlining initiatives.

However, I believe that strong management efforts must be continued and strengthened in the following areas:

- Fund mortgage reduction projects that reduce future surveillance and maintenance costs
- Use life-cycle costing to develop more cost-effective solutions. (For example, an Idaho National Engineering Laboratory (INEL) study showed that it was cheaper to treat wastes destined for the Waste Isolation Pilot Plant (WIPP), rather than to, characterize and separate. The savings in characterization, storage, transportation and WIPP storage offset the costs of treatment.)
- Eliminate unnecessary studies on remedial actions that are common around the complex
- Use benchmarking as a way to emulate best practices
- Use process re-engineering and Total Quality Management processes to reduce redundant requirements
- Streamline the National Environmental Policy Act (NEPA) process
- Use privatization wherever feasible
- Eliminate unnecessary overhead costs

Many of these measures have already been initiated by the Department and it will be important to continue to move forward with them as quickly as possible.

If Congress substantially reduces the President's budget, compliance with regulatory agreements will become much more difficult.

#### FACILITY COMPLIANCE

Senator THURMOND. Mr. Alm, the Federal Facility Compliance Act allowed a 3 year grace period for DOE to arrange compliance agreements for the handling of mixed waste. That grace period ended in late 1995, and many of those agreements were reached. Do you think you will have enough funding to implement those agreements in 1997?

Mr. ALM. Although I have not thoroughly studied the budget, I understand that the President's fiscal year 1997 budget requests enough funding to essentially implement these compliance agreements. As DOE and the States were negotiating the compliance orders requiring implementation of the Site Treatment Plans, funding limitations were recognized as an issue. To prevent ongoing compliance issues, DOE requested the States to build flexibility into the agreements, acknowledging that funding availability is as an important, criterion in the setting and revising of milestones. Language recognizing potential funding shortfalls was incorporated into most compliance orders.

#### REPORT

Senator THURMOND. Mr. Alm, the National Academy of Science just issued a report called "Improving the Environment" that made many constructive recommendations for the Environmental Management program. What are your views on using responsible Stewardship and Land Use Planning in executing both Waste Management and Environmental Restoration responsibilities?

Mr. ALM. I agree that stewardship and land use planning are critically important to effective management and cleanup of the DOE complex. In fact, many of the com-

ments I made in testimony before the Armed Services Committee are consistent with these concepts.

A key challenge to the new Assistant Secretary will be to demonstrate to all—Congress, state officials, and stakeholders at the sites—that the Department has a cost-effective, environmentally protective program. To do this, DOE needs to work hard on gaining consensus on what needs to be done and then show real performance. Land use decisions play a key role in defining the clean-up levels necessary to achieve beneficial uses.

DOE must take action quickly to reduce the most serious risks. In many cases risks can be dramatically reduced by stabilizing wastes and by removal actions, until permanent solutions are found. Putting off actions while awaiting “final” solutions only exposes the public and workers to unnecessary risk in the interim.

The Department must also act to reduce mortgage costs as quickly as possible, while continuing to take its regulatory obligations seriously.

Reduction of the costs to maintain facilities in a safe condition by decontaminating and decommissioning facilities will free up funds to devote to risk reduction.

The Department must also improve the cost effectiveness of the program. Through systems analysis, risk analysis and other tools, the Department needs to assure that Actions represent the most cost effective option. Finally, the Department needs to apply the best science to the program by using technology that will allow the Department to conduct the program at lower costs.

In summary I firmly believe that reducing mortgages, streamlining processes and shortening deadlines for final actions will result in less costly and more protective solutions than searching for a “perfect” solution. Moving ahead with cleanup actions, even if they are interim in nature, will reduce risks and future costs. I believe that most of the risk reduction and mortgage reduction can be dealt with in a 10 year period, which is consistent with the Environmental Stewardship concept.

#### SUPERFUND

Senator THURMOND. Mr. Alm, the Congress is currently considering reauthorization of the Superfund law. What are DOE's recommendations for reforming that statute to improve the Environmental Management program?

Mr. ALM. A significant portion of the Environmental Management Program budget is driven by compliance agreements. The Superfund law is one of the principal legal drivers for these agreements. Addressing shortcomings in the law should facilitate the Department's effort to achieve greater results more cost effectively. I understand Mr. Grumbly has testified previously that changes to the Comprehensive Environmental Response, Liability and Compensation Act (CERCLA) that are of particular concern to the Department, including:

- (1) The Superfund statute needs to codify the requirement that future land use must be considered in the remedy selection process. Future land use should be considered throughout the remedy selection process as it is required to be under current EPA directives.
- (2) Better provisions for community involvement are needed. Superfund should be reformed to incorporate community involvement earlier in the remedy selection process. Community involvement should be mandated by statute to be an integral part of the remedy selection process that will, in the long run, make the risk assessment and management process more open and more democratic.
- (3) To address the problem of overlapping state-federal roles, the EPA Administrator should be authorized to delegate certain Superfund authorities to the states. In the interest of continuing to move forward, however, this delegation should not slow down ongoing cleanups.

I understand that DOE is also an active participant in the administration work group that is looking at possible administrative reforms to Superfund that can increase the program's effectiveness.

#### DAMAGES

Senator THURMOND. Mr. Alm, the current Superfund law allows federal and state trustees to seek damages for environmental contamination beyond the costs of completing a cleanup. To what extent do you believe DOE will be liable for such claims, and how would you pay for them if you are?

Mr. ALM. The Comprehensive Environmental Response Compensation and Liability Act (CERCLA) establishes the basic requirements for natural resource damage liability with which the Department will comply. I understand that the Department is in the early stages of assessing the potential, natural resource damages it may face. To my knowledge, no formal natural resource damage assessments have yet

been completed at any DOE sites. Additionally, the General Accounting Office (GAO), at the request of the Senate Committee on Energy and Natural Resources, is currently conducting a review of the potential DOE liability for natural resource damage claims related to CERCLA remediation activities.

I previously committed to Senator Smith that, if confirmed, I will look into this issue. I reaffirm that commitment. If there is potential liability and if claims are assessed, I would expect to address these claims in future budgets.

Senator THURMOND. Mr. Alm, DOE is about to open a major vitrification facility at the Savannah River Site to isolate high level nuclear waste. Doesn't it make sense to chemically reduce the foreign fuel rods being sent to the site by chemical processing in the canyon facilities and then vitrify the residue in this major new facility?

Mr. ALM. I have not had a detailed briefing on the various factors surrounding this issue. But as I understand it, the preferred alternative specified in the FINAL ENVIRONMENTAL IMPACT STATEMENT ON A PROPOSED NUCLEAR WEAPONS NONPROLIFERATION POLICY CONCERNING FOREIGN RESEARCH REACTOR SPENT FUEL includes a commitment that the Department would consider chemical separation of a portion of the foreign research reactor spent fuel in the canyons if a more desirable treatment and/or packaging option is not ready for implementation by the year 2000. If such chemical separation is found to be warranted, I understand that it would be DOE's intent to chemically separate as much of the foreign research reactor spent fuel as possible, considering the canyon capacity and the other materials that might also need to be processed within the life of the facility. The high level radioactive wastes from such chemical separation would be vitrified in the new Defense Waste Processing Facility.

Senator THURMOND. Mr. Alm, the Defense Nuclear Facilities Safety Board has emphasized the need to keep both Savannah River canyons in a high state of operational and safety readiness for future missions. Do you agree or disagree with the Board?

Mr. ALM. This is a complex issue and I have not had a chance to review it in depth. A preliminary DOE study indicates that all necessary reprocessing operations could be conducted in a single canyon. However, the DNFSB has expressed concerns about the need for maintaining redundancy in the case of accident or a change in mission. My understanding is that the Department currently intends to maintain both facilities in a high degree of readiness.

Senator THURMOND. Mr. Alm, in your written answer to committee question #17 you indicated that even though you support the current chemical processing of spent fuel rods in the canyons at the Savannah River Site, you also support the development of other alternatives to stabilize the foreign spent fuel and other DOE spent fuels being sent to the Site. The canyons and the new vitrification facility at the Site provide the complete set of tools necessary to put the residue from all these fuel rods in a form which is "road ready" for transport to a permanent repository. Why invest more money and years in R&D and when we could use these resources to solve the problem with tools on hand?

Mr. ALM. I have not had an opportunity to fully address the complex issue of spent nuclear fuel at the Department. As I understand it, the Department is evaluating a number of technological alternatives to put the fuel in a "road ready" condition. Because a repository will not be available in the near-term, an investment in research and development for alternative technologies may have a significant cost benefit in the long-term. The eventual choice will be based on a total system cost, proliferation concerns, safety, and total environmental impact. I agree that the Department's current policy regarding chemical processing of spent fuel rods at the Savannah River Site is desirable to protect the health and safety of the public and the Department's workers.

Senator THURMOND. Mr. Alm, in your written answer to committee question #17, you indicated that "proliferation concerns" was a consideration in trying to find an alternative to chemical processing of spent nuclear fuel rods in the canyons at the Savannah River Site. Because there is no need to produce anymore weapons grade material in the U.S., it appears that DOE's hypothetical considerations about nuclear proliferation by the United States are impeding use of the Site's most effective tools for reducing the real hazard these spent fuel rods present to the people of South Carolina. Could you explain this DOE policy in relation to your responsibilities and what you mean by "proliferation concerns"?

Mr. ALM. The Department has been looking at a number of alternatives on how to deal effectively with the spent nuclear fuel throughout the complex. Proliferation is one of the criteria the Department is reviewing. But the eventual choice will also be based on total system costs, safety, and total environmental impact, as well as proliferation concerns.

QUESTIONS SUBMITTED BY SENATOR DIRK KEMPTHORNE

Senator KEMPTHORNE. Mr. Alm, in your prepared statement you stated that you "subscribe to the direction and goals that Tom Grumbly has established for the program." Do you also support the commitments Secretary Grumbly has made regarding full funding for the Navy and DOE agreement with the state of Idaho and the INEL's management role concerning the new basic science and research program in support of the EM program?

Mr. ALM. Yes. I agree with the Department's recent legal commitment to implementing the agreement with the state of Idaho. This is an important agreement for addressing the spent nuclear fuel and radioactive waste issues at the Idaho National Engineering Laboratory, while providing for storage of naval reactor spent fuel.

DOE's recently announced \$50 million science program to advance R&D in the nuclear weapons cleanup program involves an important partnership between EM and ER. The Idaho National Engineering Laboratory has important expertise in life cycle systems engineering, an activity that integrates technology development from basic research activities through implementation. I support efforts to work with the Idaho Operations Office to identify the important role that the INEL can have in this effort.

Senator KEMPTHORNE. Mr. Alm, can you tell me why the electrometallurgical demonstration project will be funded in the Nuclear Energy program in fiscal year 1997?

Mr. ALM. I am not familiar with this project in detail. However, I understand that this project is an outgrowth of the continuing mission of Argonne National Laboratory-West. The project evolved from the Integral Fast Reactor Program, which has traditionally been funded by the Office of Nuclear Energy. The project will continue to be funded by this office in the future.

Senator KEMPTHORNE. Mr. Alm, do you believe external regulation will improve health and safety in the DOE complex?

Mr. ALM. I have not studied the implications of external regulation. On the one hand, I understand the premise that DOE should not regulate itself. On the other hand, I believe that external regulation could, if not implemented properly, create uncertainty and confusion during a transition period—something that should be avoided just as the program is gaining momentum. If confirmed, I would give this issue immediate attention.

Senator KEMPTHORNE. Do you believe the Defense Nuclear Facility Safety Board is unable to handle this responsibility?

Mr. ALM. I have the utmost respect for the expertise and experience of the Defense Nuclear Facility Safety Board (DNFSB). In his recent testimony before this Committee Mr. John Conway, Chairman of the DNFSB, testified that he did not believe safety would be enhanced by having more external regulation imposed on the Department. Despite these comments, the DNFSB is certainly a viable candidate for external regulation, if such regulation could be achieved with minimal disruption to the ongoing program. These views are among the many that will be considered by the internal DOE task force that is reviewing the Ahearne committee's external regulation report.

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QUESTIONS SUBMITTED BY SENATOR CHRISTOPHER S. BOND

Senator BOND. Please outline your perspective and priorities for the Formerly Used Sites Remedial Action Program (FUSRAP).

Mr. ALM. The Formerly Utilized Sites Remedial Action Program (FUSRAP) was initiated in 1974 to identify and remediate contaminated, private sites around the country that were used in the Nation's early atomic energy program for research and development and refining and machining material used in the production of nuclear weapons. There are 41 of these sites. The program also includes five sites assigned by Congress which were commercial in nature, bringing the total to 46. In addition, there are many contaminated vicinity properties near these sites, some of which are private residences. To date, the program has successfully remediated 24 of the 46 sites and 205 of the 309 vicinity properties. However, the largest and most technically challenging sites—involving the majority of the waste—remain to be cleaned up.

In fiscal year 1998, the Environmental Management (EM) budget request includes a significant increase for the FUSRAP. The Department expects that this increase as well as projected outyear funding allocations, will accelerate the completion of existing FUSRAP sites to fiscal year 2002. However, as we move into the remediation phase at the larger FUSRAP sites, we will be faced with extremely high costs for

waste transportation and disposal if we implement remedies that require all of the contaminated material to be removed from these sites. Therefore, EM is working with affected communities and regulators to reach agreement on appropriate clean-up strategies that are protective, cost effective, consistent with the expected future use of the property, and support completion of the program by 2002.

Senator BOND. Are you supportive of community-based, technology-driven cleanup solutions at FUSRAP sites, as compared to conventional cleanups under existing DOE contracts?

Mr. ALM. Yes, the Department is encouraging community-based firms to propose reasonable, proven cleanup technologies that will support the Department in pursuing protective and cost-effective cleanups.

Senator BOND. (a) What are your views concerning expanded use of vitrification technologies beyond Savannah River and Hanford?

(b) Are such technologies applicable to FUSRAP Sites? (c) In the family of vitrification technologies, which in DOE's view hold the greatest potential in terms of technical economy and efficiency? Has DOE pilot tested these technologies? If so, at which locations and with what results?

Mr. ALM. (a) Vitrification technologies have a role at a wide variety of DOE clean-up sites. Vitrification at the Savannah River Site is being used for both high-level and low-level mixed radioactive waste, and at West Valley, New York for high-level waste generated by commercial nuclear fuel reprocessing. The costs of permanently isolating these wastes in alternative waste forms are extremely high. However, vitrification provides an effective means of waste isolation and does not increase waste volumes as with some other technologies such as cement grout. These forms of "ex-situ" vitrification can treat a variety of wastes, and are being actively pursued at Fernald for the radium-bearing K-65 silo wastes, at Idaho for stored mixed waste and exhumed buried waste, at Oak Ridge for mixed wastes, and at Hanford for high-level radioactive tank waste.

In situ vitrification, another aspect of the technology that is performed in the ground to immobilize soil contaminants, has been demonstrated in some cases to be an effective and lower cost method of permanent waste treatment. The treatment method can address a wide variety of toxic inorganic, organic and radioactive waste contamination problems. This treatment method is being considered for the Oak Ridge site and possibly the Idaho and Hanford sites. Since it is performed in the ground, expensive waste treatment facilities and waste handling and disposal operations are avoided.

(b) The Formerly Utilized Sites Remedial Action Program (FUSRAP) considers all possible technologies; however, studies to date indicate that vitrification is not a cost effective remedy at FUSRAP sites. Because of the nature (e.g., concentration levels and waste form) of contaminants at these sites, ex-situ vitrification would be an unnecessary, significant incremental cost in cases where materials are excavated and shipped to an approved disposal site. In situ vitrification also would be expensive, since it would involve application over large areas. It also would leave the material on-site, a cleanup approach opposed by many stakeholders.

(c) In situ vitrification provides the lowest cost method of vitrification, while providing a high degree of effectiveness, due to the absence of many of the infrastructure costs associated with ex-situ treatment. However, ex-situ vitrification in various melter configurations can be cost-effective, especially with higher activity wastes or waste that requires costly disposal.

DOE has pilot tested in situ vitrification at Oak Ridge and Hanford. In addition, the technology is commercially available from private industry and has been used at private EPA Superfund sites. Ex-situ vitrification technologies have been pilot tested in several configurations, including plasma furnaces and joule heated melters. These technologies are also commercially available and in operation at the Savannah River Site. Both the Savannah River Site (the Defense Waste Processing Facility) and the West Valley Site are in operation and vitrifying high-level waste. The mixed low-level waste melter at the Savannah River Site is also in successful operation. The plasma centrifugal furnace technology being considered for use at Idaho for treatment of radioactive mixed waste was successfully cold pilot tested at the Western Environmental Technology Office, Butte, Montana using EPA Superfund wastes.

At Oak Ridge, the commercially-procured Transportable Vitrification System (to be used for mixed waste treatment) has not yet successfully completed its pilot test and is being readied to do so later this year. Pilot testing of the vitrification system at Fernald was completed, but operation of the full scale vitrification system has not yet been achieved. In addition, a contract at Idaho was recently awarded for treatment of stored mixed waste which includes plasma vitrification.

[The nomination reference of Alvin L. Alm follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,  
SENATE OF THE UNITED STATES,  
December 22, 1995.

Pursuant to an order of the Senate of June 29, 1990,  
*Ordered*, That the following nomination be referred to the Committee on Armed Services and Energy and Natural Resources:

Alvin L. Alm, of Virginia, to be an Assistant Secretary of Energy (Environmental Management), vice Thomas P. Grumbly.

[The biographical sketch of Alvin L. Alm, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF ALVIN L. ALM

Alvin L. Alm is a Senior Vice President responsible for the Environmental Business Area within Science Applications International Corporation (SAIC).

Mr. Alm began his professional career in 1961 as a Federal Management intern with the Atomic Energy Commission. He spent 7 years (1963-1970) at the Bureau of the Budget (now OMB) and became a senior budget examiner. In 1970, Mr. Alm became the first staff director of the newly created Council on Environmental Quality. In 1973, Mr. Alm became the EPA Assistant Administrator for Planning and Management, responsible for strategic planning, budgeting, policy and internal management. In 1977, after spending 9 months in the Executive Office of the President, Mr. Alm became Assistant Secretary of Energy for Policy and Evaluation. From 1980 to 1983, Mr. Alm was at the Harvard University's John F. Kennedy School of Government where he managed a research program. In addition, he was the program director of the Aspen Institute's energy program. In 1983, Mr. Alm was tapped by William D. Ruckelshaus to be EPA's Deputy Administrator.

From 1985 to early 1987, Mr. Alm was the Chairman of the Board and Chief Executive Officer of Thermal Analytical Corporation, an environmental testing company. Mr. Alm stayed on the Board for Thermo Analytical and later for Thermo Environmental until 1989. From 1987 to 1989, Mr. Alm was Chief Executive Officer of Alliance Technologies Corporation and Senior Vice-President of the parent company, TRC Companies, Inc. He became a Senior Vice President and SAIC Board member in June 1989.

Mr. Alm received his bachelor of arts degree from the University of Denver in 1960. He received a Master's Degree in Public Administration from the Maxwell Graduate School at Syracuse University in 1961.

Mr. Alm is involved with a number of outside activities. Currently he is Co-Chair, Department of Energy Environmental Management Advisory Board, and a board member of the Environmental and Energy Study Institute, the Environmental Export Council, the Harvard Environmental Health Council, RENEW America and the Applications Center. He has recently participated in a National Academy of Public Administration study of EPA and a Defense Science Board study of the DOD environmental program. In the past, he was Chairman of the Science Advisory Board's Research Strategies Advisory Committee, a member of the National Academy of Science's Board on Environmental Studies and Toxicology, a member of the Board of Directors of the Environmental Law Institute, and a member of the Board of Advisors, Gas Research Institute. He is a member of the National Academy of Public Administration and the Council for Excellence in Government.

Mr. Alm has received the following awards: Arthur S. Fleming Award, as one of ten most outstanding young men and women in the Executive Branch, 1975; The Secretary of Energy's Distinguished Service Medal, 1979; Special Achievement Award, Environmental Protection Agency, 1984; and Outstanding Senior Man, University of Denver, 1960.

Mr. Alm has published many articles, chapters in books and has been the co-author of two books. From 1989 to 1992, he wrote a monthly column for *Environmental Science and Technology*, a publication of the American Chemical Society.

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the



advice and consent of the Senate, and certain senior military officers as determined by the committee, to complete a form that details the biographical, financial and other information of the nominee. The form executed by Alvin L. Alm in connection with his nomination follows:]

UNITED STATES SENATE  
COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF  
NOMINEES

**INSTRUCTIONS TO THE NOMINEE:** Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

**INSTRUCTIONS TO THE NOMINEE:** Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

Alvin L. Alm.

2. **Position to which nominated:**

Assistant Secretary for Environmental Management.

3. **Date of nomination:**

December 22, 1995.

4. **Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**

January 27, 1937; Denver, CO.

6. **Marital Status:** (Include maiden name of wife or husband's name.)

Divorced (single).

7. **Names and ages of children:**

Jessica Alm, 21.

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.

Institution	Dates attended	Degrees received	Dates of degrees
University of Denver .....	1956-1960	B.A. ....	6/60
Maxwell Graduate School, Syracuse University .....	1960-1961	Master of Public Administration ....	7/71

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Science Applications International Corporation, Director & Sector V.P.,  
Alliance Technology Corporation (TRC Companies), President & CEO, Alliance;  
Bedford, MA; Senior Vice President, TRC, Windsor, CT, 1/87-6/89  
Thermo Analytical Corporation, Chairman & CEO, Waltham, MA, 10/85-1/87

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

DOE Environmental Management Advisory Board .....	11/93 to present	Co-Chairman
EPA Science Advisory Board .....	7/87 to 10/94	
Review of EPA R&D Program .....	7/87 to 8/88	Chairman
Research Strategies Advisory Board .....	10/88 to 9/92	Chairman
Executive Committee .....	10/88 to 10/94	Member
Defense Science Board Task Force on Environmental Security .....	10/94 to 4/95	Member

**11. Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

Science Applications International Corporation .....	6/89 to present	Board Member
3M Corporation .....	3/95 to 8/95	Consultant
Hydro Quebec U.S. Advisory Committee .....	8/89 to 9/95	Member

**12. Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

SAIC .....	6/89 to present	Board Member
California Environmental Technology Center .....	8/94 to 7/95	Interim Director
RENEW America .....	4/95 to present	Board Member
Task Force on Science and Technology in Judicial and Regulatory Decision-Making .....	6/91 to 6/93	Member of Regulatory Sub-Group
Center for Hazardous Materials Research .....	5/88 to 4/95	Board Member
National Academy of Public Administration .....	11/84 to present	Member
Council for Excellence in Government .....	10/86 to present	Member
Environmental Law Institute .....	6/85 to present	
Board of Directors .....	6/85 to 12/91	Member
Board of Advisors .....	12/91 to present	Member
Environmental and Energy Study Institute .....	11/93 to present	Board Member
Board of Advisors, Harvard Environmental Health Council .....	3/95 to present	Member
Environmental Export Council .....	6/92 to present	Board Member
National Forum on Science and Technology Goals, summer study for the National Research Council (National Academy of Sciences) Board on Environmental Sciences and Toxicology, .....	8/21/95 to 8/30/95	Forum Participant
National Academy of Sciences .....	1985 to 1988	Member
Gas Research Institute's Board of Advisors .....	1985 to 1988	Member

**13. Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

Bennett Johnston .....	\$500.00
Bennett Johnston, III .....	500.00
Doug Costle .....	1,000.00
David Skaggs .....	1,350.00
David McCurdy .....	250.00
Joe Cannon .....	100.00

**14. Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and other special recognitions for outstanding service or achievements.

Scholarship, University of Denver

Scholarship and fellowship, Maxwell Graduate School, Syracuse University

Omicron Delta Kappa, leadership honorary

Outstanding Senior Man, University of Denver

Arthur S. Fleming Award, as one of ten most outstanding young men and women in the Executive Branch

The Secretary of Energy's Distinguished Service Medal  
Special Achievement Award, Environmental Protection Agency

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

#### Books

*Coal Myths and Environmental Realities*, 1984, Westview Press, written with Joan Curhan

*Oil Shocks*, 1984, Ballinger Press, co-edited with Bob Weiner

#### Chapters in Books

*Energy and Security*, 1981, Harvard University Press, edited by Joe Nie; chapter co-authored with Bobber Kate Garnick and Bill Colglazier

*Uncertain Power*, 1983, Pergamon Press, edited by Dorothy Zinberg.

*Electric Power Strategic Issues*, 1983, Public Utilities Reports, Inc., written with Kathleen Stein

#### Publications

Environmental Science and Technology, a publication of the Amer. Chemical Society

*Global Warning: Is an International Consensus Possible?* (1989)

*Waste Reduction* (1989)

*Setting Environmental Priorities* (1989)

*Needed: An Enforcement Threshold* (1989)

*Energy, Economics, and Environmental Policy* (1989)

*Two Promising Steps* (1989)

*The Postregulatory Environmental Protection Regime* (1989)

*The Future of Future Risk* (1989)

*An Environmental Agenda for the New Administration* (1989)

*Nonpoint Sources of Water Pollution* (1990)

*Technology: Villain Turned Hero* (1990)

*Environmental Protection Measures* (1990)

*Ecological Economics* (1990)

*There's No Place Like Home—But Is It Safe?* (1990)

*Reilly Promotes New Priorities* (1990)

*Environmental Defense Initiatives* (1990)

*Energy Policy: The Moral Equivalent of Equivocation*

*The Next 20 Years* (1990)

*Is a Hodgepodge of Institutions Brewing* (1991)

*Leading Environmental Indicators* (1991)

*The Clean Air Act* (1991)

*Implications of the New World Order* (1991)

*Can Eastern Europe Clean Up* (1991)

*Nonpoint Source Pollution* (1991)

*Ossification at EPA* (1992)

*Environmental and Technological Innovation* (1992)

*Energy Taxes* (1992)

*Creativity at EPA* (1992)

*Pollution Prevention and TQM* (1992)

#### EPA Journal

*The Need To Think Ahead* (1988)

*Why We Didn't Use Risk Before* (1991)

*Tools to Protect the Environment* (1992)

#### Other Publications

Aspen Institute publications

*Transportation and the Environment* (1980)

*Utilities in Crisis: A Problem in Governance* (1982) with Dan Dreyfus

*Petroleum Interruptions and National Security* (1980)

*Energy and the Western Alliance: The Restive Respite* (1982)

Publications of Reports where I acted as Chairman

*Strategies for Reducing Massachusetts Electricity Costs*, Executive Office of Energy Resources, Commonwealth of Massachusetts (1983)

*Future Risk, EPA Science Advisory Board* (1988)

*Energy Supply Interruptions and National Security*, Science Magazine (1981)

16. **Speeches:** Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None

17. **Commitment to Testify Before Senate Committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

Yes

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[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee’s answers to Parts B–F are contained in the committee’s executive files.]

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SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

ALVIN L. ALM.

This 18th day of January, 1996.

[The nomination of Alvin L. Alm was reported to the Senate by Senator Strom Thurmond on December 2, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on May 22, 1996.]

**NOMINATIONS OF GEN. JOHN H. TILELLI, JR.,  
USA, FOR REAPPOINTMENT TO THE GRADE  
OF GENERAL AND TO BE COMMANDER IN  
CHIEF UNITED NATIONS COMMAND/COM-  
BINED FORCES COMMAND/U.S. FORCES,  
KOREA; LT. GEN. WESLEY K. CLARK, USA,  
FOR PROMOTION TO THE GRADE OF GEN-  
ERAL AND TO BE COMMANDER IN CHIEF  
U.S. SOUTHERN COMMAND; LT. GEN. WAL-  
TER KROSS, USAF, FOR PROMOTION TO  
THE GRADE OF GENERAL AND TO COM-  
MANDER IN CHIEF U.S. TRANSPORTATION  
COMMAND**

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**TUESDAY, JUNE 11, 1996**

**U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
*Washington, DC.***

The committee met, pursuant to notice, at 3:39 p.m. in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman) presiding.

Committee members present: Senators Thurmond, McCain, Coats, Hutchison, Inhofe, Nunn, and Levin.

Committee staff members present: Romie L. Brownlee, staff director, George W. Lauffer, deputy staff director, Donald A. Deline, general counsel, and Christine K. Cimko, press secretary.

Professional staff members present: Charles S. Abell, Bert K. Mizusawa, and Cord A. Sterling.

Minority staff members present: Arnold L. Punaro, minority staff director, Andrew S. Effron, minority counsel, Richard D. DeBobes, counsel, Patrick T. Henry, professional staff member, Michael J. McCord, professional staff member, and Julie K. Rief, professional staff member.

Staff assistants present: Shawn H. Edwards, and John R. McLeod.

Research assistants present: Pamela L. Farrell, and Deasy Wagner.

Committee members' assistants present: Ann E. Sauer, assistant to Senator McCain, Dino L. Carluccio, assistant to Senator Smith, Glen E. Tait, assistant to Senator Kempthorne, David W. Davis, as-

sistant to Senator Hutchison, John F. Luddy, II, assistant to Senator Inhofe, Patricia L. Stolnacker, assistant to Senator Santorum, Richard W. Fieldhouse, assistant to Senator Levin, and C. Richard D'Amato, assistant to Senator Byrd.

### OPENING STATEMENT OF SENATOR STROM THURMOND, CHAIRMAN

Chairman THURMOND. The committee will come to order. The committee meets today to receive testimony concerning three very key nominations. Gen. John Tilelli has been nominated for re-appointment to the grade of General and assignment as Commander in Chief, United Nations Command, Combined Forces Command, and U.S. Forces, Korea. That is quite an assignment you have, General.

Lt. Gen. Wesley Clark has been nominated for promotion to General and for assignment as Commander in Chief, United States Southern Command.

General Walter Kross has been nominated for promotion to General and for assignment as Commander in Chief, United States Transportation Command.

These are very critical positions, which need to be filled as soon as practical. We all know these nominees very well. General Tilelli is currently Commander of the Army's Forces Command in Atlanta, Georgia. General Clark is currently the Director for Strategic Plans and Policy on the Joint Staff in the Pentagon. General Kross is currently the Director of the Joint Staff in the Pentagon. I believe all members of the committee have their biographies, so there is no need for me to recite their records of challenging assignments and impressive accomplishments.

In the interests of time, I would like to move as quickly as possible to the questions.

The committee asked the nominees to answer a series of advanced policy questions. They have responded to those questions. Without objection I will make the questions and the responses part of the record. Senator Nunn, do you have any opening remarks?

### STATEMENT OF SENATOR SAM NUNN

Senator NUNN. Mr. Chairman, I apologize for being a few minutes late. We have the great privilege and honor to have these three individuals nominated for these important positions here today. I know them all, and they have splendid records.

I would say to General Tilelli, he is making a great sacrifice leaving Atlanta, Georgia, and he will be missed, and I know that he goes to a very, very important position at a very, very important time, as do General Clark and General Kross. Rather than take time, I will just put my statement in the record and welcome each of our nominees for these positions.

[The prepared statement of Senator Nunn follows:]

#### PREPARED STATEMENT BY SENATOR SAM NUNN

Thank you Mr. Chairman. I want to commend you, Mr. Chairman, for scheduling this hearing in the midst of a very busy period for the committee. I want to join you in extending a warm welcome to our witnesses and I want to thank them all for their continued cooperation with the committee.

General Tilelli, General Clark, and General Kross are all well known to this committee. They are all nominated for important and challenging positions.

General Tilelli, in particular, will, if confirmed, be leaving the hospitable embrace of Atlanta, Georgia, for the difficult job of commanding United States and South Korean forces. His command will face heavily armed and forward-deployed forces of a nation that is suffering from a food shortage and whose leaders appear to be more inclined to preserve their positions than to do what is necessary to improve the lot of their people. General Tilelli departs having insured that Forces Command Olympics Joint Task Force is prepared to provide security-related assistance to the Olympic and Paralympic Games.

General Clark will be leading U.S. forces who, in conjunction with U.S. law enforcement and foreign law enforcement and military agencies, are seeking to stem the flow of cocaine from the Andean region to the United States.

General Kross, in turn, will be a supporting CINC whose forces will be providing the land, sea, and air transportation of goods and personnel that are required to support all of the regional combatant CINCs.

I look forward to hearing from our witnesses and to having the opportunity of asking some questions of them.

Chairman THURMOND. Thank you very much.

General Tilelli, I believe you are the senior man here. We will hear from you first.

**STATEMENT OF GEN. JOHN H. TILELLI, JR., USA, NOMINEE TO BE REAPPOINTED TO THE GRADE OF GENERAL AND TO BE COMMANDER IN CHIEF, UNITED NATIONS COMMAND/COMBINED FORCES COMMAND/UNITED STATES FORCES, KOREA**

General TILELLI. Mr. Chairman, members of the committee, I am honored and humbled to receive this nomination, and it is a privilege for me to appear before this committee. I can attest to you that, if confirmed, I will do the best job that my abilities will allow me to do.

I will do the best job that my abilities will allow me to do, and I hope to continue with the growth that General Luck has provided in the CFC, USFK, and the UNC.

I have no opening statement. I am prepared for your questions.  
Senator MCCAIN [presiding]. General Clark.

**STATEMENT OF LT. GEN. WESLEY K. CLARK, USA, NOMINEE FOR PROMOTION TO THE GRADE OF GENERAL AND TO BE COMMANDER IN CHIEF, U.S. SOUTHERN COMMAND**

General CLARK. Thank you very much, Senator. Senator Nunn, distinguished members of the committee, thank you for the opportunity to appear before you today. It is an honor to have been nominated by the President for the position of Commander in Chief of the U.S. Southern Command. If confirmed, I will seek to serve as a trusted and responsible member of the chain of command and serve my country and the Constitution to the best of my abilities in carrying out SOUTHCOM's mission and taking care of the soldiers, sailors, airmen, marines, and civilians of the command and their families.

I am prepared to answer any questions you may have of me at this time.

Senator MCCAIN. General Kross.

**STATEMENT OF LT. GEN. WALTER KROSS, USAF, NOMINEE  
FOR PROMOTION TO THE GRADE OF GENERAL AND TO BE  
COMMANDER IN CHIEF, U.S. TRANSPORTATION COMMAND**

General KROSS. Senator McCain, Senator Nunn, other members of the committee, it is an honor for me to be here before you as the nominee for Commander in Chief of the U.S. Transportation Command. If confirmed, I will do the best possible job in this critical position, and I stand ready to answer any questions.

Senator MCCAIN. Thank you. It is customary to ask all three of you the standard question that if you were asked for your personal views at any time by this committee, that you will provide them. Do you agree with that?

General TILELLI. Absolutely.

General CLARK. Absolutely.

General KROSS. Absolutely.

Senator MCCAIN. General Tilelli, this morning you stated chauffeuring athletes around Atlanta is not demeaning to our men and women in the military, did you not?

General TILELLI. Sir, the question was asked of me, did I perceive driving buses that move athletes from athletic villages to venue demeaning. I did not perceive that to be a demeaning job.

Senator MCCAIN. Would you consider washing vehicles to be demeaning?

General TILELLI. Sir, our soldiers are not engaged in washing Olympic vehicles.

Senator MCCAIN. My question to you, would washing vehicles be demeaning?

General TILELLI. Yes, sir, I believe it would be.

Senator MCCAIN. You further stated that providing military personnel to drive these buses is believed to improve security and safety. Did you make that statement?

General TILELLI. Yes, I did, sir.

Senator MCCAIN. Do you believe these military personnel are better qualified to drive these buses than the civilians which they will replace?

General TILELLI. Sir, the military drivers will drive buses which move athletes from one secure venue to another. I believe, first, our soldiers are qualified to do that job. Second, I think as a function of their training in situational awareness the flexibility, adaptability, and the ability to react, that the soldiers will provide a sense of security and a value-added in security that you are asking for.

Senator MCCAIN. Say that one more time, a value that is what?

General TILELLI. A value-added in security that the Department of Justice felt was necessary in moving athletes from village to venue.

Senator MCCAIN. Then why is the Department of Defense asking civilians at the private bus companies which were displaced by the military to train the military personnel?

General TILELLI. Sir, I did not know the Department of Defense was asking them to do that.

Senator MCCAIN. I can provide you with the documentation. Do you think the Department of Defense should do that?

General TILELLI. Should be doing what, sir?



Senator MCCAIN. Asking that they provide training to the military.

General TILELLI. Sir, I did not know that that was occurring.

Senator MCCAIN. I again ask you, General, to respond to the question. My question was, do you think that the military should be asking the bus people to train the military.

General TILELLI. Certainly, there is training associated with acquiring a commercial driver's license. I believe that we ought to provide that training to our soldiers who are driving those buses by the most capable people.

Senator MCCAIN. Is it not true that the reason the military is helping to water the artificial turf on the hockey field is to control the rate of roll of the field hockey ball?

General TILELLI. Sir, there is a requirement, in essence, that 4,500 gallons of water must be placed on the field within a 7-minute timeframe. I think there is a misperception on what the military personnel are doing. They are providing bladders that will accommodate a water system that will feed the water system that irrigates the field. It was a unique capability that was requested. They are not soldiers watering the field, as has been described. They are soldiers who are filling the bladder up from a commercial water system.

Both the Atlanta Fire Department and the Atlanta Police Department said it was a matter of safety that that water instead of being directly fed into the irrigation system be fed into an alternate holding system so the pressure in the water system would allow for fighting fires if one occurred.

Senator MCCAIN. Well, according to my information, the U.S. Fire Academy and the Department of Commerce also or other Federal agencies, could have done this. Is it true the Department of Defense will pay \$105,000 for Georgia State commercial driver's licenses so that the military personnel can drive buses?

General TILELLI. Sir, it is my understanding that that cost has been waived by the State of Georgia.

Senator MCCAIN. That is not the information that we had. In fact, I had it confirmed as short a time ago as yesterday.

You might also be interested, GAO has briefed us that the military personnel will be washing ACOG vehicles.

Senator NUNN. Senator McCain, on that licensing, I checked into that, and there is a complete reimbursement.

Senator MCCAIN. I keep hearing that, Senator Nunn, but then I keep hearing that that is not the case. It would be nice to have an official statement that that is the case, rather than that information.

Senator NUNN. The Governor of Georgia has made that statement.

Senator MCCAIN. I believe that I have the time, Senator Nunn.

How much of the \$51 million Department of Defense has spent to support the Atlanta Olympics has actually been reimbursed to date, General Tilelli?

General TILELLI. Sir, the largest amount of dollars to date we have received for reimbursement has been \$108,000 reimbursement for work done on Fort Gilliam. However, some of the services, when agreed to, were agreed to be paid as they occurred, so the con-

sequence—for example, \$108,000 had been paid, and that has been sent to the U.S. Treasury.

The transportation, the barges into the Savannah River, the excess Navy barges that were placed there for the venue in Savannah, \$39,000, if I recall correctly, that has been reimbursed, and other activities will be reimbursed as they occur, or just prior to their occurrence.

Senator MCCAIN. So to date, in answer to my question, about \$200,000?

General TILELLI. Sir, I will provide that for the record. I cannot give you the exact number.

Senator MCCAIN. Less than \$500,000.

General TILELLI. Yes, sir. Right now it is less than \$500,000.

Senator MCCAIN. Was DOD the only potential supplier of ice chests for the Atlanta Police Department?

General TILELLI. Certainly not the only provider, sir. Those ice chests were in the resource support team warehouse provided by OSD. They were in stock and not procured, and provided.

Senator MCCAIN. Well, General, I have to tell you that I am very dissatisfied with your answers, and I am very concerned about someone who has this attitude about how American men and women in our military should be used. I speak from my own experience. Very frankly, I cannot support your nomination.

I thank you, Mr. Chairman.

Chairman THURMOND. Senator Nunn.

Senator NUNN. Senator McCain, I just want to tell you, I will have a statement from the Governor on that. That license thing has been gone into. The Governor says if the Georgia law requires licenses that he will send the money back. The money will be reimbursed, so there is no issue there.

Also, the water drum provision has been reimbursed. My information is that check has already been written. The 5,000 gallon drum system was tested in 1995, and it cost \$11,884 for setting it up and operating the system. ACOG reimbursed that in 1995.

Senator MCCAIN. Thank you very much.

Senator NUNN. So there are a number of answers to these questions that I think need to be supplemented for the record.

General TILELLI. Sir, I will do that. Senator McCain, if I might, I offer you a full detailed briefing on everything that is being done and everything that we have done in the missions that we have been asked to do.

Senator MCCAIN. I would appreciate that.

Senator NUNN. General Clark, if confirmed, you will be working closely with General Barry McCaffrey at the Office of National Drug Control Policy (ONDCP) in your new position, is that right?

General CLARK. Yes, sir, it is.

Senator NUNN. General McCaffrey has previously served as both the Director of Strategic Plans and Policy J-5 on the Joint Staff, which is your present position, and as Commander in Chief, U.S. Southern Command, the position for which you have been nominated. What is your view of the value of having someone as the Director of ONDCP who served in these positions?

General CLARK. Senator, it would seem to me that he is very well-qualified by virtue of his experience to be working in ONDCP at this point.

Senator NUNN. How much have you paid attention to the drug situation in your present job?

General CLARK. Sir, in my present job I am not responsible for the counternarcotics strategy or the DOD implementation. That is handled by General Estes, the J-3, both the policy and the operations, and so it has been purely tangential.

Senator NUNN. In your response to one of your prehearing questions you mentioned a highly successful SOUTHCOM-sponsored human rights conference. Could you tell us a little more about that conference and the role you believe U.S. Southern Command should play in fostering human rights in Latin America?

General CLARK. Sir, although I was not present at the conference, I did follow it because it falls within the area of responsibilities of the J-5 Directorate. This was a 3-day conference, as I recall, that was held in Miami in February. The purpose of the conference was to bring together the leaders of the militaries and the Armed Forces in Latin American countries, and to have them discuss amongst each other and be informed by various experts on the importance of human rights and the methods of conducting military training and practices that would be consistent with respect for human rights.

The SOUTHCOM assessment of this was that the conference was highly successful.

Senator NUNN. General Kross, in April 1996, the GAO report noted a major accounts receivable problem for the U.S. Transportation Command. The report noted that a joint working group comprised of TRANSCOM transportation component commands and the Defense Finance and Accounting Service, DFAS, was established to resolve the problem. Can you bring us up-to-date on what the working group has done in resolving this problem, or have you followed that?

General KROSS. No, sir, I do not follow it, but I will provide it for the record.

[The information referred to follows:]

TRANSCOM established the DFAS/USTC Working Group. This working group is conducting the following actions:

- Generated action items to validate and identify the problems with accounts receivable.
- Assisting DFAS in correcting core DFAS organizational/systemic/procedural problems. Participating in the study for moving the Scott DAQ and associated functions, to Omaha.
- Identifying the composition of accounts receivable to resolve the problem a piece at a time. Identify which pieces need TRANSCOM J3/J4 assistance.
- Correcting accounts receivable reporting problems that overstate the problem.
- Improving cash reporting. Abnormal undistributed cash reimbursement balances also increase accounts receivable balances.
- Discussed operational problems at ports and with data from transportation systems.
- Met with MILSTAMP Working Group to focus on billing problems caused by invalid Transportation Account Codes and insufficient authority to cross disburse. Corrected accounts receivable reporting problems.
- Assisting TRANSCOM J3/4 in the financial aspects of MILSTAMP Vol. II. Includes centralized TAC code tables; improvements at the port; prepar-

ing chapter on DTS billings, reducing the number of delinquent accounts receivable, and clarifying payment policy (i.e., cross-disbursements).

Additionally, TRANSCOM has been very proactive in working with DFAS to identify the problems and improve the cash flow by:

- Identifying the makeup of accounts receivable balances and eliminating the amount of DFAS reconciling adjustments that result in overstating the balances;
- Corrected year-end reporting by more than \$80 million which prevented unnecessary rate increases;
- Resolved \$115 million rejected bill favorably with no impact to cash.

Senator NUNN. General Tilelli, as the future commander of U.S. and ROK Forces who must live with the substantial threat posed by North Korea forces amassed on the border with the South, have you looked into the food situation in the North? Have you gotten into that at all? Do you have any kind of personal assessment of how acute that is? That is a first question. The second question, what is your view about the likelihood of the four-power talks taking place, China, U.S., South and North Korea?

General TILELLI. Sir, if confirmed, certainly those two issues are very, very important. I have looked into the famine issue. It is my understanding that the food shortages in North Korea have gotten substantially worse. It is also, I think, important from my perspective that anything that can be done, either on the diplomatic or humanitarian side to stabilize that situation is important, because stability certainly breeds the environment that we are looking for.

On the second question in the four-party talks, it is my belief that those four-party talks are a good first step if they occur. I cannot make an assessment based upon my current position as to the status of where those talks are.

Senator NUNN. General Kross, in response to prehearing questions regarding major challenges for the next Commander in Chief U.S. Transportation Command, you noticed recent GAO and congressional criticism of U.S. TRANSCOM's cost and organization structure and cited the need for increasing the effectiveness and efficiency of the defense transportation system. What actions have been taken, and what further actions do you believe should be taken to streamline both U.S. TRANSCOM and the U.S. transportation system?

General KROSS. Sir, there have been a long series of reinventions, restructuring initiatives to include the reduction in overhead staffs at the Tanker Airlift Control Center and the Military Sealift Command and in the Military Traffic Management Command. There has also been a series of initiatives to look at the processes associated with management of the command, its rate structure, as well as items related to everything from flying hours to the polishing of propellers in order to reduce overhead costs.

There is a very strong program of manpower reduction in all three component commands. These initiatives need to continue, and need to be aggressively followed through so that in the final end game we provide to our customers around the globe one single face from U.S. Transportation Command as they enter the defense transportation system, and also one single bill, and all of that aimed at lower rates.

Senator NUNN. Thank you, Mr. Chairman. I look forward to supporting all of your nominations. I think you have had splendid ca-

reers, and I think you are well-qualified for the jobs. You have got very important jobs coming up in each area of responsibility, and it will be my great pleasure and honor to support each of you.

Chairman THURMOND. General Tilelli, in response to the poor living conditions for our soldiers in Korea, the Congress provided over \$60 million for barracks construction during the past 2 years. These funds are a significant step toward improving the quality of life of our single military personnel.

Although we provide for the single soldier, I understand there is a significant number of military families in Korea. What are the quality of life issues for these families?

General TILELLI. Mr. Chairman, I think there are several quality of life concerns. On behalf of the soldiers in Korea in past positions I thank the Members and yourself for putting those dollars in for improving the quality of life for our single soldiers.

I think that, as General Luck testified, continuing to provide dollars for MCA construction for single soldier billeting or barracks. Second, the upgrade and the renovation of some of the family quarters and family quality of life activities is also important, if I read the discussions that General Luck and I have had in the past.

Third, when I get on the ground and make an assessment, I will come back to you and give you a detailed assessment of those things that I think are critical to the quality of life of our soldiers and families and sailors and families and airmen and families, marines and families who are serving in a forward-deployed status, and I will give you that if confirmed after an on-the-ground assessment.

Chairman THURMOND. General Clark, I understand the Department of Defense has taken appropriate steps to identify a facility for the new Southern Command Headquarters in Miami, Florida. However, I am not aware of any action to take care of the housing needs for the personnel assigned to the headquarters. What arrangements has the Department made to provide family housing for the personnel assigned to the headquarters once it becomes operational?

General CLARK. Senator, it is my understanding that plans are underway to provide for housing needs. Essentially, there are three different approaches that are being followed. First, there is going to be some housing provided in a dormitory style facility for a certain number of single soldiers.

Second, and this was a factor in the selection of Miami as a headquarters location, it is assessed that there is a reasonable supply of reasonably priced local housing available for rent or purchase by soldiers, sailors, airmen, marines of various ranks and grades and third, as far as the matter of general officer housing is concerned, that seems to be the last issue to be addressed. There is a proposal that is being worked up that has not yet been finalized to address the housing for the general officers.

Chairman THURMOND. General Kross, in your written responses to preliminary questions you stated that the Department of Defense had been working with industry in the development of the Department's pilot program to reengineer the movement of household goods. As the Department proceeds with the implementation

of this pilot program, what are the plans to work with industry to resolve any problems which may emerge?

General KROSS. Senator, we are very strongly in favor of this committee's language on the pilot program, and how it should proceed, and we are already working with industry as directed in the language. Yesterday a meeting occurred, as directed in the language, with industry. There were five industry associations represented as well as the Army Audit Agency and the GAO, and it was chaired by a U.S. TRANSCOM flag officer and the Military Traffic Management Command Commander and members of his staff.

At that meeting, there was very good progress that was made towards industry and the Department working together on developing a pilot program. All agreed on the goals, which should be customer satisfaction, better pickup and delivery times, lower claims rates, and lower payout of those claims rates.

There is a plan for industry in the next 2 weeks to present their proposal, and then they will take these two proposals, migrate them together, and meet the time lines as outlined in the language presented by this committee.

Chairman THURMOND. General Tilelli, American forces in Korea are among those faced with the highest prospect of becoming engaged in actual large-scale combat. What action should we take to enhance the capability of these forces to fight a North Korean invasion of the South, and what improvements would you suggest for equipping and maintaining these forces?

General TILELLI. Mr. Chairman, in the combined environment, I agree with your assessment that those forces in Korea have the greatest potential to face the threat.

I believe that over the last several years, we have seen, in my view, a methodical modernization program occur, to include upgrade of the tank systems, upgrade of the theater missile defense systems, called the Patriot, upgrade in modernization of additional Army equipments. At the same time I think that all services continue to modernize and equip their soldiers.

One of the actions that I think will have significant impact is the upgrading of the level of authorization of personnel in various staffs within the various commands in the Republic of Korea. It is my assessment at this time that the services are in fact taking the necessary steps to provide our soldiers, sailors, airmen, and marines the edge. I will make a further assessment and promise you that I will come back to you after that assessment on those items that we need to ensure that (1) we deter, and (2) if we do not deter, we fight and win.

Chairman THURMOND. General Clark, under the current plans, the United States is scheduled to turn over the Panama Canal in 1999. After we give up the canal and relocate the Southern Command Headquarters to Miami, will there be military units permanently stationed in Panama?

General CLARK. Mr. Chairman, that is a very important question, and one that is very timely. As you know, President Clinton and President Perez Balladares met last fall and agreed that there could be some exploratory discussions on this issue. These informal

discussions are still continuing, but essentially any presence post-1999 will have to be in the interests of both countries.

Chairman THURMOND. General Kross, I am concerned that the domestic transportation infrastructure is deteriorating faster than we are funding replacements and upgrades. Since we will be relying heavily on railroads, interstate highways and ports for deployment of our forces, what role does the United States Transportation Command have in setting priorities to ensure the transportation infrastructure meets our military needs?

General KROSS. The Commander in Chief of the Transportation Command submits annually his priority list for resources as we go through the Department's workup of its budget, and this is a very important part of our overall defense transportation system. The fort-to-port portion of it is the first step in getting our soldiers, sailors, and airmen to the fight, and it is something that requires a lot of attention year-to-year.

The members of this committee have been very aggressive in funding the mobility enhancement fund line items which are the most important element of making sure that this part of the defense transportation system remains vital and meets the needs of the CINC's.

Chairman THURMOND. Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

General Tilelli, about a month ago the Joint Chiefs of the services testified, before this committee, that we are \$20 billion short in our procurement account. What is your feeling about that?

General TILELLI. Sir, based upon the past position within the Department of the Army and my current position within the Department of the Army, certainly, as we look at the accounts, the OMA account, the operational account versus the modernization account, the modernization account is the anaemic account at this particular point in time.

Senator INHOFE. The approximate amount?

General TILELLI. Sir, I cannot give you a good assessment of whether the \$20 billion figure is correct or not. Certainly, as I look at it as a member of the JROC, when I was Vice Chief of Staff of the Army and based upon the JROC briefings that I have attended now as an Army component of ACOM, the \$20 billion figure does make sense.

Senator INHOFE. The Washington Times reported last January that Secretary Perry had a hard time approving the war plan for the Persian Gulf because it would leave him unable to defend against a North Korean attack on South Korea.

The article also reported that the plan had been watered down significantly by the Pentagon from the original report. The question I would have is, do you think that our current forces are sufficient to fight two major regional conflicts today?

General TILELLI. Sir, as I look at the National military strategy, the two contingencies with the full use of active and reserve component, I think the forces are sufficient.

Senator INHOFE. What impact do you think having a full reinforced armored division committed to Bosnia would have on our readiness for the two MRC's?

General TILLELLI. Sir, I think one of the assumptions you must make if you have two simultaneous major regional contingencies is that you must have the division that is in Bosnia to have the requisite combat power. That is my personal assessment.

Senator INHOFE. I do not quite understand you.

General TILLELLI. Sir, as you think about the 10-Army-division force, and that is the force that I think we are talking about now, it is my personal assessment that if you had the two simultaneous regional contingencies you would need the force structure available, combat force structure throughout both the active and the reserve component enhanced brigades.

Senator INHOFE. If you have to call on the force structure to defend South Korea, could you do it at the same time if we should have another Persian Gulf war?

General TILLELLI. Sir, I cannot answer that question. It is my assessment we could, but I cannot answer that question based on where I am right now. It is my personal assessment that we could.

Senator INHOFE. Senator Nunn talked a little bit about the economic collapse in North Korea. We hear all kinds of reports about the shortages of food and fuel and everything else, and yet at the same time their army appears to be spared these hardships. Does economic catastrophe increase or decrease the chance that North Korea leadership may consider a last ditch strike against South Korea in your opinion?

General TILLELLI. Sir, in my opinion, any instability, whether it be economic, security, or otherwise, may move a regime to execute their last option. The difficulty in my making a valid assessment and giving it to you is confirming the degree of economic instability, and internal instability. I think it is a matter of degree, and it is a matter of time, but that assessment is very difficult to give you from my current position.

Senator INHOFE. Of course, I was really referring to the degree we are experiencing today that has been reported to us.

General TILLELLI. Yes, sir, I understand that. I guess it is a function of how well we can confirm the degree of today.

Senator INHOFE. North Korea has continually enhanced its artillery and chemical weapons capability. How would you characterize South Korea's ability to withstand a concerted North Korean chemical attack?

General TILLELLI. I think any time we think about weapons of mass destruction we always say, Senator, that we wish we had more capability. I think that we certainly have trained and purchased the equipment to defend against the chemical attack that you portend. I would prefer to come back to you and give you an assessment if I am confirmed, and after I am in-country, on both the Republic of Korea's—as the CFC, and the United States force's ability to withstand such chemical attack.

Senator INHOFE. General, you have been following this very contentious issue of the National missile defense and the sophisticated theater missile defense and, of course, General Luck has expressed his concern over the inability to build a defense to take care of the 37,000 people in South Korea that we are at this point trying to protect.



Many of us are concerned about our ballistic missile defense capability, and North Korea is at the very top of the rogue nations in terms of the threat that they are to the United States and our allies, particularly with their improving capabilities in missiles.

What level of priority does Seoul attach to being able to defend against North Korean missiles?

General TILLELLI. Sir, I think I cannot answer level of protection for Seoul. I can answer level of protection from my perspective and then come back to you, if confirmed, on Seoul. It is my perspective that it is the inherent responsibility of the Commander to protect the force, and therefore, as I lay out in my own mind's eye what are the priority systems that we must have, theater missile defense in my mind's eye is the priority system, and in my mind's eye, absent that would be upper tier, which would give you the protection that you would need against in-theater upper tier weapons.

Certainly, the deployment of the Patriot to Korea and the future deployment of Aegis to the Republic of Korea, will improve our defenses against theater missile defense.

Senator INHOFE. Mr. Chairman, let me ask one more question if I might. My time has expired, but I want to ask a question of General Kross.

General Kross, your predecessor, General Rutherford, has called the C-5 a national asset. When he testified before this committee in March he raised concerns about the impact that maintenance disruptions could have on the operational readiness of the C-5 fleet. Do you think C-5 maintenance should be considered core maintenance?

General KROSS. The C-5 fleet is, indeed, a national asset, and will remain very important to our outsize capability for movement of very special and large cargo for a very long time as the central element, and then it will share that later, at the full operational capability of the C-17. I do not have full knowledge now of whether or not the C-5 maintenance is being considered as core maintenance, but it is extremely important to our strategic lift capability, particularly in the early stages of moving in any MRC, and must be something that is paid an awful lot of attention to.

Senator INHOFE. Would you personally consider it to be core maintenance?

General KROSS. Personally I would, yes.

Senator INHOFE. How would an interruption in C-5 maintenance affect your operations in a major regional conflict?

General KROSS. The C-5 is extremely important in moving our halting forces into place to marry up with our prepo cargo that we have both ashore and afloat. It is critical to the halt phase.

Senator INHOFE. Thank you very much, sir. I am sorry I went a little bit over, Mr. Chairman.

Chairman THURMOND. Senator Hutchison.

Senator HUTCHISON. Yes, thank you, Mr. Chairman. Let me start with General Clark. In your mission at SOUTHCOM, I would just ask you what you think the level of presence there should be of American forces in the SOUTHCOM ADR, and are you satisfied that we are going in the right direction with what we would plan to leave and what we would plan to move to Miami?

General CLARK. Senator, I do believe that we are going in the right direction, which is to draw down from the previous total of around 10,000 that we had at the start of this decade.

As you know, by the terms of the Panama Canal Treaty, we are turning over the Panama Canal in 1999, and our two countries, the United States and Panama, are currently engaged in discussions to determine what might be the presence post-1999.

In the interim period, I believe that the Southern Command has drafted a very sensible approach to the force structure issue, which will maintain a balance of capabilities there for as long as possible during this interim period while the discussions are going on with the Government of Panama.

Having said that, I would note that some 40 percent of the presence in the southern region is composed of reserve component personnel who come down from the United States with the assistance of Forces Command and the United States Air Force to participate in exercises and training opportunities there, and so the use of the reserve components helps us have a very effective command and extends the reach of the command.

Senator HUTCHISON. Let me just ask you as a follow-up, do you believe that there is a function with drug interdiction for American forces to be able to monitor or be helpful in any way? Is that something you are looking at?

General CLARK. Senator, we are looking at that very closely. I think General McCaffrey's strategy in the area, as I watched it evolve from my position on the Joint Staff, was very effective in using relatively small resources to leverage large results, and the strategy was to deploy planning assistance teams and assessment teams, to use high technology and other resources available to the United States forces, to support both our own Government agencies who are on the front line of the war against drug abuse and against drug trafficking, and also to encourage local militaries to become more involved, and so we ran through the Southern Command Operation Green Clover last year, which was the first effort at source country interdiction.

Another operation is ongoing there now. It seems to be achieving quite good results, and so I think there is a definite role for U.S. military support to counter narcotics.

Senator HUTCHISON. Thank you.

General Tilelli, I think you are going to the place where our greatest threat is, and I would like to ask you if you are aware of any recent violations of the framework agreement by North Korea.

General TILELLI. Senator, thank you. We are very optimistic about the framework agreement, and it is my understanding, based on my most recent discussions, that there have not been violations of that agreement, and it proceeds well.

Senator HUTCHISON. Let me ask you what you consider to be the greatest challenge in the mission in Korea, with the volatility of the situation, with the framework agreement that I think is tenuous, at best.

We know that there have been violations in the past, and you, of course, will be responsible for monitoring that situation. What do you consider the greatest challenge, and do you feel that you have the force that you need there to meet it?

General TILLELLI. Senator, I believe the major challenge that I have as the Commander, or the Commander in Chief of the CFC and UNC and USFK, one is maintaining the peace, two, deterring, and three, if deterrence fails, to be prepared to fight and win the war for our countries. Those are the greatest challenges I have, and at the same time to provide a caring environment for our soldiers and their families.

I do perceive that, based on some of the current modernization initiatives that have occurred in all services, and second on the ongoing modernization programs and the structure that is forward-deployed, that we have sufficient forward-deployed forces at this particular time.

Senator HUTCHISON. If you see violations of the framework agreement, do you believe that we should respond vigorously to challenge that?

General TILLELLI. Senator, I believe that, as we look at the framework agreement, that at the National command authority levels it is very important that we are vigilant and that there is dialog between the Republic of Korea, the United States national command authority, and the North Korean Government if we see violations, and I think it is important that we do it vigorously.

Senator HUTCHISON. I would certainly agree with that, and hope that we will be able to let North Korea know that we would respond vigorously to any violations.

General Kross, I am hopeful that in the line of questioning that Senator Inhofe just put you through, that perhaps there was maybe a misunderstanding of core versus mission-essential nature of the C-5 workload and where it would go.

The Department of Defense has said that they would like to privatize the C-5 maintenance in the only place that has hangars that can take C-5's, that they believe that would be most efficient. Do you agree that that is the best way to do the maintenance, and the most efficient way to do the maintenance of this mission-essential function?

General KROSS. Yes, Senator. As I stated, I am not familiar with where the C-5 maintenance is in the decisionmaking, what is core and not core. My main thrust is to say that C-5 maintenance is important, and that it should be done in the most efficient manner that assures its capability early on in the conflict.

Senator HUTCHISON. So you are not in any way suggesting that it had to be done in a public depot, but you were just saying that you think that it could be done in the best way after you have looked at it, and the most efficient way, and whether that would be privatization or public depot workload, it remains to be seen.

General KROSS. Yes. Upon further understanding of the question, yes, Senator.

Senator HUTCHISON. Thank you. Thank you, Mr. Chairman.

Chairman THURMOND. Senator Nunn.

Senator NUNN. Mr. Chairman, as I have already said, I support vigorously all three of these nominees. Just a word for clarification. On Senator McCain's comments about his personal views on General Tilelli's responses and his role, Mr. Chairman, as you well know, and members of the committee know, the Olympics support mission has been authorized by this committee and by the Con-

gress of the United States. Some people disagreed. Senator McCain disagreed, as we went along with this authorization. That is his privilege.

In the committee he has challenged this authorization on at least one or two occasions. He has also challenged it on the floor. The committee has overruled his objection. He has been in the minority in this. On the floor, the Senate of the United States has voted twice. The House of Representatives, I do not know whether they had a roll call vote, but they have also voted and supported this program. This is national policy, and whether someone likes it or does not like it, it is national policy, supported by the Congress, voted on by the Congress on a roll call vote to support the Olympics.

Our friends in Korea, South Korea having done a splendid job of hosting the Olympics, understand how important security is. We are trying to provide security for the Olympics in this country and make sure we do not have terrorist attacks.

General Tilelli has supported the National policy that has been voted on by the Congress of the United States. The question of security personnel or military personnel driving buses is a matter that has been requested specifically by the Justice Department and the Attorney General.

So we have here a general who has done a splendid job and carried out national policy, and anyone who wants to vote against General Tilelli, that is their privilege. We do not have to have reasons to vote against someone. We can vote against them for any reason. That is the privilege of being a United States Senator.

But it would be a paradox indeed if a general who has done a splendid job and upheld the law passed by the Congress of the United States and the policy supported by the President of the United States were to be held accountable for executing that in a splendid fashion. That would be an ultimate paradox.

Again, anyone can vote the way they want to, but I think everyone ought to be able to put that in context, and I think General Tilelli has done a superb job carrying out national policy that has been passed by the Congress of the United States and that is supported by the President of the United States, and I think overwhelmingly supported by the American people.

We all can think back to Munich and what happened there, and the attacks on the athletes. The athletes are going to be going back and forth, and to have uniformed personnel with authority and a display of authority could very well be a deterrent. At least that is what our security experts thought.

So General Tilelli, I just wanted to clarify that and make sure that everyone understood the context of this. Anyone can vote for whatever reason they want, but it seems to me that you are to be commended for carrying out the authority—unless we want our generals to start executing and overriding civilian authority and overriding the Congress of the United States, it seems to me that would be taking accountability to its ultimate absurdity.

Senator HUTCHISON. Mr. Chairman, could I make one brief statement before you would recognize Senator Levin? I support all three of these nominees, and I think it is essential that we move them very quickly. Particularly, two are waiting to go to our missions at

SOUTHCOM and Korea, and they are needed to be in place, and I think we should move quickly, and I hope and urge that you would call a committee meeting at the earliest opportunity for us to approve all three of these nominees.

Chairman THURMOND. I want to commend you gentlemen, all three of you. I think you have done a fine job, and I would be glad to support you to the positions to which you have been appointed. I do have to leave, and I am going to ask Senator Hutchison if she will take over.

Senator HUTCHISON [presiding]. Senator Levin.

Senator LEVIN. Thank you, Madam Chairman. In the spirit of Senator Hutchison's suggestion that we move these nominations as quickly as possible, I will just have a few questions.

First, let me congratulate each of you and commend you and tell you that I, too, will be supporting your nominations as quickly as possible.

I just have a few questions of General Tilelli, and the other questions I will just provide for the record, Madam Chairman.

General, I think you have been asked by Senator Hutchison already about whether or not the agreed framework is being implemented to terminate the North Korean nuclear program, and I believe that you answered that they seemed to be abiding by the framework agreement, that they have frozen their nuclear weapons program, is that correct?

General TILELLI. Sir, it is my understanding they are abiding by the framework agreement.

Senator LEVIN. I also understand that there are American personnel, not military personnel, I do not believe, but perhaps even some military personnel actually on site in North Korea, along with the IAEA personnel helping to put into cans the spent nuclear fuel from shutdown reactors. Is it true that there are American personnel, I presume civilian personnel, in North Korea performing that function with the IAEA?

General TILELLI. Sir, I cannot answer the question whether or not there are military personnel. I know that a percentage of the rods have been canned and the process continues.

Senator LEVIN. Do you know when that fuel is going to be removed from North Korea? Do you know the timetable for that, off-hand?

General TILELLI. Sir, I do not. I would be glad to provide that for the record.

[The information referred to follows:]

When the Korean Peninsula Energy Development Organization (KEDO) completes the key nuclear components of the first light water nuclear reactor, North Korea must commence shipping the spent fuel rods out of the country and complete the removal of the fuel rods upon completion of the second light water reactor.

Senator LEVIN. That is fine, and what we are doing, therefore, is, instead of seeing that nuclear material reprocessed, which would be much more threatening to us, we are seeing it placed in containers, and then those containers will be removed, and I gather you would agree along with General Shalikashvili and General Luck that that agreed framework which leads to the removal of that material is in America's security interest.

General TIRELLI. Sir, I believe the framework agreement is in America's interest and in the National interest, and I believe that it has also had, as we look at where we were before the framework agreement, a relative reduction of tension on the peninsula.

Senator LEVIN. That is true despite this recent event with some of the North Korean soldiers in the DMZ?

General TIRELLI. Sir, I think it depends on your perspective, in my view. Certainly those did cause a peak in tensions, and now a subsequent reduction, but as you look at the agreement on where we were preagreement and where we are now, post agreement, I am talking about that time frame specifically.

Senator LEVIN. So comparing where we are now to the previous time, before the agreement, the relationship is better and the hostilities are reduced?

General TIRELLI. The tensions have been reduced as a function of the agreement.

Senator LEVIN. Now, in order to continue to try to reach some more normal relationship, if possible, with North Korea, it has also been proposed that we join with Japan, and I believe South Korea, in providing some food assistance to North Korea. Are you familiar with that decision?

General TIRELLI. Sir, and I am not aware of a decision, but I am familiar with providing of foodstuffs to North Korea by the South Korean Government, of the Republic of Korean Government.

Senator LEVIN. By us?

General TIRELLI. Sir, I cannot answer that question. I do not know if we have provided foodstuffs at this point.

Senator LEVIN. Is the provision of those foodstuffs by South Korea, assuming we are part of that, in your view going to help contribute to at least the possibility of a more normal relationship with North Korea?

General TIRELLI. Senator, in my view, it is a very difficult question to answer on normal relationships. However, I believe that anything we can do through diplomatic and humanitarian channels to stabilize instability, has to have a positive effect on a number of different variables on the peninsula, and so the provision of food, in my view, will have a stabilizing effect.

Senator LEVIN. If we are able to achieve a more stable or a more normal relationship with North Korea, do you believe we might be in at least a slightly better position to try to persuade them that their ballistic missile development is not in their interest, or in anybody else's interest? That we do worry about that, and rightly so? Are we in a somewhat better position to try to persuade them not to both produce such a weapon and to sell such a weapon externally if we move towards what the agreed framework talked about, which is a more normal relationship?

General TIRELLI. Sir, that is a difficult assessment for me to make. However, I would say that anything we can do to reduce ballistic missile defense and theater missile defense threat is important, and whether or not food is the quid that would get us to that point, I cannot assess.

Senator LEVIN. I was not here referring to food. I was talking about in general moving towards a more normal relationship by whatever means with North Korea. However we are able to do

that, if we are successful, would that help, do you think, in terms of reducing the likelihood that they would produce the Taepoee Dong and that they would export it?

General TILELLI. Certainly I would say that if relationships normalize between the Republic of Korea, the United States, and North Korea, that there would be a positive effect, and that positive effect may be portrayed in the reduction of the system you talked about.

Senator LEVIN. My final question, General Tilelli, has to do with the fact that the North Koreans again sent some troops into the DMZ recently. As I understand, our military did not believe that this indicated an increased likelihood of an attack, or a war from the North, is that correct?

General TILELLI. Sir, it is my understanding that, as the indicators were examined, that that was the assessment on the ground. However, that is my understanding. I cannot give you fact.

Senator LEVIN. Is it true that there have been, I guess, literally hundreds of armed incidents in the DMZ since 1953, when the war ended? Do you know, off-hand?

General TILELLI. Sir, I do not know that as a fact.

Senator LEVIN. Perhaps you could supply that for the record.

[The information referred to follows:]

Since 1953, there have been approximately 1,600 armed incidents involving attacks, intrusions or exchange of fire in or near the demilitarized zone. The majority of these incidents occurred in the late 1960s and early 1970s with the peak occurring in 1968 when a total of 573 such incidents were recorded. Since 1990, there have been relatively few incidents. Since 1990, with the notable exceptions of armed infiltrations by North Korean soldiers in 1992 and 1995 and the shooting down of a U.S. Army helicopter in 1994, incidents in the demilitarized zone have been limited to provocative posturing by North Korean soldiers. A 100 plus page document that summarizes all incidents along the demilitarized zone since 1953 is maintained by the United Nations Command. If you would like a copy of this document, I am prepared to coordinate with the United Nations Command's staff to have one provided.

Senator LEVIN. Again, let me thank all of you for your service, and we are happy to participate and join our Chair in hoping that you can be promptly confirmed.

General TILELLI. Thank you, Senator.

Senator HUTCHISON. I would just like to ask one more question of General Kross, and that is regarding the option of privatization. Do you think privatization is a good option for maintenance, and would you be in favor of using it where it can be used efficiently, and better?

General KROSS. Yes, Senator, that is my personal opinion.

Senator HUTCHISON. On the readiness impact of changing a maintenance facility, it has been said that moving maintenance, say, from one facility to another might have readiness implications because of the delay factor. Would you give me your view of that?

General KROSS. I am not familiar with what types of maintenance are being considered right now for movement. In concept, it is something that would have to be watched closely to assure the readiness that we need to meet our time lines in our major regional contingencies.

Senator HUTCHISON. I think it has been said that engine maintenance, or maintenance of the C-5, would suffer in the readiness category in a move from one facility to another, and that, I think,

is one of the factors that caused the Department to believe that the C-5 could better be privatized as well as not having to construct a new facility. Would you comment on that?

General KROSS. Senator, I agree with that logic.

Senator HUTCHISON. Thank you.

Are there any further questions? Senator Levin.

Senator LEVIN. Yes, thank you, Madam Chair.

General Tilelli, I do not know if you are familiar or not with a system called Short Stop, but if not, apparently there is some interest in fielding this system, which would protect our forces and our command posts by causing enemy artillery and mortars to detonate prematurely, and I am wondering if you would let us know for the record whether our forces in Korea are interested in fielding that system in the near term.

General TILELLI. Sir, I am not familiar with that system. I will provide you with an answer for the record.

[The information referred to follows:]

Yes, the Commander of U.S. Eighth Army is very interested in obtaining Shortstop to enhance survivability of high value assets in theater given the 3:1 artillery advantage of the Korean People's Army. The Shortstop Program is currently in engineering and manufacturing development. The Army is unable to fund the procurement of Shortstop Systems at this time. The Army is pursuing options to field some of our prototype systems in Korea. These systems are currently deployed in Operation Joint Endeavor.

Senator LEVIN. General Clark, just a personal word for you.

Even though I do not have any questions for you today, I do look forward to you bringing your real talents that you have had displayed to us on many occasions to the new chores that you undertake. I think we are going to need not just all of our efforts to try to see if we cannot deter drugs from coming in, but we are also going to need as much fresh thinking as possible.

It is a long, protracted war we have been fighting there, too, and you bring some special background to it that we look forward to having put in place, and then sharing with us your thoughts.

General CLARK. Thank you very much, Senator.

Senator HUTCHISON. I think that is the last question.

Let me just ask each of you who have been asked to provide answers to questions for the record to do it as quickly as you possibly can, because we cannot formally take action on your nomination until those questions are in, so we do want to move this. I believe it is the will of the committee to move these nominations quickly, so if you could provide the written answers on an expedited basis, then we will try to do that very quickly.

Thank you very much for your time.

[Whereupon, at 4:46 p.m., the committee adjourned.]

[Prepared questions submitted to Gen. John H. Tilelli, USA, by Senator Thurmond prior to the hearing with answers supplied follow:]



DEPARTMENT OF THE ARMY,  
HEADQUARTERS, U.S. ARMY FORCES COMMAND,  
Fort McPherson, GA, May 16, 1996.

Hon. STROM THURMOND,  
Chairman, Committee on Armed Services,  
U.S. Senate,  
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter of May 6, 1996, concerning my nomination for Commander in Chief, United Nations Command/Combined Forces Command/Commander, U.S. Forces Korea. I am honored to have received the nomination and look forward to appearing before the Senate Armed Services Committee as part of the confirmation process.

I respectfully submit my enclosed responses to the questions of the committee.

Very respectfully,

JOHN H. TILELLI, JR., *General*  
U.S. Army, *Commanding General.*

Enclosure.

cc: Senator Sam Nunn,  
*Ranking Minority Member.*

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## QUESTIONS AND RESPONSES

### SECTION I. DEFENSE REFORMS

*Question.* More than 9 years have passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the special operations reforms. You have had an opportunity to observe the implementation and impact of these reforms, particularly in your assignments as Commanding General, United States Army Forces Command and Vice Chief of Staff, Army.

Do you support full implementation of these defense reforms?

*Answer.* Yes, I strongly support the Defense Reorganization Act of 1986 and its reform provisions. They have definitely strengthened our Armed Forces and the warfighting combatant commanders.

*Question.* What is your view of the extent to which these defense reforms have been implemented?

*Answer.* In my view, the Department of Defense has vigorously and successfully pursued the provisions of the Goldwater-Nichols Act and the provisions of section 167 of title 10, U.S. Code.

*Question.* What do you consider to be the most important aspects of these defense reforms?

*Answer.* The most positive aspect is the overall improvement of our joint warfighting ability the Goldwater-Nichols Act has resulted in needed improvements in joint doctrine, joint professional military education, and strategic planning.

Another important element is clarity in the chain of command from the National Command Authorities to the combatant commanders and unambiguous responsibility placed upon each CINC for execution of mission and preparedness of assigned forces. Additionally, the improvement in the quality of military and advice to the national command authorities resulting from changes with regard to the Chairman and the Joint Staff, and the improvement in the quality of officers serving in the joint arena are among the most important reforms. The totality of the reform is what really made the difference.

*Question.* Based on your assignment as Vice Chief of Staff, Army and your participation in meetings of the Joint Chiefs in the absence of the Chief of Staff, Army, do you believe that the role of the service chiefs as members of the Joint Chiefs of Staff under Goldwater-Nichols legislation is appropriate and the policies and processes in existence allow that role to be fulfilled?

*Answer.* As the Vice Chief of Staff, Army, I viewed the process personally and believe the role of the service chiefs as members of the JCS is exactly right. They are provided with the authority and mechanisms to fully execute that role, and the provisions of title 10, U.S. Code allow them to fully and effectively exercise that role.

*Question.* Do you believe the role of the combatant commanders and their subordinate unified commanders, such as Commander, United States Forces, Korea, under Goldwater-Nichols legislation is appropriate and the policies and processes in existence allow that role to be fulfilled?

*Answer.* Yes. The law gives combatant commanders sufficient authority they need to carry out their assigned missions. This has been well demonstrated through the

many complex joint and combined operations conducted since the legislation was enacted, as well as the ongoing superb work of Combined Forces Command and United States Forces, Korea, in maintaining the long-standing peace on the Korean Peninsula.

*Question.* In view of the unique status and responsibilities of the United Nations Command/Combined Forces Command/United States Forces, Korea, do you believe that the legislation should be amended to recognize a specific role for the commander?

*Answer.* The positions of Commander in Chief United Nations Command (CINCUNC) and Commander in Chief ROK/U.S. Combined Forces Command (CINCCFC) have specific roles in the respective commands. In the case of CINCUNC, roles and functions are specific in directives issued by the U.S. National Command Authority, acting as the executive agent for the National Security Council, through the U.S. Joint Staff. In the case of CINCCFC, roles and functions are contained in documents and directives issued jointly by officials of the ROK and U.S. Governments. It is difficult to envision how legislation, particularly unilateral legislation, could be of any particular benefit to either of these positions. The roles and functions of commander United States Forces, Korea (COMUSK), a subordinate unified Commander of U.S. Commander in Chief Pacific Command (USCINCPAC), are already established in U.S. title 10 and pertinent directives of USCINCPAC.

#### SECTION II. RELATIONSHIPS

*Question.* Section 162(b) of title 10, United States Code, provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander in Chief, United Nations Command/Combined Forces Command/Commander, United States Forces, Korea to the following offices:

Under Secretary of Defense . . .  
 Assistant Secretaries of Defense . . .  
 Chairman of the Joint Chiefs of Staff . . .  
 Vice Chairman of the Joint Chiefs of Staff . . .  
 Assistant to the Chairman of the Joint Chiefs of Staff . . .  
 Director of the Joint Staff . . .  
 Secretaries of the military departments . . .  
 Chiefs of Staff of the other services . . .  
 Commander in Chief, United States Pacific Command . . .  
 The other combatant commanders . . .

*Answer.* The basic relationship is of course between the Commander and the national command authorities, as specified in section 162(B) of title 10. Except in the role of Commander, United States Forces, Korea, the position for which I have been nominated reports, in national channels, directly to the Secretary of Defense and from him directly to the President. The chain of command is clearly defined.

In my roles as Commander in Chief, United Nations Command/Combined Forces Command, I anticipate an extensive relationship on a day to day basis with the Chairman, Joint Chiefs of Staff, in light of his key role in assisting the Secretary of Defense and the President in exercising their command functions. In addition, his vital roles in oversight of the activities of the combatant commands and as spokesman for the requirements of those commands will also involve an extensive relationship. Finally, in the combined arena, his role as a member of the National Security Council and as principle military advisor to the NCA is extremely important. Of course, as vital as these roles are, the chairman exercises no command authority as such over the positions for which I have been nominated.

Needless to say, I must work effectively with all of the leadership, military and civilian, within the Department of Defense. We are all on the same team, and we are all attempting to satisfy the same national goals and strategy. I understand that conflicts may develop as I attempt to execute my duties as I view them. Such as:

Commander in Chief, United Nations Command (CINCUNC), as the commander of an international command, is responsible to the U.S. NCA through the chairman for executing such missions as may be assigned. Currently the effort is focused on maintenance of the military armistice on the Korean peninsula. Aside from this important role the UNC provides a convenient mechanism for the acceptance and integration of third country forces into the overall military effort, especially during hostilities. CINCUNC's relationship with the officials listed or with any other U.S. official whose functions have some bearing on mission accomplishment should be unfettered within the confines of accepted communications procedures. Actions requiring

official decisions should of course be routed through official channels, time permitting.

Commander in Chief, Combined Forces Command (CINCCFC), as the commander of a binational command, is responsible for deterrence and failing that, defense of the ROK. In this capacity he has the ultimate responsibility for mission performance in the areas. Although official channels of communications are specified in the binationally approved documents which form the charter of the command, CINCCFC like CINCUNC should have the same freedom of communications with the listed officials on matters affecting his areas of responsibility.

Commander, United States Forces, Korea (COMUSK), as a subordinate unified commander of USCINCPAC, has specified channels of communications with officials. While somewhat restricted in comparison to the other positions, COMUSK has readily available channels of communications to all required officials through USCINCPAC on matters pertaining to USFK areas of responsibility.

### SECTION III. UNIFIED COMMAND PLAN

*Question.* General Luck has proposed the restructuring of U.S. military commands in Northeast Asia in the foreseeable future. He cited three examples of a possible restructuring—a new unified command, a single sub-unified command, or relocating the current components of PACOM.

What is your view of the desirability of a restructuring and, if you believe such is desirable, what is your view of the three examples cited by General Luck?

*Answer.* Northeast Asia is a geographical, economic and strategic entity. As General Luck stated in his appearance before your committee, in Asia interpersonal social interactions are very important. Familiarity with the people you are doing business with is of the utmost importance. Our current policy of treating all elements in northeast Asia individually has in some cases limited our effectiveness in executing the overall U.S. strategy in the region. In great measure this is the result of our traditional view that regional animosity would preclude regional military cooperation. While this might have been true 10 years ago, times have changed. If we intend to remain a Pacific Rim Power, we must project a coherent strategic posture. One of the best ways to accomplish this may be to restructure our command structure in this most important geographical area.

As to three ways of better organizing our military posture in northeast Asia cited by General Luck, I want to first reiterate what General Luck emphasized in that I also do not think these are options until the threat from North Korea disappears. As to the relative merits of one alternative over another I would prefer to defer answering that question until I have made a personal "on the ground" assessment and would be happy to come back to the committee at a later time with my conclusions.

### SECTION IV. AMERICAN PRESENCE IN THE WESTERN PACIFIC

*Question.* We expend significant resources to maintain military forces in the Pacific. What is the threat in the Asia-Pacific region that justifies these military forces? Are other nations in the area contributing their fair share toward maintaining security in the region?

*Answer.* Seven of the largest armed forces in terms of manpower in the world are located in or operate in the Asia-Pacific region and include those of nuclear weapon states. This region will remain an area of uncertainty, tension and immense concentrations of military power for the foreseeable future. Additionally, the dynamics of Asian economics, upon which world economic vitality is increasingly reliant, is dependent on free passage along the shipping routes through the strategic sea lanes in Southeast Asia and the major shipping lanes in the South China Sea.

The key to shaping the regional environment toward a more favorable future is stabilizing and maintaining a regional order of comprehensive security that facilitates cooperation across all dimensions of economic, political and military relations.

A Nation's contributions to the regional security cannot and should not be measured in any single dimension. We must continue to encourage each nation to contribute in its own way to regional security.

The United States has pledged its commitment to the security of the Asia-Pacific region and has devoted significant resources fulfilling that pledge. The United States has sent military forces to three major wars against aggression in Asia in the last half century. As these experiences have proven, America's interests in the region must be protected and commitments must be honored. As home to a majority of the world's armies, Asia's tensions have the potential to erupt in conflict with dire consequences for global security.

The most significant threat to peaceful process and a destabilizing factor in the Pacific theater is that posed by the Democratic Peoples Republic of Korea (DPRK).

They have a million-person armed force offensively postured and I remain concerned over their continued pursuit of weapons of mass destruction and the ballistic missiles to deliver them.

Although I do not view the People's Republic of China as a threat, it clearly is a source of concern to its neighbors. China is a nuclear power, which continues to modernize its military and update weapons technology by producing, copying and buying weapons such as fighters, missiles and submarines.

Proliferation of weapons of mass destruction and their means of delivery continues in the PACOM region. Several nations in the PACOM region are pursuing development of nuclear, chemical and biological weapon stockpiles. China, India and Pakistan are known to have a nuclear weapons capability, while such capability in North Korea is strongly suspected.

At the heart of South Asia is the disputed Kashmir region, home to a long-standing insurrection. Sri Lanka struggles to control a violent Tamil secessionist movement. In Southeast Asia, Burma is plagued by drug traffickers and disaffected groups. In Cambodia, the Khmer Rouge faction continues as a nagging problem, opposing the legitimate government and its military and continues its destabilizing actions, while Indonesia is challenged by the East Timor situation.

These regional tensions, combined with the presence of seven of the largest armed forces in the world, require the maintenance of significant U.S. forces in the Pacific. Without a credible military presence in the Asia-Pacific region the potential for regional instability and conflict is enhanced.

Without addressing every nation in the Asia-Pacific region, I believe it's fair to characterize our overall security relationship as effective, equitable and mutually beneficial. Throughout the region a cooperative approach to security is effectively advancing U.S. interests and meeting U.S. security needs at a significantly lower cost than we could achieve alone. Japan supplies by far the most generous host nation support of any of our allies. Japan has increased its share each year, and I am told currently pays over 5 billion dollars annually for labor and utility costs of maintaining U.S. forces, leases for land used by our forces and funding for facilities construction. Japan self-defense forces continue to modernize and are assuming a larger role in providing for the defense of Japan and regional security.

South Korea has grown as a partner and now seeks equality. The ROK has assumed operational control of ROK military forces and provides in excess of 330 million dollars for support of U.S. military forces each year.

Australia's participation in combined exercises, operations of joint defense facilities and granting of access to U.S. ships and aircraft is absolutely essential to our forward presence.

A few other examples include: The Philippines, where we have a solid, mutually supportive relationship; Singapore, which continues to provide access to excellent naval and air facilities, while strongly supporting U.S. forward presence; Thailand, a treaty ally with a long history of collective security with the United States; and a growing Indonesia, a leader in the region occupying a geostrategic position.

*Question.* The political and military balance on the Pacific Rim is in an accelerated state of change. How important is American presence in that region, and how can America best enhance stability of the region?

*Answer.* We have fought three wars in the Pacific during the last half century and American presence today remains the cornerstone of regional stability. Moreover, this region covers half the globe, encompasses the world's most dynamic economies, has two thirds of the world's people, and is clearly vital to U.S. interests. American presence is a counterweight not only to obvious threats such as North Korea, but also to uncertainty in the region that is home to seven of the world's largest militaries.

Additionally, on a regional basis, U.S. military forces: enable the United States to meet security treaties and agreements; promote security cooperation; protect our critical lines of communications; provide prompt and effective responses to crises; increase access to foreign facilities; counter proliferation of weapons of mass destruction; and assist in fighting against terrorism, drug trafficking and international crime organizations.

The United States can best enhance stability by remaining engaged throughout the Pacific and by reiterating our commitment to present force levels for the foreseeable future. This allows us to maintain our well deserved reputation in the region as the "Honest Broker" and to preserve the stability that has been key to Pacific prosperity.

*Question.* What is your assessment of the status of the agreed framework on the North Korean nuclear program? In your opinion, are the North Koreans complying with the terms of the agreement? What are the long-range implications of this agreement on the region?

Answer. There is reason to be optimistic about the prospects for long-term success. The Democratic People's Republic of Korea (DPRK) nuclear development program remains frozen in accordance with the framework agreement. International Atomic Energy Agency (IAEA) inspectors are maintaining almost continuous presence to ensure compliance.

While DPRK-Korean Peninsula Energy Development Organization (KEDO) negotiations are difficult, progress is being made carrying out the framework agreement. The KEDO reactor construction site surveys have been conducted with the cooperation of the North Koreans. The IAEA and the DPRK are discussing the schedule and location of ad hoc and routine facility inspections. The DPRK must allow these inspections since the reactor supply contract has been concluded however DPRK's cooperation does not go beyond the strict requirements of the agreement. The DPRK still refuses IAEA access to their spent fuel rods for inspection which could illuminate the history of the DPRK's nuclear program.

The long-term implications of this agreement to regional security are key. Continued stability is contingent on DPRK maintaining the freeze to its nuclear development program. Technical talks offers the only open venue for direct dialogue with the United States, a prime goal of DPRK, therefore, their continued short-mid term cooperation is anticipated. It is too soon to declare total success. We have significant remaining hurdles before this program concludes: completion of the safe storage of spent fuel rods; the final disposition of spent fuels; access by IAEA to conduct appropriate inspections specified within the agreement; and KEDO's maintenance of adequate funds to meet our obligation under the framework agreement. The final and most telling obstacle, special inspections of undeclared nuclear facilities, is tied to the delivery of major nuclear components around the 7-8 year point.

*Question.* If Korea unifies, what, in your opinion, are the implications for CINC UNC/CFC/USFK?

Answer. If ROK and DPRK reunify into an entity with no prospects of renewed hostility, then I believe both the following would most likely apply: CINCUNC's mission of preserving the military armistice until a peaceful solution is reached would be accomplished and the command terminated. CINCFC's missions of deterrence, and failing that, defense of the ROK, would also be accomplished in essence and the command would be disestablished. The future of USFK would depend in great measure upon if and/or how the U.S. regional military presence reorganizes. In the interest of promoting regional security, a residual military presence in Korea would probably be highly useful and meet with the approval of all parties in the area. Either a restructured USFK or its successor would be the simplest way to meet this requirement. Its elements would include a command and control, a logistical infrastructure, some power projection assets and ample intelligence capability to monitor areas of possible concern on the Pacific rim.

*Question.* What is your view of the viability of President Clinton's proposal for the people's Republic of China to join the United States, the Republic of Korea, and the Democratic People's Republic of Korea in a four-way negotiation of a peace agreement to replace the Korean Armistice Agreement?

Answer. The joint announcement by President Clinton and ROK President Kim Yong Sam is a good first step toward promoting the peace process on the peninsula. We hope that the proposal will be successful. To date, however, it appears that North Korea and China are both very hesitant. China seems clearly reluctant to step into a crossfire between the two Koreas, and the regime in Pyongyang has consistently treated the ROK as an entity to be ignored, circumvented or overthrown. So long as the north is run by a group that cannot abandon hostility to the ROK for fear of undermining their own legitimacy, it seems like a good step to start the peace process, but it also is unlikely that such a proposal will resolve the basic confrontation on the peninsula.

#### SECTION V. OPERATIONAL TEMPO

*Question.* How have American commitments in Bosnia, Haiti, and other areas affected the operational tempo of Korean command forces?

Answer. American commitments in Bosnia, Haiti and other areas have had a relatively small impact and have not affected the operational tempo of Korean command forces.

#### SECTION VI. MISSILE DEFENSE

*Question.* General Luck was very concerned about the missile defense threat for the theater. He wrote a letter to the Chairman, Joint Chiefs of Staff requesting Thaad deployment at the earliest possible date.

Do you share his concerns about the missile threat to the theater? What are your thoughts related to delaying the fielding of this system and the impact on your ability to protect the force?

Answer. I share General Luck's concern about the missile threat in the theater and see this threat greatly enhanced by the presence of theater ballistic missiles. The risk to U.S., Korean, and allied forces increases exponentially if these missiles are equipped with weapons of mass destruction. The presence of forward deployed patriot batteries help to bolster our active defenses. In the near term, these batteries will be equipped with the advanced capability PAC-3 missiles. In the future, Navy Aegis ships equipped with SM2 block IVa missiles will expand the theater missile defense lower tier, but to achieve protection from the longer range threat missiles, our defense will require an upper tier. The Theater High Altitude Area Defense (THAAD) system should be fielded as soon as practicable in order to increase the protection afforded our forces. In the meantime, as I have stated, we must do everything possible to utilize the capabilities we have to accomplish that task. Protecting the force is an important command responsibility.

#### SECTION VII. MAJOR CHALLENGES

*Question.* In your view, what are the major challenges confronting the next Commander in Chief United Nations command/combined forces command/commander, United States forces, Korea? If confirmed, what plans do you have for addressing these challenges?

Answer. There are numerous challenges which cross all services, as well as, United States and Korean military, political, social and economic issues. I agree with the testimony provided by General Luck in the form of written response to questions for the record on the occasion of his testimony to the U.S. Congress 13 March 1996.

The major challenge is how to deter, and if necessary defeat, an adversary whose peaceful options are running out and whose only remaining asset in what seems to be a zero-sum regime survival contest is conventional military superiority. While in theory the north could save itself from economic disaster by undertaking reform, in reality the regime's leaders lack the necessary facilities and administrative expertise to follow this course and are further hobbled by political and ideological constraints inseparable from their own form of legitimacy.

As Commander in Chief, United Nations Command/Combined Forces Command/United States Forces Korea, I will ensure that my forces remain vigilant. Training and readiness will be my watch words. My primary desire is to ensure deterrence, however, if deterrence fails, my forces must, and will, be ready to defeat the North Koreans.

#### SECTION VIII. MOST SERIOUS PROBLEMS

*Question.* What do you consider to be the most serious problems in the performance of the functions of Commander in Chief United Nations Command/Combined Forces Command/Commander, United States Forces, Korea? What management actions and time lines would you establish to address these problems?

Answer. As a general statement the United States and its ROK allies have been successful in maintaining peace and deterring aggression on the Korean peninsula for over 40 years. The command structure that has evolved over time appears to be working well but, as in any organization, there is always the requirement to continue to grow and improve, especially in a resource constrained environment. I prefer to defer answering this question in detail until I have made a personal "on the ground" assessment. In the interim, I intend to stay the course established by General Luck. I would consider my tour to be very successful if I am able to emulate the accomplishments of General Luck.

#### SECTION IX. QUALIFICATIONS

*Question.* If confirmed, you will be entering this important position at a time of heightened tensions and increased potential for conflict. What background and experience do you have that you believe qualifies you for this position?

Answer. I have commanded at every level, served three combat tours, and always focused on training and caring for service members. My assignment as the Army's Deputy Chief of Staff for Operations and Plans afforded me an in-depth appreciation for the operational and strategic situation and requirements in this critical region of the world. My work as the Vice Chief of Staff, Army, involved close coordination and working relationships with the offices within the Department of Defense and the Joint Chiefs of Staff on oversight of joint/combined requirements. My current experience as the Commanding General of an Army major command and ground component of United States Atlantic Command has given me a great practical expe-

rience in dealing with the training, readiness, and resourcing challenges at both the operational and strategic level. Finally, I have 33 years of experience serving with the outstanding young men and women of our armed forces and those of our allies. I know from first hand experience that mission accomplishment comes from caring leadership and a focus on training and readiness.

#### SECTION X. CONGRESSIONAL OVERSIGHT

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

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

Answer. Yes.

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

Answer. Yes.

*Question.* Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Commander in Chief, United Nations Command/Combined Forces Command/Commander, United States Forces, Korea?

Answer. Yes.

*Question.* Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

#### SECTION XI. POW/MIA ISSUES

*Question.* Is it your view that the Commander in Chief, U.S. Forces Korea has primary responsibility to seek an accounting for POW/MIAs from the Korean conflict, particularly with respect to paragraph 13(f) of the July 27, 1953 Armistice Agreement? If your answer is yes, please elaborate on the role and responsibilities of your command in this regard.

Answer. Primary responsibility for POW/MIA issues rests with the Secretary of Defense through the Defense POW/MIA office (DPMO). With respect to the Pacific region, the secretary has designated the Commander in Chief, Pacific, as his military representative to assist in POW/MIA matters, and to provide support to joint task force full accounting (JTFA).

During my time as Commanding General of Forces Command, I worked with Ms. Shirley and Ms. Shaw to increase the command's sensitivity to the unique requirements of our families who have soldiers that are still unaccounted for. If confirmed as Commander in Chief, United States Forces Korea, I will do everything possible to assist the Commander in Chief, United States Pacific Command, the United States, the Republic of Korea, and the United Nations to seek a full accounting of our POW/MIAs.

*Question.* As you know, China is a signatory to the July 27, 1953 Armistice Agreement and is reported to have held U.S. POWs in both North Korea and Mainland China during the Korean conflict. However, on August 30, 1994, China announced that it was withdrawing from the Military Armistice Commission at Panmunjon. Are you planning to pursue contact with Chinese officials on POW/MIA issues as Commander in Chief of U.S. Forces Korea? How do you propose to hold the Chinese to their obligations under the Armistice Agreement?

Answer. The Secretary of Defense, through DPMO, has responsibility for pursuing these matters. Commander in Chief, United Nations command has a selective interest in POW/MIA issues as they relate to the Korean conflict. If confirmed I will work closely with the Chairman Joint Chiefs of Staff, the Secretary of Defense and other appropriate agencies to implement United States National Policy in this area.

*Question.* Have you reviewed the 18 intelligence reports in the possession of the Defense POW/MIA Office (DPMO) concerning sightings of possible POWs and/or deserters in North Korea between 1968 and 1996? Do you believe that it is possible based on these reports, that American prisoners of war may still be alive in North Korea?

Answer. I have not yet reviewed the 18 intelligence reports referenced concerning sightings of possible American POWs and/or deserters in North Korea between 1968 and 1996, nor am I aware of any other reports on this matter. It would not be appropriate for me to speculate on whether or not American POWs and/or deserters are still alive in North Korea. If confirmed, I will ensure that I review these 18 in-

telligence reports from DPMO, and if information can be substantiated, every effort must be made to pursue those reports to a final conclusion.

*Question.* As Commander in Chief, U.S. Forces Korea, do you intend to seek the return of the four U.S. deserters from the 1960's whom DPMO believes may still be alive in North Korea in order to (1) properly debrief them about any knowledge they may have on American POWs in North Korea; and (2) prosecute them in accordance with the uniformed code of military justice?

*Answer.* If confirmed as the Commander in Chief, United States Forces Korea, I would do everything in my power to assist the enforcement of United States National Policy as conveyed to me by the Chairman Joint Chiefs of Staff, the Secretary of Defense and the Commander in Chief, United States Pacific Command.

*Question.* The Department of Defense has entered into two agreements with North Korea during the current administration which are limited to the recovery and repatriation of remains of U.S. servicemen who were buried in North Korea by U.S. forces during the war (August 1993 and May 1996). These agreements do not reference the need for archival materials from North Korea on MIAs or the responsibility of North Korea to provide further information on American servicemen last known to be alive when the Armistice Agreement was signed. These agreements also do not take into account the recommendations contained in the final report of the Senate Select Committee on POW/MIA affairs in January 1993. During this same time period, the Department of Defense has reported that the war museum in Pyongyang, North Korea and the war museum in Dandong, China contain information on American servicemen still missing in action from the Korean conflict. If you are confirmed as Commander in Chief, U.S. Forces Korea, how do you purpose to pursue POW/MIA issues, other than joint remains recovery operations, with North Korean and Chinese officials?

*Answer.* I have not had the opportunity to review these documents in detail so it would not be appropriate for me to address this question at this time. If confirmed as Commander in Chief, United Nations Command/Commander in Chief, U.S. Forces Korea, I will assist the Secretary of Defense and Commander in Chief, Pacific with POW/MIA matters as they pertain to North Korea.

#### SECTION XII. OTHER ISSUES

*Question.* There have been reports that North Korea is experiencing serious famine. Based on the information you have reviewed, what is your view on how serious the famine situation is in Korea?

*Answer.* Based on the reports that I have seen I believe that the famines pose a serious threat to the health and welfare of the people of North Korea and have the potential to cause widespread suffering. Naturally, anything that can be done through diplomatic and humanitarian channels to alleviate these famines will increase the short term stability in the region.

*Question.* As you know, the committee continues to be seriously concerned with North Korea's efforts to develop advanced ballistic missile capabilities. It has been reported that the Taepo Dong 2, once deployed, will threaten Alaska and portions of Hawaii. What is your view of the North Korean ballistic missile threat to U.S. forces and the 50 United States, along with Alaska and Hawaii, against ballistic missile attack?

*Answer.* As I stated earlier, I have the committee's concern about the missile threat in the theater and see this threat greatly enhanced by the presence of theater ballistic missiles. The risk to U.S., Korean, and allied forces increases exponentially if these missiles are equipped with weapons of mass destruction. The presence of forward deployed patriot batteries help to bolster our active defenses. In the near term, these batteries will be equipped with the advanced capability PAC-3 missiles. In the future, Navy AEGIS ships equipped with SM2 block IVa missiles will expand the theater missile defense lower tier, but to achieve protection from the longer range threat missiles, our defense will require an upper tier. The theater high altitude area defense (THAAD) system should be fielded as soon as practicable in order to increase the protection afforded our forces. In the meantime, as I have stated, we must do everything possible to utilize the capabilities we have to accomplish that task. Protecting the force is an important command responsibility.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

Senator MCCAIN. Would you consider washing vehicles to be demeaning?



General TILELLI. Yes. Asking soldiers to wash vehicles for private organizations would be demeaning. DOD has not been asked to provide personnel to wash vehicles. If you are referring to the operation of the wash rack that is part of Vehicle Processing Point at Fort Gillem, that facility is operated by the Atlanta Committee for the Olympic Games. No military personnel are working at that facility.

Senator MCCAIN. What tasks would you consider demeaning to our service personnel? Where do you draw the line?

General TILELLI. First let me say that the preponderance of personnel support being provided by DOD is security support. Tasks to be performed by DOD personnel were defined prior to FORSCOM being given the Olympic Support mission. DOD policy is for military personnel to not perform menial or demeaning tasks, such as ushers, luggage handlers, door openers, etc. Security support is the prime focus of the personnel support in Atlanta. We should never allow servicemembers to do what is considered demeaning.

Senator MCCAIN. Do you believe that these military personnel are better qualified to drive these busses than the civilians which they will replace? If so, why is the Department of Defense asking the civilians at the private bus companies which were displaced by the military, to train the military personnel?

General TILELLI. The Department of Justice has stated that military drivers play a vital role in providing a secure environment for the Olympics ensuring the public safety of visitors and residents in the Atlanta area. Use of military personnel as drivers for the transport of athletes will enhance security during this very vulnerable period for the following reasons: The military personnel selected have been vetted by a chain of command that knows them, thus we are entrusting Olympic Teams to a known entity; military provide a visible uniformed presence on the buses; military are trained to be aware of their surroundings and changes to normal conditions—situation awareness; and military are trained to be flexible and to quickly adapt to changing situations.

Although I do not know the details concerning displacement of a private bus company, it is common practice for DOD to contract with private companies for training on unique or civilian skills.

Senator MCCAIN. Isn't it true that the reason that the military is helping to water the artificial turf on the field hockey field is to control the rate of roll of the field hockey ball?

General TILELLI. According to the ACOG request, to insure proper ball speed, the Field Hockey International Federation requires some 4,500 gallons of water be spread over the playing field at the Field Hockey Venue over two 7-minute periods during each competition. The Fire Department is concerned that diversion of this water would adversely affect water pressure and could impact fire fighting capability. The Municipal Water Department serving the Atlanta University Center cannot guarantee adequate water quantities and pressures to support this requirement and fire safety. From the onset this was to be reimbursed.

Senator MCCAIN. Did the Atlanta Committee on the Olympic Games ask any other Federal agency, such as the Department of Commerce or the U.S. Fire Academy located in Emmitsburg, Maryland, if they could provide this assistance prior to requesting it from the Department of Defense?

General TILELLI. I am unaware if ACOG requested this support from other agencies. I do not know if Congress directed those Federal agencies to provide support to the Olympics as it did DOD. On 3 February 1995, the Atlanta Committee for the Olympic Games (ACOG) requested the Department of Defense (DOD) provide equipment and personnel to support this requirement. These items were requested to support a test event in August 1995 and the Olympic competition from 19 July to 4 August 1996. The Office of Special Events agreed to provide this support as a safety issue and ACOG was notified the support was available from the Army on a reimbursable basis. We are currently planning on providing water into an ACOG operated distribution system at 3 locations; involving approximately 25 military personnel whose war time mission is to provide similar support.

Senator MCCAIN. Chapter 18 of Title 10, U.S.C., provides the Department of Defense with the authority to support civilian law enforcement agencies. Section 377 of that title requires that the civilian law enforcement agencies reimburse the Department of Defense for the costs of this assistance.

Shouldn't private organizations such as the Olympic Committee be held to the same reimbursement requirements as we place on civilian law enforcement agencies?

General TILELLI. Section 377 of Title 10 does not itself require reimbursement for support provided by DOD to civilian law enforcement agencies. In the case of DOD Olympic support to Federal law enforcement agencies, the reimbursement provisions of the Economy Act apply. Since funds were specifically appropriated for the purpose

of providing personnel and logistics support to the Olympics, reimbursement for DOD support to state and local law enforcement agencies responsible for Olympic security is not required. Under our current policies, the Olympic Organizing Committees receive more of their support on a "pay as you go" or reimbursable basis than do the state and local law enforcement agencies we are supporting.

Senator MCCAIN. Could you briefly describe how washing ACOG vehicles and driving busses will enhance the capabilities and readiness of those personnel performing these tasks?

General TILELLI. As previously mentioned, military personnel have not been asked to wash vehicles. ACOG requested facilities and space at Fort Gillem for a Vehicle Processing Point. That facility consists of a building, some office trailers, a parking area and a wash rack. The facility was constructed on a fully reimbursable basis and all operating costs are being paid by ACOG. ACOG personnel are operating the facility, to include the wash rack. After the Olympics, this facility will be available for military use.

Although some of the military personnel selected to be bus drivers have the military occupation of vehicle operator, DOD is providing this support based on the DOJ request that it was critical to providing a secure environment.

Senator MCCAIN. How much of the \$51 million DOD has spent to support the Atlanta Olympics has actually been reimbursed to date?

General TILELLI. Congress has appropriated \$50 million to DOD for Olympic support: fiscal year 92-94 \$6 million; fiscal year 95 \$16.8 million; and fiscal year 96 \$27.2. FORSCOM received \$28.3 million to accomplish the missions given to it by DOD. \$108,000 in reimbursements have been provided to the JTF-O by ACOG. No reimbursements have been received by JTF-O from state or local law enforcement agencies. I do not have complete information on reimbursements received by OSE prior to the formation of JTF-O.

Senator MCCAIN. Will the personnel costs of the military individuals who are watering the artificial turf on the hockey fields, washing ACOG vehicles and providing other "non-security" assistance be reimbursed to the Department of Defense?

General TILELLI. ACOG has agreed to pay all costs associated with DOD providing water to their distribution systems. DOD provided similar support at a test event in 1995 and ACOG paid \$11,884 to DOD for costs associated with that support. Again, no military personnel are involved in washing ACOG vehicles and any additional "non-security" support would be provided "pay as you go."

Senator MCCAIN. Is the information which the General Accounting Office provided to my office, specifically, these reimbursements have been suspended, accurate? Please elaborate.

General TILELLI. All reimbursements received by the JTF-O have been deposited in miscellaneous receipts accounts in the U.S. Treasury and accordingly are not available for additional Olympic support. In order to facilitate provision of DOD support, ACOG is considering providing at their cost additional support to DOD personnel in order to allow us to provide required support to the Olympics within our funding and policy limitations. Any cash reimbursements JTF-O may receive from ACOG will be promptly deposited in U.S. Treasury accounts. On 31 May, the \$108,000 the JTF has received as reimbursement was deposited into the U.S. Treasury.

Senator MCCAIN. Is it true that the Department of Defense will pay \$105,000 for Georgia State commercial drivers license so that military personnel can drive busses?

General TILELLI. No, the Georgia Department of Safety is providing testing and licenses for military drivers stationed in Georgia and supporting the Olympics at no cost to DOD.

Senator MCCAIN. Was the DOD the only potential supplier of ice chests for the Atlanta Police Department?

General TILELLI. The DOD Office of Special Events has acquired a significant inventory of usable items for special event support over time. They maintain this inventory in warehouses and supply them to requesters as needed. One of the items they stock is ice chests. The Atlanta Police Department requested 350 ice chests. DOD is providing 35 ice chests (the on hand quantity) to the Atlanta Police Department from those stocks. The Atlanta Police Department will obtain the remaining ice chests they require from other sources. At the end of the games, the 35 chests will be returned to the DOD stock for use at other events such as the Presidential Inauguration, etc.

Senator MCCAIN. If the Department of Defense was given strict time lines for entering into an agreement with a civilian sporting event's organizing committee, could DOD comply with such rules.

General TILELLI. Yes, I believe the Department of Defense could comply with such rules.

#### DOD ASSISTANCE TO SPORTING EVENTS

Senator McCAIN. Do you believe the provision in the Defense Authorization Act would prevent DOD from providing the necessary security assistance to ensure a safe and secure Olympics?

General Tilelli. I cannot speak officially for the Army or the Department of Defense. However, in my personal opinion, as a field operating commander, I would expect to receive the resources necessary to carry out my mission to provide security and safety, regardless of the ultimate source of funds. Who should these funds and the effect of this section are policy questions better answered by those responsible for funding and resource allocation. Whatever the decision on this policy issue, it should be based on the paramount concern of security and public safety. If prior agreement could not be reached and it was a condition to providing such assistance, then it could result in a degradation in our ability to execute our mission.

#### DOD SUPPORT FOR SPORTING EVENTS

Senator McCAIN. Do you support the provision?

General TILELLI. Generally speaking, I think reimbursement is a good idea. However, the wording should give DOD the flexibility to provide assistance if a serious threat to public safety is imminent. My concern is that, absent an agreement, DOD could not perform its security function, thus leaving the possibility of a vacuum where public safety could be jeopardized.

#### QUESTIONS SUBMITTED BY SENATOR BOB SMITH

Senator SMITH. Please provide clarification on the capability of the North Korean Taepo Dong 2 missile, once deployed, to threaten Alaska and portions of Hawaii. What is your view of the North Korean ballistic missile threat to the United States?

General TILELLI. I believe North Korea produces far more missiles than are necessary to meet its national defense requirements—indeed, the north has been the main supplier of ballistic missiles and production technology to developing countries. Pyongyang has deployed at least one scud brigade that we project can reach all targets on the Korean peninsula. The north has also been developing a longer-range system, the 100km No-Dong, which could target U.S. bases in Japan including Okinawa. Two new ballistic missile systems, designated Taepo Dong 1 (TD-1) and Taepo Dong 2 (TD-2), were identified in research and development in 1994. The multistage design on TD-1 and TD-2 is the north's first attempt to develop such technology. We judge these missiles may be capable of striking Alaska and the far western Hawaiian island sometime after the year 2000. However, if that is true, we have not seen a demonstrated capability.

Senator SMITH. Is it your contention that the Commander in Chief, United Nations Command, and the Commander in Chief, U.S. Forces Korea, no longer have a primary responsibility with respect to contact with North Korea and China on numerous POW/MIA provisions under the armistice? If yes, please provide your rationale for this contention. If no, please elaborate on the specific POW/MIA roles and responsibilities of either or both of the commands for which you have been nominated (as the committee requested in its additional, advance questions submitted previously). Also, please inform the committee of your intentions with respect to follow-up with both North Korea and China on the POW/MIA issues outlined in the committee's previously-submitted questions (i.e.: reports of defectors, access to archival information, and remains recovery operations.)

General TILELLI. If confirmed as Commander in Chief, United Nations Command, I would have full responsibility to implement and maintain the 1953 Korean armistice agreement. Although most UNC responsibilities outlined in paragraph 13(f) of the agreement were terminated by a subsequent agreement in 1954, the UNC did continue demanding additional information from the Korean people's army through the military armistice commission regarding accounting for POWs. Between 1954 and 1987, despite annual requests from the UNC, North Korea refused to provide any information claiming the issue was not an armistice issue. Since the late 1980s, when the U.S. Government began directly pursuing the return of U.S. remains as a purely humanitarian issue, North Korea has cooperated to return a total of 208 sets of remains they believed to be U.S. servicemen from the Korean conflict of which 6 have been positively identified so far. Subsequently, the Office of the Secretary of Defense has been given primary responsibility to seek an accounting for

POW/MIAs from the Korean conflict. Based on intelligence reports and previous research, the Department of Defense has accumulated information concerning likely places of burial of deceased UNC personnel in North Korea and has made initial progress in cooperating with North Korea to conduct joint recovery operations at these sites. If confirmed as CINCUNC, I will continue to fully support all department of defense efforts to seek a better accounting of U.S. military personnel missing from the Korean conflict. I am personally committed to the full accounting of all POW/MIA.

#### QUESTIONS SUBMITTED BY SENATOR DIRK KEMPTHORNE

##### MISSILE DEFENSE IN SOUTH KOREA

Senator KEMPTHORNE. General Tilelli, there have been repeated requests by U.S. commanders to deploy additional anti-missile defense systems to South Korea. This week, the Pentagon agreed to provide the Japan Defense Agency (JDA) with early warning data collected by American reconnaissance satellites. Given that North Korea continues to develop long range ballistic missiles do you feel enough is being done to protect our men and women stationed in Korea from missile attacks?

General TILELLI. As I stated earlier, the North Korean missile threat presents us with considerable challenges to security on the peninsula and in the region, and force protection would always be one of my priorities as a commander. In response to those challenges, I feel we are taking prudent steps necessary to protect our men and women serving in Korea. The permanently deployed Patriot system will soon be equipped with the advanced capability PAC-3 missiles. Additional capability will come with the future fielding of Navy *Aegis* ships equipped with SM2Block IVa missiles—the lower tier for theater missile defense. Also, as I have stated, we will need to add the upper tier theater missile defense that the Theater High Altitude Area Defense (THAAD) System will provide.

##### FOOD AID TO NORTH KOREA

Senator KEMPTHORNE. General Tilelli, the United States and South Korea pledged \$6 million and \$3 million respectively, to the U.N. appeal for \$43.6 million food relief effort to North Korea. Food diplomacy has become the latest tactic by the United States and its allies in seeking to entice North Korea to the negotiating table. South Korea had previously banned all food aid to the North, official or private, saying that the Pyongyang Government has exaggerated its food shortages to get more outside aid. North Korea has yet to officially respond to the peace initiative unveiled by Seoul and Washington in April. Do you feel that we are taking the right approach with North Korea? Is it possible that the North Koreans have exaggerated the facts?

General TILELLI. Even under the best of circumstances, the closed society of North Korea has proved extraordinarily difficult in trying to arrive at an accurate understanding of internal conditions north of the DMZ. Conflicting media reports complicate forming a more precise picture of the extent of the food shortages in the north and the suffering of the people. The food aid extended to date and the manner in which it has been extended demonstrate a humanitarian concern for the North Korean people. I support the humanitarian efforts to relieve in the short term the suffering the North Korean population may be suffering, and for its stabilizing effect on Korean Peninsula security.

##### OLYMPIC COSTS

Senator KEMPTHORNE. General Tilelli, do you believe all of the Department of Defense expenses related to the summer Olympics in Atlanta directly relate to security? If not, which costs are not related to security?

General TILELLI. Since fiscal year 1992, Congress has appropriated \$50 million to DOD for "logistical support and personnel services" to the 1996 Games of the XXVI Olympiad. DOD policy specifies that the priority for DOD support to special events is for security-related requirements. I do not have complete information on support provided or budgeted by DOD's Office of Special Events prior to the formation of the Joint Task Force—Olympics (JTF-O), however, since the inception of JTF-O in August 1995, the task force has been responsible for \$28.3 million of the DOD Olympic appropriation. The preponderance of DOD support for the 1996 Olympics is specifically for or directly related to security. The following list identifies those costs not directly related to security which the JTF-O is or anticipates providing. All of this support is scheduled to be provided on a reimbursable or pay as you go

basis. Not listed are various ceremonial and demonstration activities being provided by DOD, such as fly overs, color guards, and bands.

Support requested	Cost estimate
Vehicle processing point .....	\$108,000
Rough terrain ambulances .....	1,900
Field hockey water distribution .....	6,000
Non-security modification to athlete village fence .....	97,000
Total .....	\$212,900

#### IDAHO NATIONAL GUARD TRAINING

Senator KEMPTHORNE. General Tilelli, can you provide me with a copy of the 1998 schedule for the National Training Center which shows the Idaho National Guard's rotation? Also, what steps do you recommend to improve the combat readiness of the National Guard's enhanced brigades?

General TILELLI. During my briefing to you on 5 June 1996, I promised that the 116th Armor Brigade would receive an NTC rotation in 1998 if they were successfully certified after this summer's annual training. The attached 1998 schedule represents that promise. I have discussed the situation with MG Jack Kane. He understands that he now has the mission to certify his units and he has an aggressive plan to accomplish that. I have also notified the Director, Army National Guard of the results of our meeting.

We have taken additional actions this year to improve the readiness of the enhanced brigades and other Reserve component units. Forces command published an umbrella training guidance document which specifies what training assistance a priority unit should get and what the source of assistance is. It is already paying major dividends. Part of this strategy is to focus the enhanced brigade training on the selected pre-mobilization training tasks so that we narrow the time required for post-mobilization training and deployment. The completion of Ground Forces Readiness Enhancement (GFRE) fielding in 1997 will be the biggest multiplier for enhanced brigade readiness and will provide CTC-quality lanes for all parts of these brigades. Clearly, individual qualification and training is an essential building block. Obtaining sufficient resources to achieve 85 percent DMOSQ without having to unduly mortgage training attendance will be important.

The 116th armor brigade is one of the test units for Simulations in Training for Advanced Readiness (SIMITAR), which provides simulation enhancers for training. Acquisition of the best parts of SIMITAR in terms of "value-added" will be important for the enhanced brigades over the next 2-5 years.

Execution of the planned 5-year scheduling sequence for CTC attendance will allow the enhanced brigades and their active component sponsor to partner on a long range training plan which will optimize the brigade's preparation for a CTC. This sequence will generate enhanced readiness, expertise on the basics, and the ability to move to higher echelons of training.

All of these actions, taken together, will significantly strengthen the readiness of the enhanced brigades.

## FY 98 NTC SCHEDULE

ROTB	UNITS	INCL DATES	TRNG DATES	OFFPR AUG	LTP	LTP DATES	REMARKS
98-01	3 ACR	26 SEP-24 OCT 97	5-18 OCT 97	1 USMC, 3 CO USMC, 1 EN CO	24ID 4ID	27 OCT 97	H/L Reg Avn Sqd
98-02	11ID RILEY	27 OCT-21 NOV 97	2-13 NOV 97	1ICORPS, 3 IN CO 1ICORPS, 1 EN CO	278ACR	30 OCT-5 NOV 97	
98-03	1AD RILEY	24 NOV-19 DEC 97	30 NOV-13 DEC 97	1KMT ABN CORPS	40ID	27 NOV-3 DEC 97 11-13 DEC 97	3ACR Sqdn - 7
98-04	1CD 651B H/L	6-30 JAN 98	11-24 JAN 98	205N BDE 1M Corp'n, 3 COs	1568HS/B	8-13 JAN 98	3 GRP H/L (Asst Hq Co required)
98-05	300(M) STEWART	2-27 FEB 98	8-21 FEB 98	18EN BN USMC, 3 CO	11D Riley 218S/B	5-10 FEB 98	2ACR SQDN Adv Bn (18th Avn Bde)
98-06	4ID	2-27 MAR 98	9-21 MAR 98	11ICORPS	4ID	4-9 MAR 98 19-21 MAR 98	55F GRP TF 100
98-07	300DEZ H/L w/1268ID	30 MAR-24 APR 98	5-19 APR 98	18EN BN 11ICORPS, 3 CO	24ID	2-7 APR 98	H/L Asst Hq Co (NG)
98-08	1CD H/L w/ 25th ID	27 APR-22 MAY 98	3-18 MAY 98	235N BDE 11ICORPS, 3 CO	1CD 1815/B	30 APR-5 MAY 98 14-16 MAY 98	ATK BN (1227) 25TH (HL)
98-09	116TH 81B APTG - NOTE	25 MAY-19 JUN 98	31 MAY-13 JUN 98	NG-26th, 3 CO 101EN	24ID	28 MAY-2 JUN 98	
98-10	4ID	6-31 JUL 98	12-25 JUL 98	205N BDE 2713MM, 3 CD 11AMPNG	4ID	9-14 JUL 98	DNV CAV (2-1 CAV)
98-11	310 (M) STEWART	3-29 AUG 98	9-22 AUG 98	1USMC, 3 CO USMC, 1 EN CO	3ACR	8-11 AUG 98	DNV CAV (3-7 CAV)
98-12	1CD	31 AUG-25 SEP 98	8-19 SEP 98	28th, 3 CO 101EN, 1 CO 11AMPNG	1CD	14-8 SEP 98	ATK BN (TX RESERVES)

13 JUNE 98NAJ NOKKAFOP-TRGDOSN 307-5483 - SUBJECT TO CERTIFICATION OF TRAINING STATUS INV HEAVY BRIGADE NYC CERTIFICATION MATRIX

## FEES FOR OLYMPICS

Senator KEMPTHORNE. General Tilelli, can you tell me what fees, such as rent for the use of schools or licenses, the U.S. military is paying to provide security for the Atlanta Olympics?

General TILELLI. The following fees for rent have, or are projected to be paid:

- Rent for dormitory rooms at the University of Georgia—\$247,700
- Lease of seven schools in DeKalb County to house military—\$32,700  
(Rate is \$100 per school per day)
- Lease of one school in Hall County to house military—6,000  
(Rate is \$100 per school per day)
- Lease of the Greenbriar office complex from Delta Airlines, Inc., to house military—\$1  
(Delta agreed to a nominal value lease because of civic pride and its position as an Olympic sponsor)

Based on the Department of Justice request that bus drivers are critical to security, DOD has agreed to provide 1,058 military personnel to serve as bus drivers for the Olympic teams to transport them from the secured athlete villages to the secured competition venues. These drivers require Commercial Drivers Licenses (CDL). In developing our budget for this requirement, an average licensing cost of \$100 per driver and a training cost of \$500 was used. JTF-O budget included \$300,000 for training and \$105,000 licensing costs, for a total of \$405,000 to fund the CDL requirement. As of this date, only \$212,616 is committed for this requirement. We fully anticipate spending less than the budgeted amount as the State of Georgia is providing, the 358 military personnel licensed in Georgia, CDLs at no cost to the Department of Defense.

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[The nomination reference of General John H. Tilelli, Jr., USA, follows:]

## NOMINATION REFERENCE

SENATE OF THE UNITED STATES,  
March 28, 1996.

*Ordered*, That the following nomination be referred to the Committee on Armed Services:

The following named officer for reappointment to the grade of General in the United States Army while assigned to a position of importance and responsibility under Title 10, United States Code, Section 601(a):

*To be General*

Gen. John H. Tilelli, Jr., 5952, United States Army.

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[The biographical sketch of Gen. John H. Tilelli, Jr., USA, which was transmitted to the committee at the time the nomination was referred, follows:]

## RÉSUMÉ OF SERVICE CAREER OF GEN. JOHN HAROLD TILELLI, JR.

*Date and place of birth*: 2 October 1941, Brooklyn, New York.

*Years of active commissioned service*: Over 32.

*Present assignment*: Commanding General, United States Army Forces Command, Fort McPherson, Georgia 30330-6000, since June 1995.

*Military schools attended*:

The Armor School—Basic and Advanced Courses  
United States Marine Corps Command and Staff College  
United States Army War College

*Educational degrees*:

Pennsylvania Military College—BS Degree—Economics  
Lehigh University—MA Degree—Education Administration

*Foreign language(s)*: None recorded.

## MAJOR DUTY ASSIGNMENTS

From	To	Assignment
Aug 63	Oct 63	Student, Armor Officer Basic Course, United States Armor School, Fort Knox, Kentucky
Oct 63	Nov 64	Platoon Leader, later Executive Officer, Headquarters Company, 3d Battalion, 77th Armor, Fort Devens, Massachusetts
Nov 64	Feb 65	S-3 (Air), 3d Battalion, 77th Armor, Fort Devens, Massachusetts
Mar 65	Jan 66	Executive Officer, Troop C, Reconnaissance Squadron, 2d Armored Cavalry Regiment, United States Army Europe, Germany
Jan 66	Jul 66	Liaison Officer, later Assistant Adjutant, and later Adjutant, 2d Reconnaissance Squadron, 2d Armored Cavalry Regiment, United States Army Europe, Germany
Jul 66	Sep 66	Commander, Troop E, 2d Reconnaissance Squadron, 2d Armored Cavalry Regiment, United States Army Europe, Germany
Sep 66	Oct 67	Commander, Headquarters Company, 18th Engineer Brigade, United States Army, Vietnam
Jan 68	Sep 68	Student, Armor Officer Advanced Course, United States Army Armor School, Fort Knox, Kentucky
Sep 68	Nov 71	Assistant Professor of Military Science, Lafayette College, Easton, Pennsylvania
Nov 71	Mar 72	Student, Vietnam Training Center, Foreign Service Institute, Department of State, Washington, DC
Mar 72	Jan 73	District Senior Advisor, Advisory Team 84, United States Military Assistance Command, Vietnam
Jan 73	Aug 73	Operations Officer, Electronics Command, United States Army Materiel Command, Fort Monmouth, New Jersey
Aug 73	Jun 74	Student, Marine Corps Command and Staff College, Quantico, Virginia
Jun 74	Aug 75	S-3, 1st Squadron, 11th Armored Cavalry Regiment, United States Army Europe, Germany
Aug 75	Jun 77	Executive Officer, 1st Squadron, 11th Armored Cavalry Regiment, and later S-3 (Operations), 11th Armored Cavalry Regiment, United States Army Europe, Germany
Jul 77	Apr 78	Chief, Platoon Tactical Division, Command and Staff Department, United States Army Armor School, Fort Knox, Kentucky
Apr 78	Nov 79	Commander, 2d Squadron, 6th Cavalry, United States Armor School, Fort Knox, Kentucky
Nov 79	Jun 81	Armor Force Integration Staff Officer, Office of the Deputy Chief of Staff for Operations and Plans, United States Army, Washington, DC
Jun 81	Jul 82	Assistant Director of the Army Staff, Office of the Chief of Staff, United States Army, Washington, DC
Aug 82	Jun 83	Student, Army War College, Carlisle Barracks, Pennsylvania
Jun 83	Nov 83	Chief, Ground Combat Systems Division, Office of the Deputy Chief of Staff for Research, Development and Acquisition, United States Army, Washington, DC
Nov 83	Aug 85	Chief of Staff, 1st Armored Division, United States Army Europe, Germany
Aug 85	May 87	Commander, 2d Armored Cavalry Regiment, United States Army Europe, Germany
May 87	Apr 88	Chief of Staff, VII Corps, United States Army Europe, Germany
Apr 88	Jul 90	Commanding General, Seventh Army Training Command, United States Army Europe, Germany
Jul 90	Oct 90	Commanding General, 1st Cavalry Division, Fort Hood, Texas
Oct 90	Apr 91	Commanding General, 1st Cavalry Division DESERT STORM, Saudi Arabia
Apr 91	Aug 92	Commanding General, 1st Cavalry Division, Fort Hood, Texas
Aug 92	Mar 93	Assistant Deputy Chief of Staff for Operations and Plans, Office of the Deputy Chief of Staff for Operations and Plans, United States Army, Washington, DC
Mar 93	Jul 94	Deputy Chief of Staff for Operations and Plans, United States Army, Washington, DC
Jul 94	Jun 95	Vice Chief of Staff, Office of the Chief of Staff, United States Army, Washington, DC

Promotions	Dates of appointment
2LT .....	2 Jun 63
1LT .....	2 Dec 64
CPT .....	15 Jun 66
MAJ .....	13 Jan 70
LTC .....	2 Aug 77
COL .....	1 Sep 83
BG .....	1 Aug 88
MG .....	1 Oct 91
LTG .....	26 Mar 93
GEN .....	19 Jul 94

*U.S. Decorations and badges:*

Distinguished Service Medal (with 2 Oak Leaf Clusters).  
 Legion of Merit.  
 Bronze Star Medal with "V" Device.  
 Bronze Star Medal (with 1 Oak Leaf Cluster).  
 Meritorious Service Medal (with 3 Oak Leaf Clusters).



Air Medal.  
 Army Commendation Medal (with 2 Oak Leaf Clusters).  
 Combat Infantryman Badge.  
 Parachutist Badge.  
 Office of the Secretary of Defense Identification Badge.  
 Joint Chiefs of Staff Identification Badge.  
 Army Staff Identification Badge.

Source of commission: ROTC.

#### SUMMARY OF JOINT ASSIGNMENTS

Assignment	Dates	Grade
District Senior Adviser, Advisory Team 84, United States Military Assistance Command, Vietnam.	Mar 72–Mar 73	Major
Commanding General, <sup>1</sup> 1st Cavalry Division DESERT STORM, Saudi Arabia	Oct 90–Apr 91	Brigadier General

<sup>1</sup> Full Tour Credit

As of 29 February 1996

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by General John H. Tilelli, Jr., USA, in connection with his nomination follows:]

#### UNITED STATES SENATE

#### COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

#### COMMITTEE ON ARMED SERVICES FORM

#### BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

#### PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

John H. Tilelli, Jr.

2. **Position to which nominated:**

Commanding General, United States Air Forces Command

3. **Date of nomination:**

March 28, 1996.

4. **Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**

February 10, 1941; Brooklyn, NY.

6. **Marital Status:** (Include maiden name of wife or husband's name.)

Married to the former Valerie Anne Flannigan.

**7. Names and ages of children:**

Christine Marie (Tilelli) Klass, 30  
Margaret Ann (Tilelli) Solomon, 27  
Jeanne Michelle (Tilelli) Decker, 25

**8. Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

None.

**9. Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None.

**10. Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Atlanta Chamber of Commerce, Ex-officio Member, Board of Directors  
AUSA, Greater Atlanta Chapter, Member of Executive Council  
Boy Scouts of America, Atlanta Chapter, Member of Executive Board  
Georgia Governor's Military Affairs Coordinating Committee, Member  
Morale, Welfare & Recreation Committee, Member, Board of Directors  
Rotary Club of Atlanta, Member, Hospitality Committee  
Sister Cities International, East Point, GA, Member, Exec. Council  
USO Council of Atlanta, Member, Executive Committee

1st Cav Association

11th Cav Association

2d Cav Association

**11. Honors and awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the Executive Branch.

None.

**12. Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

**13. Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the administration in power.

Yes.

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[The nominee responded to the questions in Parts B-E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B-E are contained in the committee's executive files.]

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SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

JOHN H. TILELLI, JR.

This 22nd day of March 1996.

[The nomination of Gen. John H. Tilelli, Jr., USA, was reported to the Senate by Senator Strom Thurmond on June 13, 1996, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on June 28, 1996.]

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[Prepared questions submitted to Lt. Gen. Wesley K. Clark, USA, by Senator Thurmond prior to the hearing with answers supplied follow:]

DEPARTMENT OF DEFENSE,  
THE JOINT STAFF,  
Washington, DC, May 17, 1996.

Hon. STROM THURMOND,  
Chairman, Committee on Armed Services,  
U.S. Senate,  
Washington, DC.

DEAR MR. CHAIRMAN. Thank you for the opportunity to respond to the questions from the Senate Armed Services Committee. It is an honor to have been nominated by the President to be Commander in Chief, U.S. Southern Command.

As you requested, I am providing you and the committee answers to your questions on the important defense policy and management issues as they relate to the position of Commander in Chief, U.S. Southern Command.

I look forward to working with you and the committee in the upcoming confirmation process.

Very respectfully,

WESLEY K. CLARK,  
Lieutenant General, USA,  
Director for Strategic  
Plans and Policy.

Enclosure.

cc: Senator Sam Nunn,  
Ranking Minority Member.

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#### QUESTIONS AND RESPONSES

##### DEFENSE REFORMS

*Question.* More than 9 years have passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms. You have had an opportunity to observe the implementation and impact of those reforms, particularly in your assignment as Director for Strategic Plans and Policy (J5).

Do you support full implementation of these defense reforms?

Answer. Yes, I do.

*Question.* What is your view of the extent to which these defense reforms have been implemented?

Answer. Goldwater-Nichols legislation has us well along the path to what Congress intended. It has improved the effectiveness of our joint fighting forces and joint professional military education system. Goldwater-Nichols legislation assures that the President gets the best possible advice from the Nation's senior military leadership; that he can place clear and absolute responsibility on combatant CINCs for the outcome of military operations; and that the Nation's Armed Forces can successfully execute joint operations with complementary warfighting systems.

*Question.* What do you consider to be the most important aspects of these defense reforms?

Answer. Two important areas were clearly defined by the Defense Reorganization Act of 1986. First, the authority of the warfighting CINCs over assigned forces was expanded to establish a clear chain of command to accomplish assigned missions. Second, and of no less importance, responsibility and authority of the Chairman of the Joint Chiefs of Staff as the principal military advisor to the National Command Authority were clearly established.

*Question.* Based upon your experience and your assignment as Director for Strategic Plans and Policy (J5), do you believe that the role of the combatant commanders under the Goldwater-Nichols legislation is appropriate and the policies and processes in existence allow that role to be fulfilled?

Answer. Yes. Goldwater-Nichols has ensured that the combatant commanders are in a direct command line to the National Command Authority and are completely responsible for the conduct of operations, including support activities, within their commands. Combatant Commanders ultimately organize their commands; ensure they are properly trained, equipped and led; and then fight with the support and assistance of the services and other unified commands.

The policies and processes currently practiced have proven extremely effective in allowing the Joint Chiefs as a whole and the individual Service Chiefs to achieve the goals of greater joint interoperability and joint combat effectiveness, as well as

more integrated determination of joint requirements. Our fighting forces have proven the benefits of these initiatives since 1986.

Over the past 2 years, I have worked directly with the functional and regional combatant commanders on a host of strategic issues. In that time, I have been impressed with the vitality of the relationship between the combatant commanders and the Chairman; the candor of communication between the CINCs and the Secretary of Defense; and with the Chairman's ability to represent CINC interests in the broad policymaking arena. These are fundamental outcomes of Goldwater-Nichols that represent significant improvements in the way national defense policy is formulated and executed. The combatant CINCs have tremendous influence in developing future programs that support their warfighting missions through participation in such forums as the Joint Requirements Oversight Council (JROC). At the same time, the Chairman ensures combatant commander requirements receive proper visibility in the budget-development process through his Program assessment. These examples of policies and processes reflect my confidence in the strength and effectiveness of the Goldwater-Nichols legislation.

#### RELATIONSHIPS

*Question.* Section 162(b) of title 10, United States Code, provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander in Chief, United States Southern Command to the following offices:

The Under Secretaries of Defense.

*Answer.* Current DOD Directives require Under Secretaries of Defense to coordinate and exchange information with DOD components, such as combatant commands, having collateral or related functions. CINC, U.S. Southern Command is expected to respond and reciprocate. Directives also stipulate that this coordination shall be communicated through the Chairman of the Joint Chiefs of Staff.

*Question.* The Assistant Secretaries of Defense.

*Answer.* Under the current arrangement, only two Assistant Secretaries of Defense (ASD for Command, Control, Communications and Intelligence—C<sup>3</sup>I) and (ASD for Legislative Affairs) are principal deputies reporting directly to the Secretary of Defense. All other Assistant Secretaries of Defense work for one of the Under Secretaries of Defense. This means that should SOUTHCOM require any involvement with the Assistant Secretary of Defense for Low Intensity Conflict, for example, it would be through the Under Secretary of Defense for Policy. In the case of the ASD for C<sup>3</sup>I and the ASD for Legislative Affairs, the relationship would be along the same lines as with an Under Secretary of Defense.

*Question.* The Chairman of the Joint Chiefs of Staff.

*Answer.* Title 10 establishes the Chairman of the Joint Chiefs of Staff as the principal military advisor to the National Command Authority (NCA). In this capacity, he serves as an advisor and is not, according to law, in the chain of command that runs from the NCA directly to each combatant commander. The law does allow the President to direct that communications to the combatant commanders from the President or the Secretary of Defense be transmitted through the Chairman. President Clinton has directed this to happen in the current Unified Command Plan. This action keeps the Chairman in the loop so that he can execute his other legal responsibilities—a key one being spokesman for the CINCs, especially on the operational requirements of their respective commands. While the legal duties of the Chairman are many and they require either his representation or personal participation in a wide range of forums, my understanding of Title 10 legislation is that as a CINC, I will have the obligation to keep the Secretary of Defense promptly informed on matters for which he may hold me personally accountable. So I see it as a CINCs duty to work with and through—but never around—the Chairman to provide for the security of his command and execute NCA-directed taskings.

*Question.* The Vice Chairman of the Joint Chiefs of Staff.

*Answer.* The Vice Chairman's relationship with CINCs is exactly that of the Chairman when acting in that capacity during the absence of the Chairman. Additionally, Title 10 gives the Vice Chairman the same right and obligation that other members of the Joint Chiefs of Staff have to submit an opinion or advice to the President, National Security Council, or Secretary of Defense if their views disagree with those of the Chairman. As a CINC, I would naturally listen to the Vice Chairman's thoughts on any general defense matter considered by the Joint Chiefs of Staff. Finally, because the Vice Chairman also plays a key role on many boards and

panels that affect programming, and therefore the readiness of SOUTHCOM, I believe his insights are extremely valuable and would actively seek his advice.

*Question.* The Assistant to the Chairman of the Joint Chiefs of Staff.

*Answer.* The Unified Command Plan makes the geographic CINC the single point of contact for providing U.S. military representation within his assigned AOR. To meet this responsibility, CINCs must be fully engaged in the interagency process as it considers matters in their AOR. I know that the Assistant to the Chairman has an extensive charter to represent the Chairman in the interagency community here in Washington. While there are not direct lines connecting the Assistant to the Chairman to any combatant commander, what the Assistant knows and can share about the interagency process with any CINC is useful and will be requested. The Assistant to the Chairman also works on matters of personal interest to the Chairman, which may require him to consult with a combatant commander.

*Question.* The Director of the Joint Staff.

*Answer.* The Director is generally the point of contact for soliciting information from all the CINCs when the Chairman is developing a position on a common issue. The Director and the Joint Staff support the Chairman in meeting the Congressional purpose set forth in law to provide for unified strategic direction of the combatant forces, their operation under unified command, and their integration into an efficient, joint fighting force. For these reasons, I would expect frequent interaction between SOUTHCOM and the Director of the Joint Staff.

*Question.* The Secretaries of the Military Departments.

*Answer.* Title 10, section 165 provides that, subject to the Secretary of Defense and subject to the authority of combatant commanders, the Secretaries of Military Departments are responsible for the administration and support of the forces that are assigned to combatant commands. The authority exercised by a combatant command over Service components is quite clear, but requires close coordination with each Service Secretary to ensure there is no infringement upon those lawful responsibilities a Service Secretary alone may discharge.

*Question.* The Chiefs of Staff of the Services.

*Answer.* The Service chiefs have two significant roles. First and foremost, they are responsible for the organization, training, and equipping of their respective Services. Without the full support and cooperation of the Service chiefs, no CINC can hope to ensure the preparedness of his assigned forces for whatever missions the NCA directs. Second, as members of the Joint Chiefs of Staff, the Service chiefs are military advisors to the NCA and National Security Council. Individually and collectively, the Joint Chiefs are a source of experience and judgment that every CINC can call upon. If confirmed as CINC SOUTHCOM, I intend to conduct a full dialogue with the Chiefs of all four Services and certainly look forward to working with them.

*Question.* The other combatant commanders.

*Answer.* The Unified Command Plan, to operate effectively, demands close coordination among all combatant commanders. Any one of the nine unified CINCs may find himself the supported commander or one of eight supporting commanders in support of our National Military Strategy. Our execution orders clearly lay out these formal command relationships; but it is frequent, informal communications that form the basis for mutual trust and unwavering mutual support. Working this coordination will be a high priority objective of mine.

#### COUNTERDRUG OPERATIONS

*Question.* The committee has been informed that the Department of Defense, in coordination with governments of source nations, have made a significant impact on the air transportation of drugs in South America. The committee further understands their illegal goods are using the rivers and other waterways of South American countries.

What is SOUTHCOM doing to reduce the flow of drugs using rivers and other waterways?

*Answer.* There is a significant challenge within the SOUTHCOM Area of Responsibility (AOR) to control the substantial maritime transit of illegal drugs and enablers, such as precursor chemicals. The Amazon River is navigable from Iquitos, Peru to the Atlantic Ocean by 20 ft draft vessels. There are 56,150 miles of navigable (12 ft draft) waterways in the AOR. Additionally, there are 167,675 miles of usable waterway (in small boats called "cayucas"). To address the challenges posed by such a maritime network, two component commands, the Special Operations Command South and Marine Forces South, are the co-sponsors of the U.S. Southern Command Riverine Steering Group (SCRSG). The SCRSG provides recommenda-

tions on the implementation and management of the U.S. SOUTHCOM Riverine Counterdrug Campaign Plan.

Also, through its current counterdrug operation, Laser Strike, SOUTHCOM has directed and is coordinating a series of maritime transiting assessments, conducted primarily by Special Forces, Marines, and Coast Guard personnel in the source zone countries. These surveys are focusing on each nation's maritime and riverine counterdrug strategies, capabilities, and intelligence requirements and how the U.S. Government can best support maritime counterdrug efforts. Once these assessments are complete (phase I of Operation Laser Strike), SOUTHCOM will coordinate the appropriate responses to assist in strategy development, planning support, training missions and exercises. Additionally, SOUTHCOM will be armed with pertinent information to make equipment recommendations to the U.S. State Department and country teams on how to best utilize limited funds in purchasing the right boats and right equipment to conduct effective maritime and riverine counterdrug efforts.

In conclusion, SOUTHCOM's mission is to develop and support the riverine counterdrug capabilities of partner nations in support of Drug Law Enforcement Agencies to disrupt, impede, and interdict illegal narcotics trafficking on or adjacent to waterways.

*Question.* What assistance is the United States providing to the source nation governments to reduce the flow of illegal drugs on rivers and waterways?

*Answer.* In each source country, U.S. country teams are responsible for coordinating and approving U.S. Government interagency assistance to host nation governments. SOUTHCOM provides assistance across six functional areas: Detection and Monitoring; Intelligence; Planning Assistance; Training; Communications; and Logistics. One example of this support is Operation Laser Strike, where Special Forces, Marines, and Coast Guard personnel are currently conducting assessments of host nation capabilities to conduct maritime and riverine counterdrug operations. Also, SOUTHCOM provides Joint Planning and Assistance Teams and Tactical Analysis Teams to ten countries, often collocated in the U.S. Embassies. These teams provide intelligence information and assist planning visits for the U.S. country teams, allowing them to provide the right assistance to host nation counterdrug maritime and riverine efforts.

Efforts to expand regional maritime counterdrug cooperation are also supported through the CJCS exercise program. For example, last year Joint Task Force Bravo in Soto Cano Honduras, hosted the first regional maritime counterdrug exercise to involve military leaders from Honduras, El Salvador, Costa Rica, Guatemala, and Mexico. Conducted at multiple locations in Central America, this exercise was tailored to small unit maritime and riverine interdiction operations to interrupt contraband activities.

*Question.* The President recently sent a request to the Congress to rescind \$250 million in funds appropriated to the Department of Defense and subsequently provided to the various government agencies for counter-narcotics activities. One item on the list would transfer three P-3 aircraft to the Customs Agency for use in tracking drug smugglers in the Caribbean area. What effect would this transfer have on the OPTEMPO of other DOD assets currently being used to track drug smugglers?

*Answer.* Because the total counterdrug Airborne Early Warning (AEW) requirement will continue to exceed available systems, this increase in USCS capability will not reduce the OPTEMPO of DOD AEW systems like the USAF E-3B AWACS and the USN E-2C Hawkeye. In fact, this addition will serve to partially fill an existing shortfall in (AEW) systems. The USCS already provides the majority of the AEW radar and counterdrug interceptor support within SOUTHCOM's AOR.

SOUTHCOM enjoys excellent interagency cooperation with the USCS through the Joint Interagency Task Force-South (JIATF-South) located in Panama. In total, there are forty-five USCS personnel providing counterdrug support to SOUTHCOM. There are two permanently assigned personnel to the SOUTHCOM headquarters: a USCS Advisor and an Operations Officer.

*Question.* Current plans call for placing a relocatable-over-the-horizon radar (ROTHR) in Puerto Rico to help track drug trafficking activities in South America. The committee understands this placement has been delayed. What actions are currently being taken to deploy this radar?

*Answer.* The ROTHR placement was delayed largely due to local political opposition to placing it on public lands within Puerto Rico. The United States Navy, which is the Executive Agent for ROTHR, has developed a revised program to locate the ROTHR at Fort Allen, on U.S. Government property. This plan includes a program schedule to achieve initial operating capability (IOC) not later than September 1999; however, I understand U.S. Atlantic Command has requested that the Navy expedite the schedule to ensure IOC prior to September 1999.

## UNIFIED COMMAND PLAN

*Question.* The President has approved a two-phased reshaping of Southern Command's area of responsibility (AOR) whereby Atlantic and Pacific waters adjacent to the Central and South American landmass were added to the AOR on January 1, 1996 and the Caribbean, Gulf of Mexico and the included islands will be added when directed by the Secretary of Defense but not earlier than June 1, 1997. As the Director for Strategic Plans and Policy (J5) you were deeply involved in the UCP review process.

What is the rationale for this decision and when do you believe the second phase should take place?

*Answer.* The decision to increase the SOUTHCOM AOR to include the Atlantic and Pacific waters adjacent to the Central and South American landmass and eventually the Caribbean, was meant to strengthen our ability to conduct integrated air, land, and sea operations throughout the region—that is, full three dimensional battlespace. It will further allow SOUTHCOM to significantly increase opportunities to interact with the Naval forces of Central and South America. Together, these changes to the Unified Command Plan will support U.S. efforts to address Latin America and the Caribbean as a single region and will enhance SOUTHCOM's ability to coherently and consistently address common issues. Also, it will allow a single CINC to control all military operations from the source zone through the entire transit zone—enhancing the efficiency and effectiveness of counterdrug operational support, as well as other important missions.

Additionally, this AOR shift permits USACOM more time to focus on their important and expanding functional role as the Joint Force Integrator, as well as their significant geographic responsibilities in the Atlantic as SACLANT.

The first phase of the transition has already occurred smoothly. I fully expect the Secretary of Defense to order the execution of the second phase and shift the Caribbean basin to SOUTHCOM during the early summer of 1997. I do not expect any problems in executing the shift smoothly and professionally, and I believe June, or July 1997 is an optimal time for the transition to occur. I believe all required resources will be in place to make the transition occur smoothly. SOUTHCOM and USACOM planners are working with the Joint Staff and the Services to ensure this occurs.

*Question.* Do you support the addition of Mexico to SOUTHCOM's AOR?

*Answer.* Responsibility for Mexico is not currently assigned to a geographic CINC, but to the Secretary of Defense, with advice from the Chairman of the Joint Chiefs of Staff. I believe the special relationship we share with Mexico by virtue of sharing a long and important land border argues for not changing this security relationship at this time. Secretary Perry has made a concerted effort to forge a stronger bilateral security relationship with Mexico, evidenced by a historical visit to Mexico in October 1995, and subsequent meetings with his counterpart, General Cervantes. I would offer, however, that SOUTHCOM should closely follow events in Mexico since it is an important regional economic partner to many of the countries of the Western Hemisphere, including our own. Mexico's contributions to the overall counterdrug effort are also vital to achieving a successful regional approach to this common menace. SOUTHCOM already has an established relationship with Mexico, having responsibility for Security Assistance matters and having had Mexican observers at several regional exercises and conferences.

## RELOCATION OF SOUTHCOM HEADQUARTERS

*Question.* What is the status of the relocation of the SOUTHCOM headquarters to Miami?

*Answer.* SOUTHCOM's relocation to Miami was announced by President Clinton on 29 March 1995. Since then, the U.S. Army Corps of Engineers has completed an environmental analysis resulting in a finding of no significant impact; an economic analysis that supported leasing the headquarters building; and a market survey finding adequate facilities for competitive leasing in the vicinity of the Miami International Airport. Congress approved the request for lease (Title 10 Notification) on 31 August 1995. The U.S. Army Corps of Engineers released a solicitation for offers for the new headquarters facility in November 1995. The site selection and lessor (SMPO Properties, Inc.) were announced in Miami on 15 March 1996. Ground breaking ceremonies are expected the last week of May 1996, with completion scheduled for March 1997. SOUTHCOM anticipates it will begin moving into their new headquarters during the summer of 1997.

## MAINTENANCE OF A U.S. MILITARY PRESENCE IN PANAMA

*Question.* President Clinton and Panamanian President Balladares agreed to hold exploratory talks to discuss possible stationing of some U.S. Forces in Panama beyond December 31, 1999.

What is the status of the exploratory talks?

*Answer.* The process of the exploratory talks is still evolving. The official talks originally scheduled for November 1995 were postponed. This gave both governments time to undertake serious studies and analyses of the two options: a continued U.S. military presence or total withdrawal. The very able U.S. Ambassador to Panama, Mr. William Hughes, has been holding informal discussions with the Panamanian Foreign Minister and other members of the Government of Panama to frame the conditions to further exploratory talks. We expect these talks to begin within the next 2 months. Any solution will not jeopardize our existing excellent relations with the Government of Panama.

*Question.* In your view, what missions would U.S. forces perform and how many troops would be required to perform those missions?

*Answer.* U.S. forces would continue to perform the same missions they perform today: protect lives, property, and interest in maintaining the neutrality of the canal; promote regional counterdrug efforts and conduct counterdrug training; provide logistical support for regional contingencies, humanitarian and civic assistance projects and military training; and promote and support U.S. commitments in the region.

To perform these missions, SOUTHCOM would require a reduced engagement force of 4,000-5,000 permanently and temporarily assigned U.S. Forces on 7 interdependent defense sites that include Howard AFB (a C-5 capable air operations base and counterdrug operations center), Fort Kobbe (an aviation and engineering support base), Rodman Naval Station (a visible, naval support base with regional small boat and riverine counterdrug training and support facilities), Corozal (a command communications and troop support base), Fort Clayton (a contingency operations and support base), Fort Sherman (current site of the Jungle Training School), and Galeta Island (a HF/DF and search and rescue communications facility).

## OPERATIONAL TEMPO

*Question.* How have American commitments in Bosnia, Haiti, and other areas affected the operational tempo of Southern Command forces?

*Answer.* To date, no SOUTHCOM requirement has been turned down due to U.S. commitments in other theaters. However, they are clearly competing for the same finite resources. Assuming military requirements do not grow appreciably, SOUTHCOM should be able to sustain their programs in the future with limited impact on operations tempo.

Historically, Operations and Personnel Tempo (OPTEMPO) for units based in the SOUTHCOM AOR has been within acceptable limits and it is not anticipated that this will change in the future. The use of Reserve Component personnel to augment active duty troops in meeting requirements is an important factor in maintaining a sustainable OPTEMPO. For example, last year over 40 percent of the personnel deployed to SOUTHCOM (over 20,000 troops) were from the Reserve Component or National Guard. Additionally, the nature of SOUTHCOM participation in contingencies and lengthy operations, such as counterdrug support, requires fewer, but longer deployments to enhance effectiveness and continuity. The maximum length of time for deployments in SOUTHCOM is 179 days and, when appropriate, forward basing in theater.

## MAJOR CHALLENGES

*Question.* In your view, what are the major challenges confronting the next Commander in Chief, United States Southern Command?

*Answer.* If confirmed, a major focus of my efforts will be to ensure SOUTHCOM remains postured to accomplish its current missions and regional initiatives such as supporting the Williamsburg Principles from the Defense Ministerial of the Americas, while simultaneously restructuring the command for enhanced effectiveness in the future.

The move of the SOUTHCOM headquarters to Miami in the summer of 1997 will greatly enhance the Command's regional effectiveness and, with its improved communications systems, will strengthen our ability to effectively command and control assigned forces. Concurrent with SOUTHCOM's move is the realignment of responsibilities under the new Unified Command Plan. SOUTHCOM has already assumed control of the waters surrounding Central and South America and is preparing to



assume responsibility for the Caribbean, the Gulf of Mexico and the included island nations. They are coordinating closely with the Joint Staff, U.S. Atlantic Command, and other commands to realign plans and resources to ensure a smooth transition.

Another significant task for SOUTHCOM is their mission to fully comply with the provisions of the Panama Canal Treaties and the withdrawal of U.S. military personnel from Panama. SOUTHCOM has been working closely with the U.S. Embassy and the Government of Panama to develop and execute a comprehensive plan to complete US military withdrawal by 31 December 1999. If our two governments should decide it is in our mutual interests to maintain a U.S. military presence beyond that date, SOUTHCOM is prepared to support such a decision with an appropriate force structure.

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

*Answer.* First, I would solicit increased regional engagement of the militaries of our allies by means of multilateral-focused exercise programs, with expansion of our naval and counterdrug initiatives. Also, I will continue to focus and expand the command's many initiatives with U.S. Ambassadors and country teams throughout the region to develop confidence and security building measures among the Nations of the hemisphere. Two prime examples that recently demonstrate that commitment were the highly successful SOUTHCOM-sponsored Human Rights Conference held this past February and the Latin American Strategy Symposium held in April. The results of both of these conferences opened dialog among their many participants, which has continued beyond even our most fervent expectations. In short, SOUTHCOM has engaged the region effectively and responsibly, placing the emphasis where it belongs. My intent is to continue that emphasis, expanding it to include the additional responsibilities inherent in SOUTHCOM's enlarged area of responsibility.

#### MOST SERIOUS PROBLEMS

*Question.* What do you consider to be the most serious problems of the functions of Commander in Chief, United States Southern Command?

*Answer.* At this time, I do not feel qualified to answer this question. In my personal opinion, however, I am very impressed with the accomplishments of recent SOUTHCOM CINCS, specifically, Generals Joulwan and McCaffrey, who were extremely successful commanders in this theater. I hope that I am able to follow their outstanding leadership examples.

*Question.* What management actions and time lines would you establish to address these problems?

*Answer.* Again, I must defer answering this question until I have had some time in command, to observe the functions of the Commander in Chief first hand. It would be rash to make any judgments on problem areas or offer any solutions until I have the opportunity to "walk in those shoes." I feel I will be much better equipped to offer this committee a prudent response to this question when I return next year to offer my annual Statement on Military Posture, if in fact there are any serious problems.

#### QUALIFICATIONS

*Question.* If confirmed, you will be entering this important position at a time of heightened tensions and increased focus on counter drug operations. What background and experience do you have that you believe qualifies you for this position?

*Answer.* In the 26 months I have served as the Director for Strategic Plans and Policy on the Joint Staff, we have been involved with a number of important and critical national policy issues, to include Haiti, Bosnia, Landmines, and numerous multinational treaties and weapons conventions. Key to each of these issues was coordinating and working with the interagency, the regional and functional commanders in chief and the Services to formulate recommendations on military policy for approval by the Chairman, Joint Chiefs of Staff. This experience at the national, international and interagency level has provided me with a practical understanding of the formulation of policy and more importantly a greater understanding of the operational aspects of employing military resources in support of our national interests.

As an operational warfighter, I have had the opportunity and privilege to command at every level in the Army through division command, including company command in combat. Throughout my career, I have served in key positions and helped develop and teach the doctrine that serves our Nation's military forces today. Included in each of these assignments was the training of combat leaders in the art of applying doctrine and warfighting concepts across the spectrum of military operations to tough, realistic field training exercises.

I believe I have a solid background and expertise to further our Nation's interests, employ military systems from the Services, and assume responsibility for implementation of the military's roles and responsibilities in Latin America and the Caribbean.

#### CONGRESSIONAL OVERSIGHT

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

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

Answer. Yes.

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

Answer. Yes.

*Question.* Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Commander in Chief, United States Southern Command?

Answer. Yes.

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

Answer. Yes.

#### [Questions for the record with answers supplied follow:]

##### QUESTIONS SUBMITTED BY SENATOR DIRK KEMPTHORNE

##### SOUTHCOM COUNTER-NARCOTICS EFFORTS

Senator KEMPTHORNE. General Clark, five Andean nations, three of which are the world's biggest cocaine producers, pledged to step up the fight against drugs and announced the creation of a body to coordinate its efforts. Representatives from Bolivia, Colombia, Ecuador, Peru and Venezuela said the new task force will seek to exchange information and share resources in order to tackle more efficiently the fight against drugs. Will the United States provide additional technical assistance to these nations? Also, are there any joint U.S.—South American training exercises specifically designed to improve counter-narcotics operations and intelligence collections?

General CLARK. I will answer the second part of your question first, and address the training exercises specifically designed to improve counternarcotics operations and intelligence collections. Currently, USSOUTHCOM's role within the Department of Defense in the counter drug struggle is about 1 percent of the total Federal dollars spent on this problem, roughly \$135 million in fiscal year 1995. As a point of reference, USSOUTHCOM has 375 personnel deployed on an average day, and in 1995, 49 training missions (personnel from all Services) were specifically oriented toward the counterdrug mission.

We have Special Operation Forces that have provided small unit tactics and emergency medical training to the Bolivians, Peruvians and Colombian police and armed forces. We have personnel who assist our embassies. Some 300 to 400 personnel at a given time are assisting in the planning of operations with the country team and with host Nation governments. Then, finally, we deploy some personnel and equipment on operational missions—for example, there are five Air Force ground-based radar stations deployed in Latin American countries. These radars, along with other assets such as AWACS, are instrumental in allowing us to fuse and share intelligence in our overall regional effort.

We are cognizant that the cooperation of regional allies is paramount to our success in the counterdrug mission. Over the years we have had numerous joint and combined training and operations with host Nations in the Latin American region, and most recently, operations Green Clover and Laser Strike highlight the growing cooperation we attempt to encourage. Operation Green Clover focused on the "air bridges" of illegal drug transit. This 60-day surge operation involved 10 Latin American countries (to include Colombia, Peru, Venezuela, and Ecuador), over 575 deployed personnel and 32 regional deployments. The success and regional participation of this exercise influenced our decision to expand those successes with operation Laser Strike.

Laser Strike is focused not only on the "air bridges" of transit, but also on the maritime conduits. Laser Strike is a 90-day surge operation involving 6 Latin American countries (Colombia, Peru, Bolivia, Ecuador, Venezuela and Brazil). The objectives of this on-going operation are to expand regional cooperative engagement, build on interagency cooperation, and ultimately, put increased pressure on drug traffickers.

With respect to the first part of your question, the Nations of Bolivia, Colombia, Ecuador, Peru and Venezuela comprise the Andean Pact. This regional body recently pledged to increase their efforts to promote economic development, and fight terrorism and illegal drugs. USSOUTHCOM's operation Laser Strike, which I just discussed, is committed to providing the technical, training and operational support necessary to complement both U.S. and regional efforts to combat illegal drug activities.

#### MILITARY TRAINING IN LATIN AMERICA

Senator KEMPTHORNE. General Clark, can you give me your thoughts on the role that US military training plays in developing a respect for democracy in Latin America?

General CLARK. Senator Kempthorne, at various levels, U.S. training plays a unique role in developing respect for democracy among the military in Latin America. First, there is a direct impact. Whenever our forces train soldiers in Latin America, there is always a component of that training aimed at stressing the importance of the protection of human rights and respect for constitutional and civilian elected authority.

More indirectly, but at even deeper levels, U.S. training provides a lasting influence on the soldiers we instruct and with whom we operate. U.S. training entails exposure to U.S. soldiers, sailors, marines and airmen, who are the world's best representatives of military respect for democracy. These military trainers provide invaluable service as examples and role models for the values inherent in the ways professional military soldiers and officers show respect for our elected civilian leadership and our constitution.

One of our most successful programs in this regard has been our International Military Education and Training Program (IMET). For relatively little investment, we have an opportunity to positively influence the most promising leaders of our Latin American allies through participation in numerous functional, technical and leadership courses. Additionally, SOUTHCOM routinely hosts conferences and seminars with a variety of military groups, academics and non-governmental organizations on subjects such as the military's role in the protection of human rights and changing military roles in the region. The impact of such conferences and training has a pervasive, lasting and positive influence on our regional military counterparts and their respect for democratic governance.

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[The nomination reference of Lt. Gen. Wesley K. Clark, USA, follows:]

#### NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,  
SENATE OF THE UNITED STATES,  
April 19, 1996.

*Ordered*, That the following nomination be referred to the Committee on Armed Services:

The following named officer for reappointment to the grade of general while assigned to a position of importance and responsibility under Title 10, United States Code, Section 601(a):

*To be General*

Lt. Gen. Wesley K. Clark, 5682, United States Army.

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[The biographical sketch of Lt. Gen. Wesley K. Clark, USA, which was transmitted to the committee at the time the nomination was referred, follows:]

## RÉSUMÉ OF SERVICE CAREER OF LT. GEN. WESLEY KANNE CLARK

*Date and place of birth:* 23 December 1944, Chicago, Illinois.

*Years of active commissioned service:* Over 29.

*Present assignment:* Director for Strategic Plans and Policy Directorate (J-5), The Joint Staff, Washington, DC 20318-5000, since April 1994.

*Military schools attended:*

Armor Officer Basic and Advanced Courses.  
United States Army Command and General Staff College.  
National War College.

*Educational degrees:*

United States Military Academy—BS Degree—No Major.  
Oxford University—MA Degree—Philosophy, Politics and Economics.  
United States Army Command and General Staff College—MMA Degree—Military Science.

*Foreign language(s):* Russian.

## MAJOR DUTY ASSIGNMENTS

From	To	Assignment
Aug 66	Aug 68	Student, Magdalen College, Oxford University, Oxford, England.
Aug 68	Oct 68	Student, Armor Officer Basic Course, United States Army Armor School, Fort Knox, Kentucky.
Oct 68	Dec 69	Student, Ranger Course, United States Army Infantry School, Fort Benning, Georgia.
Jan 69	May 69	Commander, Company A, 4th Battalion, 68th Armor, Fort Riley, Kansas.
Jul 69	Jan 70	Assistant G-3 (Operations) Officer, 1st Infantry Division, United States Army Vietnam.
Jan 70	Feb 70	Commander, Company A, 1st Battalion, 16th Infantry (Mechanized) 1st Infantry Division, United States Army Vietnam.
May 70	Sep 70	Commander, C Company, 6th Battalion, 32d Armor, 194th Armored Brigade, Fort Knox, Kentucky.
Oct 70	May 71	Armor Officer Advanced Course, United States Army Armor School, Fort Knox, Kentucky.
May 71	Jul 71	Staff Officer, Plans Group, Office, Special Assistant for the Modern Volunteer Army, Office of the Chief of Staff, United States Army, Washington, DC.
Jul 71	Jul 74	Instructor, later Assistant Professor of Social Science, United States Military Academy, West Point, New York.
Aug 74	Jun 75	Student, United States Army Command and General Staff College, Fort Leavenworth, Kansas.
Aug 75	Aug 76	White House Fellow, Office of the Director of Management and Budget, Old Executive Office Building, Washington, DC.
Aug 76	Aug 77	S-3 (Operations) Officer, 3d Battalion, 35th Armor, 1st Armored Division, United States Army Europe, Germany.
Aug 77	Feb 78	S-3 (Operations) Officer, 3d Brigade, 1st Armored Division, United States Army Europe, Germany.
Feb 78	Jun 79	Assistant Executive Officer to the Supreme Allied Commander, Supreme Headquarters Allied Powers Europe, Brussels, Belgium.
Aug 79	Feb 80	Executive Officer, 1st Brigade, 4th Infantry Division (Mechanized), Fort Carson, Colorado.
Feb 80	Jun 82	Commander, 1st Battalion, 77th Armor, 4th Infantry Division, Fort Carson, Colorado.
Jun 82	Jun 83	Student, National War College, Fort Lesley J. McNair, Washington, DC.
Jul 83	Sep 83	Chief, Plans Integration Division, Office of the Deputy Chief of Staff for Operations and Plans, United States Army, Washington, DC.
Oct 83	Jul 84	Chief, Army Studies Group, Office of the Chief of Staff, United States Army, Washington, DC.
Aug 84	Jan 86	Commander, Operations Group, National Training Center, Fort Irwin, California.
Apr 86	Mar 88	Commander, 3d Brigade, 4th Infantry Division (Mechanized), Fort Carson, Colorado.
Apr 88	Oct 89	Director, Battle Command Training Program, United States Army Command and General Staff College, Fort Leavenworth, Kansas.
Oct 89	Oct 91	Commanding General, National Training Center, Fort Irwin, California.
Oct 91	Aug 92	Deputy Chief of Staff for Concepts, Doctrine, and Developments, United States Army Training and Doctrine Command, Fort Monroe, Virginia.
Aug 92	Apr 94	Commanding General, 1st Cavalry Division, Fort Hood, Texas.

## DATES OF APPOINTMENT

Promotions	Dates	
	Temporary	Permanent
2LT .....	8 Jun 66	8 Jun 66
1LT .....	8 Jun 67	8 Jun 69
CPT .....	8 Jun 68	8 Jun 73

## DATES OF APPOINTMENT—Continued

Promotions	Temporary	Permanent
MAJ .....	11 Jun 75	8 Jun 80
LTC .....	13 Aug 79	.....
COL .....	.....	1 Oct 83
BG .....	.....	1 Nov 89
MG .....	.....	1 Sep 92
LTC .....	4 Apr 94	.....

*U.S. decorations and badges:*

Defense Distinguished Service Medal.  
 Distinguished Service Medal.  
 Silver Star.  
 Legion of Merit (with 3 Oak Leaf Clusters).  
 Bronze Star Medal (with Oak Leaf Cluster).  
 Purple Heart.  
 Meritorious Service Medal (with Oak Leaf Cluster).  
 Army Commendation Medal (with Oak Leaf Cluster).  
 Combat Infantryman Badge.  
 Parachutist Badge.  
 Ranger Tab.  
 Army Staff Identification Badge.

Source of commission: USMA.

## SUMMARY OF JOINT ASSIGNMENTS

Assignment	Dates	Grade
White House Fellow, Office of the Director of Management and Budget, Old Executive Office Building, Washington, DC.	Aug 75–Aug 76	Major.
Assistant Executive to the Supreme Allied Commander, Europe, Supreme Headquarters Allied Powers Europe, Brussels, Belgium.	Feb 78–Jun 79	Major.
Director for Strategic Plans and Policy Directorate (J-5), The Joint Staff, Washington, DC.	Apr 94–Present	Lieutenant General.

As of 30 January 1996

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by, Lt. Gen. Wesley K. Clark, USA, in connection with his nomination follows:]

## UNITED STATES SENATE

## COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

## COMMITTEE ON ARMED SERVICES FORM

## BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES FOR CERTAIN SENIOR MILITARY POSITIONS

INSTRUCTIONS TO THE NOMINEE: 1. Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

2. If you have completed this form in connection with a prior military nomination, you may use the following procedure in lieu of submitting a new form. In your letter

to the Chairman (see Item 2 of the attached information), add the following paragraph to the end:

"I hereby incorporate by reference the information and commitments contained in the Senate Armed Services Committee form 'Biographical and Financial Information Requested of Nominees for Certain Senior Military Positions,' submitted to the committee on [insert date or your prior form]. I agree that all such commitments apply to the position to which I have been nominated and that all such information is current except as follows: . . ." [If any information on your prior form needs to be updated, please cite the part of the form and the question number and set forth the updated information in your letter to the Chairman.]

#### PART A—BIOGRAPHICAL INFORMATION

**INSTRUCTIONS TO THE NOMINEE:** Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

**1. Name:** (Include any former names used.)

Clark, Wesley Kanne.

Kanne, Wesley J. from 441223 until 550905.

**2. Position to which nominated:**

Commander in Chief, United States Southern Command.

**3. Date of nomination:**

April 19, 1996.

**4. Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

**5. Date and place of birth:**

December 23, 1944; Chicago, Illinois.

**6. Marital Status:** (Include maiden name of wife or husband's name.)

Married to Gertrude (Kingston) Clark.

**7. Names and ages of children:**

Wesley K. Clark II, 26.

**8. Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.

White House Fellowship Commission.

**9. Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

Partner, Summit View (¼ owner of ski condo in Dillon, CO).

**10. Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Member of AUSA; Council on Foreign Relations; Association of Graduates (USMA).

**11. Honors and awards:** List all memberships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

Rhodes Scholar, 1966–68; White House Fellow, 1975–76.

**12. Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

**13. Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the administration in power?

Yes.

[The nominee responded to Parts B-E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B-E are contained in the committee's executive files.]

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SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

WESLEY K. CLARK.

This fifth day of April 1996.

[The nomination of Lt. Gen. Wesley K. Clark, USA, was reported to the Senate by Senator Strom Thurmond on June 13, 1996, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on June 20, 1996.]

[Prepared questions submitted to Lt. Gen. Walter Kross, USAF, by Senator Thurmond prior to the hearing with answers supplied follow:]

DEPARTMENT OF DEFENSE,  
THE JOINT STAFF,  
Washington, DC, May 17, 1996.

Hon. STROM THURMOND,  
Chairman, Committee on Armed Services,  
U.S. Senate,  
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for the opportunity to respond to the questions from the Senate Armed Services Committee. It is an honor to have been nominated to be Commander in Chief, U.S. Transportation Command and Commander, Air Mobility Command. I respectfully submit the enclosed responses to your questions on the important defense policy and management issues and look forward to working with you and the committee.

Sincerely,

WALTER KROSS,  
Lieutenant General, USAF,  
Director, Joint Staff.

Enclosure.

cc: Senator Sam Nunn,  
Ranking Minority Member.

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QUESTIONS AND RESPONSES

DEFENSE REFORMS

*Question.* More than 9 years have passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and Special Operations reforms. You have had an opportunity to observe the implementation and impact of these reforms, particularly in your assignment as Director of the Joint Staff.

Do you support full implementation of these defense reforms?

*Answer.* Yes, I strongly support the Defense Reorganization Act of 1986 and its provisions. They have unquestionably strengthened our Armed Forces and the warfighting combatant commanders.

*Question.* What is your view of the extent to which these defense reforms have been implemented?

*Answer.* I believe the entire Department of Defense has vigorously and successfully pursued implementation of these important reforms.

*Question.* What do you consider to be the most important aspects of these defense reforms?

*Answer.* The most positive aspect is the overall improvement of our joint warfighting ability. The Goldwater-Nichols Act has resulted in much needed im-

provements in joint doctrine, joint professional military education, and strategic planning. Another important element is clarity in the chain of command from the National Command Authorities to the combatant commanders and unambiguous responsibility placed upon each CINC for execution of mission and preparedness of assigned forces. Clearly, the legislation has accomplished what Congress intended.

*Question.* Based upon your experience and your assignment as Director of the Joint Staff, do you believe that the role of the Service Chiefs as Members of the Joint Chiefs of Staff under Goldwater-Nichols legislation is appropriate and the policies and processes in existence allow that role to be fulfilled?

*Answer.* Yes. The Service Chiefs are provided with the requisite authority and mechanisms to fully execute the direction of each particular branch of the Armed Forces. As members of the JCS, the Service Chiefs (and the Vice Chairman) frequently help the Chairman, JCS, formulate his military advice to the Secretary of Defense and the President. I fully believe that the existing provisions of Title 10 USC ensure equal access to resources and priorities for all of the Services.

#### RELATIONSHIPS

*Question.* Section 162(b) of title 10, United States Code, provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander in Chief, United States Strategic Command to the following offices:

The Under Secretaries of Defense.

*Answer.* Under current DOD Directives, Under Secretaries of Defense coordinate and exchange information with DOD components, such as combatant commands, having collateral or related functions. As a combatant commander I will respond and reciprocate. This coordination shall be communicated through the Chairman of the Joint Chiefs of Staff.

*Question.* The Assistant Secretaries of Defense.

*Answer.* With the exception of the Assistant Secretaries of Defense for C<sup>3</sup>I and Legislative Affairs, all Assistant Secretaries are subordinate to one of the Under Secretaries of Defense. This means any relationship TRANSCOM would require with any Assistant Secretary of Defense would be through the Under Secretary of Defense for Policy, and the Under Secretary for Acquisition and Technology. Since the Assistant Secretaries of Defense for C<sup>3</sup>I and Legislative Affairs are SecDef's principal deputies for overall supervision of C<sup>3</sup>I and Legislative matters respectively, any relations required between TRANSCOM and ASD(C<sup>3</sup>I) or ASD(LA) would be conducted along the same lines as those discussed above regarding relations with the various Under Secretaries of Defense.

*Question.* The Chairman of the Joint Chiefs of Staff.

*Answer.* The Chairman is clearly established by title 10 as the principal military advisor to the NCA. However, he serves as an advisor and is not, according to the law, in the chain of command that runs from the NCA directly to each combatant commander. The law does allow the President to direct that communications between him and the Secretary of Defense be transmitted through the Chairman, and President Clinton has directed this to happen in the recently revised Unified Command Plan. This action keeps the Chairman fully involved so that he can execute his other legal responsibilities. Certainly a key responsibility is his role as spokesman for the CINCs, especially on the operational requirements of their respective commands.

While the legal duties of the Chairman are many and they require either his representation or personal participation in a wide range of issues, as a CINC, I will have the obligation to keep the Secretary of Defense promptly informed on matters for which he may hold me personally accountable. A CINC's duty is to work with and through—and never around—the Chairman to provide for the security of his command and execute NCA-directed taskings.

*Question.* The Vice Chairman of the Joint Chiefs of Staff.

*Answer.* When functioning as the acting Chairman, the Vice Chairman's relationship with CINCs is exactly that of the Chairman. The 103rd Congress amended title 10 to give the Vice Chairman the same right and obligation that other members of the Joint Chiefs of Staff have to submit an opinion or advice to the President, National Security Council, or Secretary of Defense if their views disagree with those of the Chairman. As a CINC, I would readily listen to Vice Chairman's thoughts on any general defense matter considered by the Joint Chiefs of Staff. Finally, because the Vice Chairman also plays a key role on many boards and panels that ef-



fect programming and therefore the preparedness of TRANSCOM, I believe his insights are extremely valuable and I would certainly seek his counsel.

*Question.* The Assistant to the Chairman of the Joint Chiefs of Staff.

*Answer.* The Unified Command Plan makes the CINC the single point of contact for providing US military representation within his assigned responsibilities. To meet this responsibility, CINCs must be fully engaged in the interagency process as it considers matters under their purview. I know that the Assistant to the Chairman has an extensive charter to represent the Chairman in the interagency process. While there are no direct lines connecting the Assistant to the Chairman to any combatant commander, what the Assistant knows and can share about the interagency process with any CINC is useful and will be requested. The Assistant to the Chairman also works on matters of personal interest to the Chairman which may require him to consult with me as a combatant commander.

*Question.* The Director of the Joint Staff.

*Answer.* This relationship is a very familiar one to me. The Director of the Joint Staff has many significant responsibilities which require interaction with TRANSCOM. Most importantly, the Director is generally the point of contact for soliciting information from all the CINCs when the Chairman is developing a position on any important issue.

*Question.* The Secretaries of the Military Departments.

*Answer.* Title 10, section 165 provides that, subject to the authority, direction, and control of the SecDef and subject to the authority of combatant commanders, the Secretaries of Military Departments are responsible for the administration and support of the forces they have assigned to combatant commands. The authority exercised by a combatant commander over Service components is quite clear, but requires close coordination with each Secretary to ensure there is no infringement upon those lawful responsibilities a Service secretary alone may discharge.

*Question.* The Chiefs of Staff of the Services.

*Answer.* As a result of Goldwater-Nichols, Service Chiefs are no longer involved in the operational chain of command. They now have two significant roles. First and foremost, they are responsible for the organization, training, and equipping of their respective Service. Without the full support and cooperation of the Service Chiefs, no CINC can hope to ensure the preparedness of his assigned forces for whatever missions the NCA directs. Next, as members of the Joint Chiefs of Staff, the Service Chiefs have a lawful obligation to provide military advice. Individually and collectively, the Joint Chiefs are a source of experience and judgment that every CINC can call upon. If confirmed as Commander-in-Chief, TRANSCOM, I intend to conduct a full dialogue with the Chiefs of all four Services.

*Question.* The combatant commanders.

*Answer.* My relationship with the other combatant commanders will be one of mutual support, continued dialog on key issues, and frequent face-to-face interaction during periodic CINCs conferences and other meetings as required. In today's security environment, an atmosphere of teamwork and complete trust is critical to executing U.S. national policy.

#### MOVEMENT OF HOUSEHOLD GOODS

*Question.* The Department of Defense intends to reengineer the Military Traffic Management Command's movement of household goods.

What are the goals of this reengineering effort?

*Answer.* The current level of service provided to DOD for shipment of household good services is unacceptable and negatively impacts the quality of life of all service members and their families.

1. DOD pays over \$1B to 1200 commercial carriers annually to effect over 700,000 moves.

2. Damage and loss occurs in approximately 25 percent of the moves with claims over \$100M in fiscal year 1994. Carriers pay 65 percent, DOD pays the balance. In comparison, corporate industry customers claims range from negligible to 14 percent.

3. There are two complementary tests planned to improve the level of household good services. One test is under the auspices of Military Traffic Management Command (MTMC) and the other under the Army.

MTMC is engaged in a Reengineering effort focused on the method by which HHG services are procured. The goals are as follows: (a) to eliminate government container requirements, and (b) incorporate commercial practices in the bidding and award process, quality assurance measures and payment procedures.

*Question.* To what extent is industry being included in the planning of this reengineering initiative?

Answer. TRANSCOM asked for input and modified its plan because of it. MTMC has participated in more than 50 meetings/visits with industry to present concepts with them and gather their advice. Based on industry input MTMC's proposal has been modified, incorporating over 30 suggestions by industry. Most recent meeting with carrier representatives took place March 20, 1996 dealing with industries concerns pertaining to "winner-take-all" concept where modifications were explained showing multiple contractor awards based on greatest value to DOD given categories of services emanating from a region.

*Question.* What is the status of the pilot program?

Answer. MTMC was pursuing an aggressive schedule for proceeding with the pilot program. Originally they intended to publish the draft solicitation by the end of May, have a pre-proposal conference in September, and award contracts by the end of December. Contract execution was planned for January 1997. However, based on recent House and Senate Fiscal Year 1997 Authorization Bill marks, it appears the schedule is likely to be adjusted to accommodate Congressional intent.

*Question.* Will there be a full and complete cost-benefit analysis completed before any pilot program is adopted for implementation?

Answer. The purpose of the pilot program is to determine if better service with lower claims incidence and expense can be realized for the service member and the taxpayer. Once the pilot is complete, an independent third party, still to be determined, will assemble and analyze the test results. DOD has no intention of proceeding beyond the pilot program until the results of this analysis are reviewed and shared with all concerned, to include industry.

#### STRATEGIC LIFT

*Question.* The C-17 program should bolster Air Mobility Command's contribution to TRANSCOM's operational capabilities. What are your recommendations for the C-17 program following the multi-year contract?

Answer. I believe, as does the Chairman of the Joint Chiefs of Staff, the CINCs, and the Chief of Staff of the Air Force, who has testified to Congress, one of the top funding priorities is completion of the 120 C-17 aircraft buy. Additionally, in the outyears there are a number of difficult issues which will confront the airlift and air refueling aircraft fleets. Foremost of these is the eventual replacement of C-5 and KC-135 as these aircraft reach the end of their service life. This may have a great impact on a potential follow-on to the C-17 multi-year procurement program. At this time, I am keeping an open mind on the best strategy to address these issues.

*Question.* With the post-Cold War decrease in U.S. presence overseas, we have become more reliant on overseas enroute transportation and staging bases for force projection. What challenges do you foresee in maintaining the accessibility and operational effectiveness of our enroute transportation and logistics infrastructure? How will you deal with these challenges?

Answer. As you know, the United States possesses the world's most effective strategic mobility capability. This capability has translated into the U.S. having influence and being engaged around the world, shaping the world's future events rather than standing on the sidelines watching them happen. To continue with this dominance, strategic mobility must have "assured access" to overseas airfields. Assured access translates into the necessary runway ramp space, refueling capabilities, and base operating support such as maintenance, beds, food, and communications. All of these are critical for strategic mobility to support contingencies around the world. OPERATION JOINT ENDEAVOR highlighted the need to exercise and to properly maintain critical en route bases, such as the reopening of Rhein-Main Air Base in Germany. Currently Rhein-Main must go from a caretaker status to full operational capability in a very short time period. Further, "assured access" translates into establishing and maintaining agreements between the U.S. and friendly foreign governments. As those agreements are put in place it is vitally important that necessary repair and upgrades—particularly to fuel systems—are funded and completed on time. To deal with these challenges, U.S. Transportation Command must continue to play an active role, working through the Joint Staff, the appropriate offices in the Office of the Secretary of Defense, the State Department, and the Supporting Commanders in Chief, to identify the resources and basing needed to support the warfighters. In addition, we will identify investment requirements to support critically needed MILCON projects to maintain and improve the aging overseas infrastructure.

*Question.* To what extent will the Large Medium-Speed Roll-on/Roll-off program alleviate the shortfall in Roll-on/Roll-off capability?

Answer. The LMSR program will contribute significantly to alleviating our surge sealift shortfall providing approximately 5.0M sq ft of RO/RO capacity; 8 vessels (2M sq ft) for Army Afloat Prepositioned Forces (AWR-3) and 11 vessels (3M sq ft) for the CONUS-based surge fleet. In addition, as the first five conversion LMSRs are fielded in AWR-3, 7 RRF RO/ROs currently serving as interim prepositioning ships are planned for return to the surge fleet providing approximately 1M sq ft of capability. Therefore, when complete in fiscal year 2001, the LMSR program will have contributed approximately 40 percent of our surge sealift requirement, 30 percent directly and an additional 10 percent by facilitating the return of RRF RO/ROs from their interim prepositioning role. However, the LMSR program does not directly add surge capability until fiscal year 1999 at the earliest. In the near-term, timely acquisition of other additional RRF RO/RO capability represents the best way to alleviate the current shortfall.

The Ready Reserve Fleet did not meet the needs during Operation Desert Shield due primarily to shortcomings in maintenance and command interest.

*Question.* How will you ensure the readiness of this fleet to meet mission requirements?

Answer. USCINCTRANS defines the readiness requirements for strategic lift assets. As it applies to sealift, this includes the readiness levels within the Ready Reserve Force (RRF). These readiness requirements are developed by USTRANSCOM in conjunction with the Services and the supported CINCs and take into account the long term needs, as well as near-term operational requirements. To ensure these requirements are met, I will advocate the need for the appropriate level of O&M funding in USTRANSCOM's Integrated Priority List, through the Joint Requirements Oversight Council (JROC) and ultimately to the Congress through testimony. Finally, by working closely with MARAD and the Navy Staff, and by directing MSC as our sealift component, I am able to ensure proper program oversight.

*Question.* Are you prepared to recommend the Ready Reserve Fleet be reduced or reliance on it reduced in operational plans if you determine that it is not cost effective or practical to return the fleet to ready posture?

Answer. First of all, let me address your point on the current readiness posture of the RRF. While RRF funding was good in the immediate wake of Desert Storm, readiness suffered over the past few years (fiscal years 1994-95) due to cuts in O&M funding. The lack of funds resulted in reduced readiness and deferred maintenance on several ships. To protect RRF O&M funding, the funding responsibility was transferred from DOT to DOD in fiscal year 1996. As a result, in fiscal year 1996 RRF O&M was fully funded and fleet readiness should be fully recovered by the end of fiscal year. O&M funding looks good across the POM and if required funds are appropriated/authorized as occurred in fiscal year 1996, the required levels of RRF readiness should be maintained. Assuming the funding picture stays positive, no significant future loss in readiness is expected. It is important to remember that the capability of the RRF at any point in time is a function of not only the capacity of vessels, but also the ability for these ships to respond by virtue of the readiness profiles of the force. Until the objective fiscal year 2001 Surge Fleet of 10.0M sq.ft. capacity is acquired, the readiness level of the current force is critical to offset the near-term risk associated with the shortfall in capacity. Several less capable ships, RRF breakbulks, will be retired as larger more capable vessels (LMSRs, additional RRF RO/ROs) are acquired. This means an overall more capable, more cost effective fleet—achieved through a combination of stable O&M funding and timely necessary ship acquisitions.

To address the rest of your question, assuming deployment requirements do not change, I do not realistically foresee any circumstances under which we would recommend reduced reliance upon the RRF. Within the RRF are found capabilities like no other in the world. The mix of assets in this group of ships, among other things, provides our core capability to rapidly project heavy forces worldwide. Barring a significant shift in the National Military Strategy—as long as we are required to fight and win a major regional contingency, we will rely heavily on the contribution to our strategic sealift equation of the RRF.

TRANSCOM is comprised of the Army's Military Traffic Management Command, the Navy's Military Sealift Command, and the Air Force's Air Mobility Command. In most plans, the Army is the supported force, while the Navy and Air Force assets are in a supporting role.

*Question.* In light of the expressed intent of this Committee that the traditional service linkages to specific CINC positions be reviewed, why, in your opinion, has the Commander TRANSCOM traditionally been an Air Force officer?

Answer. In my opinion, the fact that the previous Commanders in Chief of U.S. TRANSCOM have been Air Force officers is a matter of coincidence. The first CINC, General Duane H. Cassidy, was the commander of the Military Airlift Command at

the time TRANSCOM was activated. The Secretary of Defense, with recommendation from the Chairman of the Joint Chiefs of Staff decided to recommend the President appoint General Cassidy as the first CINC.

Regarding the subsequent three CINCS, it is my belief that the Secretaries of Defense at those times determined that Generals Johnson, Fogleman and Rutherford were the most qualified of all the superb candidates nominated by their respective Services.

As you are aware, Congress provided specific legislation in 1995 effecting the nomination process for senior joint officer positions, including CINC TRANSCOM. It requires each Service to nominate an officer for consideration by the Secretary of Defense for recommendation to the President for appointment to the position. The idea was to urge the Services to nominate the absolute highest quality officers for these senior leadership positions. It was also designed to provide the flexibility to re-examine any hints of traditional linkage to a specific Service. I realize that my nomination is the first since the legislation was adopted, but I believe, and hope you also believe, the letter and intent of the law has been met with my nomination.

It is once again, in my opinion, a matter of coincidence that the Secretary of Defense has recommended an Air Force officer for this position as the best qualified officer.

#### OPERATIONAL TEMPO

*Question.* How have American commitments in Bosnia, Haiti and other areas affected the operational tempo of Transportation Command forces?

*Answer.* Recent operations such as Bosnia, Haiti, and Southwest Asia have kept USTRANSCOM's OPTEMPO and PERSTEMPO at high, but not unacceptable levels. Among USTRANSCOM's component commands, Air Mobility Command (AMC) has the highest Temporary Duty (TDY) rates. The Air Force objective is to limit Temporary Duty (TDY) to less than 120 days per year. Some heavily tasked skill specialties were TDY in excess of 100 days and some individual units were TDY just under the 120 day threshold over the last 12 months. In addition, MTMC transportation personnel are averaging 90 days per year. Additional taskings for these units could drive PERSTEMPO levels above the desired limits.

While Bosnia and other recent contingencies have increased PERSTEMPO and OPSTEMPO, they also provide our forces realistic training opportunities thus contributing to overall readiness. This is especially true for Guard and Reserve forces which integrate into joint and combined operations with our active duty forces. Currently, the command continues to meet the demands placed on it; however, we must be aware that there is a point where OPTEMPO may impact readiness. This requires our constant monitoring and assessment.

#### MAJOR CHALLENGES

*Question.* In your view, what are the major challenges confronting the next Commander in Chief, United States Transportation Command/Commander, Air Mobility Command? If confirmed, what plans do you have for addressing these challenges?

*Answer.* In my view, maintaining the capability and readiness of our Nation's world-wide strategic deployment and sustainment capability is paramount. I agree wholeheartedly with the Chairman of the Joint Chiefs and his testimony before this committee this year, "Strategic air and sea lift, complemented by our prepositioning initiatives, must be our number one warfighting priority." The Defense Transportation System (DTS) is faced with numerous challenges:

**PEOPLE.** Within the DTS, the single most important element of the readiness equation is people. The need for us to provide our professional airmen, soldiers, and sailors an adequate standard of living must always be a top priority. As our force levels and budgets continue to decline, we need to keep the faith with our people by providing adequate pay and allowances, quality medical care, inflation protected retirement benefits, and adequate housing and family support programs. With strong Congressional support, we have made great progress in the quality of life area, but more can and should be done. As USCINCTRANS, I will champion the cause of our people whenever and wherever the opportunity arises.

**HIGH OPERATIONAL TEMPO (OPTEMPO) AND READINESS.** The DTS has been heavily tasked to move troops and equipment in support of numerous humanitarian operations, natural disasters, and contingency operations since DESERT SHIELD/DESERT STORM. This environment of high OPTEMPO coupled with tightening fiscal constraints requires thorough planning to maintain an effective force. Currently, the command continues to meet the demands

placed on it; however, we must be aware that there is a point where OPTEMPO may impact readiness. This requires our constant monitoring and assessment. **MODERNIZATION.** I fully support the Mobility Requirements Study Bottom Up Review Update (MRS BURU) recommended mobility force enhancements. Timely completion of these enhancements is critical to meeting the lift requirements of our expected warfighting scenarios.

— *Large Medium Speed Roll-On/Roll-Off (LMSR) Ships:* For the foreseeable future, I see USTRANSCOM's top equipment priority to be completing the acquisition of 19 LMSRs. This will provide 2M sq ft for prepositioning and 3M sq ft toward the 10M sq ft surge lift requirement. Both elements of this program, conversion of five ships and construction of 14 new vessels, are well underway and have received strong Congressional support. The Navy accepted the first conversion LMSR for operational testing last month. However, delays in conversions have slipped this program 15–22 months behind schedule. Additionally, the new construction program is behind schedule by 4–6 months. We need to move forward with these vital programs and take steps to keep them from slipping any further.

— *Ready Reserve Force (RRF):* Another priority of our surge sealift program is to complete the final RRF acquisitions. To meet the MRS BURU requirement for 10M sq ft, DOD needs to acquire five more RRF roll-on/roll-off (RO/RO) ships (500K sq ft) for a total 36 ships. Debate on the best way to field this necessary capability has been ongoing for several years and has limited DOD's ability to field much needed surge capability in the near-term. There is much common ground in this debate and there is a prudent, cost-effective solution for both the near and long term which involves integrating all available options including conversion of existing vessels, purchase of new vessels, and pursuit of the National Defense Features (NDF) program. I envision very close cooperation between DOD and the Congress to put this program back on track. The Senate's fiscal year 1997 Defense Authorization mark is very close to that integrated option and I would urge the full Congress to support the Senate position which I believe will best serve both the national defense and economic security needs of the Nation.

— *Air Mobility Modernization:* I fully support the Milestone IIIB Defense Acquisition Board (DAB) decision for a full 120 C-17 buy, and recent proposed Congressional language to authorize a multi-year, accelerated buy program. Beyond the C-17 program, the modernization and maintainability of our current equipment is absolutely critical. As the C-141 is retired and replaced with the tremendous capability of the C-17, we must turn our attention to the reliability and inevitable retirement of the C-5A. The C-5A is not meeting basic reliability and maintainability standards and its operating costs are double that of our other major weapon systems. Additionally, in order to maximize the effectiveness of our aircraft, we need capable and reliable material handling equipment (MHE). Current MHE inventory is old, maintenance-intensive, and falls short of that required to support two major regional contingencies. In June 1996, the Air Force will begin procurement of 318 highly-capable 60K loaders. Concurrently, they are pursuing acquisition of the next generation small cargo loader (NGSCL). Acquisition of the 60K and NGSCL will correct current deficiencies and provide a modernized fleet that supports and enhances AMC's airlift capability.

**TRANSPORTATION INFRASTRUCTURE** As we have reduced U.S. force structure overseas, we have concurrently reduced the number of locations readily available to support the rapid deployment of U.S. forces from the CONUS to theater contingency locations. We depend on transportation infrastructure for the staging of critical airlift and tanker forces and support of worldwide strategic sealift forces. Our challenge is to ensure return access rights during contingency operations to sufficient transportation infrastructure to guarantee a viable global en route system. Also, we must continue to improve our "fort to port" capabilities. In addition, we must maintain that system in the required operating condition to support short-notice and sustained mobility operations.

**COMMERCIAL PARTNERSHIPS** During a contingency the need to rapidly expand the DTS across all modes and national boundaries is critical. Our ability to leverage commercial capacity ensures USTRANSCOM can deliver forces, supplies, and equipment on timelines required by the warfighting CINCs. Commercial industry will continue to provide the lion's share of DOD lift capacity and routinely we will look to commercial carriers, in war and peace, to provide airlift, sealift, railcars, seaports, containers, and trucks. However, the excess air-

capacity of the commercial transportation sector is being reduced as they look to increase asset utilization to survive in an increasingly competitive environment. In order to ensure the continued ability of the commercial sector to support the DTS in the future, we must include industry in the planning as well as execution phases. I will aggressively support programs such as the Civil Reserve Air Fleet (CRAF) and DOD's new Voluntary Intermodal Sealift Agreement (VISA) in order to make best use of industry's contribution to the DTS.

**COMMAND AND CONTROL** The rapid fielding of the Global Transportation Network to achieve greater efficiency and effectiveness and maintain in-transit visibility (ITV) gives the commander necessary information to control the battlefield. When complete, GTN will facilitate USTRANSCOM's global transportation management responsibilities during peace to war with four components: ITV, current operations, future operations and patient movement. We expect to field an operational system in November 1996 with full operational status in 1999.

**IMPROVING THE EFFICIENCY AND EFFECTIVENESS OF THE DTS** USTRANSCOM's primary mission is to ensure the ability to rapidly deploy forces and equipment anywhere on the globe on short notice. To do this requires a force capable of quickly ramping up from peace to contingency operations. However, recent GAO and congressional criticism of USTRANSCOM's cost and organizational structure has put additional pressure on USTRANSCOM to focus more and more on peacetime business practices to yield efficiency savings. Since its inception USTRANSCOM has been actively engaged in improving the DTS and reducing cost. Maintaining readiness in an era of cost cutting is enormously challenging. It will take constant vigilance to ensure that the optimal balance between a high state of strategic mobility readiness, customer satisfaction, and affordability is maintained as we continue down the path of reduced defense budgets. I will continue efforts already under way to streamline both USTRANSCOM and the DTS. These efforts will increase the effectiveness and efficiency of the DTS and increase its responsiveness to the needs of the warfighter of the future.

#### MOST SERIOUS PROBLEMS

*Question.* What do you consider to be the most serious problems in the performance of the functions of Commander-in-Chief United States Transportation Command/Commander, Air Mobility Command? What management actions and time lines would you establish to address these problems?

*Answer.* The most serious problems I anticipate will be those realities which prohibit me from providing adequate strategic lift to support the theater CINC. If I am unable to meet the deployment and sustainment plan due to insufficient number or inadequacy of assets, then I have a very serious problem. Today, my greatest concern is our inability to meet the surge sealift requirements of our theater commanders. Were a major contingency to occur in the near term, we run a serious risk that sufficient numbers of U.S. and foreign-flag commercial ships will not be available to offset this surge shortfall. While there are programs in place to alleviate this problem, such as the LMSR program and the purchase of the final five RO/ROs for our RRF, various program and delivery delays have left us far short of our goal. Until the surge sealift gap is closed, we are forced to accept the risk associated with extended force closure times.

The debate over the best approach to fielding the nation's surge sealift capability has gone on in earnest for 3 years now. After reviewing the Chairman's and USCINCTRANS' testimony this year and recent House and Senate budget mark-ups, it is clear the DOD and Congress have not reached consensus on this issue. We should resolve to end the surge sealift debate this year in a prudent, cost-effective manner for both the near and long term, which involves integrating all available options including conversion of existing vessels, purchase of new vessels, and pursuit of the National Defense Features (NDF) program. The Senate's Fiscal Year 1997 Defense Authorization mark is very close to that integrated option. I sincerely believe the Senate's approach would best serve both national defense and economic security needs. As USCINCTRANS, I will be personally committed to seeing this program move forward and look forward to working with you in meeting our nation's defense transportation needs.

#### QUALIFICATIONS

*Question.* If confirmed, you will be entering this important position at a time of heightened tensions and increased potential for conflict. What background and experience do you have that you believe qualifies you for this position?

Answer. As Director of the Joint Staff for the past 2 years, I have had direct, personal and frequent contact with the SecDef, CJCS, all the CINCs and the Chiefs on all of the major issues, operations, and planning matters confronting all of the CINCs, including CINCTRANS. During DESERT SHIELD and DESERT STORM, I served as the TRANSCOM J-3/J-4—the command's sternest test in global mobility. I also stood up Air Mobility Command, serving as its Provisional Commander and the command's first Vice Commander. Recently I've also served as the 15th Air Force Commander with command of half of AMC's airlift and tanker aircraft. Additionally, I was the Air Force Director of Operations.

#### CONGRESSIONAL OVERSIGHT

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

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

Answer. Yes.

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

Answer. Yes.

*Question.* Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Commander in Chief, United States Transportation Command, and Commander, Air Mobility Command?

Answer. Yes.

*Question.* Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

[Questions for the record with answers supplied follow:]

#### QUESTIONS SUBMITTED BY SENATOR DIRK KEMPTHORNE

##### PROCUREMENT

Senator KEMPTHORNE. General Kross, the current budget request continues to favor the policy of funding personnel, training and maintenance at the expense of procurement. If this pattern continues, all of our Defense equipment will become older, less technologically superior and more costly to maintain. Indeed, former Vice Chairman of the Joint Chiefs of Staff, Admiral Bill Owens, warned of a "procurement crisis" due to the lack of appropriate investment in new Defense systems. The fiscal year 1997 budget request of \$38.9 billion represents a low point for procurement. Do you believe that the current procurement budget is suitable and will continue to provide the means necessary to acquire vehicles and systems that can effectively carry our service men and women into and out of harms way in the 21st Century?

General KROSS. I am concerned about the recapitalization of our forces. To ignore this aspect of defense funding risks the future combat readiness of the US military. It is well known that procurement has continued to pay the bill for readiness and force structure over the past decade and now hovers at a post-World War II low of about \$40 billion. The Chairman of the Joint Chiefs of Staff has testified that over the past 2 years we were able to sustain a procurement hiatus because we were reducing our forces, and through a combination of discarding our oldest equipment, and preserving and redistributing our newest and most modern equipment, were able to keep our arsenal at its youngest age in decades.

With downsizing coming to an end, we must examine increasing our procurement accounts. To recapitalize the force, we must look toward a goal in the procurement accounts of \$60 billion annually. The path to achieving this goal is many-fold, but includes aggressively pursuing institutional and business opportunities.

We must also explore outsourcing of non-core activities and other avenues whose savings can be reinvested into our procurement accounts. Further, we must reap the benefits of the ongoing technology explosion, acquisition reform, and gain greater efficiencies in warfighting. We have begun this process through such actions as the Joint Requirements Oversight Council (JROC), and I believe it will continue as we identify further approaches to solving this problem.

## QUESTIONS SUBMITTED BY SENATOR SAM NUNN

## USTRANSCOM'S AGED ACCOUNTS RECEIVABLE

Senator NUNN. How is USTC progressing with improving high accounts receivables that were reflected in a recently completed GAO audit on DBOF cash?

General KROSS. TRANSCOM established the DFDAS/USTC Working Group. This working group is conducting the following actions:

- Generated action items to validate and identify the problems with accounts receivable.
- Assisting DFAS in correcting core DFAS organizational/systemic/procedural problems. Participating in the study for moving the Scott DAO to Omaha.
- Identifying the composition of accounts receivable to resolve the problem a piece at a time. Identify which pieces need TRANSCOM J3/4 assistance.
- Correcting accounts receivable reporting problems that overstate the problem.
- Improving cash reporting. Abnormal undistributed cash reimbursement balances also increase accounts receivable balances.
- Discussed operational problems at ports and with data from transportation systems.
- Met with MILSTAMP Working Group to focus on billing problems caused by invalid Transportation Account Codes and insufficient authority to cross disburse. Corrected accounts receivable reporting problems.
- Assisting TRANSCOM J3/4 in the financial aspects of MILSTAMP Vol II. Includes centralized TAC code tables; improvements at the port; preparing chapter on DTS billings, reducing the number of delinquent accounts receivable, and clarifying payment policy (i.e., cross-disbursements).

Additionally, TRANSCOM has been very proactive in working with DFAS to identify the problems and improve the cash flow by:

- Identifying the makeup of accounts receivable balances and eliminating the amount of DFAS reconciling adjustments that result in overstating the balances;
- Corrected year-end reporting by more than \$80M which prevented unnecessary rate increases;
- Resolved \$115M rejected bill favorably with no impact to cash.

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[The nomination reference of Lt. Gen. Walter Kross, USAF, follows:]

## NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,  
SENATE OF THE UNITED STATES,  
*April 15, 1996.*

*Ordered,* That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment to the grade of general while assigned to a position of importance and responsibility under Title 10, United States Code, Section 601:

*To be General*

Lt. Gen. Walter Kross, 0276.

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[The biographical sketch of Lt. Gen. Walter Kross, USAF, which was transmitted to the committee at the time the nomination was referred, follows:]

## RÉSUMÉ OF SERVICE CAREER OF LT. GEN. WALTER KROSS

*Date and place of birth:* 3 October 1942, Bronx, New York.

*Years of active commissioned service:* Over 31 years as of 23 September 1995.



*Schools attended and degrees:* Niagara Univ, BA, 1964; Southern Illinois Univ, MS, 1974; Auburn Univ AL, MS, 1975; Squadron Officer School, 1971; Air Command and Staff College, 1975; National War College, 1982.

*Joint specialty officer:* Yes.

*Aeronautical rating:* Command Pilot.

#### MAJOR PERMANENT DUTY ASSIGNMENTS

Assignment	From	To
Enlisted Status, Ofcr Tng Sch, ATC, Lackland AFB, TX .....	Sep 64	Dec 64
Stu Ofcr, Undergrad Pit Tng, 3641 Stu Sq, ATC, Laredo AFB, TX .....	Dec 64	Jul 66
Pit, Sys Operator, 25 TFSq, TAC, Eglin AFB, FL .....	Jul 66	Feb 67
Pit Tac Ftr, F-4, 476 TFSq, TAC, George AFB, CA .....	Feb 67	Sep 67
Acft Comdr, F-4C, 390 TFSq, PACAF, DaNang AB, Vietnam .....	Sep 67	Sep 68
Pit, Transport, C-141, 76 MASq, MAC, Charleston AFB, SC .....	Sep 68	Feb 71
Fit Simulator Instr, C-141, 437 MAWg, MAC, Charleston AFB, SC .....	Feb 71	Mar 72
Spcl Msns Pit, VC-135B/137, 98 MASq, MAC, Andrews AFB, MD .....	Mar 72	Aug 74
Stu, Air Comd & Staff College, AU, Maxwell AFB, AL .....	Aug 74	Aug 75
Air Ops Ofcr, Tac Frcs Div, AF/XDXFT, Hq USAF, Wash DC .....	Aug 75	Feb 79
Asst Dep Dir For Jt & Cong Mtrs, AF/XDX, Hq USAF, Wash DC .....	Feb 79	Apr 79
Mbr, CSAF Staff Gp, AF/CVAX, Hq USAF, Wash DC .....	Apr 79	Jul 81
Stu, National War College, NDU, Ft McNair, Wash DC .....	Jul 81	Jun 82
Dep Comdr for Ops, 89 MAWg, MAC, Andrews AFB, MD .....	Jun 82	Jul 83
Vice Comdr, 89 MAWg, MAC, Andrews AFB, MD .....	Jul 83	Mar 84
Vice Comdr, 436 MAWg, MAC, Andrews AFB, MD .....	Mar 84	Jan 85
Comdr, 436 MAWg, MAC, Dover AFB, DE .....	Jan 85	Jul 87
Vice Comdr, AFMPC; & Dep Asst DCS/Pers for Mil Pers, Randolph AFB, TX .....	Jul 87	Oct 88
DCS/Plans & Rqmts, Hq ATC, Randolph AFB, TX .....	Oct 88	May 90
Dir, Ops & Log, J-3/J-4, Hq USTRANSCOM, Scott AFB, IL .....	May 90	Jul 91
Dir, Operations, AF/XOO, Hq USAF, The Pentagon, Wash DC .....	Jul 91	Jan 92
Comdr, Air Mobility Command (Provisional Hqs), Scott AFB, IL .....	Jan 92	Jul 92
Vice Comdr, Air Mobility Command, Scott AFB, IL .....	Jul 92	Aug 93
Comdr, 15 Air Force, Air Mobility Command, Travis AFB, CA .....	Aug 93	Jul 94
Director, Joint Staff, Pentagon, Washington DC .....	Jul 94	Present

Promotions	Effective date
Second Lieutenant .....	21 Dec 64
First Lieutenant .....	21 Jun 66
Captain .....	11 May 68
Major .....	1 Feb 75
Lieutenant Colonel .....	1 Apr 79
Colonel .....	1 Oct 82
Brigadier General .....	1 Jul 88
Major General .....	1 Feb 91
Lieutenant General .....	2 Jul 92

#### Decorations:

Defense Distinguished Service Medal.

Air Force Distinguished Service Medal.

Legion of Merit.

Distinguished Flying Cross with two Bronze Oak Leaf Clusters.

Meritorious Service Medal with two Bronze Oak Leaf Clusters.

Air Medal with two Silver Oak Leaf Clusters and two Bronze Oak Leaf Clusters.

Army Commendation Medal with one Bronze Oak Leaf Cluster.

#### SUMMARY OF JOINT ASSIGNMENTS

Assignments	Dates	Grade
Dir, Joint Staff, the Pentagon, Washington DC .....	Jul 94-Present	Lt. Gen.
Dir, Operations and Logistics, J-3/J-4, U.S. Transportation Command, Scott AFB IL .....	May 90-Jul 91	Maj. Gen./Brig. Gen.
Mbr, <sup>1</sup> Chief of Staff's Staff Group, HQ USAF, Washington, DC .....	Apr 79-Jul 81	Lt. Col.

## SUMMARY OF JOINT ASSIGNMENTS—Continued

Assignments	Dates	Grade
Asst Dep Dir for Joint and Congressional Matters, <sup>1</sup> Directorate of Plans, Deputy Chief of Staff/Plans and Operations, HQ USAF, Washington, DC.	Feb 79–Apr 79	Lt. Col./Major
Air Operations Officer, <sup>1</sup> Tactical Forces Div, Deputy Directorate for Force Development, Deputy Chief of Staff/Plans and Operations, HQ USAF, Washington, DC.	Aug 75–Feb 79	Major

<sup>1</sup> Joint Equivalent

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Lt. Gen. Walter Kross, USAF, in connection with his nomination follows:]

## UNITED STATES SENATE

## COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

## COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF  
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

## PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

- Name:** (Include any former names used.)  
Walter Kross.
- Position to which nominated:**  
Commander in Chief, United States Transportation Command, and Commander, Air Mobility Command.
- Date of nomination:**  
April 15, 1996.
- Address:** (List current place of residence and office addresses.)  
[Nominee responded and the information is contained in the committee's executive files.]
- Date and place of birth:**  
3 October 1942, Bronx, NY.
- Marital Status:** (Include maiden name of wife or husband's name.)  
Married. Spouse's Maiden Name: Helen Kay MacLennan
- Names and ages of children:**  
Karin Lee Kross, 21
- Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.  
None.

**9. Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None.

**10. Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

15 AF Association Board of Directors, Member.

Council on Foreign Relations.

Air Force Association.

Order of Daedalians.

Tanker Airlift Association.

**11. Honors and awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the Executive Branch.

Honorary Doctor of Laws, Wesley College, Dover, DE.

**12. Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

**13. Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the administration in power.

Yes.

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[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

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#### SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

WALTER KROSS.

This 15th day of March 1996.

[The nomination of Lt. Gen. Walter Kross, USAF, was reported to the Senate by Senator Strom Thurmond on June 13, 1996, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on June 20, 1996.]



# NOMINATION OF ANDREW S. EFFRON TO BE A JUDGE OF THE U.S. COURT OF APPEALS FOR THE ARMED FORCES

TUESDAY, JULY 9, 1996

U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
*Washington, DC.*

The committee met, pursuant to notice, at 4:11 p.m., in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman) presiding.

Committee members present: Senators Thurmond, Warner, Inhofe, Nunn, Exon, Bingaman and Robb.

Committee staff members present: Romie L. Brownlee, staff director; George W. Lauffer, deputy staff director; Melinda M. Koutsoumpas, chief clerk; Marie Fabrizio Dickinson, deputy chief clerk; Donald A. Deline, general counsel; Christine K. Cimko, press secretary; Roslyne D. Turner, systems administrator; Cindy Pearson, security manager.

Professional staff members present: Charles S. Abell, Jonathan L. Etherton, John H. Miller, Bert K. Mizusawa, and Cord A. Sterling.

Minority staff members present: Arnold L. Punaro, minority staff director; Richard D. DeBobes, counsel; Christine E. Cowart, special assistant; Creighton Greene, professional staff member; Patrick T. Henry, professional staff member; William E. Hoehn, Jr., professional staff member; Michael J. McCord, professional staff member; and Julie K. Rief, professional staff member.

Staff assistants present: Patricia L. Banks, Mickie Jan Gordon, Jennifer Lambert, and Jennifer L. Wallace.

Research assistants present: Daniel B. Ginsberg and Deasy Wagner.

Committee members' assistants present: Grayson Winterling, assistant to Senator Warner; John H. Hoggard, assistant to Senator Warner; Glen E. Tait, assistant to Senator Kempthorne; Andrew W. Johnson, assistant to Senator Exon; Richard W. Fieldhouse, assistant to Senator Levin; Steven A. Wolfe, assistant to Senator Kennedy; Suzanne M. McKenna, assistant to Senator Glenn; C. Richard D'Amato, assistant to Senator Byrd; Suzanne Dabkowski, assistant to Senator Robb; Mary Weaver Bennett, assistant to Senator Bryan; Fred Downey, assistant to Senator Lieberman.

Chairman THURMOND. The committee will come to order.

Good afternoon, Judge Efron.

Mr. EFFRON. Good afternoon, Mr. Chairman.

Senator NUNN. I'm afraid he just presumed the outcome of the nomination by responding there. I didn't think he would fall into that trap. [General laughter]

Mr. EFFRON. I've learned never to contradict the chairman. [General laughter]

Chairman THURMOND. I hope it wasn't too difficult for you to locate our hearing room this afternoon.

Mr. EFFRON. No, sir.

#### OPENING STATEMENT OF SENATOR STROM THURMOND, CHAIRMAN

Chairman THURMOND. It is a pleasure to chair this hearing concerning your nomination to be a judge on the Court of Appeals for the Armed Forces.

Before we actually begin the formal business of this hearing, however, I would like to recognize some very important visitors.

Mrs. Effron, would you, your daughter, Robin, and your son, Michael, please stand up so that we can see all of you and welcome you to these proceedings?

I know that you have not always been able to have had Andy at home when you've needed him, but the committee has often required his expert services here and he has done a remarkable job for us. We thank you all for coming to this hearing today and you are a very handsome family.

I have been informed that both Senator Warner and Senator Robb wish to introduce you today, and we will be pleased to hear from them in a few minutes. But right now, however, I would like to recognize some additional visitors who are here from the Court. We have the Chief Judge, Walter Cox, from the wonderful State of South Carolina is here this afternoon.

Judge, we are glad to have you. I did a good job when I recommended you, didn't I? [General laughter]

We also have Judge Eugene Sullivan, a past Chief Judge of the Court and a very able man, and Judge Sparky Gierke, also from the Court, another able man. We are glad to have you all with us. Thank you for coming.

Mr. Effron, you have had an exceptional career and your biography will be made part of these proceedings.

I would like to make special note of the following achievements, though, for the benefit of those who are in attendance here today, who may not be as familiar with you as the committee.

Mr. Effron graduated from Harvard College in 1970, magna cum laude and from Harvard Law School in 1975, cum laude. He is a distinguished graduate of the Judge Advocate General's School in 1976 and served on active duty with the United States Army.

After leaving the Army, Mr. Effron was hired by the General Counsel of the Department of Defense and stayed in that office for 8 years.

In 1987, the Senate Committee on Armed Services hired Mr. Effron away from the Department of Defense to be a counselor for the committee. He has served the committee as a counselor and General Counsel for the past 9 years, and appears before us today still serving as one of our counsel.

Mr. Effron is a gifted attorney, a dedicated counselor, and a tireless worker for the armed services. For me, the one trait that I would single out as having been of the most value to the committee is his bipartisanship. He has carried out his responsibilities without partisan politics or driven by any individual Senator's specific agenda. He rendered his legal opinions without regard to political consequences.

I have always known that I could count on Andy for an honest, unbiased opinion. I believe this trait is essential for a person to be a good judge. To be able to reach correct decisions without regard to partisan politics is crucial to all judges in this country.

I served as a judge myself for a number of years and remember those years with fondness. Should you be confirmed by the Senate, Mr. Effron, you will be receiving one of the greatest honors a lawyer can receive. You will be one of this country's guardians of the law.

From what I know of your service to this committee, you are well prepared for such an honor and all of the responsibilities that go with it.

Others will want to speak this afternoon, so I will end my opening statement and will call on Senator Nunn to give his remarks. Senator Nunn.

#### STATEMENT OF SENATOR SAM NUNN

Senator NUNN. Thank you very much, Mr. Chairman. I echo everything you have said about our nominee before us today.

I join you also in welcoming Barbara, Robin, and Michael here. I know you are very proud of your father and your husband. I also welcome committee counsel Pat Tucker and also David Lyles. Rick Finn is here and I think Paul Besozzi is here, too. Yes, there is Paul. Also here are the judges that you have already introduced, Mr. Chairman. We are glad to have all of you.

Senator WARNER. Senator Nunn, I wonder if we might inject also that Grayson Winterling of my office is here, as is Commander Jack Hoggard and maybe some other staff. I think the record should reflect all of them that are in the audience.

Senator NUNN. That's good. We are glad to have all of you here.

Andy comes from a family with a strong tradition of public and community service. His parents, Marshall and Marion Effron, have been deeply involved in political, civic, and charitable organizations in Andy's home town of Poughkeepsie, New York. Andy's wife, Barbara, has held numerous offices in PTA and civic associations in Arlington and Fairfax Counties. Their children are continuing the tradition. I understand that Robin is a rising senior at Woodson High School and is on the student council. She serves as an officer of the chorus, on the Model U.N., Tri-M Arts Society, and I understand Michael, who will be in the seventh grade next year, was vice president of the student council at Canterbury Woods Elementary School, in addition to being an all-star Little Leaguer. So we have quite an array of talent and public service in this family and it continues generation to generation.

Mr. Chairman, this is a bittersweet day for me and I'm sure for most of the members of the committee, for all the members of the committee. First, it is sweet because we are pleased that someone

who we have known for so long and worked with and admired and respected so much for his extraordinary ability and expertise has been nominated by the President to be a judge on the United States Court of Appeals for the Armed Forces.

The bitter side of it is because the committee will be losing one of the finest talents that we have ever had. I really think Andy is right there at the top.

The Armed Services Committee first became familiar with Andy Effron in 1986, when he was in the Office of General Counsel of the Department of Defense, and he was one of three individuals from the department who worked with us during the Senate-House conference on the Goldwater-Nichols Department of Defense Reorganization Act. Andy's capacity for honesty and objectivity came through loud and clear during that important deliberation.

We were so impressed with Andy's expertise that we asked him to join the staff the following year, and he has continuously confirmed our initial judgment since Day One that he arrived.

Not only has he confirmed our initial judgment, he has consistently demonstrated an extraordinary capacity for hard work and an ability to perform at the very highest level of professional performance and a willingness to tackle and master any issue of importance to the committee.

As a matter of fact, Andy has been so involved in so many issues that if someone asked me to name them today, I could not even begin to do so, and if I started, I could not quit. It goes on, and on, and on, and on.

Suffice it to say, Mr. Chairman, that Andy Effron epitomizes the best in what a professional staff member and, indeed, a public servant should be. He is such a professional and so loyal to the committee that I am sure he will ask us at the end of this hearing to postpone consideration of his confirmation until such time as we complete all the work of the committee this year. [General laughter]

Senator NUNN. On a more serious note, I want to express my strong support for this nomination to the United States Court of Appeals for the Armed Forces. They will be gaining an extraordinary legal talent as we lose that talent.

Andy Effron will continue to serve the men and women in the United States Armed Forces now in a different capacity, and the Nation will be served upon his confirmation. So I look forward to his opening statement and the opportunity to pose some of the questions I have wanted to ask him for a long, long time. [General laughter]

Senator NUNN. Thank you, Mr. Chairman. At this time, Mr. Chairman, I would also like to place into the record a statement by Senator Kennedy. Thank you.

[The prepared statement of Senator Kennedy follows:]

PREPARED STATEMENT BY SENATOR EDWARD M. KENNEDY

Mr. Chairman, I am very pleased to speak in support of the nomination of Andy Effron to serve on the United States Court of Appeals for the Armed Forces.

Over the 10 years that Andy has served on the Armed Services Committee staff, he has proved himself an outstanding public servant. Andy Effron is one of the most capable, reliable, and straightforward staffers I have had the opportunity to work with. Andy is the model of a committee counsel, and I believe he will make an excellent judge.



The United States Court of Appeals for the Armed Forces is our nation's highest military court. Service on the court requires an individual who understands military law, who understands the special rights and responsibilities of our service members under the Uniform Code of Military Justice, and who has integrity, an even temperament, and a strong intellect. I believe Andy Effron possesses all of these characteristics.

In addition to his personal qualities, Andy's career has prepared him well for a seat on this court. As a staff attorney in the Defense Department's Office of the General Counsel, as an Army Trial Counsel, and through his experience with the Committee, Andy has become one of our nation's foremost experts on military law. He has demonstrated this knowledge through his many publications. The honors bestowed upon him by the Army and the Defense Department speak to how well he has applied this expertise.

Mr. Chairman, my only concern about this appointment is how will the Committee manage to fill Andy's shoes. I congratulate him on his nomination, and urge my colleagues to support his confirmation. Thank you very much.

Chairman THURMOND. Virginia has two able Senators. They are both here this afternoon.

We will hear first from the senior Senator from Virginia, Senator John Warner.

#### STATEMENT OF SENATOR JOHN WARNER

Senator WARNER. Thank you, Mr. Chairman. It indeed is an honor I shall not forget, to sit here next to this very fine man. Many, many nights, way into the late hours, have we worked together with other colleagues in this room, both members of the United States Senate and staff members of the Armed Services Committee, and his word was his bond. We all had complete confidence in whatever position he took.

I hope that maybe some day that could be said of me, but it is too early to render that judgment now. [General laughter]

But it certainly is true in Andy's case.

I would like to ask that my statement be made a part of the record and I would conclude by saying that today, the word "character" means so much, and this man represents to me the definition of character.

I thank you, Mr. Chairman.

Chairman THURMOND. Your full statement will appear in the record.

[The prepared statement of Senator Warner follows:]

#### PREPARED STATEMENT BY SENATOR JOHN WARNER

Mr. Chairman, I am pleased to be able to introduce a constituent to the committee this afternoon. Andy Effron, who has been with this committee for nearly 10 years, has been nominated by the President to be a Judge of the United States Court of Appeals for the Armed Forces. We welcome Andy and his wife Barbara, as well as his daughter, Robin, and his son, Michael, to this confirmation hearing today.

In all of the nearly 18 years that I have been in the Senate, I have never introduced a nominee who was a better selection for their position than Andy Effron is for this important military judiciary post. A graduate of Harvard College and Harvard Law School, he has served as an Army lawyer, as a civilian attorney in the Department of Defense Office of General Counsel, and most recently as General Counsel (and Minority Counsel) to the Senate Armed Services Committee. He performed these duties with distinction, receiving the Department of Defense Distinguished Service Medal in 1987.

During his decade with this committee, Andy Effron has been the consummate professional. Working with members and staff from both sides of the aisle, he has provided unfailingly correct guidance, and has earned the respect of all. From the annual Department of Defense Authorization Bills to specialized legislation such as

the Federal Acquisition Streamlining Act of 1994, Andy has been instrumental in the smooth operation of this committee.

Mr. Chairman, I look forward to this committee reporting this nomination expeditiously, and the Senate confirmation occurring soon afterwards. I would hope that our need for Andy as we finish this year's DoD bill will not tempt any of us to slow the process down. Our loss will be the Department of Defense's gain. Judge Efron—sounds good to me.

Chairman THURMOND. We will now hear from the junior Senator from Virginia, Senator Chuck Robb.

#### STATEMENT OF SENATOR CHARLES S. ROBB

Senator ROBB. Thank you, Mr. Chairman. I am delighted to be able to join my senior Senator, colleague, and friend here in this difficult adversarial proceeding that has developed over the nomination of Andy Efron. [General laughter]

I am also pleased that so many of his former colleagues, who have renounced their vow of poverty, have returned to the scene of their earlier crimes so that they could join with Andy, Barbara, Robin and Michael for this very special day. [General laughter]

Introducing Andy Efron to the Senate Armed Services Committee is truly carrying coals to Newcastle, and I will not attempt to prolong the record with any other additional comments other than to say that he is highly regarded, widely respected, and the community service to which you and Senator Nunn and others have noted is well noted in his adopted community as well. Notwithstanding his birth elsewhere and some schooling in a couple of additional states, we are very pleased that his past 20 years have been spent comfortably in the Commonwealth of Virginia. It gives both Senator Warner and myself a great deal of pride to be able to introduce and very strongly recommend to this committee for confirmation Mr. Andy Efron.

Senator WARNER. Mr. Chairman, I wish to associate myself with the remarks of my distinguished colleague. They were very well spoken.

Chairman THURMOND. We thank you both, gentlemen, for appearing in behalf of Mr. Efron.

Senator ROBB. Now you're on your own. Good luck, Andy.

Senator WARNER. Yes, good luck.

Chairman THURMOND. Now, Mr. Efron, you are indeed on your own.

There have been a number of situations in recent years that have involved courts-martial covering more than one command. Two that come to mind are the Tailhook incident and the Blackhawk shoot down incident. In both cases, the decision whether to prosecute or not rested with different commands and different convening authorities.

What is your opinion of how the services should handle multiple offenses scattered over multiple convening authorities?

Mr. EFFRON. Mr. Chairman, the basic tenet of the Manual for Courts-Martial is that cases should be handled at the lowest possible level by the commander having immediate authority over the accused. I think that general proposition serves the military departments very well.

There are circumstances, however, when there is a complicated, complex case involving cross-services or cross-jurisdictions in which

use of scattered convening authorities can result in disparate treatment, confused investigations, and other problems that you have alluded to. Therefore, I believe it would serve the services well to give strong consideration in such cases to a single, consolidated, convening authority. But I would add that that should always be a judgment made within the Executive Branch by the senior commanders and not one dictated elsewhere.

Chairman THURMOND. Command influence is potentially a problem in all military judicial activities. Over the years, numerous safeguards have been attempted by Congress and the administration to prevent command influence.

Would you give us your opinion on how well the services are handling command influence and whether there is any need for adjustments in that area?

Mr. EFFRON. Mr. Chairman, I believe the services generally are doing a good job in that area. This is a situation in which you have lawful command influence, that is, the legal authority of commanders to investigate charges, convene courts, select the court members and review the cases, versus unlawful command influence, where there is an attempt to influence the discretion of those individuals.

There is a constant tension. So I think command influence is something that will always be with us. However, I believe that the Judge Advocates General have done an excellent job in their schools, in the JAG schools, and in the various command schools in bringing to the attention of lawyers and commanders the problems of command influence and how to deal with it.

So I think things are working well, but constant vigilance is needed.

Chairman THURMOND. Mr. Effron, during your service to the Federal Government, you have done an extensive amount to keep the system of military justice current and relevant to the maintaining of discipline in the military. Are there any areas of military justice that you believe the committee should focus on in the years to come?

Mr. EFFRON. I believe the two areas that come to mind are, first of all, one I alluded to just previously, and that is legal education. It is crucial that judge advocates receive the best possible schooling at their initial stages and throughout their careers. So support by this committee for the JAG schools I think is crucial.

Second, keeping the military justice system up to date with developments in the civilian criminal law is something that this committee's oversight will be very important on.

I have noticed in my time here in the committee that there are vast changes in civilian criminal law working their way through the Judiciary Committee and into the Title 18 legal structure. It is important that the military justice system at least give clear consideration to whether those changes are useful or not in order to stay current with those developments in the law.

Chairman THURMOND. Mr. Effron, you have been with the committee for nearly a decade now and have seen the authorization process each year. In addition, you worked for the Department of Defense General Counsel for 8 years and saw the process from the administration's side.

Do you have any suggestions on how we might make the system more efficient or, at a minimum, less painful?

Mr. EFFRON. This may not be a good time to ask that question, Mr. Chairman, because I am feeling the pain of the authorization process right now as we are in conference. But on a more serious note, I think the system has worked best when we have had an early submission of proposals by the Executive Branch and good supporting materials by the Executive Branch. When the committee has asked pre-hearing questions in order to flesh out the details of their proposals, we've followed up in committee hearings with questions about those proposals. Then the members have given early and effective attention to the legislation. That is when the system has worked best.

It has been the most painful when those things do not happen. So, again, I think that kind of interrelationship with the Executive Branch on the questioning and early focus of the members on the details of the legislation will perhaps decrease the pain somewhat.

Chairman THURMOND. Mr. Effron, ever since its extension and rewrite during the 1950's, the Uniform Code of Military Justice has proven itself to be effective in both peace and war. It is now being utilized on a regular basis by our military forces involved in peacekeeping efforts.

These forces find themselves in constant contact with civilians involved with terrorists and international criminals and following new types of rules of engagement. Are you aware of any military justice changes that may be required to meet the new challenges presented by this increasing mission?

Mr. EFFRON. No, sir. I am not aware of any deficiencies in the system that would render it incapable of handling a variety of different situations, including peacekeeping.

Chairman THURMOND. That's all the questions I have.

Senator Nunn.

Senator NUNN. Thank you, Mr. Chairman. I will not ask many questions, just a couple.

Many people are unaware of the functioning of the military justice system. In response to a prehearing question as to the major strengths of the military justice system, you cited qualified counsel for both the government and the accused at both the trial and appellate level, enhanced rights of the military accused in terms of pre-trial investigations, protections against self-incrimination, right to counsel and detailed appellate review.

Could you expand that answer by telling us what you see as the fundamental differences between the military justice system and our civil system?

Mr. EFFRON. Well, I think the role of counsel is probably the most significant in that within the military justice system, each of the Judge Advocates General has a school in which there is extensive training for all judge advocates before they go out in the field as either trial counsel or defense counsel. They are brought back after several years for retraining and updates in the law, and there are also continuing legal education programs at all times.

While those opportunities are available in the civilian sector on a more discretionary basis, I am not aware of any aspect of the civilian sector where both trial counsel and defense counsel are regu-

larly and routinely brought up to date and trained in the criminal justice system.

So I think that the lawyers that are available, both to the accused and to the government in the military justice system, are really given a much better opportunity to perfect their craft than in the civilian sector.

The second area where I think there are important differences is in discovery. In the civilian sector, discovery is primarily a matter of the accused having to ferret matter out from the government through repeated requests and specific inquiries. In the military justice system, there is a tremendous amount of sharing right from the beginning between trial counsel and defense counsel as to the nature of the case, and through the Article 32 pretrial investigation there is also a great opportunity for the accused to have an adversarial discovery proceeding.

The advantage of that is not only in terms of fairness to the accused, but I think that type of sharing of information leads to much speedier trials in the end because there is not as much surprise and not as much confusion during the trial.

Senator NUNN. You have served in the Department of Defense and you have served on the staff of this committee. In the Department of Defense you were involved in regulations, and in this committee you have been involved in advising on the shaping of laws and policies.

Would there be anything in your service, either in DOD or over here on the Hill, that would preclude you from participating in a case alleging a Department of Defense regulation or legislatively established policy was unconstitutional or otherwise unlawful? If so, how would you handle that situation?

Mr. EFFRON. As a general matter, Senator Nunn, I don't believe that should be a problem. It is my understanding that there are relatively few situations in which a person who has served as a government attorney must recuse himself or herself from being involved in a litigation proceeding.

The Court of Appeals for the Armed Forces has adopted the Code of Conduct for U.S. Judges, and that—I checked—has a particular disqualification for a person who has “served in a governmental employment and in such capacity participated as counsel, adviser, or material witness concerning the proceeding”—that is, the proceeding being litigated—“or has expressed an opinion concerning the merits of the particular case in controversy.” That is the end of the quote.

My role in both the DOD General Counsel's office and, as you know, on the committee, has primarily been involved in giving legal advice as to policy options on rules and regulations in general matters. There have been very few, if any, circumstances where I have been called upon to give a legal opinion on a particular course of action, as opposed to a set of options, and I can think of very few circumstances in which I have actually been involved in something where it involved an individual who might later be processed before a court-martial.

I will be sensitive to the issue of disqualification and, in particular, in those areas where I have worked closely on a rule, regula-

tion, or statute, I will consider this particular standard should that matter be litigated before the court, if I am confirmed.

Senator NUNN. Do you believe it is important for the Court of Appeals of the Armed Forces to maintain its independence from the Department of Defense?

Mr. EFFRON. Yes, Senator Nunn. I believe that is the fundamental purpose for which the court was created.

Senator NUNN. Do you believe it achieves that purpose?

Mr. EFFRON. Yes, I do. I believe that it has, both in terms of the structure that has been created by this committee and the Congress and by the decisions of the court, demonstrated its independence time and again.

Senator NUNN. Are you committed to insuring that the court operates in an independent and impartial manner?

Mr. EFFRON. Yes, sir.

Senator NUNN. Thank you, Mr. Chairman.

Chairman THURMOND. Thank you.

Senator Warner.

Senator WARNER. Mr. Chairman, I have had an opportunity to speak. I wonder if the chair and the ranking member would indulge in this Senator yielding a minute and a half of his time to our senior counsel, Colonel Brownlee, and to our minority counsel to make statements on behalf of the nominee.

I think staff should have part of this record.

Colonel.

Chairman THURMOND. I would be pleased to have them do so.

Mr. BROWNLEE. Senator, I appreciate very much the opportunity to say something about our friend and colleague, Andy, with whom I have worked for the past 8 years. Andy and I even worked together before, when he was at the Department of Defense. His reputation preceded him here.

The good thing about Andy is that he has served both sides of this committee, both members and staff, throughout his tenure. There is nobody who works harder. There is nobody whose views are respected more and whose counsel is sought more than Andy's.

We will miss him more than I can tell you, but we are also very happy for him in his new job.

Senator WARNER. Thank you.

Chairman THURMOND. He doesn't talk too much, either, does he. [General laughter]

Mr. PUNARO. In that vein, Mr. Chairman, I would just second everything that Les has said. [General laughter]

Andy Effron is truly someone who is indispensable. He is a consummate professional whose work ethic is unsurpassed. He will be sorely missed.

Senator WARNER. I thank the chair and the ranking member and would indicate my vote in the affirmative. I will have to leave now, regrettably.

Chairman THURMOND. Senator Exon.

Senator EXON. Mr. Chairman, thank you very much.

The first question I have is for one of the guests. I see my lawyer friend, Paul, sitting back there.

Paul, are you here representing yourself or the Bar Association?

Mr. BESOZZI. I am here as a friend of Andy.

Senator EXON. Are you in support of the nominee or in opposition?

Mr. BESOZZI. Fully in support.

Senator EXON. I just wanted to clarify that. [General laughter]

Andy, I have but one question of you. Were you at the Tailhook convention? [General laughter]

Mr. EFFRON. No, sir.

Senator NUNN. But he probably feels like he was after all of this.

Chairman THURMOND. He wasn't old enough to be there, was he? [General laughter]

Senator EXON. I know nothing derogatory about you. I just think you have been a tremendously important part of our committee and both sides of the aisle have respected your professionalism all the way through. I just want to say, as a friend of yours, that I am going to miss you very, very much. I just want to thank you for all the help you have been to this Senator and to the committee as a whole.

The best of luck to you. The only downside I have heard in this whole hearing today was I didn't know until you were introduced by your two colleagues from Virginia that you were a lawyer. [General laughter]

Senator EXON. I have always liked you anyway. I enthusiastically support you and best of luck, my friend.

Mr. EFFRON. Thank you, Senator Exon.

One of the first things Paul told me was to make sure I didn't let you know that I was a lawyer. [General laughter]

Chairman THURMOND. Mr. Efron, I'm not too sure we gave you a chance to express yourself. Would you care to make any statement?

#### **STATEMENT OF ANDREW S. EFFRON, OF VIRGINIA, TO BE A JUDGE OF THE U.S. COURT OF APPEALS FOR THE ARMED FORCES**

Mr. EFFRON. I will take Pat Tucker's advice and cut my statement in half. Yes, sir, I would appreciate the opportunity because such nice things have been said today.

Mr. Chairman, Senator Nunn, members of the committee, I am most grateful that you have been able to schedule this hearing today, particularly in view of the incredibly difficult issues that the committee must deal with this month, as evidenced by today's hearings earlier on.

I very much appreciate the kind words spoken about me by Senator Thurmond, Senator Nunn, Senator Exon, and very much the introductions from the Senators from my adopted State of Virginia, Senator Robb and Senator Warner, for their very generous introductory remarks.

The hallmark of the Senate Armed Services Committee is your intensive member level of involvement in the subject of national defense. Your interest is a source of constant motivation and inspiration to the staff.

What you have said about me today reflects not my work but the collaborative efforts of the staff to serve you on a bipartisan basis.

Les, I am very grateful for the things that you have said. The opportunity to work with all of the staff, as well as the members,

and to work with distinguished war veterans like Les and like Arnold is something that has been a real inspiration to me.

Mr. Chairman, I am honored to be President Clinton's nominee to be a judge on the United States Court of Appeals for the Armed Forces. I am also honored and humbled to be nominated for the seat held by Judge Robert E. Wiss, whose untimely death last year was deeply felt by his fellow judges and by all who knew him. His wisdom, experience, and clear voice set an exemplary standard for the court.

As this committee has noted, the Court of Appeals for the Armed Forces "is the highest authority within the military justice system." The court regularly interprets Federal statutes, executive orders, and departmental regulations. The court also determines the applicability of constitutional provisions to members of the armed forces.

Through its decisions, the court has a significant impact on the state of discipline in the armed forces, military readiness, and the rights of service members. The court plays an indispensable role in promoting public confidence in the military justice system.

Mr. Chairman, I recognize that this committee, the Congress, and the American people expect the court to dispense justice with honor, dignity, integrity, and fairness. I pledge to do my best, if confirmed, to fulfill those expectations.

Thank you.

Chairman THURMOND. Well, I wish you a long and a happy career on the bench. I don't wish you a lucrative career because you can't take any money but your salary.

If there is nothing else to come before the committee at this time, we will now stand adjourned.

[Whereupon, at 4:40 p.m., the committee adjourned.]

[Prepared questions submitted to Andrew S. Effron by Senator Thurmond prior to the hearing with answers supplied follow:]

#### QUESTIONS AND RESPONSES

*Question.* What is your view of the primary responsibility of the Court of Appeals for the Armed Forces?

*Answer.* The primary responsibility of the Court is to provide for appellate review of court-martial cases in a specialized civilian tribunal that has judicial independence from the Department of Defense.

*Question.* In your view, has the Court of Appeals for the Armed Forces fulfilled the expectations of Congress when the Court was established in 1951?

*Answer.* Yes. The Court has demonstrated its independence and expertise.

*Question.* Are any legislative changes needed in statutes concerning the Court of Appeals for the Armed Forces to enhance the operation or stature of the court?

*Answer.* The Court and the Department of Defense have recommended an adjustment in the statutory authority pertaining to non-attorney staff personnel assigned to individual judges. The House of Representatives has approved this legislation as part of the National Defense Authorization Act for Fiscal Year 1997, and it is also included in the parallel bill pending before the Senate. I have no recommendation for any other legislative changes.

*Question.* Are any changes needed in the jurisdiction of the Court of Appeals for the Armed Forces?

*Answer.* No.

*Question.* Are the current compensation and retirement provisions for the Court sufficient to ensure that you will be able to exercise your responsibilities in an impartial and independent manner?

*Answer.* Yes.

*Question.* Please describe the three decisions of the Court of Appeals for the Armed Forces which you believe to have been the most significant.



Answer. *United States v. Jacoby*, 11 C.M.A. 428, 29 C.M.R. 244 (1960), establishing that in matters of constitutional law, "the protections of the Bill of Rights, except those which are expressly or by necessary implication inapplicable, are available to members of our armed forces."

*United States v. Care*, 18 C.M.A. 535, 40 C.M.R. 247 (1969), concerning the basic inquiries that must be made by a trial judge to ensure the providency of a guilty plea.

*United States v. Trottier*, 9 M.J. 337 (C.M.A. 1980), affirming the broad jurisdiction of courts-martial over off-post drug offenses.

**Question.** In your view, what are the major strengths and weaknesses of the military justice system?

Answer. Major strengths: qualified counsel for both the government and the accused, at both the trial and appellate level; enhanced rights of a military accused in terms of pretrial investigation, protections against self-incrimination, right to counsel, and detailed appellate review. Major weaknesses: the challenge of ensuring fairness in a system that must maintain the difficult balance between the commander's disciplinary and judicial roles, especially the role of the commander in conducting and reviewing investigations, referring charges to courts-martial, selecting court members, and reviewing the results of trial.

**Question.** What is your view on the relationship between the rights of service members and the disciplinary role of commanders?

Answer. The UCMJ reflects the view of Congress that both are necessary. To ensure the discipline that is necessary to prevail in armed conflict, commanders must have broad power to enforce standards of behavior and performance that would not be subject to criminal jurisdiction in civilian society; at the same time, the high standards of morale that are essential to military effectiveness require service members, particularly in a democratic society, to have confidence in the essential fairness of disciplinary proceedings.

**Question.** What is your view on the role of the doctrine of *stare decisis* in terms of prior decisions of the Court of Appeals for the Armed Forces?

Answer. Respect for precedent by judges is a key element in maintaining public respect for the judicial function. Appellate courts must retain the flexibility to address errors in prior decisions or changed circumstances, but they should be very cautious in overturning precedent.

**Question.** In view of Article 36 of the UCMJ, what is your view as to the hierarchy of sources of law that must be applied by the Court in determining appropriate rules of evidence and procedure in courts-martial?

Answer. The courts generally have considered the following hierarchy of sources: the Constitution as applied to members of the armed forces; the UCMJ and other applicable statutes; the Manual for Courts-Martial and other applicable Executive Orders and presidential issuances; other rules incorporated into military practice under authority recognized by the Manual for Courts-Martial (e.g., evidentiary rules in civilian proceedings referenced in Military Rule of Evidence 101); and other executive branch issuances. As a general matter, the courts under Article 36 have applied the provisions of the Manual for Courts-Martial unless a Manual provision is contrary to or inconsistent with the UCMJ or the Constitution.

**Question.** In your view, what is the standard for determining when the court should apply a rule that is different from the rule generally applied in the trial of criminal cases in the federal district courts?

Answer. Under Article 36, if the matter is governed by the Manual for Courts-Martial, and the provision is "not contrary to or inconsistent with" the UCMJ or the Constitution, the courts generally have determined that the Manual provision is applicable. If there is no rule in the Manual, or if the Manual provision is unconstitutional or inconsistent with the UCMJ, the courts have looked to the rules generally applicable in the trial of criminal cases in the federal district courts to the extent not inconsistent with the UCMJ. In addition, the Manual for Courts-Martial provides, in Rule 101 of the Military Rules of Evidence, that if there is no rule covering an evidentiary issue in the Manual for Courts-Martial, then the rule generally applied in the trial of the criminal cases in the federal district courts applies; Rule 101 also provides that if there is no generally applicable rule applied in federal district courts, the rules of evidence at common law apply. Also, if a properly issued executive branch rule (e.g., a DOD issuance, a military department issuance, or a command issuance) is more protective of the accused than the rule generally applied in federal district courts or at common law, the courts generally have viewed the executive branch issuance as applicable.

**Question.** A constant threat to the military system is the problem of command influence in the military justice system, including instances involving judge advocates

as well as commanders. What is your view as to the role of the Court of Appeals for the Armed Forces in addressing this problem?

Answer. The role of the Court is to apply the provisions of the UCMJ, the Manual for Courts-Martial, applicable executive branch issuances, and the precedents of the Court, including *de novo* review, to ensure that issues of command influence have been properly litigated at trial and on appeal, and that appropriate remedial measures, if required, have been taken.

Question. What is your view of the role of legislative history in judicial interpretation of the law?

Answer. Legislative history provides an important source of information for courts to use in the interpretation of statutes.

Question. The Court currently consists of five judges. The number of individuals on active duty has been reduced in recent years and the quality of American fighting forces has been increased. In light of those changes, are five judges still necessary and if so why?

Answer. The concerns that led to the establishment of a five judge court are as important today as they were when the proposal was initiated and enacted into law. The establishment of the five judge court was based on the need for stability in the highest court of the military justice system, not on caseload. The increase in the size of the Court from three to five members was recommended by the Department of Defense, and was supported by the Judge Advocates General of each of the services. Testifying in favor of the proposal before the House Armed Services Committee in 1980, MG Alton Harvey, Judge Advocate General of the Army, said: "The present size of the Court of Military Appeals has tended, particularly in recent years, to produce instability in the established body of military law. Primarily, this has come about by the rapid turnover in membership which resulted in new majorities being formed. While this problem can arise in any court, it has tended to be quite frequent at the Court of Military Appeals where the departure of a single judge of a two member majority can bring about an abrupt shift in existing law. . . . Increasing the membership of the Court from three to five will promote desirable stability in its decisions by reducing the likelihood that the departure of a single judge will adversely impact upon the stability of the Court and the certainty of its precedents." In the same hearing, when DOD's Assistant General Counsel, Robert L. Gilliat, was asked whether the proposal was based upon the court's workload, he made it clear that the proposal to add two judges was not designed to "affect the ability to handle the workload." In 1989, in the report accompanying the legislation which increased the size of the Court from three to five members, the Senate Armed Services Committee cited stability in doctrine, not workload, as the basis for the legislation: "The Court of Military Appeals is the highest authority within the military justice system. . . . One of the primary functions of the highest appellate tribunal within a jurisdiction is to ensure clarity of decisions and predictability of doctrine. . . . Stability in membership of the highest court of a jurisdiction is particularly important to ensure that the normal evolution of the law is not rendered unpredictable as a result of personnel changes. . . . A degree of turnover [is] inevitable on any court due to age, disability, and other factors. The loss of a single judge has a devastating impact, however, on the stability of a Court composed of only three judges."

[The nomination reference of Andrew S. Effron follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,  
SENATE OF THE UNITED STATES,  
June 21, 1996.

*Ordered*, That the following nomination be referred to the Committee on Armed Services:

Andrew S. Effron,<sup>1</sup> of Virginia, to be a Judge of the United States Court of Appeals for the Armed Forces for the term of 15 years to expire on the date prescribed by law, vice Robert E. Wiss.

July 10, 1996.

Reported by Mr. Thurmond with the recommendation that the nomination be *confirmed*.

<sup>1</sup> Signifies nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

[The biographical sketch of Andrew S. Effron, which was transmitted to the committee at the time the nomination was referred, follows:]

#### BIOGRAPHICAL SKETCH OF ANDREW EFFRON

Andrew S. Effron serves on the staff of the Senate Armed Services Committee as Minority Counsel. He previously has served as the Committee's General Counsel (1988-95) and Counsel (1987-88).

Prior to joining the Committee, he served as an attorney-adviser in the Department of Defense Office of General Counsel (1977-87); as Trial Counsel, Chief of Military Justice, and Defense Counsel in the Office of the Staff Judge Advocate, Fort McClellan, Alabama (1976-77); and as a legislative aide to the late Representative William A. Steiger (1970-76; 2 years full-time, the balance between school semesters).

Mr. Effron was born in Stamford, Connecticut (Sept. 18, 1948), and raised in Poughkeepsie, New York, where he graduated from Poughkeepsie High School (1966). He is a graduate of Harvard College (1970, B.A., magna cum laude), where he was Editor in Chief of the Harvard Political Review; Harvard Law School (1975, J.D. cum laude), where he was Executive Editor of the Harvard Civil Rights Civil Liberties Law Review; and the Judge Advocate General's School, U.S. Army (Basic Course Distinguished Graduate, 1976; Graduate Course, by correspondence, 1984).

Mr. Effron's publications include: *Supreme Court—1990 Term, Part I*, Army Lawyer, Mar. 1991, at 76 (with Francis A. Gilligan and Stephen D. Smith); *Supreme Court Review of Decisions by the Court of Military Appeals: The Legislative Background*, Army Lawyer, Jan. 1985, at 59; *Post-Trial Submissions to the Convening Authority Under the Military Justice Act of 1983*, Army Lawyer, July 1984, at 59; *Military Participation in United States Law Enforcement Activities Overseas: The Extraterritorial Effect of the Posse Comitatus Act*, 54 St. John's L. Rev. 1 (1979) (with Deanne C. Siemer); *Punishment of Enlisted Personnel Outside the UCMJ: A Statutory and Equal Protection Analysis of Military Discharge Certificates*, 9 Harv. CR-CL L. Rev. 227 (1974).

Mr. Effron's awards include the Army Meritorious Service Medal (1977); the Defense Meritorious Service Medal (1979); and the Department of Defense Distinguished Civilian Service Medal (1987).

Mr. Effron and his wife Barbara live in Annandale, Virginia. They have a daughter, Robin, and a son, Michael.

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate, and certain senior military officers as determined by the committee, to complete a form that details the biographical, financial and other information of the nominee. The form executed by Andrew S. Effron in connection with his nomination follows:]

UNITED STATES SENATE  
COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF  
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PLEASE NOTE: You have been provided a supplementary questionnaire for judicial nominees. Questions 9, 10, 11, 12, 14, and 15 of PART A are duplicated in the supplementary questionnaire. You may ignore the duplicate questions in PART A.

#### PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)  
Andrew S. Effron (Andy).
2. **Position to which nominated:**  
Judge, U.S. Court of Appeals for the Armed Forces.
3. **Date of nomination:**  
June 21, 1996.
4. **Address:** (List current place of residence and office addresses.)  
[Nominee responded and the information is contained in the committee's executive files.]
5. **Date and place of birth:**  
September 18, 1948; Stamford, CT.
6. **Marital Status:** (Include maiden name of wife or husband's name.)  
Married to Barbara L. Effron (Lubotsky)
7. **Names and ages of children:**  
Robin J. Effron (17) and Michael J. Effron (12).
8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.
  - Poughkeepsie High School, Poughkeepsie, NY, 1963-66, High School Diploma, 1966.
  - Harvard College, Cambridge, MA, 1966-1970, B.A., 1970.
  - Harvard Law School, Cambridge, MA, 1971-72, 1973-75, J.D. 1975.
  - The Judge Advocate General's School, U.S. Army, Charlottesville, VA. Basic Course. 1976.
  - The Judge Advocate General's School, U.S. Army, Graduate Course (by correspondence). 1984.
9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.  
See supplementary questionnaire.
10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.  
See supplementary questionnaire.
11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.  
None.
12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.  
See supplementary questionnaire.
13. **Political affiliations and activities:**
  - (a) List all offices with a political party which you have held or any public office for which you have been a candidate.  
None.
  - (b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.  
I have volunteered in a variety of campaigns in a routine capacity (e.g., handing out literature at the polls) during the last 5 years in Fairfax County on behalf of local, state, and federal Democratic Party candidates.
  - (c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.  
None.

**14. Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

See supplementary questionnaire.

**15. Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

See supplementary questionnaire.

**16. Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None.

**17. Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

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[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

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#### SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

ANDREW S. EFFRON.

This 26th day of June, 1996.

#### SUPPLEMENTARY QUESTIONNAIRE FOR JUDICIAL NOMINEES

1. **Full name:** Andrew S. Effron.

2. **Employment record:** List (by year) all business or professional corporations, companies, firms, or other enterprises, partnerships, government organizations, other institutions and organizations, nonprofit or otherwise, including firms, with which you were connected as an officer, director, partner, proprietor, or employee or public official (elected or appointed) since graduation from college. For any military service, list the dates, branch of service, rank or rate, and type of discharge received.

- 1987-present: Senate Armed Services Committee (employee)
- 1979–1987: Office of General Counsel, Department of Defense (employee).
- 1976–1979: U.S. Army, Judge Advocate General's Corps (Basic Course 1976; Office of the Staff Judge Advocate, Ft. McClellan, AL 1776–77; Office of General Counsel, DOD, 1977–79).
- 1970–76: Office of Congressman William A. Steiger (employee: 2 years full-time; the balance between school semesters)
- 1970: Sabre Foundation (employee)
- 1970–71: Church St. Garage, Cambridge, MA (part-time employee).
- Military Service: U.S. Army, Judge Advocate General's Corps: active duty, 1976–1979 (Captain, 0–3, honorable discharge); U.S. Army Reserve, 1980–1994 (Major, 0–4, honorable discharge).

3. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, and honorary society memberships that you believe would be of interest to the Committee.

- Harvard College (1970): Phi Beta Kappa; B.A. degree magna cum laude
- Harvard Law School (1975): J.D. degree cum laude
- The Judge Advocate General's School, U.S. Army (1976): Basic Course Distinguished Graduate (highest overall class standing); award for highest standing in Administrative and Civil Law.
- U.S. Army Meritorious Service Medal (1977).
- Department of Defense Meritorious Service Medal (1979).
- Department of Defense Distinguished Civilian Service Medal (1987).

**4. Bar Associations:** List all bar associations, legal or judicial-related committees or conferences of which you are or have been a member and give the titles and dates of any office which you have held in such groups.

- American Bar Association (since 1976)
- The Judge Advocates Association (since 1976)
- Federal Bar Association (since 1985)

**5. Other Memberships:** List all other organizations to which you belong.

- Agudas Achim Jewish Congregation (Alexandria, VA).
- Agudas Achim Men's Club.
- Long Branch Swim Club (Annandale, VA)
- Long Branch Civic Association (Annandale, VA)
- Northern Virginia Jewish Community Center (Fairfax, VA)
- Canterbury Woods Elementary School PTA (Annandale, VA)
- W.T. Woodson High School PTA (Fairfax, VA)

**6. Court Admission:** List all courts in which you have been admitted to practice, with dates of admission and lapses if any such memberships lapsed. Please explain the reason for any lapse of membership. Give the same information for administrative bodies which require special admission to practice.

- District of Columbia (1975)
- U.S. Supreme Court (1980)
- U.S. Court of Appeals for the Armed Forces (1976)

**7. Published Writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials you have written or edited. Please supply one copy of all published material not published in a law review or other widely disseminated publication. Also, please supply a copy of all formal speeches by you on issues involving constitutional law or legal policy in which you had a prepared text. If there were press reports about the speech, and they are readily available to you, please supply them.

- *Punishment of Enlisted Personnel Outside the UCMJ: A Statutory and Equal Protection Analysis of Military Discharge Certificates*, 9 Harv. CR-CL L. Rev. 227 (1974).
- *Military Participation in United States Law Enforcement Activities Overseas: The Extraterritorial Effect of the Posse Comitatus Act*, 54 St. John's L. Rev. 1 (1979) (with Deanne C. Siemer).
- *Post-Trial Submissions to the Convening Authority Under the Military Justice Act of 1983*, Army Lawyer, July 1984, at 59.
- *Supreme Court Review of Decisions by the Court of Military Appeals: The Legislative Background*, Army Lawyer, Jan. 1985, at 59.
- *Supreme Court—1990 Term, Part I*, Army Lawyer, Mar. 1991, at 76 (with Francis A. Gilligan and Stephen D. Smith)

**8. Health:** What is the present state of your health? List the date of your last physical examination.

- Good. June 11, 1996.

**9. Legal Career:**

a. Describe chronologically your law practice and experience after graduation from law school.

- Jan.–Apr. 1976: The Judge Advocate General's School, U.S. Army, Student (Basic Course).
- Apr. 1976–Nov. 1977: Office of the Staff Judge Advocate, Ft. McClellan, AL (Trial Counsel; Chief of Military Justice and Trial Counsel; and Defense Counsel)
- Nov. 1977–Jan. 1987: Office of the General Counsel, Department of Defense, attorney-advisor (military status: Nov. 1977–May 1979; civilian status June 1979–Jan. 1987).
- Jan. 1987–present: Senate Armed Services Committee, Counsel (Jan. 1987–Sep. 1988); General Counsel (Sep. 1988–Jan.1995); Minority Counsel (Jan. 1995–present).
- I also served in the U.S. Army Reserve as an individual mobilization augmentee judge advocate with 2-week active duty assignments in the following organizations in the years indicated: Office of the Staff Judge Advocate, Ft. Devens, MA (1980, 1981); Litigation Division, Military Personnel Branch, Office of the Judge Advocate General of the Army, (1983, 1984, 1985, 1986); Defense Systems Management College (1987, 1989); Criminal Law Division, Office of the Judge Advocate General of the Army (1988, 1990, 1991, 1992).

b.1. What has been the general character of your law practice, dividing it into periods with dates if its character has changed over the years?

2. Describe your typical former clients, and mention the areas, if any, in which you have specialized.

- While serving on active duty as a judge advocate at Ft. McClellan, AL (Apr. 1976–Nov. 1977), the general character of my practice involved providing advice on military justice matters and participating in criminal trials under the Uniform Code of Military Justice and before U.S. magistrates. During my period as trial counsel I represented the Government and during my period as defense counsel I represented accused service members. I represented the government in proceedings before Federal magistrates who heard cases at Ft. McClellan approximately once every month.

- In the Office of General Counsel, Department of Defense (Nov. 1977–Jan. 1987), my practice involved legal policy issues related to military justice and discipline, civil military relations, military personnel law, DOD reorganization, and selected matters involving civilian personnel law. My duties included drafting and reviewing legislation, regulations, legal opinions, congressional testimony, and background memoranda.

- On the staff of the Senate Armed Services Committee, (Jan. 1987–present), my practice has involved legal and legislative policy issues related to the full range of national security activities, with primary focus on military justice and discipline, Federal acquisition law, constitutional law, and parliamentary procedure. My duties have involved drafting and reviewing legislation, legal opinions, policy statements, speeches, testimony, and background memoranda; organization of hearings; and other legislative activities.

c.1. Did you appear in court frequently, occasionally, or not at all? If the frequency of your appearances in court varied, describe each such variance, giving dates.

2. Provide an estimate of the percentage of these appearances that were in:

(a) Federal courts, including military courts;

(b) state courts of record;

(c) other courts.

3. Provide an estimate of the percentage of your litigation that was:

(a) civil;

(b) criminal.

4. Provide an estimate of the number of civil cases in courts of record you tried to verdict or judgment (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

5. Provide an estimate of the percentage of these trials that was:

(a) jury;

(b) non-jury.

6. Provide an estimate of the number of cases you briefed and/or argued before appellate courts, indicating whether you were sole counsel, chief counsel, or associate counsel.

- While serving on active duty as a judge advocate at Ft. McClellan, AL (Apr. 1976–Nov. 1977), I appeared in court frequently; all appearances were at the Federal level and involved criminal proceedings. I estimate that about 50 or more of the proceedings involving the Uniform Code of Military Justice resulted in a verdict, including guilty pleas, and about 85 percent or more involved judge-alone proceedings. In virtually all of the cases I served as sole counsel. None of these proceedings were before appellate courts. Since that time, my practice has involved legal and legislative policy matters and has not involved court appearances.

d. Describe a representative sample of the litigated matters which you personally handled.

- The cases I tried while serving on active duty as a judge advocate at Ft. McClellan, AL (Apr. 1976–Nov. 1977) involved a range of offenses unique to the military justice system as well as offenses more typical of civilian society. The cases involved offenses such as assault, larceny, false claims, bad checks, absence without leave, disobeying orders, and violation of regulations.

e.1. List any judicial offices you have held, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

2. If you are or have been a judge, provide:

a. a representative sample of opinions you have written, including opinions involving constitutional issues; and

b. a short summary of all appellate opinions where your decisions were reversed or where your judgment was affirmed with significant criticism of your substantive or procedural rulings.

- I have not held any judicial office.

f. Describe other significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe the nature of your participation in this question, please omit any information protected by attorney-client privilege (unless the privilege has been waived).

- While serving as a judge advocate at Ft. McClellan (1976-77), I drafted a comprehensive legal guide for commanders, which was issued to all commanders at the installation.

• Immediately following my service at Fort McClellan, I served for over 9 years as an attorney-advisor in the Office of General Counsel, Department of Defense, in the Pentagon (Nov. 1977-Jan. 1987). My major responsibilities pertained to legal and legislative policy issues concerning the Uniform Code of Military Justice and administrative proceedings related to disciplinary matters. In this position, I had extensive and continuing interaction with judge advocates involved in the trial, appeal, and supervision of military justice matters, frequently on a daily basis. In addition, my activities involved considerable research into the scholarly literature, case law, and legislative materials concerning military justice, personnel administration, and judicial proceedings in the civilian sector. The following are among the major activities in which I served as the primary representative of the Office of General Counsel, typically working with military and civilian attorneys from other elements of the Department of Defense and the Executive Branch:

- Military justice matters:

- Study of the Court of Military Appeals (1979).
- The 1980 Department of Defense legislative proposal to revise military appellate procedures. Many of the proposals were eventually enacted into law, with modifications, at various times over the next decade and are codified at 10 U.S.C. 941-946.

- The proposed Military Rules of Evidence, which, with modifications, were issued by the President in 1980 as Chapter XXVIII of the Manual for Courts-Martial.

- The 1982 Department of Defense comprehensive legislative proposal to modify significant elements of military pretrial, trial, and post-trial procedures. Many provisions were enacted into law, with modifications, as the Military Justice Act of 1983, Public Law No. 98-209.

- A complete revision of the Manual for Courts-Martial, which was issued by the President as the Manual for Courts-Martial, United States, 1984 (Executive Order 12473, as amended by Executive Order 12484).

- Development of legislation to establish the military offense of espionage, enacted in 1985 and codified at 10 U.S.C. 906a.

- The 1986 amendments to the Manual for Courts-Martial (Executive Order 12550).

- Other matters related to disciplinary and administrative proceedings:

- Study of the extraterritorial application of the Posse Comitatus Act (1978).

- Comprehensive revision of DOD Directive 1332.14, governing enlisted administrative separations, which was issued in 1982.

- Development of revised rules governing Discharge Review Board procedures, issued as DOD Directive 1332.28 (1982).

- Development of rules governing the relationship between the Departments of Justice and Defense relating to the investigation and prosecution of crimes involving DOD personnel, programs, or operations, issued as DOD Directive 5525.7 (1985).

- In addition, with two other DOD representatives, I represented the Department of Defense, working with the House and Senate Armed Services Committees, in the preparation of the legislative language for the conference report on the Goldwater-Nichols Department of Defense Reorganization Act of 1986.

- Subsequent to my service in DOD's Office of General Counsel, I have served since Jan. 1987 with the Senate Armed Services Committee. My responsibilities have involved legal and legislative policy issues related to the



full range of national security activities, with primary focus on military justice and discipline, Federal acquisition law, constitutional law, and parliamentary procedure. My duties have involved drafting and reviewing legislation, preparation of legal opinions, policy statements, speeches, testimony, and background memoranda; organization of hearings; and other legislative activities. The following are among the major activities in which I have had a significant staff role, typically working with Members of the Senate and House, other committee staff, staff of other committees, the personal staff of Members of the Senate and House, the Office of Legislative Counsel of the Senate and the House, the Parliamentarian, and military and civilian attorneys in the Executive Branch and in the private sector.

- Preparation of the bill language proposed by the Senate Armed Services Committee and the subsequent House-Senate conference committee on the nine annual defense authorization bills enacted between 1987 and 1996 (the National Defense Authorization Act for 1988 and 1989 through the National Defense Authorization Act for Fiscal Year 1996), as well as substantive responsibility for staffing specific matters in the areas to which I was assigned.

- Preparation of bill language and related materials on the subject of acquisition reform, which culminated in the enactment of the Federal Acquisition Streamlining Act of 1994 (Pub. L. 103-355), the Federal Acquisition Reform Act of 1995 (enacted as Division D of the National Defense Authorization Act for Fiscal Year 1996), and the Information Technology Management Reform Act of 1995 (enacted as Division E of the National Defense Authorization Act for Fiscal Year 1996).

**10. Experience with the military law or civilian criminal justice systems:** In addition to such information as may be described elsewhere in this section, describe your experience working with military law or civilian criminal justice systems.

- I have had the opportunity to work with the military justice system from a variety of perspectives—trying cases in the field, providing guidance to commanders and service members on individual cases, preparation of rules within the Executive Branch, and preparation of legislative materials within the Legislative Branch. In addition, my background has provided me with an appreciation for the role of military justice in our Nation's overall national security policy. I have had the opportunity to work on the full range of legal issues relating to national security, including, for example, treaties, war powers, manpower administration, and acquisition policy. My responsibilities have provided me with a breadth of experience concerning the context in which issues arise, are considered, and are decided in the field of national security.

**11. Assistance to the Disadvantaged:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe a representative sample of any activities you have undertaken in this regard.

- My primary contributions have been in the field of education. During the 1980s, my wife and I devoted ourselves on a regular and continuing basis to the rejuvenation of a public elementary school with a diverse population, including many disadvantaged children. I served as an officer for 9 years, including a term as President, on the school's PTA, as well as many terms on the County Council of PTAs, at a time when the PTA was in full partnership with the school's administration. After joining the staff of the Senate Armed Services Committee, the unpredictable nature of the Senate schedule has limited my ability to serve as an officer, but I continue to participate in volunteer opportunities at public schools. In addition, through my synagogue, I have participated in programs that assist the disadvantaged. During the holiday season, our family "adopts" several disadvantaged families and we provide them with meals and gifts. I regularly contribute financially to nonprofit programs at the Federal, state, and local level that provide legal services to the disadvantaged.

**12. Discrimination:** The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion. Do you currently belong, or have you ever belonged, to any organization which so discriminates—through either formal membership requirements or the practical im-

plementation of membership policies? If so, list, with dates of membership. What have you done to try to change these policies?

- I do not belong to any such organization.

[The nomination of Andrew S. Effron was reported to the Senate by Senator Strom Thurmond on July 10, 1996, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on July 12, 1996.]

**NOMINATION OF LT. GEN. HOWELL M. ESTES  
III, USAF, FOR APPOINTMENT TO THE  
GRADE OF GENERAL, AND TO BE COM-  
MANDER IN CHIEF, UNITED STATES SPACE  
COMMAND/COMMANDER IN CHIEF, NORTH  
AMERICAN AEROSPACE DEFENSE COM-  
MAND**

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**WEDNESDAY, JULY 31, 1996**

**U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC.**

The committee met, pursuant to notice, at 11:20 a.m., in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman of the committee) presiding.

Committee members present: Senators Thurmond, Nunn and Robb.

Committee staff members present: Romie L. Brownlee, Staff Director.

Professional staff members present: Charles S. Abell, Bert K. Mizusawa and Eric H. Thoemmes.

Minority staff members present: Arnold L. Punaro, minority staff director; Andrew S. Effron, minority counsel; Richard D. DeBobes, counsel; and David Lyles, professional staff member.

Staff assistants present: Patricia L. Banks and Cristina W. Fiori.

Research assistants present: Deasy Wagner.

Committee members' assistants present: Judith A. Ansley, assistant to Senator Warner; John Molino, assistant to Senator Coats; Andrew W. Johnson assistant to Senator Exon; and Frederick M. Downey assistant to Senator Lieberman.

**OPENING STATEMENT OF SENATOR STROM THURMOND,  
CHAIRMAN**

Chairman THURMOND. The committee will come to order.

The committee meets today to receive testimony concerning a very key nomination. Lieutenant General Howell Estes has been nominated for appointment to the grade of general and assignment as the Commander in Chief North American Aerospace Command and Commander in Chief United States Space Command. This is a very critical position, which needs to be filled as soon as practical. The committee has been informed that General Ashy, the current commander, will retire very soon.

We all know General Estes very well. General Estes is currently the Director of Operations on the Joint Staff in the Pentagon. I believe every member of the committee has his biography, so there is no need for me to recite his record of challenging assignments and accomplishments.

In the interest of time, I would like to move as quickly as possible to the questions. I would like to yield to Senator Nunn for any opening comments he may want to make. Senator Nunn.

#### STATEMENT OF SENATOR SAM NUNN

Senator NUNN. Thank you very much, Mr. Chairman.

First, I appreciate you scheduling this hearing. I know that General Estes does and the people at the Department of Defense do because this is a very important assignment. Of course, General Estes, I think is very well qualified for this position. So I will join you in enthusiastic support.

Mr. Chairman, General Estes is well known to this committee as the Director of Operations of the Joint Staff for the past 2 years. He has briefed the committee many times on current operations in Bosnia and the Persian Gulf and elsewhere. I have also had a chance to visit with him in the field a long time ago, back when the Stealth Fighter was still a secret, as I recall.

I have known General Estes and his family for a long time. He is an excellent choice to serve as CINCSPACE. His father was also an outstanding military officer, and I have had the great honor of knowing him over the years. So he comes well-qualified.

Among other responsibilities, the next CINCSPACE will face the challenge of integrating a national missile defense system into an overall continental air and space defense structure. General Estes, I would think, certainly you will get a lot of advice from this committee and its various members, and the advice will not always be consistent on that subject. But we know you are going to do a good job. My guess is you may even start getting some of that advice today.

So we appreciate your splendid record of service and we know you will do a good job in this position. I look forward to working with you.

General ESTES. Thank you, Senator Nunn.

Chairman THURMOND. The committee asked General Estes to answer a series of advance policy questions. He responded to those questions. Without objection, I will make the questions and the responses a part of the record.

General Estes, if you have any opening remarks, we will give you the opportunity to address the committee now. I will ask you to keep your remarks brief.

#### STATEMENT OF LT. GEN. HOWELL M. ESTES III, USAF, NOMINEE FOR APPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER IN CHIEF, UNITED STATES SPACE COMMAND/COMMANDER IN CHIEF, NORTH AMERICAN AEROSPACE DEFENSE COMMAND

General ESTES. Mr. Chairman, I will do just that.

I just want to take the opportunity to say that I am extremely pleased to be sitting in front of you today. I appreciate the commit-

tee taking the time out of a very, very busy schedule to conduct this hearing. I will assure you, Mr. Chairman and the members of the committee, that I will do my absolute best, if confirmed as USCINCSpace and CINCNORAD, to carry out the great job that has been done out there by the former CINCs, and to ensure that we continue to move ahead in the space business and in the defense of the U.S. and Canada in the NORAD side of the house.

So, with that, Mr. Chairman, I am ready for questions.

Chairman THURMOND. Now, I have several questions we ask of every nominee who appears before the committee. If you will respond to each question, then we can move on to policy questions.

Have you adhered to applicable laws and regulations governing conflict of interest?

General ESTES. Yes, I have, Mr. Chairman.

Chairman THURMOND. Have you assumed duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

General ESTES. I have not, Mr. Chairman.

Chairman THURMOND. Will you reaffirm your written response that you agree to appear before congressional committees when requested and to provide your personal opinions when asked, even if your opinion differs from the administration position?

General ESTES. Yes, Mr. Chairman, I will comply with what you just read.

Chairman THURMOND. Now, General Estes, in your view, what are the most urgent improvements that need to be made in the way the Space Command supports the operational requirements of the warfighting commanders in chief?

General ESTES. Mr. Chairman, this is an area, with the jobs that I have had, having been on the supported end of what U.S. Space Command has done, where I have seen a lot of the actions that have already occurred. The operationalization of space as it is called, in which we are trying to ensure that space systems provide direct support to the warfighters, is a very important issue. It is one which previous CINCs have worked hard on, and it is one which I, if confirmed, will also do.

I think the most important priorities are to make use of things that are already available from space, and to be sure that the operators understand what is available and know how to have access to it, and then put those things into their plans. So, one of the most important things we can do is to ensure that people are educated on space, that we normalize the space business even more than we have in the past. I will assure you and this committee that, if confirmed, I will continue to do just that.

Chairman THURMOND. General Estes, do you believe that it is realistic and desirable to work towards forward integration of DOD and intelligence space systems acquisition and planning? Should we seek to create a genuine national security Space Architect, as called for in the Joint Space Management Board's charter?

General ESTES. Mr. Chairman, this is an issue, as I understand it, that is being looked at very hard. Of course, I am very familiar with the fact that a Joint Space Management Board has been formed, and that a DOD Architect for Space has been formed. But

this does not get at the National issue which you raise, which would have to bring in the NRO systems.

Again, it is my understanding that there is an integrated program team which has been formed to look at this issue. I anxiously await the outcome of that team. It will help work this issue and determine how best we can integrate the operations, acquisition and planning that goes on in the NRO with the other space systems that DOD works.

Chairman THURMOND. General Estes, do you think that giving Space Command a greater role in the development and management of new space technologies would improve its ability to perform existing and future missions?

General ESTES. Mr. Chairman, the roles, as you well know and this committee well knows, for the CINC at U.S. Space Command are to state the operational requirements for space, and then to actually execute and operate the systems. It is awfully important, if you are going to do those two sort of ends of the process, that you also be familiar with and be a player in the acquisition business. I think that the new systems, new boards, new architects that have been set up in the Department of Defense to help work this and the involvement of USCINCSpace in that process is exactly what ought to happen and is exactly the right direction.

Chairman THURMOND. My time is up.

Senator NUNN.

Senator NUNN. Thank you, Mr. Chairman.

General Estes, in your response to questions that the committee sent, you expressed concern about the lack of well-developed Joint doctrine. I believe you were referring to both traditional and non-traditional areas. You stated that, quote: "This will cause me to thoroughly think through how Joint forces should be employed to accomplish the mission."

Have you been working on Joint doctrine in your present position? What are the areas of deficiency there that you are obviously concerned about?

General ESTES. Well, Senator Nunn, as we try to work through the issues of Joint doctrine, as the J-3 of the Joint Staff, Joint doctrine does not fall into the J-3. It does fall into the J-7. But, clearly, one of the things that we get involved in as operators is we operate in accordance with Joint doctrine. So it is very important that it be laid out correctly. General Shali has said many times that we are going to have a Joint doctrine, we are going to find the best way to do it, and that is the way we are going to carry out our business.

Clearly, in accordance with the UCP and directives regarding the CINCs that have been promulgated from this particular body here in the Congress, the CINCs have the authority and the ability to organize their forces to carry out tasks the way they want to. That obviously needs to happen, because circumstances tend to change a little bit. Joint doctrine, while it generally fits, may have to require some modification to work within a given theater, to work with certain allies.

So, it is really important that we think that through when it comes particularly to space.

Senator NUNN. Do you think we are doing that now? Because I believe your concern was expressed the last time you were before the committee. Are we working that problem in the Joint Staff?

General ESTES. We sure are. Of course, the chairman's vision, Joint Vision 2010, is designed to help with that issue. It has a big section in it which talks to doctrine, as we try to work toward where the military is going in the future and the kinds of doctrine that need to be developed to be ready for the kinds of systems and the type of military we think we need to have out in 2010.

Senator NUNN. How does this apply to space? I think you were about to get into that.

General ESTES. Well, again, the space business, with all the great things that have happened previously, and lots of progress has been made, and CINCs around the world, especially the regional CINCs, are gaining a better and better understanding of how to use space, the Joint doctrine of how we do that business is still not well defined in some cases and is going to require some additional work. This is going on in J-7 now. Lots of work is being done to create Joint doctrine for space. As we get further along down the road, we will have a better understanding of what to do.

But what I was specifically addressing in the comment that you made, Senator Nunn, that you attributed to me from earlier testimony, is the fact that we have a lot of good things happening in space, and while we have made a distinct amount of progress, substantial progress in integrating these things doctrinally into the way we do our Joint warfighting business, we need to continue to work this. This is a very difficult business to understand. We need to make it more understandable to operators.

As I said, previous CINCs have made tremendous strides in this. But it is an area we need to continue to work on. You can rest assured that, if confirmed, I will do just that.

Senator NUNN. An item in the Fort Worth Star Telegram, dated July 27, 1996—in other words, just 2 or 3 days ago—reports that 175 soldiers from the 82nd Airborne Division were deployed to Haiti. As far as I know, none of the congressional oversight committees were informed of that deployment, if it indeed occurred. Could you tell us if that report is true, and the date of their deployment, circumstances and so forth?

General ESTES. Senator Nunn, the deployment—I am not trying to pick words with you, but this is actually an exercise that they are going down to participate in, not a deployment. If it were a deployment, obviously we would have come to you and let you know that was going on. This is a standard exercise that Atlantic Command is running. They are putting some of their forces down there for training, as we have done with a lot of other forces since the U.S. forces that were part of the U.N. mission there left earlier in the year.

So, we have continued to do these exercises, in exercising a couple of different groups of people. The primary one is combat engineers which have gone down there, on the one hand, to get training. We do this throughout the Latin American and the Caribbean countries. They go down there and get good training. In addition, they end up helping the countries out.

So these are just different kinds of exercises that we are talking about.

Senator NUNN. How long would the 82nd Airborne soldiers stay down there?

General ESTES. They will only be down there about 10 days. So, it is a very short exercise, going down for a specific period of time to accomplish a specific purpose, and then they will come back. We are going to rotate people down through this series of exercises that ACOM has planned.

Senator NUNN. Are they tied into the U.N. forces still there?

General ESTES. They are not. This is separate.

Senator NUNN. Totally separate?

General ESTES. Totally separate. This is U.S. unilateral exercising going on, conducted by Atlantic Command.

Senator NUNN. So, it is not a replacement of the forces we pulled out?

General ESTES. It absolutely is not.

Senator NUNN. One final question, General. How do you rate the threat to the United States between long-range ballistic missiles and stealthy cruise missiles or just plain cruise missiles? How do you rate those in terms of the most likely threat, the most urgent threat and so forth?

General ESTES. Well, I think the National intelligence estimates speak to the issue of exactly when different threats will come due. I know there has been some debate over that.

I think both long-range ballistic missiles and cruise missiles are a consideration which we must take into account. In my current position as the J-3, there has been a lot of discussion about stealthy cruise missiles. We know what is going on in terms of ballistic missiles. Either of those types of weapon systems, if aimed against our great country, can have the same impact. So, we have got to watch both of them carefully. We have got to develop plans to handle both threats.

Again, it is my understanding that U.S. Space Command and NORAD have both looked at this issue in terms of the priorities. Defense against ballistic missiles and defense against cruise missiles are in the top three of the priorities for NORAD this past year. So, my personal feeling is that we have to take both threats seriously. We must be ready to deal with both when those threats materialize.

Senator NUNN. Which is the toughest to deal with?

General ESTES. Well, I think they both present different and unique problems. The cruise missile problem—both of them can be fairly short in times of duration to detect and do something about. A cruise missile, depending on where it is launched from, might take a little longer to arrive on its target. So you have got a little more time to react. But its path may not be as certain as a ballistic missile, which, once detected, we know what the path is, and the intercept geometry might be a little easier on. But both are very difficult problems and both demand our attention.

Senator NUNN. Thank you, Mr. Chairman.

Chairman THURMOND. Senator Robb.

Senator ROBB. Thank you, Mr. Chairman. I will be very brief.



First of all, General Estes, I would like to thank you for the many hours that you have spent with members of this committee and others on issues that might not even be visible on the public record. I do not think there is a full appreciation of the number of hours, particularly for the Director of Operations, that are required. I just want to publicly thank you for the courtesies that you have extended on any number of occasions for many of us who have taken advantage of your willingness to brief at very odd hours and weekends and what have you. Most people would assume that the rest of the defense establishment was operating on the same kind of schedule they were, and that is just not the case.

I kidded with you just before the hearing started, Why would you want to give all this up to go out to a very pleasant location and become a CINC? The chairman came in about that time, before you had an opportunity to fully respond. But let me ask just a couple of questions that relate more to your current duties than your prospective duties, because I think you have a unique vantage point to share.

You are about to become, certainly with, I believe, the full and enthusiastic support of this committee and the full Senate, the Commander in Chief for U.S. Space Command and NORAD. Questions have been raised whether or not at this particular point in our development of overall structure, whether or not we need the precise number of CINCs that we have today, particularly those that are non-regional, and whether or not there are potential savings. I suggest that there was considerable debate on the floor with respect to the request by the Marine Corps to have additional generals. The proffered reason for that particular request had to do with staffing additional Joint commands and what have you.

Other CINCs and defense analysts have all come to the conclusion that this is an area that ought to be at least examined. I wonder what your view at this point is with respect to whether or not there are potential savings and economies, as well as efficiencies, for the ability of the Defense Department to carry out our responsibilities in an examination of this particular question.

General ESTES. Senator Robb, it is a very difficult question for me to answer. But you asked me for an opinion, and so I would simply say that we just had a review of the roles and missions, as you are well aware. One of the things that would have come out of that, if in fact there were economies to be made, would have been out of that roles and mission review.

I think one of the difficulties we run into, as downsizing occurs, people think that we can eliminate positions at the top. But even at lower-level organizations, we have found that certain tasks are required to be done regardless of the size of the armed forces unless we change the structure and the mission of the armed forces. So, it would be easy for me to sit here and try to justify every CINC based on what I have done as the J-3 and what I have seen. Obviously, that is not what you are looking for.

But my gut feeling is, having watched what has occurred here and what I have seen over the last 2 years, every CINC we have is fully engaged in a very important aspect of the mission. If, in fact, decisions were made to consolidate CINCs, those missions are

not going to go away. All we are going to do is overburden another CINC with additional responsibilities.

So, I think, in line with what the roles and missions review said, which is that we affirm the CINCDoms that we had out there and, based on my personal experience as the J-3, unless we did something substantially different in the way we are utilizing our military force today, you have got about the right level of CINCs. The division of responsibility is about right simply because, to do away with one of them would really overburden another CINC which is already fully tasked.

Senator ROBB. All right. Well, let me ask you, then, just as a final question, to slip out on that thin ice of force structure that you alluded to. The Quadrennial Defense Review is coming up. There has been a considerable amount of interest expressed on behalf of this committee and the Congress about how we might address that question in the future. What particular guidelines might you be able to share with us as you depart perhaps the best vantage point for addressing that question, as J-3, and go out to the rarified atmosphere of being USCINCSpace and CINCNORAD?

General ESTES. Senator Robb, I think, again—and I do not mean to slip your question, because it is a very important question—but it would be inappropriate for me to raise issues at this point without letting the Quadrennial Defense Review complete its tasks. Again, without restating what I just said in the previous answer, I do think, based on where we are today with what we do today, that we have about the right level of CINCDoms out there, in terms of force structure. It is very difficult for me to say.

I can tell you, as the J-3, in watching what our forces go through on a day-to-day basis, there is not a lot of slack out there. People are extremely engaged. Our forces are worked hard. We have quality of life to worry about. This committee has been very understanding of that and understands it probably better than any other part of the Congress, that we cannot have people gone all the time. So, this requires rotations of forces, which means that more people are gone for lengths of time to try to carry out the tasks that this government has asked the military to carry out.

There is not a lot of slack out there. We have a plan underway right now, which has just been recently approved by the Secretary of Defense, in which we are looking at what I would call very low-density/high-tasked systems in which we are putting tremendous pressures on. Things like reconnaissance systems. U-2's are a good example.

It is the same kind of thing we have been doing with the battle groups for years, where we say we have so many of these things that can go on so many deployments. Because we are not going to tolerate, for an extended period, longer deployments than we already have them going on. We need to manage this a little better. We are starting to do this with other parts of the force because of the tremendous pressure being put on those very low-density systems, which are in very high demand by the CINCs. So that we can ensure that we are not overstepping the bounds of what is reasonable to expect from these forces on a day-to-day basis, we are looking at that.

So, we are already tasked—I know people look at it and say—that is why we are doing this review. Maybe there are some other opportunities. But, as the J-3, I would simply say, based on the experience of my last 2 years here, there is not a lot of slack out there in the military force today to accomplish the tasks that we have been given today to accomplish.

Senator ROBB. General, thank you.

My time has expired. I am going to assume from your answer that you would prefer to wait to comment until the QDR is finished sometime next spring, if you are back testifying before this committee. You might be willing at that point to share some additional observations, perhaps with the perspective of having then been away from the J-3 long enough to view it in a slightly different context. It is clearly a matter that the Congress is going to be looking at, and I thank you for your response.

Mr. Chairman, I thank you. My time has expired.

Chairman THURMOND. I have a few more questions, but I am going to let you answer them for the record to save time.

Do you have any other questions?

Senator ROBB. No.

Chairman THURMOND. Now, we will meet this afternoon, I believe at 3:30, in executive session. I hope we can act on your nomination at that time. I strongly support you, and I hope we can get you out of the committee right away.

General ESTES. Thank you, Mr. Chairman.

Chairman THURMOND. We thank you for your appearance and wish you well in your work.

General ESTES. Thank you, sir.

Chairman THURMOND. The committee now stands adjourned.

[Whereupon, at 11:45, the hearing was adjourned.]

[Prepared questions submitted to Lt. Gen. Howell M. Estes III, USAF, by Senator Thurmond prior to the hearing with answers supplied follow:]

THE JOINT STAFF  
Washington, DC, July 29, 1996.

Hon. STROM THURMOND, CHAIRMAN,  
Committee on Armed Services,  
U.S. Senate,  
Washington, DC.

DEAR MR. CHAIRMAN: I am sincerely honored by my nomination for assignment to be the Commander in Chief, U.S. Space Command/North American Aerospace Command. Should your committee and the Senate confirm me for those responsibilities, I pledge my full support to our Nation, the President, the Congress, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the men and women of U.S. Space Command and North American Aerospace Command.

As requested in your letter of July 27th, I have enclosed responses to your questions.

Sincerely,

HOWELL M. ESTES III  
Lt. Gen., USAF, Director for Operations.

Enclosure.

cc: Senator Sam Nunn,  
Ranking Minority Member.

## QUESTIONS AND RESPONSES

## DEFENSE REFORMS

*Question.* More than 9 years have passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms. You have had an opportunity to observe the implementation and impact of these reforms, particularly in your assignment as Director of Operations, J-3, Joint Staff.

Do you support full implementation of these defense reforms?

*Answer.* Yes, I strongly support the Defense Reorganization Act of 1986 and its provisions. They have unquestionably strengthened our Armed Forces and the warfighting combatant commander's ability to conduct operations.

*Question.* What is your view of the extent to which these defense reforms have been implemented?

*Answer.* I believe the entire Department of Defense has vigorously and successfully pursued implementation of these important reforms.

*Question.* What do you consider to be the most important aspects of these defense reforms?

*Answer.* The most positive aspect is the overall improvement of our joint warfighting ability. The Goldwater-Nichols Act has resulted in much needed improvements in joint doctrine, joint professional military education, and strategic planning. Another important element is the unambiguous responsibility placed upon each CINC for execution of mission and preparedness of assigned forces, and enhanced command authority to fulfill that responsibility. Clearly, the legislation is accomplishing what Congress intended.

*Question.* Based upon your experience and your assignment as Director for Operations J-3, Joint Staff, do you believe that the role of the combatant commanders under the Goldwater-Nichols legislation is appropriate and the policies and processes in existence allow that role to be fulfilled?

*Answer.* Yes. Goldwater-Nichols has ensured that the combatant commanders remain in a direct command line to the National Command Authority and are completely responsible for the conduct of operations, including support activities, within their commands. Combatant commanders ultimately organize their commands; ensure they are properly trained, equipped and led; and then fight with the support and assistance of the services and other unified commands. The policies and processes currently practiced have proven extremely effective in allowing the Joint Chiefs as a whole and the individual Service Chiefs to achieve the goals of greater joint interoperability and joint combat effectiveness, as well as more integrated determination of joint requirements. Our fighting forces have proven the benefits of these initiatives since 1986. Over the past 2 years, I have worked directly with the functional and regional combatant commanders on a host of strategic and tactical issues. In that time, I have been impressed with the vitality of the relationship between the combatant commanders and the Chairman; the candor of communication between the CINCs and the Secretary of Defense; and with the Chairman's ability to represent CINC interests in the broad policymaking arena. These are fundamental outcomes of Goldwater-Nichols that represent significant improvements in the way national defense policy is formulated and executed. The combatant CINCs have tremendous influence in developing future programs that support their warfighting missions through participation in such forums as the Joint Requirements Oversight Council (JROC). At the same time, the Chairman ensures combatant commander requirements receive proper visibility in the budget-development process through his Program Assessment and Recommendations. These examples of policies and processes reflect my confidence in the strength and effectiveness of the Goldwater-Nichols legislation.

## RELATIONSHIPS

*Question.* Section 162(b) of Title 10, United States Code, provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander in Chief, North American Aerospace Command/Commander in Chief, United States Space Command to the following offices:

The Under Secretaries of Defense.

*Answer.* Under current DOD Directives, Under Secretaries of Defense coordinate and exchange information with DOD components, such as combatant commands, having collateral or related functions. As a combatant commander I will respond

and reciprocate. Formal coordination shall be communicated through the Chairman of the Joint Chiefs of Staff.

*Question.* The Assistant Secretaries of Defense.

*Answer.* With the exception of the Assistant Secretaries of Defense for C<sup>3</sup>I and Legislative Affairs, all Assistant Secretaries are subordinate to one of the Under Secretaries of Defense. This means any relationship SPACECOM would require with any Assistant Secretary of Defense would be through the Under Secretary of Defense for Policy, the Under Secretary for Personnel and Readiness, and the Under Secretary for Acquisition and Technology. Since the Assistant Secretaries of Defense for C<sup>3</sup>I and Legislative Affairs are SecDef's principal deputies for overall supervision of C<sup>3</sup>I and Legislative matters respectively, any relations required between SPACECOM and ASIX(C<sup>3</sup>I) or ASD(LA) would be conducted along the same lines as those discussed above regarding relations with the various Under Secretaries of Defense.

*Question.* The Chairman of the Joint Chiefs of Staff.

*Answer.* The Chairman is clearly established by Title 10 as the principal military advisor to the NCA. However, he serves as an advisor and is not, according to the law, in the chain of command that runs from the NCA directly to each combatant commander. The law does allow the President to direct that communications between him or the Secretary of Defense and the combatant commanders be transmitted through the Chairman. President Clinton has directed this in the Unified Command Plan. This action keeps the Chairman fully involved so that he can execute his other legal responsibilities. Certainly a key responsibility is his role as spokesman for the CINCs, especially on the operational requirements of their respective commands. While the legal duties of the Chairman are many and they require either his representation or personal participation in a wide range of issues, as a CINC, I will have the obligation, through the Chairman, to keep the Secretary of Defense promptly informed on matters for which he may hold me personally accountable. A CINC's duty is to work with the Chairman to provide for the security of his command and execute NCA-directed taskings.

*Question.* The Vice Chairman of the Joint Chiefs of Staff.

*Answer.* When functioning as the acting Chairman, the Vice Chairman's relationship with CINCs is exactly that of the Chairman. The 103rd Congress amended Title 10 to give the Vice Chairman the same right and obligation that other members of the Joint Chiefs of Staff have to submit an opinion or advice to the President, National Security Council, or Secretary of Defense if their views disagree with those of the Chairman. As a CINC, I would readily listen to and discuss with the Vice Chairman his thoughts on any general defense matter considered by the Joint Chiefs of Staff. Finally, because the Vice Chairman also plays a key role on many boards and panels that effect programming and therefore the preparedness of SPACECOM, I believe his insights are extremely valuable and I would certainly seek his counsel.

*Question.* The Assistant to the Chairman of the Joint Chiefs of Staff.

*Answer.* The Unified Command Plan makes the CINC the single point of contact for providing U.S. military representation within his assigned responsibilities. To meet this responsibility, CINCs must be fully engaged in the interagency process as it considers matters under their purview. I know that the Assistant to the Chairman has an extensive charter to represent the Chairman in the interagency process. While there are no direct lines connecting the Assistant to the Chairman to any combatant commander, what the Assistant knows and can share about the interagency process with any CINC is useful and will be requested. The Assistant to the Chairman also works on matters of personal interest to the Chairman which may require him to consult with me as a combatant commander as an issue unfolds.

*Question.* The Director of the Joint Staff.

*Answer.* This relationship is a very familiar one to me. The Director of the Joint Staff has many significant responsibilities which require interaction with SPACECOM. Most importantly, the Director is generally the point of contact for soliciting information from all the CINCs when the Chairman is developing a position on any important issue. I intend to continue the strong lines of communication with him.

*Question.* The Secretaries of the Military Departments.

*Answer.* Title 10, section 165 provides that, subject to the authority, direction, and control of the SecDef and subject to the authority of combatant commanders, the Secretaries of Military Departments are responsible for the administration and support of the forces they have assigned to combatant commands. The authority exercised by a combatant commander over Service components is quite clear, but requires close coordination with each Secretary.

*Question.* The Chiefs of Staff of the Services.

Answer. Service Chiefs are no longer involved in the operational chain of command. They now have two significant roles. First and foremost, they are responsible for the organization, training, and equipping of their respective Service. Without the full support and cooperation of the Service Chiefs, no CINC can hope to ensure the preparedness of his assigned forces for whatever missions the NCA directs. Next, as members of the Joint Chiefs of Staff, the Service Chiefs have a lawful obligation to provide military advice to the National Command Authority. Individually and collectively, the Joint Chiefs are a source of experience and judgment that every CINC can and should call upon. If confirmed as Commander in Chief, SPACECOM, I intend to conduct a full dialogue with the Chiefs of all four Services.

*Question.* The combatant commanders.

Answer. My relationship with the other combatant commanders will be one of mutual support, continued dialog on key issues, and frequent face-to-face interaction during periodic CINC conferences and other meetings as required. In today's security environment, an atmosphere of teamwork and complete trust is critical to executing U.S. national policy.

#### ORGANIZATIONAL ISSUES

*Question.* Creation of a Deputy Under Secretary of Defense for Space was intended to provide a single focal point with the Office of the Secretary of Defense for space matters. To what degree has this been achieved and what are the principal benefits that you can identify? How does this organizational change affect U.S. Space Command?

Answer. Organizational changes were needed to better coordinate space activities within DOD. In the past year, changes have been approved and are now a reality. They include approving a Deputy Under Secretary of Defense for Space, forming a Joint Space Management Board and a DOD Space Architect. These elements were needed because they fill a void in the governmental process for working the continuum of space issues. USSPACECOM has the responsibility for promulgating military requirements, developing appropriate plans, and executing assigned missions. The added elements now give us government organizations responsible for policy development, architectures, coordinating acquisition programs, resource allocation, and reconciling issues between black and white-world space activities. These changes have organized us better to deal in a focused way with space issues in the future.

*Question.* The charter for the new Joint Space Management Board calls for creation of a "National Security Space Architect" not a DOD Space Architect. To what extent should the Department of Defense seek to fulfill this charter, and over what period of time?

Answer. It is my understanding that there is an Integrated Product Team (IPT) between DOD and the NRO which is addressing specific recommendations on a transition plan leading to the implementation of a national architecture, and ultimately a "National Security Space Architect." While their work has not been concluded, it is anticipated that they will report on their findings in the spring of 1997 to the Joint Space Management Board. At that time, we will be postured to better understand the specific milestones for implementation. In the meantime, DOD has taken an initial step by creating a DOD Space Architect. If confirmed, I intend to get into this process more deeply as it unfolds.

*Question.* The Department of Defense Space Architect will soon begin an architecture effort dealing with telemetry, tracking and control. Could you describe the problems that must be fixed with this effort and the efficiencies that you believe can be attained?

Answer. Recent advancements in processing capabilities make possible significant improvements in the way we conduct satellite tracking, telemetry, and commanding (TT&C). It is my understanding that USSPACECOM took the initiative to explore these advancements in a process called the Future Integrated TT&C Architecture Study (FITAS). The study was done by DOD and civil agencies who operate satellite systems around the globe. They reported their findings in April 1995, which included reduced O&M costs from more efficient processing and some consolidation. Following this study an Integrated Product Team (IPT) comprised of NASA, NOAA, and USSPACECOM, under the auspices of the DOD-NASA Aeronautics and Astronautics Coordinating Board, has continued with this effort and is wrapping up its findings and recommendations. Because of these efforts, the new DOD Space Architect will be addressing a TT&C architecture. His work is expected to be completed in December 1996. However, the work done by the FITAS and IPT will provide important preliminary inputs to this TT&C project. Efficiencies are difficult to achieve in the near term because of inherent system incompatibilities. However, establish-

ing an integrated TT&C management process among civil and national security space agencies with agreed upon standards and common protocols will be key to realizing longer term improvements.

#### SUPPORT TO THE WARFIGHTING CINCS

*Question.* If confirmed, one of your primary responsibilities as CINCSPACE will be to provide space support to the warfighting CINCS. Is Space Command properly organized to fulfill this mission? What improvements, if any, do you intend to pursue?

Answer. Definitely yes. The proper USSPACECOM organization for the planning and execution of assigned military space missions has been addressed in detail, most recently by the Commission on Roles and Missions (CORM). Several options involving the Services were explored. One was the creation of a new Service which was believed to be unnecessary. Second, was the specification of an existing Service to do the space mission which was rejected since it was perceived that access to the requirements process by all of the Services who depend on critical space capabilities would have been diminished. Several additional alternatives were considered. The first provision was a Unified Command with functional components (air, land and sea), but since there are no air, land and sea media in the operational medium of space, this option was discarded as an unimplementable alternative. The next option was a Unified Command within the U.S. Unified Command structure comprised of service components which is certainly acceptable within the specifications of Goldwater-Nichols. This option permitted a range of contributions by the Services in terms of people and resources, and it most importantly permits equal access to the space requirements process. Additionally, the sharing of space-borne capabilities can and is shared equally among the Services as they provide component forces to the CINCS. In conclusion, the way USSPACECOM was initially and still is organized is clearly the best option and was recognized as such by the CORM. It is important to note that the feedback received from the Services and the CINCS substantiates this as very favorable. I do not see this changing in the near future.

*Question.* Is Space Command doing everything possible to ensure that the theater CINCS fully integrate space support into their planning and operations? What improvements, if any, would you recommend?

Answer. Since the Gulf War, USSPACECOM has worked hard to "operationalize" space. This means access to, understanding of, and therefore effective use and integration of our critically important space-borne assets into the deliberate and crisis planning/execution by the warfighting CINCS. The fact is "space support" to the warfighter (termed enhancement) is a USSPACECOM assigned mission. In this regard, USSPACECOM has completed and continually updates deliberative planning for the theater CINCS. Space Support Teams have been established for each theater and functional CINC at the Unified Command level. In addition, Service space support teams, formed from USSPACECOM's three component commands and are providing support to the theater CINCS' respective components. Additionally, a system called Theater Support Operations Cell (TSOC) has been developed and provides a technical interface between all of these elements. I have been told this system was demonstrated to the SASC this Spring in a briefing by USCINCSPACE. The regional CINCS understand the importance of space as evidenced by the demand for deployment of these teams, the continuous process of integrating space into theater war plans and frequent exercising during Unified Command exercises. As the Director of Operations, J-3, Joint Staff, I have seen the importance of "operationalizing space" by USSPACECOM. Warfighters now realize how critical space systems are to successfully completing the objectives whether responding to a deliberate plan or a crisis action. I will keep the momentum and positive progress going. We need to continue to educate and train the forces through professional military education, service-specific courses, and exercises to make space more understandable, usable, and accessible to all users.

*Question.* Would you describe the warfighting requirements for our next generation of communications satellites? To what extent can we place greater emphasis on commercial systems and still satisfy our military unique requirements?

Answer. The warfighting commands have clearly articulated their need for access, bandwidth and protection for follow-on military satellite communications systems. The quantity of communications capability, which will be served from space, will be bounded by cost trades, technology advancement, and the requirements in the respective theaters to serve mobile forces (where, for example, fiber optic services are not possible). USSPACECOM has been working this aggressively with DOD agencies and the theater CINCS and has consolidated communications requirements in a CAPSTONE Requirements Document (CRD) which was recently endorsed by the

Joint Requirements Oversight Council (JROC). The CRD required the consensus of the Theater CINCs and Services. It is clear, from the perspective of cost and available technology, that commercial capabilities must be leveraged to the maximum extent. However, when evaluating some unique military capabilities, the commercial sector cannot serve them adequately. Therefore, I believe that a small proportion of the follow-on military satellite communications capability fielded by the United States will have to be military-unique systems. The DOD Space Architect, as one of his three initial projects, will evaluate and make recommendations on this mix.

*Question.* The Secretary of Defense, the Director of Central Intelligence, and the Chairman of the Joint Chiefs of Staff have all recommended the creation of a National Imagery and Mapping Agency to improve imagery exploitation and dissemination. Are you satisfied that this new organization will improve matters for all potential customers of imagery and imagery-based products?

*Answer.* Yes. The consolidation of imagery functions that support both national and military customers into a single "Combat Support Agency" is the first step to ensuring assured support to the warfighter well into the 21st Century. As I look at the proposals, I'm convinced that improvements will be made in the tasking process that will ensure participation by the CINCs. In addition, the consolidation should improve the processing, exploitation and most importantly the dissemination of imagery to the customers. In my opinion, NIMA will significantly enhance support to the warfighters.

#### INFORMATION WARFARE

*Question.* Joint Vision 2010 stresses, among other things, the importance of information superiority. Information superiority has two aspects, offensive and defensive information warfare.

What role do you believe the United States Space Command will play in these two aspects of information superiority?

*Answer.* As the JCS Director of Operations, I have been very involved in the development of information warfare policy, planning, and execution. I would be the first to tell you there is still much work to be done as we develop a framework that links the various organizations involved in information warfare to address the full spectrum of issues that confront us. As relates to USSPACECOM, I believe that space control and information warfare are very closely related. They overlap considerably, but they are two separate and distinct functions. The bottom line is they are closely related, but inseparable. Space control is a Unified Command Plan (UCP) mission which USSPACECOM takes very seriously. If confirmed as CINCSPACE, I will ensure that USSPACECOM continues to play a big part in articulating requirements, planning for the future, and preparing to expand into the space control role which must be synchronized with information warfare.

*Question.* Do you believe that sufficient attention is being paid to defensive warfare, particularly with respect to commercial systems upon which U.S. forces rely?

*Answer.* Much attention is being given to this very important topic. It is clear that the assured access to our military space systems, particularly the communications systems, is critical to effective operation of U.S. forces around the globe. Joint Vision 2010 points out we are becoming increasingly vulnerable as we expand the quantity and reliance on commercial space systems. In this regard, we are confident that critical, core nodes and systems are adequately robust to provide protection. As we work with the commercial sector to procure follow-on systems and leverage what the commercial sector will provide us in terms of cheaper and better communications systems, we will continue to work hand in hand with them to balance the risks and the rewards of commercial system utilization. Importantly, the commercial sector is acutely attuned to these vulnerabilities and is building in protective measures which we believe can be leveraged to our benefit.

#### ACQUISITION ISSUES

*Question.* Space Command is a key player in establishing DOD space requirements and hence is a key player in space acquisition. Do you believe that DOD's space acquisition structure is now optimized for efficient space architecture development and acquisition, or are additional changes needed?

*Answer.* I believe the past year, with the formation of the organizational elements previously described, that we are clearly on the right path. USSPACECOM shoulders the responsibility for promulgating space mission requirements (and represents the other CINCs in this regard). The requirements process has been institutionalized into what has been termed the Mission Requirement Planning (MRP) process to ensure that not only are mission area capabilities properly advocated, but also to ensure that new requirements are affordable, testable, and technologically achiev-



able. These requirements are then presented to the Joint Requirements Oversight Council (JROC) for approval which yields an additional benefit for consensus building and integration. Based on this foundation, the DUSD (Space), the Joint Space Management Board, and the DOD Space Architect can perform their respective functions leading to the successful acquisition programs. Again, I believe that we are moving in the right direction, and if confirmed as USCINSPACE, I will stay closely involved and engaged in this critically important process.

*Question.* Do you believe that we have adequately integrated DOD space acquisition with the NRO's acquisition system? What additional steps, if any, would you advocate?

*Answer.* This question gets to the heart of why we needed and established a Joint Space Management Board and a DOD Space Architect—to better integrate the synchronization of the requirements, system acquisition and architectures between the black and white world of space. I do recognize that there is a difference between who has the lead for the respective requirements and acquisition processes. If confirmed as USCINSPACE, I will continue to carry out my responsibilities for the requirements process. Regarding acquisition, I will monitor it from an operations standpoint closely as the acquisition communities cooperatively address space needs in a more integrated fashion.

*Question.* The Congressional Defense Committees have demonstrated strong support for acceleration of the Space and Missile Tracking System as part of the overall Space-Based Infrared System program. Do you support acceleration of this program and the concept of reestablishing competition in the SMTS program? What in your view is the earliest that we can plan on launching the first SMTS Block I satellites assuming an acceptable level of technical risk in the development program?

*Answer.* If confirmed as USCINSPACE, I will continue to be a strong advocate for the Space-Based Infrared System (SBIRS), because it is critical to serving USSPACECOM, NORAD, and our other Unified Command customers around the world. This is especially important in light of the projected estimates for proliferation of ballistic missile technology and the capability to deliver weapons of mass destruction. The SBIRS architecture grew out of the 1994 SBIRS Summer Study and still enjoys strong consensus among the Services and Theater CINCs. For that architecture to be implementable, we must deploy the High Component before the Low Component (Space and Missile Tracking System—SMTS). The High Component must be deployed not later than early in the next century to successfully transition from the Defense Support Program (DSP) to SBIRS without operational degradation. There is no question for our strategic and theater warfighters of the importance of being able to track from space cold bodies in space. The Low Component (SMTS) will give us that capability as we also develop engagement systems. The first launch of a SMTS payload is now scheduled for 2006. The U.S. Air Force and the Ballistic Missile Defense Organization (BMDO) are currently exploring options to accelerate this deployment date which will take into account the costs and technical risks associated with this acceleration. I would have to see the results of the Air Force study to give you a valid estimate of an accelerated launch date for SMTS.

*Question.* In your view, should DOD seek to place greater emphasis on small satellites for a range of defense missions? What areas can benefit the most from miniaturized space technology developments?

*Answer.* Small satellites provide definite advantages if we can achieve assigned missions with them. The costs associated with launch and acquisition will be less. The transition to small satellites is bounded by at least two factors. The first is technology advancement and the second is the physics associated with the characteristics of the satellite performing a specific mission. We are already making some progress as reflected in our plan to downsize the Space-Based Infrared Systems (SBIRS) payloads from large to smaller sized satellites. This will assist in achieving substantial savings in launch costs. There is consensus on this notion and I agree with it wholeheartedly. It should be realized, however, that the transition period from large to smaller satellites will require some time. First, we must appropriately utilize what has already been acquired (and is still effective) so as not to waste precious resources. Second, technological advancement will dictate how quickly we can move to smaller satellites without mission degradation. So, the key will be to balance the two in this transition period. As mentioned previously, some mission areas are already benefiting from small satellite technology, and I predict that all of our mission areas will eventually benefit whether they be ballistic missile warning, intelligence, weather sensing, navigation, or communications.

## COOPERATION WITH OUR ALLIES

*Question.* To what extent should the United States seek to foster allied cooperation on Department of Defense space programs? In this regard, which programmatic areas do you view as the most promising?

*Answer.* Our National Security Strategy of engagement and enlargement also depends on the development of cooperation between the U.S. and our allies on space-based capabilities. As the Director of Operations, Joint Staff, I am intimately aware of the importance of coalition operations around the globe as we execute our responsibilities in the national interests of the U.S. Therefore, we must continue to lead in space capabilities, while at the same time expanding opportunities to cooperate with our allies. We already have good cooperation with many of our allies in the areas of weather and communications support. In addition, we have agreements with some to share ballistic missile warning data via the USSPACECOM implemented Theater Event System (TES). This yields substantial advantage to the U.S. in that it enhances stability, provides deterrence, keeps the U.S. in a leadership posture, and provides opportunities to reap cost-sharing benefits and technology development.

## GLOBAL BROADCAST SYSTEM

*Question.* The Committee has supported the Defense Department's initiative to establish a global broadcast system for DOD. GBS will obviously be a key element in DOD's overall satellite communications architecture. How will this system fit into the Department's overall satellite communications master plan?

*Answer.* The Joint Broadcast Service (JBS) demonstration, and plans for Global Broadcast Service (GBS) will play key and integral roles as we move toward a follow-on satellite architecture and fielded system. The JBS demonstration in the Balkans is a precursor to GBS and will provide us valuable insight into future employment concepts. It is also an excellent example of using technology from the commercial sector in a timely and relevant way to vastly improve the flow of critical information to warfighters in the field. For example, using the Ultra-High Frequency (UHF) system to transmit a precision photo to a ship at sea, requires a good portion of a day. During the transmission, nothing else can be communicated through the system. This is obviously extremely limited. Using the wider band Super-High Frequency (SHF) system, it could take on the order of minutes when nothing else of critical nature needs to be delivered to the theater users who rely on the system. But, with the JBS/GBS technology, tens of channels can be utilized to deliver in a matter of seconds, not only precision photographic products, but also full motion video, not to mention a full range of other informational services. This incredible advancement in technology must be made available to mobile warfighters in every component throughout the world in an affordable way. This will give us high volume information flow in a common, integrated, synchronized fashion, not only among our U.S. forces, but with our allies as we conduct joint, combined operations.

## GLOBAL POSITIONING SYSTEM

*Question.* Section 279 of the National Defense Authorization Act for Fiscal Year 1996 requires the Secretary of Defense to prepare a plan for dealing with potential vulnerabilities associated with jamming and denial of the Global Positioning System. What in your view are the most promising measures that can be taken to achieve this goal? What do you view as the most cost effective approach?

*Answer.* The Global Positioning System (GPS) is critically important to implementing our military plans and effectively achieving military objectives. It was built and deployed, as you well know, to provide precision navigation to our forces. In the intervening years since deployment, the commercial and civil sectors have become very dependent on GPS. There are obvious economic and safety benefits from the system which subsequently led to the recent Presidential policy on GPS. In compliance with Presidential policy, alternatives are being developed to provide means other than the current selective availability technique to protect and deny this capability during times of crisis and conflict.

I am aware that USSPACECOM has produced a Mission Needs Statement (MNS) to cover this requirement. I am also aware that alternative technologies are being explored in an ongoing Advanced Concept Technology Demonstration (ACTD) sponsored by USACOM. If confirmed as CINCSPACE, I will be actively engaged as we search for the best solution to permit commercial and civil access to the best accuracy GPS can produce while at the same time denying such access to support efforts against U.S. forces or U.S. interests in a crisis.

## MAJOR CHALLENGES

*Question.* In your view, what are the major challenges confronting the next Commander in Chief, North American Aerospace Command/Commander in Chief, United States Space Command? If confirmed, what plans do you have for addressing these challenges?

*Answer.* Proliferation of weapons of mass destruction (WMD) and missile technology around the world will certainly be major challenges for both commands. In our operational thinking and doctrinal development, space will continue to be an increasingly important operational medium from which to achieve information dominance. USSPACECOM will play a significant role, particularly as we deal with information warfare and expand into the assigned missions of force application and space control. To address these challenges, if confirmed as CINCSPACE, I will ensure USSPACECOM continues to be integrated into the requirements process as it relates to assigned mission areas, particularly, for spacelift, ballistic missile warning, military satellite communications, missile defense and other key areas. NORAD is an important bi-national command between Canada and the United States which continues to play a key role 38 years after its inception. Appropriately, the NORAD missions have been continuously adjusted over time as threats and responsibilities have changed. After this year's eighth renewal of the agreement, we must continue to assess the missions of attack warning and assessment, air sovereignty, air defense, and the planning to deploy an effective missile defense system. I am aware of the work that has been completed to date and, if confirmed, will stay totally engaged in this important process.

## MOST SERIOUS PROBLEMS

*Question.* What do you consider to be the most serious problems in the performance of the functions of Commander in Chief, North American Aerospace Command/Commander in Chief United States Space Command? What management actions and time lines would you establish to address these problems?

*Answer.* Again, having been involved in the U.S. joint process as the Director of Operations on the Joint Staff, I am very familiar with the development of the Integrated Priority Lists (IPLs) that the Unified Commanders submit through the Joint Warfighting Capability Assessment (JWCA) process. I believe that NORAD and USSPACECOM, working in concert with their respective Unified Command colleagues, and within the Unified Command system have established very responsive products from which to address modernization needs as we deal with the ever changing world. If confirmed as CINC/NORAD/USCINCSPACE, I will be intimately involved in the continuation of this important task. Beyond the need for new systems, I will have to wait until I have the opportunity to view the situation first hand before describing management actions required at either USSPACECOM or NORAD.

## QUALIFICATIONS

*Question.* If confirmed, you will be entering this important position at a time of heightened tensions and increased potential for deployment of forces. What background and experience do you have that you believe qualifies you for this position?

*Answer.* The U.S. military has done a superb job, in my opinion, preparing me for this moment in time. Most notably, over the years I have been fortunate enough to command at the squadron, group, air division and numbered air force levels. Equally important are the three joint positions I have served in. One, working as the special assistant to General Bernie Rogers when he was SACEUR; the second working as the Air Component Commander for the Combined U.S./Korea Forces Command under both Generals Riscassi and Luck; lastly, in my current position as Director of Operations, J-3, Joint Staff, I have appeared before the Senate Armed Services Committee many times giving testimony and briefings involved in current U.S. operations and force deployments. While I have not been fortunate enough to have had an assignment in USSPACECOM or NORAD, I would tell you that I have had direct involvement with both commands in 9 years as a general officer. The practical aspects of being on the supported end of the USSPACECOM/NORAD business in joint and combined positions gives me an excellent understanding of the needs of the warfighter. This experience will prove invaluable to me in carrying out my responsibilities, if confirmed as CINCSPACE.

## CONGRESSIONAL OVERSIGHT

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

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

Answer. Yes

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

Answer. Yes

*Question.* Do you agree, if confirmed, to appear before this committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Commander in Chief, North American Aerospace Command/Commander-in-Chief, United States Space Command?

Answer. Yes

*Question.* Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes

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[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR CHARLES ROBB

SPACE ARCHITECT

Senator ROBB. In the past year, DOD approved a Deputy Under Secretary of Defense for Space and a DOD Space Architect. But it's also my understanding that there are plans to create a position called the National Security Space Architect.

General ESTES, can you bring us up to date on all of these organizational changes and their impact, if any, on the Space Command?

General ESTES. The Deputy Under Secretary of Defense for Space (DUSD(S)) and DOD Space Architect have been functioning together over the past year. The office of DUSD(S) was created to steward space policy development, architectures, coordinated acquisition programs, resource allocation and reconciliation of issues between Service space activities and DOD and the intelligence community. The DOD Space Architect is developing space architectures across the full range of DOD space mission areas. Close coordination with the intelligence community in order to develop fully integrated space architectures is a priority. To date, I feel that both organizations have had positive impacts in these areas. DUSD (Space) is aggressively developing long range goals, or guidestars, for space as part of the National Security Space Master Plan. The Space Architect is moving ahead to define future space architectures in areas such as Military Satellite Communications, space control, and satellite operations. The National Security Space Architect was called for in the charter for the Joint Space Management Board (JSMB). An Integrated Product Team composed of representatives of the DOD and the intelligence community currently is being established to review and evaluate all aspects of national security space planning. The results of this review will be used to determine the most effective processes and organizational responsibilities and relationships for developing future national security space architectures. They will report on their findings in the spring of 1997 to the JSMB. At that time, we will be postured to define the specific milestones for creation of a National Security Space Architect. The creation of these organizations has had positive benefits and complements the responsibilities of U.S. Space Command. USSPACECOM holds the responsibility for promulgating military space requirements, developing appropriate plans, and executing assigned missions. These new organizations ensure that our requirements lead to successful acquisition programs that fit into a coherent, long range space master plan and architecture. We are working very closely with these organizations, and the overall result should be a cohesive national space program that supports the warfighters in executing their assigned missions.

COMMERCIAL VS MILITARY-UNIQUE SATELLITES

Senator ROBB. Given the need to make cost trade-offs and to leverage whatever satellite communications systems are accessible, it seems likely that our military will become increasingly reliant on commercial systems. General Estes, would you

offer us your take on the likely mix of commercial and military-unique satellite systems in the future and on what Space Command is doing to evaluate requirements that demand military unique systems? Are we paying enough attention to defending commercial systems that our troops may have to rely on?

General ESTES. We and our industry partners have looked at this hard in the last 12 months. What the commercial providers are telling us is that the marketplace in 2010 may meet the bulk of our needs, but will not provide for our specialized warfighter functions such as anti-jam, nuclear protection, or our "push-to-talk radio nets." We need dedicated military systems to do those sorts of things.

We must therefore have the flexibility to "buy some" and "lease some" systems based on cost effectiveness and ability to satisfy requirements. For our predictable day-to-day needs, to surge and augment our military systems in a crisis, and for "new technology," we are doing the analysis to determine if leased services will be cheaper. We do need to "own some" high capacity and broadcast systems to provide our mobile warfighters guaranteed access at a moment's notice wherever they need to deploy (but those systems should be as close to their commercial "cousins" as possible to keep costs down). For terminals, we will build some of our own and buy some "over the counter". We will want military terminals to also tune to commercial frequencies.

Along these same lines are incentives or financing to commercial service vendors to provide for military needs similar to what we do with the Civil Reserve Air Fleet (CRAF). Allowing DOD to enter into long term commitments in both leasing and acquisition programs would also facilitate these goals and help reduce life cycle costs (especially in the international arena where the majority of our leasing dollars go to foreign service providers).

We strive to protect our satellite systems commensurate with the type of forces and missions they support. The needs of other customers, such as the financial community, are converging with ours to make commercial SATCOM more resistant to "information warfare" attacks. To protect warfighter access to commercial SATCOM, we will also encrypt our communications for privacy and confidentiality. Where possible, we will take other measures to prevent our commercial systems from being exploited by adversaries—for example using our own military "gateways" to access commercial mobile satellite services. We are examining anti-jam capabilities that could be employed on either military or commercial systems.

#### WEAPONS SCHOOL ABSORBS SPACE COURSE

Senator ROBB. General Estes, the Air Force has decided to merge its Space Tactics Course into the Weapons School at Nellis Air Force Base as part of an effort to integrate space resources and knowledge into "warfighter" units. In essence, the Air Force wants graduates of this course to bring a better knowledge of space to the fight.

Can you tell us how Space Command is playing in the development of the curriculum? Are you making progress in your effort to lessen the division between the operational warfighters in the theater and the space experts?

General ESTES. US Space Command's Air Force Component, Air Force Space Command, through its executive agent, the Space Warfare Center Director of Operations at Falcon Air Force Base, CO, developed the Space Tactics School to provide in-depth training in all aspects of space operations, combat Air Forces operations and combat applications of space capabilities to space operations specialists. The goal of the course was to train a select group of officers to work within the broader warfighter community to ensure space capabilities were being exploited during planning, execution, and exercise of combat operations. The initiative to migrate this program to the USAF Weapons School at Nellis AFB is the natural outgrowth of this highly successful initiative which helped focus the increasingly recognized criticality of space capabilities to combat operations to include weapons employment.

The academic foundation provided by Air Force Space Command in all areas of theory, space operations including DOD and National Systems, and space applications for combat operations, combined with exercises, field training and direct interface with the other air combat training programs (a total of 197 courses and 749 hours), will provide a small group of uniquely qualified experts to support combat headquarters and commanders at all levels in the exploitation of space capabilities.

Air Force Space Command will continue to support the Space Division at Nellis with course and curriculum review consultation and by hosting students at command locations to get hands-on experience with various space systems and exploitation tools. In addition, Air Force Space Command supports, primarily through the Space Division instructors, the continued integration of space applications training into the other courses at the Weapons School—a synergy only possible with the

stand up of the Space Division. The operation of the school at Nellis will also provide Air Force Space Command the unique opportunity to get continual inputs for future development of space systems applications growing out of the lessons learned by the Space Division, as an integral part of the Air Force combat training center. Finally, Air Force Space Command is continuing to coordinate the effective use of the future Weapons School Graduates throughout the Combat Air Forces environment.

#### GLOBAL POSITIONING SYSTEM

Senator ROBB. Last year's Defense Authorization Act tasked the Secretary of Defense with preparing a plan for dealing with Global Positioning System vulnerabilities. General Estes, would you give us your assessment of the most promising and affordable measures that we can take to achieve this goal? What's on the drawing board?

General ESTES. US Space Command recognized early on that GPS vulnerability was a genuine issue warranting the highest level attention within the DOD. The Command has been actively exploring this issue since 1991, together with the GPS Joint Program Office, the other CINCs, Services and governmental agencies. This culminated in the 1996 JROC approval of the Operational Protection and Prevention for GPS (OPPG) Mission Needs Statement (MNS) and precipitated an Advanced Concept Technology Demonstration, currently in its second of 4 years, under USACOM sponsorship to demonstrate GPS prevention and protection capabilities.

The Navigation Warfare Initiative, a related activity under the leadership of the Undersecretary of Defense (A&T) and the vice Chairman of the Joint Chiefs of Staff, has teamed DOD with industry to identify the most promising and affordable measures to overcome GPS' vulnerabilities. This team will identify doctrines, tactics and technologies which will ensure we can exploit GPS on the battlefield without giving that same advantage to our enemies while ensuring GPS is always available to all who depend on it outside the war zone. Finally, DOD awarded three contracts to three key industry leaders to help us find the most promising and affordable ways to protect GPS.

Specific measures to counter GPS vulnerability are still under test and analysis. I anticipate this to be a tough and complicated problem, possibly without a foolproof solution, and involving a combination of tactics, techniques and procedures as well as material solutions.

#### CONTROL OF SPACE-BASED INFORMATION

Senator ROBB. General Estes, the Commission on Roles and Missions noted that some critical space-based information is controlled by the Director of Central Intelligence, not by DOD. As a result, the Commission recommended that DOD's influence over space-based support be increased and that DOD be given a greater voice in satellite tasking.

General, can you update us on the status of this issue? Is this still a problem, and do you plan to direct your attention to it in order to be more responsive to the other CINC's requirements?

General ESTES. Tasking, exploitation, and dissemination continue to be the command's top intelligence, surveillance, and reconnaissance priorities. CINCs and their Task Forces require a dominant role in the establishment of intelligence requirements and allocation of resources during crisis and conflict and improved feedback in peacetime. The CINCs have been given the mission of executing the military element of power at the direction of the President. The CINCs must have the tools to accomplish this mission and have influence over what is required to that end.

CINCs require visibility of their respective AORs on a continual basis to support planning and execution in an everchanging environment and often over denied areas where national systems are the only way to get "Eyes on Target". They currently lack the rapid, assured ability to change requirements/tasking of national systems as well as adequate, timely visibility into status of taskings. The principal issue is not control over information, but is the inherent inflexibility of the necessarily complicated tasking system which does not provide the timeliness, visibility, control or feedback sufficient to fully exploit the inherent capabilities of U.S. space-based collection systems to support current and future military operations.

#### INFORMATION WARFARE

Senator ROBB. General Estes, many defense analysts today are talking and writing about the concepts known as the revolution in military affairs and dominant battlefield awareness, both tied closely to space control.

Would you explore with us for a moment the importance of information superiority in this context and what still needs to be done in developing a framework that links the various organizations involved in information warfare to address the full spectrum of issues confronting us?

General ESTES. Information operations and the mission of space control are closely related. Information operations are actions taken to enable achievement of information superiority by affecting adversary information, and information systems, while simultaneously defending our own information, and information systems. Information operations are conducted across the spectrum from peace to crisis and war. The unified command plan mission of space control is also conducted across the spectrum of war and ensures freedom of action in space for friendly forces while denying adversaries that same freedom. There are four functions associated with space control: protection of our space assets, surveillance of space, prevention of enemy use of information derived from space systems, and negation of enemy space capabilities.

Space control and information operations are closely related today because many of our space control capabilities affect other's access to information. However, this relationship will not be as close in the future as our operations in space expand. The real issue, then, is how do we conduct information operations which contain as one of its parts, information warfare? In the domain of peace and crisis, other government agencies, in addition to theater Commanders in Chief (CINCs), will have an interest in information operations to carry out their assigned tasks. This interest by other government agencies and theater CINCs highlights the importance of deciding how we will conduct information operations in peace, crisis and war that involve more than one government agency. Our challenge lies in synchronizing the efforts of these players into a unified information operations approach. A key component of this synchronization is the current and on-going dialogue with other government agencies articulating accurate and meaningful requirements, planning for the future and expanding our space control role in the integration of a comprehensive and effective information warfare strategy.

#### TELEMETRY, TRACKING, AND CONTROL IMPROVEMENTS

Senator ROBB. General Estes, it is my understanding that DOD has recently found a way to dramatically improve the way we conduct satellite tracking, telemetry, and command and control of space assets.

What role does Space Command play in all of this? What's the timeline for achieving these improvements? What is your estimate of savings?

General ESTES. It is a fair statement that substantial savings can be realized over an extended number of years in the command and control of spacecraft, both within DOD and possibly cooperatively with civil agencies. U.S. Space Command has been actively involved in leading and coordinating studies between its components, the Services and civil agencies dating back to the early 1990's simplifying the processes of spacecraft telemetry, tracking, and commanding (T,T&C).

The timelines for realizing spacecraft T,T&C savings are governed by transition time to convert from existing ground command and control systems to newer generation processing systems and by the operational lifetimes of spacecraft currently on orbit or yet to be launched. There are also some savings that can be attained through consolidation of command and control assets across the DOD and civil agencies. Again, the timing of any consolidation, and hence savings, is constrained by incompatibilities between existing spacecraft T,T&C systems. DOD Space Architect is drawing upon previous studies in leading DOD, with participation from NASA and NOAA, in the development of spacecraft operational architecture alternatives. This process will more clearly define options and timing of possible cost savings.

Savings will be difficult to attain in the near term, but long term annual saving, possibly in the hundreds of millions annually by 2010, may be possible.

[The nomination reference of Lt. Gen. Howell M. Estes III, USAF, follows:]

#### NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,  
SENATE OF THE UNITED STATES,  
June 10, 1996.

*Ordered*, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment to the grade of General in the United States Air Force while assigned to a position of importance and responsibility under title 10, U.S.C., Section 601:

*To be General*

Lt. Gen. Howell M. Estes III, 5497.

[The biographical sketch of Lt. Gen. Howell M. Estes III, USAF, which was transmitted to the committee at the time the nomination was referred, follows:]

DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS, U.S. AIR FORCE,  
HQ USAF/DP,  
Washington, DC, June 10, 1996.

Hon. STROM THURMOND, *Chairman,*  
*Committee on Armed Services,*  
*United States Senate,*  
*Washington, DC.*

DEAR MR. CHAIRMAN: The President, under the provisions of Section 601, Title 10 of the United States Code, has submitted to the Senate the nomination of the following general officer for appointment to the grade of general with assignment as indicated:

Name, grade and SSN	Age	Assignment (From/To)
Howell M. Estes III, Lieutenant General, 5497.	54	From Director, Operations, J-3, Joint Staff, To Commander in Chief, North American Aerospace Defense Command; Commander in Chief, United States Space Command; Commander, Air Force Space Command; and Department of Defense Manager for Space Transportation System Contingency Support Operations

General Estes is replacing General Joseph W. Ashy, United States Air Force, who is retiring. Confirmation action during June 1996 will help insure a smooth transition for General Estes. This action will not result in the Air Force exceeding the number of generals authorized by law.

For the information of the committee, I am enclosing a military history on General Estes.

Sincerely,

MICHAEL D. MCGINTY,  
*Lieutenant General, USAF,*  
*Deputy Chief of Staff, Personnel.*

Attachment:  
Military History

RÉSUMÉ OF SERVICE CAREER OF LT. GENERAL HOWELL M. ESTES III

*Date and place of birth:* December 16, 1941, San Antonio, TX.

*Years of active service:* Over 31 years as of June 9, 1996.

*Schools attended and degrees:*

USAF Academy, CO, BS, 1965  
Auburn Univ AL, MA, 1975  
Air Command and Staff College, 1975  
National War College, 1983

*Joint Specialty Officer:* Yes.

*Aeronautical rating:* Command Pilot.

MAJOR PERMANENT DUTY ASSIGNMENTS

Assignment	From	To
Stu Grad, Undergrad Plt Tng, 3550 Stu Sq, ATC, Moody AFB GA	Jun 65	Nov 66
Stu Ofcr, USAF Opnl Tng Crs, F-4C, 15 TFWg, TAC, MacDill AFB FL	Nov 66	Apr 67
Plt, Tac Ftr, F-4D, 335 TFSq, TAC, Seymour-Johnson AFB NC	Apr 67	May 69
Act Comdr, F-4E, 34 TFSq, PACAF, Korat RTAFB TH	May 69	May 70



## MAJOR PERMANENT DUTY ASSIGNMENTS—Continued

Assignment	From	To
Plt, Tac Ftr, F-4E, 32 TFSq, USAFE, Camp New Amsterdam NT .....	May 70	Nov 70
Ch, Stan/Eval Div, 32 TFSq, USAFE, Camp New Amsterdam NT .....	Nov 70	Apr 72
Wpns Tactics Stf Ofcr, DCS/Ops, Hq USAFE, Lindsey AS GE .....	Apr 72	Jul 73
Briefing Ofcr, DCS/Ops & Intel, Hq USAFE, Lindsey AS GE .....	Jul 73	Aug 74
Stu, Air Comd & Staff College, AU, Maxwell AFB AL .....	Aug 74	Aug 75
Air Ops Ofcr, Europe/NATO Div, AF/XOXXE, Hq USAF, Pentagon DC .....	Aug 75	Jan 79
Comdr, 20 TFTSg, TAC, George AFB CA .....	Feb 79	Feb 80
Comdr, 35 Equip Maint Sq, TAC, George AFB CA .....	Feb 80	Aug 80
Asst Dep Comdr for Maint, 35 TFWg, TAC, George AFB CA .....	Aug 80	Mar 81
Dep Comdr for Maint, 35 TFWg, TAC, George AFB CA .....	Mar 81	Aug 82
Stu, National War College, NDU, Ft McNair, Pentagon DC .....	Aug 82	Jul 83
Dep Asst Dir for Jt & NSC Mtrs, AF/XD1, Hq USAF, Pentagon DC .....	Jul 83	Jun 84
Comdr, 4450 Tactical Gp, TAC, Nellis AFB NV .....	Jun 84	Jan 86
Spec Asst to Ch of Stf, Hq SHAPE, Mons BE .....	Jan 86	Jun 87
Comdr, 14 AD, SAC, Beale AFB CA .....	Jun 87	Aug 88
Asst DCS/Plans & Prgms, Hq SAC, Offutt AFB NE .....	Aug 88	Sep 89
DCS/Plans L Rscs, Hq SAC, Offutt AFB NE .....	Sep 89	Jan 91
DCS/Ops, & Dep Dir, Ops, STRACDS, Hq SAC, Offutt AFB NE .....	Jan 91	Jul 91
Dir, Plans, AF/XOX, Hq USAF, Pentagon, Pentagon DC .....	Jul 91	Aug 92
Comdr, 7AF, PACAF; DCINC, UNC Korea; Dep Comdr, USFK; & Comdr, Air Component Comd, ROK/US CFC, Osan AB KOR .....	Aug 92	Oct 94
Director, Operations, J-3, Joint Staff, Pentagon DC .....	Oct 94	Present

Promotions	Effective date
Second Lieutenant .....	9 Jun 65
First Lieutenant .....	9 Dec 66
Captain .....	13 Jun 68
Major .....	1 Mar 75
Lieutenant Colonel .....	1 Apr 78
Colonel .....	1 Nov 80
Brigadier General .....	1 Oct 87
Major General .....	1 Mar 90
Lieutenant General .....	17 Aug 92

*Decorations:*

Air Force Distinguished Service Medal  
 Defense Superior Service Medal  
 Legion of Merit  
 Distinguished Flying Cross with one Bronze Oak Leaf Cluster  
 Meritorious Service Medal with three Bronze Oak Leaf Clusters  
 Air Medal with two Silver Oak Leaf Clusters  
 Air Force Commendation Medal with two Bronze Oak Leaf Clusters

## SUMMARY OF JOINT ASSIGNMENTS

Assignments	Dates	Grade
Dir, Operations, J-3, Joint Staff, Pentagon DC .....	Oct 94—Present	Lt Gen
Comdr, 7AF, PACAF; DCINC, UNC Korea; Dep Comdr, USFK; & Comdr, Air Component Comd, ROK/US CFC, Osan AB KOR .....	Aug 92—Oct 94	Lt Gen
Special Asst to Chief of Staff, Supreme HQ Allied Powers Europe, Mons BE .....	Jan 86—Jun 87	Colonel
* Dep Asst Dir for Joint & National Security Council Matters, Dep Chief of Staff/Plans & Ops, Hq USAF, Pentagon DC .....	Jul 83—Jun 84	Colonel
* Air Ops Officer, Europe/North Atlantic Treaty Organization Div, Dep Chief of Staff/Plans & Ops, Hq USAF, Pentagon DC .....	Aug 75—Jan 79	Lt Colonel Major

\* Joint Equivalent

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details

the biographical, financial and other information of the nominee. The form executed by Lt. Gen. Howell M. Estes III, USAF, in connection with his nomination follows:]

UNITED STATES SENATE  
COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF  
NOMINEES

**INSTRUCTIONS TO THE NOMINEE:** Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

**INSTRUCTIONS TO THE NOMINEE:** Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

Howell M. Estes III.

2. **Position to which nominated:**

Commander in Chief, North American Aerospace Defense Command; Commander in Chief, United States Space Command; Commander, Air Force Space Command; and Department of Defense Manager for Space Transportation System Contingency Support Operations

3. **Date of nomination:**

May 9, 1996.

4. **Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**

December 16, 1941; San Antonio, TX.

6. **Marital Status:** (Include maiden name of wife or husband's name.)

Married to Jordana Ayres Estes, Maiden Name: Graziano.

7. **Names and ages of children:**

Howell M. IV, 28; Susan V., 25; Jordan L., 7.

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None.

10. **Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Air Force Association

Association of Graduates—U.S. Air Force Academy

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the Executive Branch.

None.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the administration in power.

Yes.

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[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee’s answers to Parts B–E are contained in the committee’s executive files.]

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SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

HOWELL M. ESTES III.

This 26th day of April, 1996.

[The nomination of Lt. Gen. Howell M. Estes III, USAF, was reported to the Senate by Senator Strom Thurmond on July 31, 1996, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on August 2, 1996.]



**NOMINATION OF ADM. JAY L. JOHNSON, USN,  
FOR REAPPOINTMENT TO THE GRADE OF  
ADMIRAL AND TO BE CHIEF OF NAVAL OP-  
ERATIONS**

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WEDNESDAY, JULY 31, 1996

U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
*Washington, DC.*

The committee met, pursuant to notice, at 1:32 p.m. in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman) presiding.

Committee members present: Senators Thurmond, Warner, McCain, Coats, Kempthorne, Hutchison, Inhofe, Nunn, Exon, and Lieberman.

Committee staff members present: Romie L. Brownlee, staff director, George W. Lauffer, deputy staff director, Marie Fabrizio Dickinson, deputy chief clerk, and Christine K. Cimko, press secretary.

Professional staff members present: Charles S. Abell, John R. Barnes, Steven C. Saulnier, and Cord A. Sterling.

Minority staff members present: Arnold L. Punaro, minority staff director, Andrew S. Effron, minority counsel, Richard D. DeBobes, counsel, Creighton Greene, professional staff member, Patrick T. Henry, professional staff member, and Frank Norton, professional staff member.

Staff assistants present: Shawn H. Edwards, and Sharen E. Reaves.

Research assistants present: Deasy Wagner.

Committee members' assistants present: Judith A. Ansley, and John H. Hoggard, assistants to Senator Warner; John Molino, assistant to Senator Coats; Glen E. Tait, assistant to Senator Kempthorne; David W. Davis, assistant to Senator Hutchison; John F. Luddy II, assistant to Senator Inhofe; Patricia L. Stolnacker, assistant to Senator Santorum; Andrew W. Johnson, assistant to Senator Exon; Suzanne M. McKenna, and John P. Stevens, assistants to Senator Glenn; C. Richard D'Amato, and Lisa W. Tuite, assistants to Senator Byrd; Suzanne Dabkowski, assistant to Senator Robb; Frederick M. Downey, assistant to Senator Lieberman, and Mary Weaver Bennett, assistant to Senator Bryan.

**OPENING STATEMENT OF SENATOR STROM THURMOND**

Chairman THURMOND. The committee will come to order. The committee will now receive testimony concerning a very important

nomination. Admiral Jay Johnson has been nominated for re-appointment to the grade of admiral and assignment as the Chief of Naval Operations. This is a very critical position which needs to be filled as soon as practical.

We all know Admiral Johnson. He is currently the Vice Chief of Naval Operations and has been the Acting Chief of Naval Operations since Admiral Boorda's death. I believe every member of the committee has a copy of his biography, and there is no need for me to read his record of challenging assignments and accomplishments.

Admiral, I understand that your wife, Garland, and your daughter, Cullen, are here today. Ms. Johnson, will you and Cullen please raise your hands, so we can see you? I welcome you this afternoon. I am glad you could be here. I think it will be a special memory for the whole family.

Admiral Johnson, you have received a notable degree of attention and interest from the media. You have a number of challenges before you. You attended Tailhook in 1991. The Senate has confirmed you twice since you attended Tailhook, but there is room for debate about whether this committee and this Senate were completely informed concerning your participation, and any subsequent action before these boards.

In your responses to the advance policy questions posed by the committee, you said, "We should have been more proactive in raising the behavior standard." You also said you have learned from your personal inaction. I believe your responses to the advance questions pertaining to Tailhook clearly demonstrate that you have learned from the unfortunate events of Tailhook and will use those lessons to be a better officer and help the Navy become a better service.

Now, while you acted within the regulations and policies in effect at the time, you served on the board of directors of the United Services Automobile Association and received compensation for that service. I have reviewed your financial disclosure documents, and note that you fully disclosed your service on the board and the compensation which you received.

As you know, I was surprised and dismayed to find the Department of Defense policy permitted active duty officers to receive compensation for such service. I have been very clear in my statements publicly and privately on this issue. I urged you to resign from the board, and you did. I urged the Secretary of Defense to review the policy, and determine whether it was appropriate for active duty officers to receive compensation for serving on boards of directors.

On July 23, 1996, Deputy Secretary White announced a revision to the DOD policy which will now prohibit general and flag officers from receiving compensation for service on the board of directors of any non-Federal entity.

While this new policy is a step forward, I will continue my own review to determine if the policy needs even more tightening.

Admiral Johnson, I do not find your service on the board of directors of United Services Automobile Association to be a disqualifying activity. Each Member of the Senate will have to make his or her own judgment on how to cast his or her vote. I will ask my col-

leagues in the Senate to consider your outstanding record of service and the record of this hearing.

I do want to congratulate you on the quality of your responses to the advance policy questions the committee asked. The committee asked you a number of very detailed, direct questions, and you answered each one with candor and in a straightforward manner. Without objection, I will make the questions and the responses part of the record.

Chairman THURMOND. I would like to yield to Senator Nunn for any opening comments he may want to make. Senator Nunn.

#### STATEMENT OF SENATOR SAM NUNN

Senator NUNN. Thank you very much, Chairman Thurmond.

I want to start by complimenting you, Mr. Chairman, for bringing the defense conference authorization bill to a successful conclusion yesterday. This was a tremendous effort.

You and Les Brownlee and all of the staff that works under your direction have done, I think, a very commendable job, considering the size and scope of the bill, and considering the number of matters we had at issue. It is remarkable it was finished in 4 weeks, so Mr. Chairman, I congratulate you and Les and the entire staff, including the minority staff under Arnold Punaro.

Chairman THURMOND. Thank you very much, and I want to say I appreciate the fine cooperation that you and the Democratic staff have given to us, too.

Senator NUNN. Thank you, Mr. Chairman.

Admiral Johnson, I congratulate you on your nomination by the President to be the Chief of Naval Operations. I join Senator Thurmond in welcoming you and your family here today. I strongly support your nomination.

I have reviewed the record that has been submitted to us, and based on that record, and based on what I know of you personally and have heard from others, I certainly find nothing disqualifying in any of the material the committee has reviewed. Your record commends itself, I think, for this important position.

Senator Thurmond and I hope to get the committee first and then the Senate to act on your nomination and, if possible, the nomination of General Estes before we break for recess this week.

Admiral Johnson, I know how closely you worked with Admiral Mike Boorda as his Vice Chief of Naval Operations. Admiral Boorda was an outstanding Chief of Naval Operations, a superb military commander who kept the welfare of the men and women of the Navy foremost in his thoughts and actions.

Admiral Boorda's distinguished record of service to the Navy and the Nation is a lasting legacy to him as an outstanding Naval officer. We all regret the circumstances that require us to confirm a new CNO 2 years after we confirmed your predecessor, and I know you share in that feeling.

Mr. Chairman, you have already outlined Admiral Johnson's outstanding record of naval service. He has participated in most of our recent military operations in Haiti, in Bosnia, and in Iraq as an operational commander. As Commander of the Second Fleet, and as Commander of the Striking Fleet Atlantic for the last 4 years, Admiral Johnson has gained first-hand insight into the whole range

of operational issues facing our naval forces, as well as the needs and concerns of our Navy men and women and their families.

Admiral Johnson, your next assignment will certainly be the most challenging of your entire career. It will require all the skills and expertise that you have demonstrated in your past assignments. You will face challenges as well as problems. Just a few of them are apparent: balancing the requirement to maintain the readiness of the Navy today while meeting the modernization requirements of the Navy of the future in a period of stable or even declining resources, taking full advantage of tactical operational and technological innovations in developing the next generation of platforms and systems so that the Navy can meet its national security commitments in the most effective and affordable way, ensuring the welfare of the men and women of the Navy and their families, particularly with respect to their operation and personnel tempos, and providing strong leadership and accountability for a Navy that has faced and continues to face some very serious personnel problems.

Of course, all these challenges must be dealt with while you are participating as a member of the Joint Chiefs of Staff and providing your best military advice to the Secretary of Defense, the National Security Council, the President, and the Congress.

Like Senator Thurmond, Admiral Johnson, I want to compliment you on the quality and the candor of your answers to the committee's advance questions. It is obvious that you spent a great deal of personal time and effort on these answers, and that is very helpful to the committee, and I think that period of reflection that is obvious in your answers will serve you well as you move forward in your new position if confirmed by the Senate.

Mr. Chairman, I will have some questions for the admiral as we proceed here, after we hear his remarks and we have your questions.

Chairman THURMOND. Now I want to welcome our friend, Senator Burns, from the great State of Montana. Incidentally, my wife's father and mother were from Montana. He is here to introduce Admiral Johnson. Senator Burns, please go ahead.

#### STATEMENT OF SENATOR CONRAD BURNS

Senator BURNS. Thank you very much, Mr. Chairman. I appreciate the opportunity to appear before this distinguished committee, and of course consider it a great honor to introduce, or help introduce, Adm. Jay Lynn Johnson. He has a distinguished career in the United States Navy. Being a former Marine, I do have remarks about the Navy. I will withhold those at this time.

Admiral Johnson, I am sure the committee will hear a lot about your distinguished record, and we are very proud of you in the great State of Montana.

But aside from his great leadership abilities and being elevated to this position, it is assuring to me that the great tradition of the Navy of the United States is carried on. Looking over his record and some of his writings, I am very, very proud to be associated with this introduction today.

He not only has distinguished himself as a great leader of men and women in the Armed Forces, but he should be very proud, be-



cause his daughter Cullen, who sits behind us, was a runner-up in the Miss America Pageant of late, and he has to be very proud of that.

So the Navy has a lot to look forward to in the leadership of this great American, so with that, I am proud to introduce Adm. Jay Lynn Johnson and recommend his confirmation to this rank.

Thank you for this opportunity, and I thank Admiral Johnson for allowing me to do this.

Senator NUNN. Maybe we could get Senator Burns to introduce his daughter.

Senator BURNS. That did come up in a conversation. However, it was discounted at this time. I think it was protocol.

Chairman THURMOND. Senator, feel free to stay if you would care to.

Senator BURNS. I have other duties to attend to. He is in able hands.

Chairman THURMOND. OK. We will miss you.

Admiral Johnson, if you have any opening remarks, we will give you an opportunity to address the committee.

**STATEMENT OF ADM. JAY LYNN JOHNSON, USN, NOMINEE FOR REAPPOINTMENT TO THE GRADE OF ADMIRAL AND TO BE CHIEF OF NAVAL OPERATIONS**

Admiral JOHNSON. Thank you very much, Mr. Chairman, and thank you, Senator Burns, for that kind introduction. I am honored, and I am humbled to be here before this committee in this historic chamber. I am proud to be the President's nominee, and I am grateful for the support of my leaders, General Shalikashvili, Secretary Dalton, and Secretary Perry.

I, too, Mr. Chairman, would like to recognize the two ladies seated right behind me, Garland, my wife of almost 28 years, and Cullen, my daughter of 25 years. Quite simply, sir, I would not be here without them.

I would like to make three brief points, if I could. First, today's Navy. You have said, and it is true, I have spent most of my time at sea, close to sailors. I just left the waterfront some months ago, at the end of February. I can assure you, sir, that your Navy today is on course and ready to meet any challenge.

This morning, 48 percent of our Navy is underway, 28 percent of our Navy—that is 100 ships—is forward-deployed. That is over 52,000 proud sailors, and they range from the critical salvage operations that are ongoing off the coast of Long Island, to the Adriatic Sea, to the Persian Gulf, and throughout the Pacific. Your Navy is answering the call as well as it has ever been answered, and I am proud to even be considered to lead such a force.

I need to say a word about our friend Mike Boorda and our sailors. You have mentioned, and I know well from him, his close relationship with this committee and the close personal relationship he enjoyed with many of you. Because of those relationships, you know well his commitment to our sailors, their betterment, and their well-being. I need to just tell you up-front that if I am confirmed to be the CNO, that commitment to our people will not diminish. I am Mike Boorda-trained, and I am intensely proud of it, and I will not back away from our sailors.

Thirdly, as a vision for the future, let me just say we will steer by the stars and not by the wake, and I see four stars of equal magnitude in the constellation that will guide us: operational primacy, leadership, teamwork, and pride.

The key to that vision will be our great people. They will give us the best ideas, they will harness the new technologies, they will embrace change and make it our ally, and they will continue to make us proud.

Now, the one final subject I would like to address is my attendance at Tailhook. As you said, I attended Tailhook. I did it in 1990 and 1991 in my official capacity as assistant Chief of Naval Personnel for Distribution. We, the leadership of naval aviation, inclusive of myself, permitted an atmosphere to exist wherein bad things could happen, and did happen. We should have been, as you said, Mr. Chairman, more proactive in raising the standard of behavior. We did not, and I sincerely regret that.

While I cannot change the past, I can and I did learn from it, and so did the rest of the Navy. I was cautioned by the Secretary of the Navy for not being proactive in monitoring the conduct of junior officers and not taking effective action to prevent misconduct at Tailhook 1991.

Because I was there, and because I have seen and felt first-hand how much Tailhook hurt our great Navy, I am even more committed to ensuring that such an atmosphere will never again be tolerated.

In closing, I would like to assure this committee, the Congress, and the American people that if confirmed, I will set the example in leadership and make sure the Navy which sails us into the 21st Century will continue to be the premier maritime force in the world, and will measure itself by a set of standards that will make us all very proud.

Thank you, Mr. Chairman. I look forward to your questions, sir.

Chairman THURMOND. I have several questions we ask of every nominee who appears before the committee. If you will respond to each question, then we can move on to policy questions.

Have you adhered to applicable laws and regulations governing conflict of interest?

Admiral JOHNSON. Yes, sir.

Chairman THURMOND. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

Admiral JOHNSON. No, sir.

Chairman THURMOND. Would you reaffirm your written response that you agree to appear before congressional committees when requested, and to provide your personal opinion when asked, even if your opinion differs from the administration's policy?

Admiral JOHNSON. Yes, sir.

Chairman THURMOND. Now, Admiral, you have served as Vice Chief of Naval Operations and Acting Chief of Naval Operations for 6 months. Based on the experience you have gained, what are your top three priorities to confront challenges that demand immediate action?

Admiral JOHNSON. Mr. Chairman, the number 1 priority will be people. It is people, it will continue to be people. Without them, the

equipment, the mission, all falls by the boards, so the number 1 challenge that I see coming is to maintain the care, the nurturing, and the betterment of the people of the Navy.

That embraces a lot. It embraces quality of life, and my definition of quality of life includes operational quality of life, which means giving them the platforms, the weapons systems, and the equipment to carry out the many missions that we are tasked to do in such a way that they can crisply execute the mission and come home safely.

It also includes the more traditional quality of life aspects of pay, medical support, retirement, et cetera. I am committed, as I mentioned in my opening remarks, to people, and I consider that both a challenge and an opportunity.

Second, sir, I think the challenge that lies before all of us is one of dealing with innovation in a way that captures the very best of the technology that is out there, puts it in affordable and rational and relevant schemes that allows us to take full advantage of it as operating forces. So innovation is number 2.

Number 3 most certainly has to be the balance between readiness and modernization. You know we consider readiness to be our top priority right now, so that we can sustain the mission accomplishment that I described earlier. I would just say that the challenge as we step into the next century that will confront all of us will be balancing our readiness requirements against the need to capitalize our force.

So those would be my top three, sir.

Chairman THURMOND. Admiral Johnson, do you agree with General Sheehan that downsizing has created an imbalance between headquarter staffs and operating forces?

Admiral JOHNSON. Well, sir, I worked very closely with General Sheehan in my last assignment. I understand his concern. I share his concern. My answer would be from a Navy perspective only that I believe we are attentive to that concern but I am not troubled by it at this point. We are very much invested in making sure that our tooth-to-tail, our headquarters staff balance remains proper so that we best service our requirements out of the tip of the spear.

I would comment that I believe historically within the Navy, at least in the past couple of decades, we have maintained a tooth-to-tail ratio, if you will, in the neighborhood of 40 to 45 percent, and been fairly consistent with that.

So (1) we watch it, (2) we always look for better ways to do it, and (3) I think it is okay now, sir.

Chairman THURMOND. Admiral Johnson, your written responses to the committee questions pointed out the increased emphasis on mine warfare as an example of how the Navy has restructured itself to reflect its increased emphasis on littoral warfare.

During hearings this year, Department of the Navy witnesses testified that the percentage of the Department's resources devoted to this mission area was less than 1 percent of the budget and had fallen steadily in the past 3 years while numerous capability gaps remain unfilled.

What is your view on the progress that the Navy has made in addressing the weaknesses revealed during Desert Storm?

Admiral JOHNSON. Mr. Chairman, I accept the reality that says we needed to do better in the mine warfare business. Admiral Boorda, as you know, took that challenge very seriously. He and the Commandant of the Marine Corps, as a team, have put together a mine warfare plan that we are in the process of executing right now.

I would tell you that we have historically underfunded the mine warfare business, but we are now reversing that trend and are very encouraged by many of the initiatives that are ongoing right now—the consolidation of a mine warfare center of excellence down in Ingleside, Texas, wherein the newly designated U.S.S. *Inchon*, a mine control ship, command ship, has just reported for duty in Ingleside, and the consolidation of the air mine countermeasures force. We have taken new strain on mine warfare, and I can tell you from my perspective as Second Fleet Commander that we were very much invested in including the mine assets in all of our joint and Navy-specific exercises.

So I feel a strong commitment to the importance of mine countermeasures and mine warfare, and I see nothing that will bring us off of that, sir.

Chairman THURMOND. My time is up. Senator Nunn.

Senator NUNN. Admiral Johnson, operating tempo and personnel tempo are one of the major concerns of Navy men and women in the fleet. Will you be able to maintain the Navy's current operating personnel tempo goals with the operating tempo commitments that you have now, and with the force levels and end strength that are planned over the future years defense program?

Admiral JOHNSON. Senator Nunn, today's answer to that question is yes, sir, but I would tell you, and you are well aware, it is something that we constantly have to keep centered up in our scope, because we have learned very painfully in decades past what happens when we extend our cruises beyond a 6-month time frame, and so on. It is a short-term gain for a long-term loss, so we are absolutely committed to the PERSTEMPO and OPTEMPO rules by which the Navy has governed itself since 1985.

So, I believe that if the tasking stays relatively consistent, and the force structure stays where we are, we can do the mission. If either of those comes out of balance, then we are in trouble in that regard.

But I would reaffirm to you, sir, that as was the case with Admiral Boorda and his immediate predecessors, we are absolutely wedded to the PERSTEMPO, OPTEMPO policies that we have right now, and I will not come off of that, sir.

Senator NUNN. Admiral, there has been much written in the press recently about low morale in the Navy aviation community and unprecedented resignations of post command aviators.

Former Secretary of the Navy James Webb asserted during a recent speech at the Naval Academy that 53 percent of post command commanders in naval aviation left the Navy last year.

As the senior aviator in the Navy, do you agree with former Secretary Webb's assessment of the low morale in the naval aviation community today, and are those numbers correct that are cited?

Admiral JOHNSON. Well, sir, the numbers that Secretary Webb used I believe need a little bit of clarification. The 53-percent num-

ber that he used was an increase in numbers of retirements and not a percentage of the total post-commander pool. So we have some issue with the former Secretary's number. My real concern with what he put out there was with the morale issue. Any discussion of low morale is something that we take very seriously.

I personally believe that within the naval aviation community and the aviators that I talk to and deal with, that we do not have a large morale problem. I also believe very fundamentally that to do the things that naval aviation is doing day-in and day-out throughout the world, you simply cannot execute to that level of precision if your morale is that low.

So I have to tell you, sir, that I do not concur point for point with Secretary Webb. I do share a concern that morale, particularly within naval aviation, is something we have to be especially attuned to, and if I am confirmed, I will have that as one of my top priorities.

Senator NUNN. What are the factors that you are concerned about in terms of morale?

Admiral JOHNSON. The factors that I am concerned about, sir, would be why are they leaving if there is an excess departure rate which I do not think there is, but in terms of what we could do to make things better, the specific concern areas that Secretary Webb was discussing I think had to do in the post-command, commander area.

The issue was one of time in grade to O6, which I think is being addressed by seeking some grade relief, and we are grateful for that. Increased airline hirings, things of that nature, also increase our retirement numbers.

So one of the challenges and responsibilities that I think will be incumbent on the leadership of naval aviation is to take a look, and we are doing that, at the career pattern flow for our aviators and see if there is perhaps some refinement and some better way of doing it to make that part of a naval aviator's career more palatable.

Senator NUNN. Well then, are you concluding at this point in time, at this stage, that you have not had an excessive number of departures? Is that what I understand?

Admiral JOHNSON. The numbers I have seen would not have me indicate an excess number, no, sir. I believe the absolute number was about 12 to 14 percent in the post command commanders last year.

Senator NUNN. So that 53 percent, then, that we are hearing is nowhere near the mark?

Admiral JOHNSON. That is an incorrect number, sir, by what I have been given.

Senator NUNN. Admiral Johnson, in the answers you provided to the committee's written policy questions, you addressed the standards of responsibility and accountability in Navy regulations and the state of leadership in today's Navy.

How would you characterize the Navy Officer Corps in terms of understanding support, supporting and incorporating into their daily activities the standard of responsibility and accountability set forth in naval regulations? In your view, has the Navy leadership done enough to encourage the leaders in the Officer Corps of the

Navy to do the right thing as a routine part of the officer's day-to-day activities in life?

Admiral JOHNSON. I would characterize that, Senator Nunn, as a work in progress. I think we have taken great strides forward. I am not satisfied that we are there yet.

One of the things that Admiral Boorda started that we will continue if I am confirmed, or if I am the Vice Chief we are going to continue this program, and that is the leadership, the Navy's leadership training continuum which will put career-spanning rigor into a leadership training piece for officer and enlisted in a way that formalizes the training as we pass through our careers.

So I am very much committed to ensuring that we reinforce the basic tenets that are out there now, and I am confident that we have programs coming on line, combined with the ones that are in place, to do exactly that, sir.

Senator NUNN. Would that also apply to the Naval Academy?

Admiral JOHNSON. Indeed it would, sir.

Senator NUNN. Thank you.

Admiral JOHNSON. It really goes seaman to admiral, and I would be happy to provide you with the detail of the building block approach that that continuum has, but it is for everyone, sir.

Senator NUNN. Thank you, Chairman Thurmond.

Chairman THURMOND. Senator Kempthorne.

Senator KEMPTHORNE. Mr. Chairman, thank you very much.

Admiral Johnson, I appreciated that in your opening comments you were right up front about your attendance at Tailhook. Also, as you noted, you had received a caution from the Secretary of the Navy because of your attendance at Tailhook. I called and spoke to Secretary Dalton on Friday, who at the time was in Russia, asking him to give me greater insight into this caution that he had given to you.

As he stated, Admiral Johnson was there on orders. Admiral Johnson did not participate in any untoward activity. He went on to say that he wished you had been more aware, more proactive, which you have indicated. I have looked at the material that has been provided, and it is very clear that you were not involved in any wrong-doing.

Having said that, you then have this implication of Tailhook. Does that in any way impair you, as Chief of Naval Operations, with all of these young sailors? As you stated, one of the four stars is leadership, so does this impair you at all?

Admiral JOHNSON. Senator Kempthorne, I believe very strongly that it brings me strength. That experience, that caution, that inaction brings me great strength as a leader.

I regret, as I said in my opening statement, every day that we got ourselves into a situation where we have to be still talking about Tailhook. There was a fundamental flaw in all of us as leaders to allow that to happen, and I am committed to making sure we never get there again.

So I would tell you, sir, that I believe—and I am very much aware that I am not perfect. I do not know anybody else who is, and the key in all of that is to perhaps make sure that we all are going to make mistakes. The essence will be to capture those mistakes, learn from them, and press on, and I believe I have dem-

onstrated very clearly I am capable of doing that, and I will continue to do so, and so will the rest of the Navy.

Senator KEMPTHORNE. I appreciate that response.

With regard to the USAA board of directors that you served on, and the fact that there was compensation for that, when you first received the invitation to join that board, were you concerned that there may be a conflict of interest? Would you just outline for me what caused you to determine that, in fact, it was appropriate and legal for you to participate?

Admiral JOHNSON. Yes, sir. I discussed it with the USAA officials. I discussed it with the other board members who were on active duty. I discussed it with Bureau of Navy Personnel to make sure it was in compliance with regulations, and quite honestly, it just did not occur to me that there was any impropriety there because of all I have just stated and the fact that (1) USAA is a very quality organization, and (2) that they had been paying active duty board members since 1922, and that it was done in my private capacity with no interference with my Navy responsibilities.

Senator KEMPTHORNE. Again, I think the record is very clear that you were in full compliance with the existing regulations.

Admiral JOHNSON. Yes, sir.

Senator KEMPTHORNE. The record needs to reflect that.

General Krulak has extended basic training for new Marines by 1 week to place additional emphasis on the importance of values and standards. Do you think this extra emphasis is a good idea?

Admiral JOHNSON. I will not speak to the Marine Corps specific. I have not had a chance to talk that with General Krulak.

I would say, though, I mentioned to Senator Nunn the leadership training continuum. I would tell you that based upon what I see now, there are two ends of the spectrum that I am still, if I am to become the CNO, would like to deal with relative to the continuum as it exists right now, and one is the front end, and the other is the top end with flag officers.

So again, this is a work in progress. I look forward to talking to General Krulak and learning more of the specifics of what they have just done. It intrigues me.

Senator KEMPTHORNE. Thank you.

Admiral Johnson, how is the integration of women serving on combat ships progressing? How can we make this integration more effective?

Admiral JOHNSON. I am very optimistic, and I am very pleased with the integration of women aboard combat ships. In my Second Fleet command role I was the beneficiary of a staff of men and women on a ship of men and women. They were all equally busy, they were all equally productive, and I was extremely proud of every one of them, so my personal experience has been very positive.

From an organization standpoint for the whole Navy, I would tell you we are about half-way down a 6-year road map that we started to integrate women into the combatant force, and as I say, it is going well.

We have discussed, and I appreciate our discussion the other day, a little bit about how there is a right way to do it, and so the

pace we have set for implementation is set to make sure that we do it exactly the right way, and we will see that through.

Senator KEMPTHORNE. All right.

Mr. Chairman, I have a few additional questions, and I will wait for the next round, if I may. My time has expired.

Chairman THURMOND. Thank you. Senator Exon.

Senator EXON. Mr. Chairman, thank you very much, and welcome, Admiral, to you and your family.

I want to say up front that I am very enthusiastic about your nomination, and am in total support, because from your counterparts I have heard, and the study of the resume that I have done indicate to me that there just could not be any person more qualified to take over from our dear friend and colleague, Admiral Boorda, and I really appreciate the fact that you mentioned him up front.

I have had the pleasure of being associated with many people in the Joint Chiefs over the years, and I have always most appreciated the fact that there is a cohesiveness about you people, the general respect that you have for each other. The Secretary of the Navy called me and talked about some other things, and I was wondering why he was calling me.

He was really calling me to see if I had any concerns about your nomination, and when he asked the question, I simply told him, Mr. Secretary, please do not waste your time or mine lobbying me on behalf of Admiral Johnson. He is just super, and I am delighted that somebody of your stature has been nominated by the President to carry on.

General Shalikashvili has also told me of his fondness for you, and I know that you are going to fit right in and take over and do the job that has to be done.

I have just two or three questions for the record that I would like to have you answer.

Admiral, I am sure that you share our concern about the image of collective integrity of the United States Naval Academy, which has received some blemishes, to put it mildly, over the past few years. Are there any further steps that should be taken to make sure the best we can that these shortcomings are not repeated in the future?

Admiral JOHNSON. Well, sir, I share your concern with the Naval Academy, because as you know I am a graduate, and I care passionately for the institution.

I do believe that Admiral Chuck Larson is doing a commendable job of leading the Naval Academy. Recall, he went in there for a 4-year term, and he is, I believe, just about at the mid-point of that term, so he, too, has a work in progress.

I have spent some time with him. I intend to spend much more time with him getting into the details of what he is doing to make a different Naval Academy environment.

I am very encouraged by the character development program, some of the leadership initiatives, the ethics training that is in place, but you do not see the effect of those things like turning a light switch on and off. The midshipmen must invest in them, and that investment will take a period of time, so I believe personally that with regard to the Naval Academy we ought to have faith in



the leadership that exists there and give them the opportunity to run the course with the very important programs that they have put into place.

Senator EXON. I am a close friend of the Admiral. He is a Nebraskan. I think he has done a truly outstanding job of turning things around over there. I was very pleased, though, to hear you talk about the close relationship you have with him.

I guess I was asking primarily, is there anything that you think we here as members of this committee should do to assist you and the Admiral, because I think he is doing a tremendous job over there. You are satisfied completely with the way things are going, but you are going to stay on top of it. Is that a fair synopsis of what you said?

Admiral JOHNSON. That is pretty fair, Senator Exon. I would make one slight adjustment, and that is, so long as we have incidents that we read about in the paper, I am not, and I know Admiral Larson is not satisfied, but I think as I mentioned before we need to keep that in perspective, take a bit of a longer view, and realize that he, too, is dealing with people across the full spectrum of upbringing and so forth.

So I would not presume to counsel the committee, but you asked the question, so I will just tell you in response I think the most useful thing we could do for the Naval Academy right now would be to provide our support to Admiral Larson in the tremendous effort he is putting into a program he has given his life to.

Senator EXON. Thank you, Admiral.

Admiral, during this year's budgets hearing we heard testimony from the Navy that they will need a maximum effort, particularly in the area of acquisition reform, in order to meet the bow wave costs of ship construction in the years ahead. This bow wave must be mitigated. I am wondering how concerned you are about this, and what additional tools, if any, in your opinion should Congress consider providing the Navy to meet this concern?

Admiral JOHNSON. I would answer that, Senator, by telling you that I am very much aware of the bow wave. I am very concerned about it.

I am working very diligently with Mr. Douglass, our Assistant Secretary of the Navy for Research, Development, and Acquisition on the acquisition reform and how it relates to us dealing with the bow wave, and beyond that, sir, I would tell you that I am not prepared to get into a detailed discussion, other than to say I am fully aware of the gravity of the situation, and if I am confirmed, that will be first order of business.

Senator EXON. Mr. Chairman, my time is up. I just wanted one last quick question. I know you cannot comment on this at any great length in open session, but I have come to the belief, right or wrong, that since the cold war the range of superiority, generally speaking, that our submarine forces had over the Russian fleet has been reduced dramatically. We are still the best submarine force in the world by far, are we not?

Admiral JOHNSON. Yes, sir, we are, and our challenge and our responsibility and our obligation to the American people is to make sure we stay that way.

Senator EXON. Thank you, Admiral. Good luck.

Thank you, Mr. Chairman.

Senator KEMPTHORNE [presiding]. Thank you, Senator Exon.

Senator McCain.

Senator MCCAIN. Thank you very much, Mr. Chairman, and congratulations, Admiral, for your selection.

I want to thank both Senator Nunn and the chairman of our committee, Senator Thurmond, for making every effort to move your nomination forward so that hopefully we can have you confirmed by the Senate before we go out of session on Friday.

Admiral, I think you have already been asked if you will provide your personal views if asked by any member of this committee in testimony before the committee. Have you already been asked that?

Admiral JOHNSON. Yes, sir, and I would.

Senator MCCAIN. I believe that we need someone who will stand up for the men and women in the Navy today. No one else seems to be doing so.

I would ask if you believe that there is a morale problem amongst some junior officers in the Navy today, especially amongst young aviators.

Admiral JOHNSON. I believe, sir, that we can do better with the morale of the junior officers. I do not think we have a tremendous problem. My barometer for that is the reality that says our junior aviators are out forward every day doing wonderful, difficult work at the tip of the spear, and if the morale were really, really low, they could not execute with the precision that they are doing.

But I take that very seriously if there is any concern about morale amongst the aviators, and so I consider that to be one of my top priorities and one of my top responsibilities, regardless of my job as a senior aviator, and I will keep that focus for as long as I am on active duty.

Senator MCCAIN. What do you think we can do, both the Navy and the Congress, to finally bring closure to the Tailhook issue?

Admiral JOHNSON. I think, sir, from my perspective what we need to do is accept the realities of our mistakes, and commit ourselves to a standard of behavior and a standard of performance that will not let us fall down that path again, and quite simply, to take better care of one another.

Senator MCCAIN. Are you satisfied that the Navy is doing enough to ensure that an environment of gender equality is prevalent in the Navy, much as we had to do in the military and the Navy in the sixties and seventies to engender an environment of racial equality, and if not, what do you think we need to do in addition to what we are doing today?

Admiral JOHNSON. I think all the trend lines are in the right direction. I consider it to be a work in progress. It requires steadfast leadership, it requires lots of attention to detail, but I think we are generally in the right direction now, and I am encouraged by the integration of women, particularly in our combatant force.

Senator MCCAIN. Occasionally there has been a complaint, which I have not seen evidence to corroborate, but there has been a complaint that for some women in pilot training they are given some kind of special consideration or preference over their male peers in order that they may progress. Is that a concern to you?

Admiral JOHNSON. No, sir. I have heard the same kinds of rumors, but when you run those rumors down to numbers, the numbers would tell you that, for instance, in aviation attrition numbers, male, female, pilot, NFO, are very much at parity with one another.

Senator MCCAIN. You are satisfied that the women combat pilots in the Navy today are on a par at least with their male counterparts?

Admiral JOHNSON. The feedback I am getting says exactly that, sir.

Senator MCCAIN. So we have a challenge to overcome some of the bias that exists. You are in agreement that there is still existing bias?

Admiral JOHNSON. Yes, sir. We are not there yet. It is a work in progress. I think we have taken great strides, but we can never consider that job complete.

Senator MCCAIN. Are you concerned about the lack of sealift, airlift, and aircraft to man our carrier decks in the next century?

Admiral JOHNSON. Yes, sir. In terms of vertical replenishment and CODS and things like that, yes, sir, I am.

Senator MCCAIN. Tactical aircraft?

Admiral JOHNSON. Tactical aircraft as well, and that is why I think the recapitalization of our tactical air force is absolutely essential.

Senator MCCAIN. Naval aviators who have been recommended for promotion are flagged for their involvement in Tailhook. Do you think that practice needs to continue?

Admiral JOHNSON. To me, Senator McCain, the answer is that I believe it must be dealt with in a manner most fair to everyone, which tells me that on the first time, the first time any naval aviator who was at Tailhook comes up to a career milestone that would put him before this committee, this committee needs to know about it.

At such time, when the committee renders its decision, if the decision is to promote, for instance, then the next time that individual comes up before this committee, the committee ought to be dealing with what happened since the last confirmation and the present, rather than going back and recapturing Tailhook time and time again.

Senator MCCAIN. Well, thank you, Admiral. I hear, as you might imagine, from a lot of retired and active duty Navy people. Over last weekend, just by coincidence, I was in Pensacola, where I met a number of retired people who you and I know and respect enormously who served in other wars with distinction and courage and sacrifice, and they are very concerned.

They are very concerned about the future of the Navy. They are concerned about our image with the American people. They are concerned about morale, and I do not have to tell you, there is a lot of hopes and faith resting on your shoulders now as you assume this new duty, and I hope that you are fully appreciative of that.

Admiral JOHNSON. Yes, sir.

Senator MCCAIN. Thank you very much, Mr. Chairman.

Senator KEMPTHORNE. Senator McCain, thank you very much.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman. First of all, let me echo the remarks made by Senator Exon in terms of my feelings towards your nomination. I am very supportive, as I told you in my office, and I am looking forward to working with you.

I had a couple of issues to address. One is related to what Senator McCain was just talking about, the people we talk to who are so concerned about the things that are happening in the military in general, not just the Navy.

I have always felt that a lot of it is due to the fact that our funding has been dropping for the last 12 years, and it is the only area of Government where that is the case. I am deeply concerned, as I expressed to you in my office, over all the services.

I was very proud here at the Senate Armed Services Committee when the four Chiefs came in and stated very emphatically that we are underfunded by about \$20 billion in our procurement accounts. I felt that took a lot of courage, and I think Admiral Boorda has said that the Navy specifically was underfunded by approximately \$7.9 billion. Do you agree with that?

Admiral JOHNSON. Yes, sir, that is roughly the number that I have in terms of where we think we need to go.

Senator INHOFE. I appreciate it. I guess the question I was going to ask is, when you come before this committee, and when you—let me be very straightforward, as you have demonstrated today that you will be. You are probably aware that there have been lawsuits filed against the President.

There are eight plaintiffs—there may be more right now, I do not know, but four of those are on this committee—alleging that he is not carrying out the mandates from both the Missile Defense Act of 1995, and the DOD Appropriations Act of 1996 insofar as the Theater Missile Defense system is concerned. Of course a very important component of that is the Navy upper tier.

I will not ask you to comment as far as the lawsuit is concerned, but that at least expresses to you the depth of our concern over both the National Missile Defense System and the Theater Missile Defense System, and I would like to have you share with this committee your feelings about the priority of a Navy upper tier and both the theater and national missile defense system, where we are today.

Admiral JOHNSON. Yes, sir. I am aware of the lawsuit, and I would not propose to comment on it, but as we have discussed before, in the business of Theater Missile Defense, I really do believe that the Navy has a tremendous contribution to make with an *Aegis* force that is already well invested in billions of dollars.

The lower tier area capability, the upper tier—I am excited about the potential. I am committed to working it as hard as I can, and I think it is something that is relevant and very, very potent in capability for our country, so I really look forward to working that issue.

Senator INHOFE. You have heard quotes attributed to a number of experts in the field, including former CIA Director Jim Woolsey concerning the number of nations out there that currently have weapons of mass destruction—biological, chemical and nuclear.

Admiral JOHNSON. Yes, sir.

Senator INHOFE. First of all, do you agree with his assessment, and second, are you equally concerned?

Admiral JOHNSON. Well, I am not familiar with the details of his assessment. I am in general, so I probably should not comment, except to say that I share the concern of any proliferation of weapons of mass destruction, and to me, all the more reason for us within the Navy to focus on the potential contributions we could make with our *Aegis* force in terms of both area and theater-wide capability.

Senator INHOFE. Well, Admiral, with the investment of what, some \$22 billion in that system, and being virtually almost 90 percent paid for, I hope that you will use the force of your office to try to get us to that point as quickly as possible, and I am sure you will, and I look forward to working with you.

Admiral JOHNSON. Thanks very much, Senator Inhofe.

Senator INHOFE. Thank you.

Senator KEMPTHORNE. Senator Inhofe, thank you very much.

Senator Coats.

Senator COATS. Thank you, Mr. Chairman. Admiral, welcome. Congratulations to you.

In your written responses to the committee's questions, you indicated that one of your first actions as CNO would be to travel throughout the fleet and decide on some management activities and timetables for the Navy.

Clearly, as Vice Chief and now Acting Chief of Naval Operations, and your other experience as a senior naval officer, I am sure you have some thoughts and opinions about where you would like to take the Navy.

I wonder, just based on your current experience, which obviously will be supplemented by your visits and evaluations, what you would list as your top priorities and challenges and how you plan to address those?

Admiral JOHNSON. Well, Senator Coats, I think the top priority challenges for the Navy would first of all be people, and the care and the education and the employment of those people. Clearly that is number 1.

I wrap quality of life into that, and some have heard me say that my definition of quality of life contains an operational slice that says you must also have good ships, good airplanes, good equipment, good weapons systems for our people so that they may go forward, do the missions that they are tasked to do, and come home safely is the ultimate quality of life, and then the more traditional aspects of quality of life, convey importantly as well.

So taking care of people in that regard I think is the first challenge.

Senator COATS. Where do you rate the Navy currently, in terms of addressing those issues?

Admiral JOHNSON. I would rate us doing pretty well. Within the fiscal realities of the day, I would rate us doing very well, but it is something that we can never, ever, (1) certainly take our eye off, and (2) I think ever be satisfied with.

Senator COATS. Within quality of life issues, are there areas where the red light is blinking that you think need to be addressed more immediately, or that give you more concern than others? Pay,

equipment, bonuses, housing, whatever? Is there anything that stands out as being deficient?

Admiral JOHNSON. To me, the red light is always flashing on pay, because I do not think it is possible to pay our sailors enough for what we ask them to do, but beyond that, sir, I think we are working the programs very hard to provide a quality of life that is representative of one that makes all our people proud. We have got a lot of work going on in housing. We have got a lot of work to do in housing. So that is an amber light, at least, that is flashing to me, but I think we are very attentive to the requirement, and we are working it as best we can and getting lots of help in doing so.

The second area I would mention to you is innovation, and that really touches on the technology. At one level there is an operational innovation, there is organizational innovation, and there is technological innovation, and there are probably lots more, but we are focusing on each of those as challenges to take us forward, and then, I think, third, obviously, and third perhaps not in order of importance, but third just by the way I list them, is the business of balancing our short-term readiness requirements with our long-term recapitalization modernization requirements, a daunting challenge in the next century, and one that if I am confirmed I will work very hard, as you would expect.

Senator COATS. One of the issues that the committee is going to have to deal with next year in a significant way is this whole question of F/A 18's, E/F series versus the C/D's.

Some have raised the question of, since we are developing the joint strike fighter, would it not be more cost-effective to just bring the C's and D's up to a certain standard and bypass the E/F development. Do you want to comment on that?

Admiral JOHNSON. I appreciate the chance to comment on that, Senator Coats.

Senator COATS. I thought you would.

Admiral JOHNSON. I would put it this way. We in the Navy feel very much committed to the F-18 E/F. I am fully aware that there is discussion and debate and controversy over that, but we are very much committed to what it brings us, and I would just tell you anecdotally that in a former life I was a Hornet pilot, and I loved it, but I would also tell you that when I used to get into a brand-new F-18C and climb up on the side of the airplane and inspect the ejection seat, when I would look behind it, there was a big tub back there with nothing in it. You could have put three suitcases in there. That was on my first air wing commander tour.

When I flew the Hornet on my last flying tour as a battle group commander, I would climb up the side of that same F-18C, and I would look behind the ejection seat, and there was not enough room to put a helmet bag, because the airplane had grown. We had filled that airplane up.

So that to me is an eyeball reality check that says, we do not have any growth room in the F-18C, and for the Navy's mission set, we need a new airplane, and that is the E/F. The E/F are flying. We are very encouraged by what we see. They are underweight, they are under cost, they are on schedule, so we are very much wedded to it, sir, to take us to joint strike fighter, at which time they will become complementary assets.

Senator COATS. Thank you. My time has expired. I know we will have more questions on this subject and others. Thank you very much.

Admiral JOHNSON. Thank you, Senator Coats.

Senator KEMPTHORNE. Senator Coats, thank you very much.

Senator Hutchison, are you prepared?

Senator HUTCHISON. Well, Mr. Chairman, thank you. I hate to come into a hearing that is going, not knowing what has been said, but let me just say that I have talked to Admiral Johnson in the previsits that he had with everyone, but I did not get a chance to hear his opening statement. I am very supportive of his nomination. I think the Navy deserves to have a leader, and I would hope that we would be able to expedite the choice that has been made by the Department of the Navy.

I hate to ask you to repeat yourself, but I think it is clear that the Navy is facing an era of very tough decisions, and this is a pivotal point in the Navy's present and more importantly I think we have the chance to take the Navy in the next century.

My husband is a product of the Navy, and I will never forget when he met Admiral Boorda. He said that he was a seaman second class, and he said, gosh, if I had known that I could be Chief of Staff, I might have stayed in the Navy, and they had a good laugh about that.

I want very much for the Navy to succeed, as I know you do. Let me just ask you what you think are the two or three most important things that the Navy must address immediately, and what your priority would be.

Admiral JOHNSON. Well, we have touched on a number of different elements, Senator Hutchison, and I would, I think, characterize it this way. We have some leadership challenges, as you have said, but I think in terms of the priorities and the challenges/responsibilities that I would have, clearly number 1 would be to the people, because they are the source of everything within our Navy, and if they are not well-tended, well-educated, and working in an environment that allows them to reach full productivity, then we are not doing the job, and we cannot operate that way. So I am very much committed to our sailors, and will stay that way as long as I am in uniform.

Second, we talked a little bit about innovation, and the responsibilities attendant to that in harnessing new technologies and looking at better and more efficient and more operationally sound ways to employ the force that we have and the force that will take us forward into the next century, and third will be the daunting challenge of matching, balancing readiness, which is critically important every day out forward with modernization and recapitalization. So those would be my top three, ma'am.

Senator HUTCHISON. Thank you, Mr. Chairman. I would like to get more of a report from my staff on what he has addressed, and then perhaps come back if I feel that there is something that has not been addressed at this time.

Senator KEMPTHORNE. All right. Senator Hutchison, thank you very much. We appreciate your involvement.

Senator Warner.

Senator WARNER. Thank you, Mr. Chairman, and also I want to thank you personally. You have just assumed the duties as chairman of the Subcommittee on Personnel, and when I and Senator McCain went to the chairman, we suggested that you take over and shepherd this nomination through the committee and hopefully through the Senate. You are going to have my strong support in that leadership role both here in committee and, indeed, on the floor of the Senate.

Admiral, I, as you might imagine, made my own independent analysis of your qualifications, partially through a conversation we had, but also through a number of former active duty officers now in retirement who have seen you through your formative years, and you come out with a 4.0 award from a peer group that is very tough.

As a matter of fact, one told me that the soul of the Navy has examined you, and you are the right man at the right time to take the helm in the wake of the tragedy of the loss of the former CNO, a great friend of mine as well as yours and others.

Consequently, as you hopefully will be confirmed by the Senate and assume your duties, foremost is this critical question of this Nation's participation in the operation in Bosnia, and I want you quietly to reflect for a moment, as you will be around the table with the Chairman of the Joint Chiefs and others to advise the President.

The President had made it very clear, and repeatedly stated, that he felt the U.S. participation in this current operation could be concluded in the November-December time frame. Have you made any independent analysis, and do you have an opinion on that?

Admiral JOHNSON. I have not yet made such an analysis, Senator Warner, and I would just comment that the subject I am sure will be one that the Joint Chiefs will be dealing with, and if I am confirmed I will be very straightforward in my participation in those discussions.

Senator WARNER. Well, bear in mind that this country has made a very heavy investment in that operation to date. Prior to the current deployment of troops in this multinational force, we were the principal logistician, principal one at sea, principal one in terms of air, and it has been a heavy drain on the American taxpayer, and likewise it has drained the Department of Defense budget, and there was no provision in the President's budget last year or this year for this continued operation.

That cuts into my next question, and that is the readiness today and the ability of the Department of the Navy to procure and commit to those contracts that will enable it to be in a position 10 years hence to have the same quality of equipment that the Navy possesses today.

I do not know whether he has commented on this, Mr. Chairman, but my question to you would be, what is your assessment of the current level of funding for research and development and procurement, and what would you like to see in the outyears?

Admiral JOHNSON. Of course, the acquisition piece is one which I am becoming more familiar with as time goes on. I am very sensitive to the concern for recapitalization of our force and the procurement needs we will face as we step into the next century, but



I think for me to get any more specific at this point, Senator Warner, I might be giving you numbers and figures that will not serve me well.

Senator WARNER. Well, you are aware of the fact that your predecessor and other members of the Joint Staff appeared in this room, sat at those very seats, and in response to questions from myself and other members on this committee very clearly exercised their responsibility under an earlier question from the chairman, namely, gave this committee their personal opinion that the current level of research and development, the current level of procurement, was inadequate to meet the future requirements of America's military forces. Do you generally share that view?

Admiral JOHNSON. I do absolutely, sir, and I will tell you that in the shipbuilding account in particular, we find ourselves in a position, as you know, where we must recapitalize to maintain a force to do the job of roughly 346 ships. The present rate of recapitalization will not get us that number, so yes, sir, I share that concern very seriously.

Senator WARNER. I would urge you to put up on the wall in your office the phrase from the Constitution of the United States which very clearly imposes on the President and most specifically on the Congress to maintain a Navy.

Admiral JOHNSON. Yes, sir.

Senator WARNER. That means we cannot wait from year to year to build those ships that are required to defend basically what we have here is an island Nation, and maintain these four deployed forces, which are integral to any operational plan of deterrence and defense that we have.

Admiral JOHNSON. Yes, sir.

Senator WARNER. In the balance of the three elements of your Department, namely the aviation, the surface, and the subsurface, which will be the future program for new submarine construction. This subject has been very actively considered by the Congress and most specifically this committee, and over a period of several years now we have evolved a clear, legislative package. The third piece is about to be enacted into law, hopefully with the President's signature on a conference report, which will be hopefully forthcoming from the Senate in a few days, and in it we state that you have got to have a balance between the air, surface, and subsurface, and that a new submarine program in the attack area has to be undertaken, and it should be undertaken in a manner that is most cost-effective for the American taxpayers. The decision was that we would have two yards in active competition throughout that program. Would you generally continue to support the mandates of the Congress along those lines?

Admiral JOHNSON. Yes, sir. As I understand the fiscal year 1996 authorization on that subject, I believe us to be in compliance, and that the shipbuilding profile is one that we are taking under study right now, as you say, submarine, air, and surface, so yes, sir.

Senator WARNER. Those programs should, and this one is designed, the new attack submarine, to be fair and equitable competition between two yards to get the best possible technical product at the lowest possible cost to the American taxpayer. Do you agree with those tenets?

Admiral JOHNSON. Well, I agree that we ought to be looking to get the best dollar value for the taxpayer, yes, sir, I certainly do.

Senator WARNER. The best technical package that we can.

Admiral JOHNSON. The best technical package.

Senator WARNER. Because while we cannot go into technical intelligence at this time, you know full well that Russia is at flank speed, in terms of its R&D and development of new classes of submarine. You can acknowledge that.

Admiral JOHNSON. Yes, sir, and I am very encouraged, by the way, at what I have seen and learned since I have been here about what we are doing in terms of future submarine capabilities for ourselves, so as I mentioned earlier, I think the bottom line of all of it is that we must—we have a commitment, a requirement to the American people to ensure that our submarine force stays well ahead of anyone else in the world.

Senator WARNER. The reasons Russia is doing this are not clear to all of us.

Admiral JOHNSON. No, sir.

Senator WARNER. But they are doing it, and let there be no doubt about their putting an enormous emphasis on all their subsurface tactical and strategic programs, particularly new classes of submarines.

I thank the chair.

Senator KEMPTHORNE. Senator Warner, thank you very much.

Senator Robb.

Senator ROBB. Thank you, Mr. Chairman. I apologize, I was not able to get here at the start of the hearing. I had several other conflicts. But I have had some very good meetings, including one I think Friday of last week with Admiral Johnson.

We had a very thorough discussion at the end of the day, so it was not limited by time constraints, and we had an opportunity to review a number of issues. I would simply state, Mr. Chairman, that number 1, I am pleased that the hearing has taken place today. I am fully supportive of Admiral Johnson's nomination to be the Chief of Naval Operations.

I have had an opportunity to review all of the relevant material, and I am confident that the committee will act, I hope with unanimity at the appropriate time, and I hope that we are able to complete floor action so that Admiral Johnson can remove the title of acting from his title currently.

I think it is fair to say that the Navy has been performing a number of very difficult and challenging tasks extremely well over an extended period of time, and there is an enormous amount of accomplishment to which members of the Naval Service can point with great pride. But that has not always been the focal point or the public focus of late, and it is extremely important that we change that focus, and I think that Admiral Johnson has indicated through all of the private conversations and the various meetings that we have had that he is certainly prepared to tackle that task and provide the leadership the Navy needs at this particular juncture in our history.

So I will not extend the hearing with any additional questions. I have had all of my questions resolved in other meetings in other forums, but I thank you for holding the hearing, and I look forward

to a speedy confirmation and to working with Admiral Johnson as the new formally confirmed Chief of Naval Operations in the very near future.

With that, Mr. Chairman, I thank you.

Senator KEMPTHORNE. Senator Robb, thank you very much.

Admiral Johnson, today, in fact, we have a very important debate taking place on the floor of the Senate concerning nuclear waste. When we talk about the submarines, truly the finest submarines built anywhere in the world, we recognize that when we think of them being built in a shipyard there is another responsibility that goes with that, and that is the spent fuel rods that come from those submarines.

The State of Idaho, for example, is a recipient of those spent nuclear fuel rods, and really the country does not have a program to deal with nuclear waste, a permanent solution.

Would you comment, please, on the importance of the Navy's agreement with the State of Idaho regarding the Navy's ability to perform its national security missions? Is the Navy fully committed to implement all of the terms and conditions of the agreement with the State of Idaho, even in tough budget times?

Admiral JOHNSON. Mr. Chairman, with my understanding of that agreement, my answer to that would be yes. We are very proud of the relationship we have with the State of Idaho in terms of how we are dealing with spent nuclear fuel, and we are also proud of our mutual efforts together in Bayview and Lake Pend Oreille submarine acoustic research detachment, so my answer is yes, sir, we will be in compliance and look forward to a continued relationship with the Idaho National Engineering Laboratory (INL) and the State of Idaho.

Senator KEMPTHORNE. Thank you very much. I say that not from a parochial perspective, but I say that for other Senators of the shipyard States that resolve the dilemma that when you began to keep the spent fuel there in those States the shipyards were negatively impacted.

Admiral JOHNSON. The ability to move that spent fuel is critical to us, as you have alluded, to ensure that the shipbuilding and ship maintenance schedules may be maintained, so it is absolutely essential that we have that ability to move, and that is why we are appreciative.

Senator KEMPTHORNE. Admiral, what will your confirmation as Chief of Naval Operations signal to the men and women of the United States Navy?

Admiral JOHNSON. I hope it will signal to them that we have a new start into the next century, and they will capture the four stars in the constellation that I talked about, operational primacy, leadership, teamwork, and pride, and that we will all vector together in that journey forward.

Senator KEMPTHORNE. The Navy is in need of your leadership, and I enthusiastically will support your confirmation.

I think you have tremendous support from the members of this committee. I will acknowledge also the support of Garland and Cullen and how important that is. None of us should ever take for granted that support and love of families; we need to acknowledge

it and know that it is there, so I commend your wife and daughter for their being here today.

I would just say, I think all of us will be very proud with you as Chief of Naval Operations, and we look forward to your tenure and what that could mean to the United States Navy.

Admiral JOHNSON. Thank you very much, Senator Kempthorne.

Senator KEMPTHORNE. Any other questions or comments from any other Senator? Senator Coats.

Senator COATS. Mr. Chairman, one statement and a couple of brief questions.

One, I second the statement just given by Senator Kempthorne. We obviously recognize that the Navy has been through some rough seas here in the last few years, and I do not think anybody on this committee wants anything but smooth sailing for you and for the Navy.

The contribution of our Navy to the National security has been critical in the past and will be critical in the future, and we think we have a Navy with fine leadership and fine people, and we look forward to your leadership and working closely with you, and I look forward to supporting that effort.

Let me just ask you a couple of followup questions I did not have time to ask in the earlier round. Back to the tacair question. As Vice Chief of Naval Operations, you had a joint assignment on the JROC. Can you just bring me up to date as to where the JROC is on the whole tacair, Navy tacair question, and when do you think they will be making their recommendations?

Admiral JOHNSON. The JROC, in fact as we speak, my fellow Service Vice Chiefs and the Vice Chairman are airborne, just arriving in Tampa to begin their round of CINC visits to get feedback from our war-fighting CINCS. Specific to the tacair piece, the JROC, I would tell you, has been very much involved in the tacair recapitalization, and that will continue as part of their program, I am sure, here for the next few months.

They are involved in the deep attack weapons mixed study that I am sure you are familiar with and a number of ongoing efforts to bring some clarity to the tacair requirements business, and so I cannot put a specific date on any of that for you here today. I can provide it for the record if you like, sir, but the JROC is very heavily invested in tacair.

Senator COATS. The second question has to do with the EA-6B upgrade. With the phasing out of the F-111 and the movement toward EA-6B and providing the capabilities that that provides; where does the Navy stand on that program?

Admiral JOHNSON. The Navy stands wedded to the agreed concept that says that the Navy and the Air Force and the Marine Corps are going to work together to provide an EA-6B force that will meet the requirement as we step into the next century. That includes creation of some more EA-6B squadrons.

The time line for that is set. We are underway and doing that right now, and so I would tell you that the program is off the starting blocks, and we are working the memorandum of agreement in terms of the training and all that, but I can tell you that the Navy is committed to that program, and we are proud to be driving it

right now in terms of working the memorandum with our friends in the Air Force and the Marine Corps.

Senator COATS. Good. Thank you.

Senator KEMPTHORNE. Senator Hutchison.

Senator HUTCHISON. Mr. Chairman, I forgot to say that the only thing that would have kept me away from this hearing earlier was that I am on the Anti-Terrorism Task Force, and we were in meetings on that, but I did consult with my staff, and several of the questions that I had have been answered by you, so I will not belabor those.

There is one other thing, though, that I did want to ask that no one else did, and that is, in my State, as you know, we have a great naval presence, and we are very proud of that. One of the Navy presences of which I am most proud is the joint reserve base in Fort Worth. It is sort of the incubator in this country for a fully integrated reserve base, in which as you know the Navy is in command, and I remember meeting there with the very first people that were in the transition, and there was a bit of nervousness about whether it would actually work with Navy and Air Force coming together and working as a unit.

In fact, everything I hear is that it is working terrifically well, and I just wanted to ask you how you feel about this joint reserve activity, if you think there is a future for that for not only perhaps reserve units but even active units in some parts of the country, or the world, and if you feel that it is working as well as it seems to be from my reports.

Admiral JOHNSON. Yes, ma'am. I appreciate the chance to comment on that. I will tell you that from my previous experience as a numbered fleet and joint force commander that the strength that we get from operating jointly is one that I take very seriously and very proudly, and I would only comment that I think out in the field, and even afloat, the Army, Navy, Air Force and Marine and Coast Guard work extremely well together, so jointness is really a way of life out there, active or reserve.

I am excited about what has happened down at the joint reserve base. I look forward to going down there to see it myself, and I am getting nothing but good reports from the Navy side of that, so I am very encouraged by that.

Senator HUTCHISON. Well, I think that is a step in the right direction. I think the joint trainer that is on the drawing boards now is certainly a step in the right direction, and I would hope that you, as well as the Chiefs of all the services, would be committed to more joint use of facilities, of equipment, because the more that we can be integrated, the more efficient we can be, and hopefully stronger by the meshing of the units. Do you have any comment on that?

Admiral JOHNSON. Only that my view of joint operations, or my experience with joint operations are such that I would say that one of the things when you enter into a joint operation people worry about is that, if you go joint, it is going to take something away from me and give something to somebody else.

My experience has been quite the contrary. The strength in joint operations and in jointness as an entity is that everybody brings their own core competencies and core capabilities to the table or to

the operation, and you pick from those the strengths that you need to build, to meld whatever specific task you are being asked to carry out, so I am very much committed to that.

Senator HUTCHISON. Well, I just hope that by supporting it, that perhaps there can be ideas that might of use.

Admiral JOHNSON. Yes, ma'am. I think we have much to learn down there.

Senator HUTCHISON. Thank you, Admiral Johnson. I will just add my comments to those of our Acting Chairman, or whatever you are. Maybe there has been a coup.

I would just like to add, seriously, that I look forward to working with you. We are going to try to move your nomination so that the Navy can have their leadership intact immediately. They deserve it and you deserve it, and I think you will do a fine job.

Admiral JOHNSON. Thank you, Senator Hutchison.

Senator KEMPTHORNE. Admiral, in the Navy do they ever address you as whoever you may be?

Admiral JOHNSON. All the time, sir.

Senator KEMPTHORNE. How have you enjoyed the session here this afternoon?

Admiral JOHNSON. Fine, sir, thanks. [Laughter.]

Senator KEMPTHORNE. You have been candid all the way up to this point.

Admiral JOHNSON. I would be lying if I said I did not know there was a clock behind your head that I can see that you cannot see, and that I am looking at. I am doing fine, sir.

Senator KEMPTHORNE. That is great.

Well, I believe that concludes this hearing, and Admiral, again, we thank you for your forthright responses.

[Whereupon, at 3:04 p.m., the committee adjourned.]

[Prepared questions submitted to Adm. Jay J. Johnson, USN, by Senator Thurmond prior to the hearing with answers supplied follow:]

VICE CHIEF OF NAVAL OPERATIONS,  
2000 NAVY PENTAGON,  
Washington, DC, July 12, 1996.

Hon. STROM THURMOND, *Chairman,*  
*Committee on Armed Services,*  
*U.S. Senate,*  
*Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for providing me the opportunity to respond to your questions and to share my views on a number of important issues facing the Navy. I am enclosing responses to each question you forwarded.

I look forward to appearing before you and the other members of your committee.

Sincerely,

JAY L. JOHNSON,  
*Admiral, U.S. Navy.*

Enclosure.

cc: Hon. Sam Nunn,  
*Ranking Minority Member.*

## QUESTIONS AND RESPONSES

## VISION FOR THE NAVY

If confirmed, you will have the opportunity to lead the Navy during a period of significant change and to influence the shape of the Navy as it approaches and enters the 21st Century.

*Question.* What do you consider to be the most serious challenges and problems in the management and operation of the Navy?

*Answer.* In my view, there are four principal challenges which we must address in order to move the Navy into the next century: people, innovation, force structure, and modernization.

The bedrock of our capability now and in the future is people. Taking care of their professional and personal needs must remain our first order challenge and responsibility. We must continue to attract men and women of the caliber who have made our Navy the best in the world. In order to do that, quality of life must remain a top priority. My definition of quality of life encompasses providing our men and women with first rate weapons platforms and equipment with which to swiftly and surely execute their myriad operational missions and return home safely. In addition, the more traditionally held aspects of quality of life must remain a part of our commitment: fair compensation, housing, health care, commissary/exchanges, MWR, and educational opportunities are principal areas of concern. We must also strive to closely monitor the burdens imposed by our operating tempo and ensure we do not demand an unacceptable level of personal sacrifice from our people.

Fostering innovation in the Navy of the 21st Century is our second major challenge. The Navy has a proud, rich heritage of technological, operational, and organizational innovation. We are today engaged in a number of efforts to develop innovative platforms and capabilities. They include technological innovations such as the Cooperative Engagement Capability, Arsenal Ship, Smart Ship, and sea-based ballistic missile defense; operational innovations such as controlling unmanned aerial vehicles (UAVS) from submarines and advances in operational maneuver; and organizational innovations such as the realignment of the Atlantic Fleet cruiser/destroyer force to include the establishment of the Western Hemisphere Group, and flexible integration with joint forces. If confirmed, I will work to sustain and expand such efforts.

Furthermore, we have unprecedented opportunities—and obligations—to foster innovation in the development of our next generation of platforms and systems. Studies are underway to define and design the combatants of the next century—surface, air, space, and submarines—and the C<sup>4</sup>I architecture which will link them together with each other and the assets of the other services. These studies are exploring a wide range of alternatives. Our emphasis on innovation will enable us to exploit the potentially revolutionary capabilities offered by emerging technology and perform a wide range of new roles and tasks critical to future joint operations. Concurrently, innovation will help us deliver platforms and systems that are affordable and have lower life cycle costs. The Navy of 50 years from now will be the product of sustained, iterative efforts at innovation that we are embarked on today and must continue in the future.

With respect to force structure, there is simply no alternative to having the right mix and adequate number of ships, submarines, and aircraft forward-deployed, ready to manage crises and to protect and advance our national interests. "Being there" still counts—and I do not envision any change in that fundamental reality. Now and for the foreseeable future, maintaining flexible combat forces in-theater, ready to meet the tasking of the warfighting CINCs, remains the cornerstone of American influence, alliance cohesiveness, and regional stability. To do this, we must maintain a force sufficiently sized to meet those commitments without running our people and equipment into the ground. Drawing down too far would be a false economy.

Finally, our most pressing long term challenge is to improve our balance between readiness and modernization. In recent years, we properly and necessarily focused on maintaining the readiness of our relatively modern fleet. Because we are responsible for deploying forces forward to carry out our Nation's will, we are obligated to maintain our full measure of combat readiness. Yet, as the downsizing nears completion and the fleet continues to age, we must find the resources to address and redraw the balance between readiness and future modernization. That will be much easier to say than to do, but our nation deserves our collective best efforts to ensure that it happens. I will describe later our plan to address this challenge.

*Question.* What management activities and timetables would you establish to address these challenges and problems?

Answer. While it is certain that the challenges cited above will have my complete attention, I am not yet in a position to put specific management activities or a timetable in place until I have fully reviewed and thoroughly understand all the issues related to these matters. My sense is that a "steady strain" approach will be the path of choice, but I intend to spend a good deal of time talking and listening to our leaders—officer and enlisted—throughout the Navy before putting pencil to paper.

If confirmed, the only specific timetable I have will be to travel extensively throughout the Fleet during my first weeks as CNO, visiting as many commands as possible. These Fleet visits will allow me to really get the pulse of our Sailors and to confirm and update the waterfront perspective I had when I left Norfolk earlier this year. I would like to hear first-hand what is on the minds of the men and women who make our Navy so great.

As you already know, most of our really good ideas will come from them anyway, so I will be a serious listener. Making these visits during the first weeks of my tenure will ensure that I am aware of the primary concerns of our great Sailors and that they in turn understand where their new CNO is coming from regarding leadership, standards, and our vision for the Navy.

*Question.* What do you believe the Navy's highest priority should be in preparing itself for operations in the 21st Century?

Answer. The first priority in navigation is to have some idea where you want to go. That is no less true in preparing for 21st Century naval operations. If we are to avoid preparing for the last war, and are to make the best use of scarce defense resources, we must start with a clear, focused picture of what 21st Century operations might entail and what naval forces must be able to do. If confirmed, I hope to encourage innovative thinking about how Navy can best leverage new technologies with tactics, techniques, and procedures to meet our national security commitments in the most affordable way. We must, in short, find the best means to use mobile, flexible, high technology forces to have a dominant impact afloat and ashore, in peace, crisis, and war. We must ensure we always have the ability to execute Navy's core competencies of Sea Control, Deterrence, and Power Projection. We must also maintain a force sufficiently sized to meet these commitments. Finally, we must create a coherent long-range plan to get us to the future. Like navigation, this is an iterative process, not a single action. I intend to take an active interest in ensuring our plan is revisited regularly so that we remain on the right course for the right destination. Thanks to the work of my predecessor, such a plan will become reality in the coming months.

*Question.* What do you see as being the major technology thrusts of your tenure?

Answer. It is clear to me as both an operator and a steward of the public trust that by effectively harnessing the revolutionary advancements in information technology, we can generate both quantum leaps in warfighting effectiveness and significant improvement in business practice efficiency. If confirmed, I intend to emphasize investment in the technologies required to achieve these two goals.

We are already engaged in a long-term commitment to improving business efficiency. Just like the rest of society, we must continue to leverage information technology to help us reduce the daily cost of doing business. This is a key aspect of the information revolution that promises me meaningful savings over the long run.

Likewise we must tap the benefits that information technology promises to bring to warfighting. Seamless connectivity of Command, Control, Communications, Computers and Intelligence, Surveillance, and Reconnaissance (C<sup>4</sup>ISR) across the sea-land-space interface in a joint warfighting environment, and assimilation of that information into a coherent tactical picture, is critical to future warfighting. We want to develop a multi-dimensional netted architecture that will enhance protection of the force (maritime dominance), while providing rapid sensor-to-shooter connectivity to enable projection of a mix of sophisticated weapons and forces in support of the land battle. This netted capability supports both the Navy's mission in the littoral, as well as our mission to maintain maritime dominance. Technologies which enable landward power projection from the littorals are key to an even more productive role for Navy in support of the land battle. Other technologies to be pursued include theater ballistic missile, cruise missile, and air defense capabilities, and families of weapons capable of more responsive support to land forces. Technologies in core areas such as undersea superiority, ship self defense, mine countermeasures and unmanned vehicles will also continue to be critical. Finally, information-based technologies that support sustainment and affordability of our forces are additional areas for pursuit.

Clearly, other technologies will emerge in the coming years and I am committed to maintaining an aggressive research and development base to rapidly and effi-



ciently bring these new ideas into the Fleet to maintain our warfighting edge over any potential adversary.

*Question.* Your predecessor, Admiral Boorda, was near completion of a document, *2020 Vision*, intended to provide future direction for the Navy. Please describe the principal findings of this paper and the extent to which they reflect your views.

*Answer.* My present intent, if confirmed, is to conduct a thorough review of the *2020 Vision* draft document to ensure that I: (1) fully understand it in present form, (2) share it with the new leadership team and ensure it reflects the benefits of their thinking, and (3) work with the Commandant of the Marine Corps to make certain that the document captures the realities of where we intend to go as a Naval team. Once that review is complete, and any necessary changes have been incorporated, the document will become a reality. If confirmed, my goal would be to have it in the Fleet by this fall.

*2020 Vision* projects into the next century the principles of our strategic concepts espoused in the white papers *From the Sea* and *Forward . . . From the Sea*. It provides a picture of how we think the Navy can serve the Nation through harnessing the potential of precision operations and maneuver from the sea. In effect, the Navy *Vision* picks up where the *Joint Vision 2010* leaves off and describes how Navy intends to implement the Chairman's guidance.

We foresee that the fundamental missions of the Navy—sea control, deterrence, and power projection—will remain, but believe that the utility of naval forces to the Nation can be substantially increased by using new technologies. *2020 Vision* defines three broad concepts for technology application: precision, maneuver, and massed fires from the sea. These have the potential for reshaping how we look at conventional deterrence and how we project power. However, this potential must be kept in perspective. For example, we *cannot* assume that the preconditions for successful precision operations—such as the right target intelligence—will always be available, and we must continue to be able to excel in the more traditional forms of naval warfare. What precision, maneuver and massed fires *can* offer are a range of flexible military options and the possibility of having a decisive impact without excessive cost and risk to U.S. personnel. What will not change is the reality that our naval forces will continue to be forward-deployed in order to shape the strategic environment, control crises, and deter aggression.

#### THE NAVY'S ROLE

*Question.* Do you agree with the concept, thrust, primary area of emphasis and tasks contained in the *From the Sea* and *Forward . . . From the Sea* doctrine?

*Answer.* Yes. These are forward-looking documents which accurately describe the robust role of naval forces in the present and future strategic environment.

*Question.* Are there areas which, in your opinion, need modification or refinement?

*Answer.* Yes. In the process of implementing the two documents, Navy and Marine Corps are working in concert to give the ideas in them a closer look. Our objective is to more fully develop and refine the strategic concepts outlined in *From the Sea* and *Forward . . . From the Sea*. The *2020 Vision* review I mentioned will contribute to that process and assist me in determining where modifications or refinements are needed. Both documents energized a wide range of continuing efforts—from exploring new operational concepts with the Marine Corps to wargames and at-sea exercises. The lessons learned from reviewing them will be integral to our future vision.

*Question.* Did you have any part in the development of the *From the Sea* and/or *Forward . . . From the Sea* concepts? If so, what was your role and contribution?

*Answer.* No. Because I was at-sea throughout the development of these documents, I practiced, rather than developed, their concepts. First as a deployed Carrier Group Commander and then as a Numbered Fleet Commander, I had the opportunity to execute the tenets of *Forward . . . From the Sea*. My experiences validated this document many times over—in Bosnia, in Iraq, and in Haiti—particularly with respect to joint and combined operations.

*Question.* Based on your experience, are there any aspects of the Department of the Navy white papers *From the Sea* and *Forward . . . From the Sea* that should be changed?

*Answer.* Today's short answer is no; however, as previously outlined, we are looking carefully at tomorrow. That said, I believe we must be careful in interpreting and applying two aspects of those papers.

First, *From the Sea* stated that with the collapse of the Soviet Union, the U.S. Navy, supported by allied navies, enjoyed uncontested command of the high seas and could focus its efforts on operations in the littorals and projecting power ashore

in joint operations. While that premise will remain fundamentally true for the foreseeable future, we can already see a trend among certain potential future adversaries toward expanding the capabilities of their sea denial forces and extending their reach farther out to sea. This does not portend a global naval opponent contesting command of the sea. It does however, mean that in certain conflicts we may have to fight our way into the littorals and be ready to counter potent blue water sea denial threats that could seriously disrupt sea lanes critical to the success of U.S. joint operations. This evolving threat does not demand we alter the basic thrust of the two white papers, but may change how we execute them.

Second, expanded capacity to generate high intensity combat power through technological and operational innovation makes it clear that naval forces will play an increasingly important role in deterrence, crisis response and joint warfare, doing well beyond the enabling function emphasized in *Forward . . . From the Sea*. Our enabling role will still be critical for the introduction of joint forces, as naval forces continue to serve as "first in, last out" in future joint campaigns.

**Question.** What do you see as the Navy's role in contributing to the protection of our national interests in the changing world?

**Answer.** Navy will continue to play a unique and invaluable role in protecting our national interests in a multi-polar world of diffuse and highly challenging threats. Navy's ability to provide deterrence, sea control, power projection, and strategic sea-lift enhances regional stability and provides critical crisis response capability, while still bringing reassurance to our friends and safeguarding America's citizens and interests abroad.

These traditional Navy strengths are magnified when operating in an integrated and practiced manner with our sister Services and multinational partners. This ability to leverage crisis response and warfighting skills with the complementary strengths to be gained via joint warfighting is a central tenet of Navy planning and one which I fully support.

I see Navy's role as primarily forward deployed—actively engaged in shaping the strategic environment before crisis erupts. Our Navy is a superb national instrument in this regard, providing credible combat power for prolonged on-scene presence—free of host nation constraints, highly mobile, and skilled at executing the National will via a wide spectrum of activities.

**Question.** Should the Navy be restructured to meet the challenges of the next century? If so, how?

**Answer.** I would say that we have largely achieved our goal of restructuring to meet the challenges of the next century. This was one of the fundamental purposes of *From the Sea*, which shifted our emphasis from countering a global, blue water threat to operating in the littorals and projecting power ashore. That shift in emphasis shaped the manner in which naval forces were restructured as part of the DOD-wide post-Cold War drawdown. *From the Sea* also shaped the manner in which naval forces were assessed in the Bottom-Up Review, leading to the current Navy force structure. Our efforts at technological and operational innovation must be the foundation for future restructuring. Navy's innovation efforts, described earlier, will help us examine the potential for further restructuring. In sum, we have restructured for at least the first third of the 21st Century and further restructuring will be driven by ongoing innovation efforts.

**Question.** What is the future of the carrier battle group?

**Answer.** The carrier battle group will continue its central role in naval operations for the foreseeable future. This is not because the Navy is inextricably wedded to a static concept. Far from it. The composition and employment of carrier battle groups have changed significantly over the years, reflecting the inherent flexibility and vitality of the concept.

The specific mission essential tasks integral to every forward deployed carrier battle group are as follows:

- Crisis and Deterrence
- Surveillance/intelligence in the littoral environment
- Command and control of U.S. and multinational forces
- Air superiority in the littoral environment
- Maritime superiority in coastal regions, bounded seas, choke points, and the open ocean
- Power projection ashore on short notice against a wide range of strategic, operational, and tactical targets
- Support U.S. diplomacy through cooperative engagement with designated allied forces, normal peacetime operations, and shows of force
- Extend maritime and air superiority to cover Marine Air-Ground Task Force (MAGTF) operations, and provide close air support to the MAGTF

- Provide cover and support to enable the delivery and removal of joint and/or multinational ground, forces and equipment and land-based air expeditionary tactical units into a littoral region
- Conduct a variety of special operations
- Conduct combat search and rescue
- Conduct offensive mining and mine countermeasure operations
- Sustain combat and peacetime operations through the use of organic sustainment supplemented through underway replenishment.

New technology has created and will continue to create new missions for carrier battle groups—such as ballistic missile defense. A carrier battle group can be integrated with an amphibious ready group and its embarked Marine Expeditionary Unit into a Naval Expeditionary Task Force. Other joint forces can also be integrated with a carrier battle group. We expect the naval expeditionary task force to have even greater relevance in the future as a prime instrument of landward influence from the sea. Thus, although it may look and operate much differently in the future, the carrier battle group will continue to serve as a prime national asset well into the 21st Century due to its unique flexibility, adaptability, and power.

Still, looking to the future, the Navy will strive to develop new technologies which enable us to achieve our power projection objectives with even greater effectiveness and affordability. The F/A-18E/F moves us along that path. The Joint Strike Fighter also holds promise for greater warfighting effectiveness and strike efficiencies. Looking beyond those programs, we may move toward employing artificial intelligence or remote sensing capabilities to help accomplish strike missions. No avenue of progress will be excluded from consideration as we attempt to leverage technology to the fullest.

*Question.* Do you anticipate significant changes in the way the Navy deploys to meet the global commitments?

*Answer.* The manner in which the Navy deploys to meet global commitments is largely determined by the naval forward presence requirements articulated by USCINCEUR, USCINCENT, and USCINCPAC. They base their requirements on the strategic situation in their theaters and the strategic objectives set for their theaters by the National Command Authorities. I do not envision any significant change in the manner in which the Navy deploys unless the requirements of one or more of the warfighting CINCs are altered based on a changing strategic situation. Navy is constantly examining innovative options for meeting forward presence requirements of the CINCs within limited naval resources.

I am always concerned about the effects of excessive PERSTEMPO on our forward-deployed forces. If confirmed, I am committed to maintaining the PERSTEMPO policy of my immediate predecessors because it provides our Sailors with a reasonable quality of life. Although we could meet the same number of commitments with a smaller force structure if we were to increase deployment lengths and reduce turnaround ratios, such expedencies are, quite simply, losers for everyone. We have learned painfully in the past the flaws of such moves. Our Sailors will serve proudly, bearing the hardship of extended out-of-homeport deployments in times of war or crisis, as they have always done. I know from personal experience that deployments longer than 6 months, turnaround ratios of less than two-to-one, and less than 50 percent homeport time are not sustainable on a long-term basis in peacetime without significant degradation to readiness, retention, and quality of life. We cannot—and I will not—break faith with our Sailors on this fundamental issue.

*Question.* Are there opportunities or methods to change how we effect “presence” to better address Third World threats while using our naval forces more efficiently?

*Answer.* There may be opportunities to more efficiently achieve the objectives of presence as technology advances and new and more capable assets join our fleet. We are committed to constantly looking for opportunities to use our forces more efficiently.

Achieving the objectives of presence—regional stability, deterrence, crisis response, and early and effective transition to warfighting—is the reason the CINCs have requested and the Joint Staff has promulgated the current level of naval presence. The CINCs believe, as I do, that sustained, forward deployed, combat ready forces are vital to achieving these goals and are critical to ensuring timely crisis response.

Therefore, it is the capabilities inherent in our on-scene assets which lies at the heart of addressing opportunities to more effectively achieve presence. Time and again over the past 50 years, the carrier battle group and amphibious readiness group have proven irreplaceable in achieving the goals of presence, combining robust crisis response capability with the firepower needed to protect U.S. interests should conflict erupt. These capabilities are known and respected throughout the

world, thereby reinforcing deterrence. Simply stated, there is no substitute for being there before the crisis starts.

We should use caution whenever reflexively prescribing a lesser presence to address "Third World threats." Unfortunately, some developing countries have extremely advanced weapons development programs, and are fully capable of taking aggressive action against U.S. and allied interests. In some cases, a confluence of military capability, societal instability, governmental illegitimacy, and regional tensions earmark the "Third World" as particularly volatile. Sustained presence comprised of technically advanced, combat ready forces is critical to enhancing deterrence and regional stability in such cases.

#### THE ROLE OF THE MARINE CORPS

*Question.* What do you see as the role of the Marine Corps as part of the Navy-Marine Corps Team?

*Answer.* I view the Marine Corps as an equal member of the team. In order to influence events overseas—to protect our vital national interests—America requires a credible forward deployable power projection capability. The Navy-Marine Corps team provides that capability, most visibly in the form of Carrier Battle Groups and Amphibious Ready Groups. A sustainable forcible entry capability that is independent of forward staging bases, friendly borders, overflight rights, and other politically dependent support can come only from the sea. The chaos of the future requires that we maintain the capability to project power and influence ashore against a wide range of contingencies—from humanitarian and disaster relief efforts, to warfare across the full spectrum of conflict. Naval forces are the flexible response instruments necessary to meet these contingencies. The Marine Corps provides the unique landward element of that response in a way no other combat organization can.

*Question.* Do you anticipate an increased emphasis on being able to provide Marine units transportation and support for contingency operations?

*Answer.* Department of the Navy is committed to amphibious lift for 2.5 Marine Expeditionary Brigade (MEB) equivalents in accordance with Defense Planning Guidance. This force is built around 12 big deck amphibious ships. We have the appropriate level of lift to ensure our Navy and Marine Corps team will be ready to carry out its missions in support of our National Strategy. We will continue to work closely with the Marine Corps as we balance required capabilities with funds available.

*Question.* Does the Navy have adequate resources in the Future Years Defense Plan to support the Marine Corps in contingency operations?

*Answer.* Navy's portion of the fiscal year 1997 President's Budget Future Years Defense Plan provides the resources necessary to support Marine Corps needs for amphibious lift, tactical aviation, naval fire support, mine countermeasures, and other capabilities required for contingency operations. If confirmed, I will work closely with the Commandant to ensure we have mutually supportive and properly balanced "naval"—Navy and Marine Corps—programs in support of our National Strategy.

#### DEFENSE REFORMS

It has been nearly 10 years since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operation Reforms.

*Question.* Do you support full implementation of these reforms?

*Answer.* Yes. The positive record of the reforms mandated by enactment of the Goldwater-Nichols Act is reflected in more realistic joint training and operations. It was certainly manifested during DESERT STORM. It has been reinforced during Operations UPHOLD DEMOCRACY in Haiti and JOINT ENDEAVOR in Bosnia. Goldwater-Nichols has improved the operational effectiveness of the American military and greatly facilitated joint and combined arms operations in actual contingencies. The emphasis we have placed on operating as a joint team will ensure we get the most from all our capabilities and enhance our collective potential as armed forces. I am committed to the reforms in Goldwater-Nichols and fully intend to continue supporting its provisions.

*Question.* What do you consider the most positive aspect of this legislation?

*Answer.* There are three aspects that I consider most positive. First, and perhaps most fundamental, it caused us to take jointness seriously. Second, the legislation guided the Armed Forces in improving our ability to operate effectively as joint and combined forces. It did so by ensuring that our best prepared and operationally proven officers are assigned to joint staffs, and by markedly improving the processes by which we derive joint requirements and produce joint doctrine. Third, the author-

ity of the Warfighting CINCs over assigned forces was expanded to establish a clear chain of command to accomplish assigned missions.

*Question.* In your opinion, have the reforms been fully implemented?

*Answer.* Yes. I believe Navy and all the services have successfully implemented the reforms mandated under Goldwater-Nichols. I am absolutely confident that the President gets the best possible advice from the Nation's senior military leadership; that he can place absolute responsibility on the combatant CINCs for the outcome of military operations; and the Nation's Armed Forces can successfully execute joint operations. As a former operational joint force commander, I can report to you that Goldwater-Nichols is working well, and I believe it will get even better.

*Question.* Do you have any plans to ensure that these reforms are fully institutionalized within the Navy?

*Answer.* For Navy, the reality is that every day forward-deployed is a day in which our operations are either joint, combined, or both. My goal, if confirmed, will be to ensure that we remain focused on our responsibility to ensure the fleet maintains the highest state of readiness for successful execution of joint and combined operations. Based on my experience as a practitioner of joint operations and training, I am convinced that these reforms have significantly improved the effectiveness of our joint warfighting. I am committed to building on the success of Goldwater-Nichols, and to more fully developing joint programs, plans and doctrine.

*Question.* What do you understand to be the role of the Service Chiefs under the Goldwater-Nichols Act relative to the Secretary of Defense, the Secretary of the Navy, the Chairman of the Joint Chiefs of Staff and the combatant commanders?

*Answer.* Service Chiefs perform their duties under the authority, direction, and control of—and are directly responsible to—their respective service secretaries. In presiding over the Office of the Chief of Naval Operations, the CNO is responsible for managing and controlling the organization to ensure it meets its statutory responsibilities to the Secretary of the Navy.

Specifically, OPNAV is responsible to the Secretary for recruiting, organizing, supplying, equipping, training, servicing, mobilizing, demobilizing, administering and maintaining the Navy to support military operations of the Combatant Commanders. In addition, the CNO assists the Secretary of the Navy in developing plans and recommendations for the Department's effective and efficient operation. As a member of the Joint Chiefs of Staff, the CNO, like the other service chiefs, is a military advisor to the President and the Secretary of Defense. In that capacity, he may provide advice in disagreement with or in addition to advice presented by the Chairman to the President or the Secretary of Defense. If confirmed, I intend to actively exercise my responsibilities as a member of the Joint Chiefs of Staff. In addition, though perhaps not statutory, the most fundamental duty of this CNO (if confirmed) will be to set the standard for leadership and set the example in word and deed for the entire Navy.

*Question.* In your opinions is there sufficient planning and adequate resources to support the Navy Seal Community and role in Low Intensity Conflict and contingency operations?

*Answer.* Yes. I have extensive operational experience with our SEALs and am proud to consider myself among their strongest advocates. The Navy fully supports the emphasis on Special Operations Forces (SOF). The fleet is working in tandem with Navy SOF as well as other USSOCOM SOF components in direct support of the requirements established by the geographic CINCs.

In this period of declining resources and manpower, SOF are a versatile and powerful force multiplier. Navy SOF continues to provide valuable support to conventional fleet operations. For example, approximately 60 percent of all deployed Naval Special Warfare assets (SEALs and Special Boat Squadron Detachments) operate under the operational control of fleet commanders. With regard to shared interests between USSOCOM and Navy, such as host submarine support for special warfare, Navy shares funding responsibility with USCINCSOC. In other areas, such as the employment of the new CYCLONE class Patrol Coastal Ships, and the incorporation of SEAL Platoons in carrier battle groups, special operations missions dovetail nicely with conventional maritime operations. I will continue to work closely with General Shelton at USCINCSOC to realize the full potential and synergy of our respective forces.

*Question.* Based upon your experience, including as Commander SECOND Fleet during Operation UPHOLD DEMOCRACY in which Navy aircraft carriers served as platforms for Army helicopters and forces, what is your view of the ability of the U.S. armed forces to carry out contingency planning and conduct joint operations?

*Answer.* I have complete confidence in our ability to both plan and execute joint operations. Our National Military Strategy relies on the ability of each Service to operate jointly, and to ensure successful mission performance across the full range

of military operations. Essential to the success of joint operations is the total force integration of all supporting arms. Because of our concerted efforts at joint deliberate planning, we have the most effective contingency planning system in the world. The ability to rapidly respond anywhere is further supported by our forward presence and the inherent flexibility of forward deployed Navy and Marine Corps forces. These forces regularly train in the joint arena and are prepared to carry out joint operations at a moment's notice. Using lessons learned from successful joint operations such as DESERT STORM, UPHOLD DEMOCRACY, and JOINT ENDEAVOR, we have honed our joint war fighting skills.

#### QUALIFICATIONS

*Question.* Section 5033(a)(2) of title 10, United States Code, provides that an officer may be appointed as the Chief of Naval Operations, without a Presidential waiver, only if the officer has had significant experience in joint duty assignments and such duty assignments as a flag officer. Do you meet these qualifications or did the President have to grant a waiver in your case?

*Answer.* I meet the qualifications. As a flag officer, I have served as Commander Second Fleet/Commander Striking Fleet Atlantic/Commander Joint Task Force 120/950, a full joint assignment. I do not require a waiver.

*Question.* Do you believe that you have the requisite background and experience for this assignment?

*Answer.* Yes.

#### TAILHOOK

The Tailhook incident, the manner in which it was handled, and the perceptions it created regarding the attitudes on Naval Officers toward women have attracted significant attention for almost 5 years. Of particular concern is the fact, while many senior officers were aware of the type of behavior for which Tailhook conventions had become famous over the years, no one took action to preclude that type of behavior at Tailhook 1991. Additionally, while senior officers either witnessed inappropriate behavior at the Convention or specifically avoided certain locations to avoid witnessing this behavior, few took action until the behavior of certain attendees attracted national attention. Some former Navy officials and other have even suggested that the disgrace of Tailhook and the pressure of the follow-on activities were instrumental in driving Admiral Boorda to suicide.

*Question.* What actions will you take, if confirmed, to create an atmosphere in the Navy in which Tailhook type behavior does not occur, and, if it should occur, to ensure that it is not viewed as acceptable or quietly tolerated?

*Answer.* First and foremost, I will set the example in leadership and set the standard in word and deed for the entire Navy. That will be my primary obligation if confirmed as CNO. As you know, I attended Tailhook 1991. Bad things happened there and we, the leadership of Naval Aviation, permitted an atmosphere to exist wherein such things could happen. I deeply regret that. We should have been more proactive in raising the behavior standard for the symposium. We did not—and I can't change the past. However, I can learn from our collective—and my personal—inaction and I have learned. Because I was there and have seen and felt first hand how much Tailhook hurt our great Navy, I am even more committed to ensuring that such an atmosphere will never again be tolerated.

Through personal example and programs under my direction, I will give meaning to Navy's principles of integrity, responsibility, accountability, commitment, and high standards of professional and personal conduct. In dealing with each other, we will start with the Golden Rule—simple, yet almost foolproof. We will work tirelessly to ensure that at all levels of the chain of command, we will look out for each other. Mike Boorda's one-on-one leadership and mentoring programs are exactly the right starting point, and I am committed to seeing them through to Navy-wide implementation. In addition, if confirmed, I would expand our Navy Leadership Continuum which requires formal leadership training for officers and enlisted at specific and critical milestones in each individual's career. I would also institute a Navy Core Values Workshop to reinforce formal classroom training and bridge the interval between continuum classes.

The intent will be to help each member of the team realize their full potential. This must be accomplished through the fair and equitable treatment of all hands by all hands at all times. Discrimination and sexual harassment are contrary to good order and discipline and will not be tolerated. I am fully committed to ensuring that every member of our Navy is able to contribute to his or her fullest potential in an atmosphere of dignity, respect, and productivity. We will be proactive leaders vice reactive. Any who do not measure up will be dealt with swiftly and fairly.

The Armed Services Committee has a clear understanding of the unique values and standards of military service, including the responsibility and accountability of military commanders for their subordinates. The committee also has a clear understanding of the enduring military principle that a promotion is a judgment on the fitness of an officer for increased levels of responsibility, not a reward for past service. Section 5947 of title 10, U.S. Code, establishes the affirmative obligation of commanding officers, to demonstrate "a good example of virtue, . . . to be vigilant in inspecting the conduct of all persons who are placed under their command; to guard against and suppress all dissolute and immoral practices . . . and to take all necessary and proper measures, under the laws, regulations, and customs of the Naval service, to promote and safeguard the morale, the physical well-being, and general welfare of the officers . . . under their command or charge." This statute does not reflect contemporary situational ethics, political correctness, or feminist pressure. It was first set forth in the regulations for the Navy drafted by John Adams and approved by the Continental Congress in 1775, enacted by the U.S. Congress in 1789, and codified at the express request of the Navy in 1956.

*Question.* Do you support the standards for responsibility and accountability set forth in the statute and Navy regulations?

*Answer.* Yes, without reservation. I believe that Navy standards of responsibility and accountability—particularly for commanding officers and others in position of authority—must be applied sensibly and consistently. I think John Paul Jones said it best with his "Qualifications of the Naval Officer" (today's version would read gender neutral but the message is timeless):

"It is by no means enough that an officer of the Navy should be a capable mariner. He must be that, of course, but also a great deal more. He should be as well a gentleman of liberal education, refined manners, punctilious courtesy, and the nicest sense of personal honor. He should be the soul of tact, patience, justice, firmness, and charity. No meritorious act of a subordinate should escape his attention or be left to pass without its reward, even if the reward is only a word of approval. Conversely, he should not be blind to a single fault in any subordinate, though, at the same time, he should be quick and unflinching to distinguish error from malice, thoughtlessness from incompetency, and well meant shortcoming from heedless or stupid blunder."

*Question.* Do you believe that an officer can be technically proficient, have superior performance reports and possibly even be selected by a promotion board while not meeting the standards of responsibility and accountability set forth in the statute and Navy regulation? If that were to occur, what action would you recommend to the Secretary of the Navy, if asked, with regard to that officer's nomination?

*Answer.* Yes. It is possible—though, in my opinion, not likely—that an officer's service record, upon which a selection recommendation is made, would not reflect deficiencies that are disqualifying for promotion. If such information came to light after a promotion selection board, or prior to a military personnel action, as set forth in DODINST 1320.4, it would be fully investigated. Assuming the misconduct involved warranted it, I would recommend to the Secretary of the Navy that the officer not be nominated for promotion.

*Question.* There has been much written in the press recently about low morale in the Naval Aviation community and unprecedented resignations of post-command aviators. Former Secretary of the Navy James Webb asserted during a recent speech at the Naval Academy that 53 percent of post-command commanders in naval aviation left the Navy last year. In the absence of a challenge from the Navy, this exit rate has been repeated by others who speak with authority about the Navy. (1) Do you agree with former Secretary Webb's assessment of low morale in the Naval Aviation community? (2) Do you agree with his characterization of exit rates among post-command commanders in the Naval Aviation community? (3) In your opinion, are there measures which need to be taken to address the morale of Naval aviators? (4) Does the Navy have a responsibility for the accuracy of information about the Navy in the public domain?

*Answer.* I do not agree with former Secretary Webb's assessment of morale or his exit rates. First, as a Naval Aviator, I pay particular attention to the morale of the aviation community as a whole. Overall, I think we are doing well. Morale is generally high and deservedly so. Our aviators are mission and performance focused and proud of their achievements. I share their pride. Can we improve morale? You bet and I am committed to do just that.

Regarding the exit rates among post-command commanders (PCCs), I believe the former Secretary's numbers need clarification. Our data show that in 1995, the 28 pilot PCC retirees were 12.4 percent of the total PCC pool. For 1996, as of the end of May, the 43 pilot PCC retirees were less than 20 percent of the total PCC pool.

That said, I do agree that any increase in Commander aviator retirements is cause for concern. I believe the increased numbers of retirements were partially the result of an increased flow point to O-6 coupled with increased airline hiring. To correct this circumstance, we are seeking DOPMA grade relief which will help maintain acceptable O-6 promotion flow point timing. Let me assure the committee that if we are losing aviators for other reasons, such as low morale, if confirmed I will make sure we find the problem and fix it.

Finally, we must ensure that any official information in testimony, statements, press releases or publications is accurate. When we find erroneous statements, we work to correct them. In fact, we analyzed former Secretary Webb's statement and provided correct information to the public domain via the Chief of Naval Information.

*Question.* Given your participation in Tailhook 1991 and the follow-on actions, are there any aspects of the continuing processes and procedures concerning Navy officer nominations from which you envision recusing yourself? If so, what would those be? If not, explain why you believe that your participation in the convention and the follow-on actions does not disqualify you.

Answer. As I have noted above, I believe that my leadership as CNO, should I be confirmed, will be more informed, principled, proactive and fair because I was present at Tailhook and have learned its lessons. As a result, I believe that my participation or action in Tailhook-related officer nominations outweighs any concern that the appearance of impartiality of my participation or action could be questioned because of my presence at Tailhook. For that reason, I would participate or act in such cases unless the specific facts of the case indicate that it would be proper for me to recuse myself. Where I do participate or act, I will be guided by the principles of fairness and consistency with decisions in prior Tailhook cases.

#### LEADERSHIP

Deputy Secretary John White spoke at the Naval War College Strategy Forum on June 11, 1996. During that presentation, in addressing the leadership challenge facing the Navy, he posed several questions: What values do we want our officers to share? What skills, of all kinds, do we want our officers to possess? What changes should be made to career patterns to assure sufficient time for leadership training and education? How should the standards of Navy leadership be demonstrated by senior officers? How can they be inculcated in junior officers? What changes are necessary in day-to-day practice. Are there officer prerequisites that should be changed or abandoned? How do we ensure a strong Navy leadership?

*Question.* How would you answer Secretary White's questions?

Answer. a. What values do we want our officers to share?

It is unrealistic for us to expect all our people to report to boot camp, OCS, NROTC or the Naval Academy with a clear set of these values, so we have established a Navy Leadership Continuum to provide formal training at crucial career points from accession through Flag Officer indoctrination. This training continually re-emphasizes leadership responsibilities, and interweaves ethical decision-making through all courses, starting with instilling our Core Values of Honor, Courage, and Commitment at all officer accession courses . . . and at boot camp.

As you well know, Tailhook 1991 was a wake-up call for us. It made us take a hard look at ourselves. The Navy of old condoned, and even encouraged, a "work hard, play hard" mindset . . . but we've changed our perspective since then. We recognize now that "playing hard" does not mean taking a vacation from responsibility to self and/or shipmate. I believe that the vast majority of our people—many of whom have served honorably before, during and since Tailhook—understand that clearly, and are completely on board with our values and standards. In the past 5 years, we've worked hard to incorporate and disseminate straightforward, unambiguous standards and values into the very culture of our Navy, and I know that our efforts are paying off.

Tailhook is not what we're about today, and it is not what we've been about for quite some time. I expect the men and women of the world's greatest Navy to share and demonstrate those values which represent the very best of our American society.

b. What skills, of all kinds, do we want our officers to possess?

First and foremost, our officer corps must possess the utmost professional knowledge and skill. This is true not only for our officers, but our enlisted personnel as well. It is key that our Navy men and women become proficient in subordinate development, using motivation, delegation, evaluation and counseling, recognition, and mentoring. We want them to be skilled in written, oral, situational and inter-



personal communications so that they express themselves clearly and interact with their shipmates fairly and impartially for the greater benefit of the Navy.

We are providing our personnel with the tools to sharpen these skills with the previously mentioned Leadership Continuum, an eight course effort which we have been developing that will be fully on line or piloted by the end of this calendar year. These initiatives clearly set behavioral standards and provide guidance to ensure all levels of the chain of command know what is expected. We have redefined Equal Opportunity ("Fair and equal treatment of all hands, by all hands, at all times") and implemented a discrimination/sexual harassment complaint process that ensures thorough investigation of complaints, keeps the complainant informed, and prevents reprisal. We have also revitalized our Command Managed Equal Opportunity (CMEO) program to improve leadership's awareness of the command climate, identify issues before they become problems, and develop plans to resolve them. In addition, we've launched the "Right Spirit" campaign—and we're the service to spearhead this type of effort—to clarify the responsibility of shipmates, leaders, and commands alike regarding the use of alcohol.

c. What changes should be made to career patterns to assure sufficient time for leadership training and education?

To properly manage the careers of both our officer and enlisted communities, we must provide strong, clear leadership and ethics training early on and then conduct regular refresher training in these areas. We also understand the importance of early joint duty qualification for officers, repeat assignment to joint billets, Professional Military Education (PME) at one of the service colleges, and attendance by our best enlisted leaders at our Senior Enlisted Academy. We are challenged by factors such as sea/shore rotation and required at-sea and operational assignments, but we continue to work hard to balance our operational obligations with the leadership and overall professional development of our people. The uniqueness of sea duty, sea/shore rotation requirements, and the absolute necessity for seasoned leaders with Fleet operational experience clearly frame our career patterns and requirements. As we have found in our own recent study "*Officer Career Management in the Year 2000*," a career limit of 30 years for an O-6 and 35 years for a Flag Officer (permanent grade O-8) seems impractical for a successful leader to accomplish all we would like in an ideal career. Extension of career limits to 35 and 40 years respectively would allow us to fully incorporate leadership training, educational, joint duty, and promotion requirements. This, of course, would require legislative relief.

d. How should the standards of Navy leadership be demonstrated by senior officers? How can they be inculcated in junior officers?

I am convinced that leaders should lead by personal example and personal involvement, each and every day. They must educate, discipline, and constantly reinforce their subordinates to imbue in them our core values of Honor, Courage and Commitment. We have a wealth of outstanding leaders—officer and enlisted, women and men. Their effectiveness can be readily validated by Navy's many operational successes around the globe, accomplishing our diverse missions in defense of the Nation. Our Navy Leadership Continuum will formalize and standardize our leadership development. Additionally, to further emphasize a Naval leader's daily responsibilities, we recently refined the concept of "One-on-one Leadership" to focus on the basics of each leader really knowing his or her own people and taking care of their professional and personal needs in a proactive vice reactive manner.

e. What changes are necessary in day-to-day practice?

I do not believe changes in our day-to-day practice are needed; however, we will continue to emphasize good leadership characteristics at every opportunity. Our core values, equal opportunity, heritage, chain of command, communication, one-on-one leadership, and character and ethics are already a key part of conducting the day-to-day business of the Navy and will stay that way.

f. Are there officer prerequisites that should be changed and abandoned?

As I stated earlier, I am committed to adhering to a standard of fair and equal treatment of all hands, by all hands, at all times. Our officers are placed in positions of great responsibility. As they progress in their careers, they are expected to assume even greater responsibilities. I believe the considerations afforded to senior military leaders, such as designated quarters or personal staff, are essential to enable them to properly and efficiently perform the challenging duties to which they are assigned. That does not mean, however, that we should not vigilantly monitor the privileges afforded to our officers to ensure they are not abused.

g. How do we ensure a strong Navy leadership?

I am confident that our leadership across the board is *sound and improving*, and I am committed to keeping it that way. The best, and most objective evidence of this can be found by looking at what we, as a Navy, do from day to day. For example, recent Fleet operational data, taken just last week, has been typical since the

Cold War ended and tells it all: 196 of 362 ships are at sea (54 percent); 107 of those ships (which are manned by 43,039 Sailors) are deployed; we are participating in 24 at-sea exercises and visiting 10 foreign ports; 36 SSNs (46 percent) and 9 SSBNs (56 percent) are at sea; 5 carriers are at sea or deployed; and 4 Amphibious Ready Groups are at sea. As always, we are ready, well-respected, and well-trained, and most importantly, our Navy leaders, upon whom we place so much responsibility, are performing their demanding duties professionally and effectively.

If that weren't so, we certainly would not continue to experience our forward presence, and operational successes. In short, we remain at the very tip of our nation's defense spear and I cite our recently demonstrated outstanding operational (and leadership) successes in the Adriatic, in the South China Sea, off Korea and Liberia, and in the Persian Gulf as proof.

Finally, I believe that the best way to ensure strong Navy leadership is to learn from, and to never forget, how we became the greatest Navy in the world. The leaders who came before us—Nimitz, Burke, Boorda—were men of vision, vigor, and values. They helped make Navy an institution with those same characteristics—an institution with unwavering support of human dignity and worth. But they did not do that alone. Our Navy is not defined by the momentary excellence of a few or the momentary failings of a few. I submit it is defined by the millions who have served in its history, and by the hundreds of thousands who serve today. They show us why we lead, and how to lead with honor, courage and commitment.

#### LEADERSHIP

An op-ed piece in *The New York Times* on June 8, 1996 asserts that the feeling inside the Navy is that "it has lost its way as a fighting force and that three problems that are corroding confidence in the Navy's leadership include:

- the decision to assign women to warships,
- weapons programs that do not support the Navy's post-Cold War strategy; and
- a sinister perception that integrity can be hazardous to one's career—if it means airing problems that might embarrass the brass."

*Question.* Do you find any merit in such assertions? If not, what is your basis for reflecting them? If you do, what do you intend to do to address these problems?

*Answer.* I find no merit whatsoever in those assertions. They are contradicted by the preponderance of facts and are, in my opinion, little more than one individual's expression of his opinions. The Navy has a clear sense of direction as a fighting force and as an institution. Our forces consistently demonstrate outstanding performance conducting strenuous operations, and we are focused on the capabilities and operational concepts we will need to remain the Premier fighting force in the 21st Century.

I do not believe that assigning women to combat ships has eroded confidence in the Navy's leadership. There are undoubtedly some personnel who are still not onboard with the policy of assigning women to warships. There were similar feelings expressed when women were assigned to ships for the first time some 20 years ago. We learned a lot of lessons during that time and have applied those lessons learned to the way we are conducting the integration process of combatants. The first women were assigned to the U.S.S. *Dwight D. Eisenhower* in March 1994. Since then, 32 combatants have been fully integrated and another 15 have women officers assigned. We now have 7,294 women assigned to ships: 2,012 enlisted and 326 officers on combatants; and 4,765 enlisted and 190 officers on support ships. We have been tracking this carefully and the feedback Navy received from Commanding Officers and senior enlisted personnel from these ships has been positive. We have had our concerns but effective leadership is making this transition successful. So, I would say that the feeling by most Navy personnel is that we are a team that accomplishes the mission and most Sailors, men and women, are proud to be a part of the most capable Navy in the world. We will aggressively continue integrating women into combat assignments and continue to accomplish Navy's mission.

The assertion that Navy weapons programs do not support the Navy's post-Cold War strategy is misinformed and reflects a fundamental lack of understanding of the nature of naval forces. *Forward . . . From the Sea* has been shaping the restructuring of naval forces from a blue water to a littoral focus. For example, the Tomahawk anti-ship missile (an open ocean weapon) was retired and the airframes converted to land attack missiles (a littoral power projection weapon). Additionally, open ocean antisubmarine warfare forces have been drawn down while mine countermeasure forces have been increased. We are developing shipboard anti-ballistic missile capabilities not so much to defend the fleet as to defend joint forces and allies ashore. Further, the arsenal ship shows great promise as a littoral warfare plat-

form, and from its inception is envisioned as a joint warfighting asset. Finally, the F-14 fighter, originally designed for open ocean fleet air defense, is being modified to also serve as a highly effective strike aircraft—giving it a new littoral power projection mission. I could give scores of other examples. Suffice it to say our weapons are in line with our strategy of *Forward From the Sea*.

The article in question contends that the F/A-18E is more supportive of a high seas, as opposed to littoral, focus; that the Navy should give more emphasis to shallow-water mine clearing; and that the Navy should bring back mothballed battleships for shore bombardment purposes.

The author does not elaborate on why he sees the F/A-18E as a blue water, as opposed to littoral, asset. I can state categorically, however, that the *Hornet* is a key player in our strategy of *Forward . . . From the Sea*. Its design gives it robust capabilities across mission areas formerly covered by highly specialized air wing assets, specifically the F-14 air superiority fighter, the A-6 medium attack bomber, and the A-7 light attack bomber. To operate successfully in the littorals a combat aircraft must be multi-mission capable to penetrate sophisticated land-based air defense systems, then establish air superiority while striking a multitude of targets with a variety of weapons. The increased range, payload, and survivability capabilities of the F/A-18E make it eminently suitable for the littoral combat environment.

Mineclearing and naval surface fire support are certainly critical missions supportive of our strategy of engaging in the littorals. The author mixes apples and oranges when he speaks of the arsenal ship in the context of a surface fire support platform, like the venerable battleship. The arsenal ship will be capable of launching every surface-launched missile in the Navy inventory. That gives the arsenal ship a strike mission with Tomahawk land attack missiles and an air defense mission with Standard missiles. In the future it will gain a ballistic missile defense mission with Standard missiles and a fire support mission with the navalized version of the Army Tactical Missile System (ATACMS). An arsenal ship carrying scores, or even hundreds, of navalized ATACMS with a range of about 74 miles is a potent fire support platform. Other new weapons currently under development could expand the arsenal ship's missions to include battlefield interdiction. Valuable as they are, battleships cannot perform such a wide range of missions. Additionally, the Navy is actively pursuing weapons development programs, including longer range, more capable guns and munitions, to enhance our fire support capabilities. Bringing back the battleships to provide fire support would provide us a boost in one specific mission area, but would draw down on financial resources we need to cover all our mission needs.

Some confusion among those unfamiliar with naval operations arises from the inherent flexibility of many naval platforms. Cruisers and destroyers equipped with the powerful *Aegis* air surveillance radar are just as valuable in littoral warfare as they are for open ocean operations. Nuclear powered attack submarines are extremely capable of performing littoral missions and have been used for them since the first one was launched over 40 years ago. In sum, the overall picture clearly shows that the Navy is rapidly and effectively adapting to the demands of littoral warfare.

The media have reported many stories about organizations that have employees who believe integrity is hazardous to a career. So, this perception is not unique to the Navy. The Navy leadership is working hard to ensure that Sailors know we expect them to give us the bad news as well as the good, and that we respect them for having the courage to do so. If I become CNO, integrity will always come before concern over embarrassment to "the brass." We all make mistakes. The key is not to hide the mistake, but rather learn from it in order not to repeat it. That will be the Navy way.

#### RECRUIT QUALITY

*Question.* What is the Navy's approach to "quality versus quantity" in terms of recruiting difficulties? Do you support the committee's long-standing policy to emphasize quality over quantity? What is your view as to any option to increase and recruit additional mental category IV personnel to alleviate possible shortfalls?

*Answer.* In 1991, Mike Boorda, then Chief of Naval Personnel, considered the fleet's requirements and balanced them against the cost to recruit high quality sailors. The result was today's current quality minimums of 95 percent high school diploma graduates, 62 percent who score above 49 on the Armed Forces Qualification Test (Category I-III A) and no one who scores below 31 (Category IV). Our approach hasn't changed. Right now, our Chief of Naval Personnel is re-examining these standards in light of today's down-sized, higher tech Navy. This year over 70 percent of our new recruits must qualify for advanced rate training compared to less

than 50 percent just 2 years ago. If Navy's quality requirements change, they are more likely to go up than down. As far as balancing quality and quantity, we are going to recruit adequate numbers and sufficient quality to meet our mission. There is no trading one for the other—we determine accession requirements, minimum quality standards and then resource the recruiting and training process to get it done. At the same time, we continually improve the recruiting and training process to drive costs down and be more reactive to market difficulties.

Compared to 1991, we are in a better position now to estimate the costs associated with recruitment of CAT IV personnel. Higher attrition, longer training time, more discipline problems and lower career performance all translate to lower C1 percentages and higher costs in the long run. At this point, I am not convinced that recruitment of CAT IV personnel is a viable solution in dealing with short term recruiting market difficulties or accession shortfalls. We will hold the line.

#### RESERVES

The Assistant Secretary of the Navy for Manpower and Reserve Affairs has indicated to the committee in written answers to policy questions that “. . . the reserves must continue to receive the vigorous support of both the active component and Congress to maintain a properly structured, funded, equipped and trained force.”

*Question.* Do you believe that the Navy Reserve receives the vigorous support of the active component of the Navy? What evidence would you offer to support that belief? Should you become Chief of Naval Operations, what actions will you take to ensure a strong, viable Naval Reserve, fully integrated with the active component?

*Answer.* The Total Force is a reality in the United States Navy, and as such, the contributions and requirements of our Reserve component are fully appreciated.

Evidence of our commitment to the Total Force is the Naval Reserve's participation in a broad spectrum of Navy roles and missions. The active duty missions depend on the Contributory Support provided by the Naval Reserve. The use of the Naval Reserve represents sound utilization of a Navy resource and acknowledges the wealth of experience and commitment resident in the Naval Reserve. The Total Force is a reality in the United States Navy, our missions depend on this Total Force policy, and therefore, all components/programs are vigorously supported.

We in the Navy have been able to achieve the seamless integration and unprecedented use of our Naval Reserve because we have the highest quality and most dedicated Reservists in our history. Should I become Chief of Naval Operations, I will continue to vigorously support our Naval Reserve. We simply can not do our job without them and that will not change.

#### UNITED SERVICES AUTOMOBILE ASSOCIATION

*Question.* Please describe in detail the circumstances surrounding your becoming a member of the Board of Directors of USAA. Was that a position for which you applied or actively sought?

*Answer.* I did not apply for or seek appointment to the Board of Directors of USAA. I was offered a seat on the Board in a telephone call to me by Robert F. McDermott, USAA's Chairman and Chief Executive Officer.

*Question.* What, in your view, led USAA to offer you that position? What benefit, in your view, did USAA derive from having you as a member of its Board of Directors?

*Answer.* I do not know why USAA offered me a position on its Board. I believe that USAA and its members have benefited from my understanding and appreciation of the needs of the military community served by USAA, my knowledge of military approaches to the management of large organizations with many thousands of personnel, and my innate abilities and values.

*Question.* What steps, if any, did you take prior to accepting that position to ensure that serving in such a position did not violate the Standards of Conduct regulations or other regulations?

*Answer.* Prior to accepting the position, I personally reviewed the ethics rules that governed flag officers' conduct. With the assistance of retired General Herbert L. Emanuel, USAA's Chief Administrative Officer, I also reviewed USAA's rules of conduct for Board members to ensure that I would not be asked to engage in any action that would be or appear to be an impropriety. For example, I satisfied myself that I would never be identified in any USAA documents or literature as an active duty military member so that USAA and I would not appear to use my military status to endorse USAA. In addition, I spoke with then-current members of the Board who were also active duty military members and who advised me that membership on the Board in my private capacity would be consistent with ethics regulations. Since joining the Board, I have fully disclosed my membership, compensation and expense

reimbursements on my annual public ethics filings which have been reviewed by Navy ethics counselors. In accordance with advice from those counselors, I have refrained from exercising any responsibility or otherwise participating in my official capacity as a government employee in any decision or action affecting USAA.

*Question.* Please describe in detail your responsibilities as a member of the Board of Directors. Include specific information concerning the amount of time required to fulfill those responsibilities.

*Answer.* I attended meetings and participated in the deliberations of the Board and its audit and personnel committees. As a member of the Board and the committees, I was briefed on, gave advice and rendered decisions about management, personnel, performance parameters and compensation policies and oversight concerning the company, the policies and services offered by it, and its 16,000 employees. I spent time at home studying periodicals, industry-specific publications and USAA-specific documents and materials. I spent time at home preparing for my participation at Board meetings. I also participated in four telephone conference calls among board members.

The following is a list of the dates I attended Board meetings, the meetings I did not attend, the dates on which I participated in telephone conference calls and my official leave status for those times as reflected in my Navy leave records. I believe that the computer records from which the data reflected below were taken are in error. Specifically, the computer records did not reflect my official leave status on the two Saturdays noted below (11/2/91 and 11/14/92).

*Attendance at USAA Board of Director Meetings*

Date Attended Board meeting:	<i>Leave Taken</i>
11/2/91 .....	No. Saturday
12/6/91 .....	12/5-8
3/20/92 .....	3/19-21
6/20/92 .....	6/18-20
9/24/92 (Meeting held during travel to Europe which included visits to USAA offices in London, Frankfurt, Seville) .....	9/10-27
11/14/92 .....	9/10-27
3/5/93 .....	11/12-13
11/13/93 .....	(14 Saturday)
11/12/94 .....	3/4-5
3/4/95 .....	11/11-14
5/27/95 .....	11/9-13
8/11/95 .....	3/3-6
10/14/95 .....	5/25-27
12/2/95 .....	8/10-12
	10/12-15
	11/30-12/2
<b>Meetings not attended:</b>	
5/14/93 .....	
8/21/93 .....	
5/6/94 .....	
8/12/94 .....	
3/9/96 .....	
5/25/96 .....	
<b>Participation in Conference Calls:</b>	
12/30/93 .....	
3/4/94 .....	
1/24/95 .....	
1/24/96 .....	

I typically spent 3 to 5 hours of personal time each weekend reviewing periodicals and other materials, and a greater amount of time during weekends preparing for Board meetings. I participated in the January 24, 1996 telephone conference call from my office through an 800-line conference call operator at no cost to the government during personal time I would otherwise have devoted to lunch or other non-work activities. My participation in the other conference calls took place during evenings or non-workdays from my home.

*Question.* Please describe any interface between your responsibilities as a member of the Board of Directors and your responsibilities as an officer in the Navy. Please include the types of issues with which you dealt.

Answer. None. I understood from the inception of my USAA Board membership that I could not be involved on behalf of the Government in any matter involving USAA, and I have adhered to that rule.

Question. If your responsibilities required attendance at annual meetings or other USAA-sponsored events, please provide the number, location and duration of such meetings or events.

Answer. See the list previously provided, *Attendance at USAA Board of Directors Meetings*.

Question. In the event that you attended USAA-sponsored events in your capacity as a member of the Board of Directors, what was your duty status traveling to and from such events and during the conduct of such events?

Answer. With the exception of the travel to USAA's European offices I noted in the list previously provided, *Attendance at USAA Board of Directors Meetings*, I did not attend any USAA-sponsored event other than Board meetings. For the duration of the European travel and during every weekday on which I traveled to or from or attended a Board meeting, I was in a leave status.

Question. Have you conducted USAA-related business from your military office during duty hours or at other times? If so, please describe.

Answer. No. I have never conducted USAA-related business from my military office during duty hours. As I noted in my earlier response setting forth *Participation in Conference Calls*, on one occasion I participated in a telephone conference call among USAA board members through an 800-line conference call operator at no cost to the Government during personal time I would otherwise have devoted to lunch or other non-work activities.

Question. Please describe in detail the agreement or arrangement under which you received compensation from USAA including a breakdown of the amounts received during your tenure on the Board.

Answer. The following is a full accounting of monies received from USAA for my services on the Board of Directors:

Dates	Dir. Fees	Travel	Total
1991	\$12,871		\$12,871
1992	\$29,537	\$16,689	\$46,226
1993	\$25,651	\$4,744	\$30,395
1994	\$27,839	\$6,331	\$34,170
1995	\$33,400	\$9,219	\$42,619
1996	\$10,450		\$10,450
	\$139,748	\$36,983	\$176,731

USAA paid travel expenses for my wife to accompany me to board meetings, including a meeting in England in 1992. I reported those reimbursements on my income tax returns. USAA is not a public company. Therefore, I received no stock as compensation for my board service. I did not receive free insurance.

For each year that I was a member of the Board, my compensation consisted of two components—per-meeting payments for attendance at Board meetings and at orientation sessions, and an annual retainer for serving on the audit or personnel policy committee or the Board itself.

Question. Would you have taken such a position in the absence of financial compensation other than reimbursement for expenses incident to board membership?

Answer. Yes. I believe that my exposure to and participation in the management of a leading corporation and its business practices and standards have enhanced my professional development and the skills I have brought to the performance of my duties as a naval flag officer and have made me a more effective leader for our Navy.

#### STRATEGY-RESOURCE RELATIONSHIP

Question. What role do you believe the Chief of Naval Operations should play in ensuring that the strategy drives the budget?

Answer. The Chief of Naval Operations is the principal advisor to the Secretary of the Navy and the Chairman of the Joint Chiefs of Staff regarding Navy's role in supporting the National Military Strategy. If confirmed, I expect to participate in both the formulation of the Secretary of Defense's Defense Planning Guidance, and the Secretary of the Navy's Programming Guidance. Also, Chief of Naval Operations has an important role working closely with the civilian leadership of the Department of Defense, the Joint Chiefs of Staff, and with Congress to present the needs of the Navy for resources required to execute approved strategy and guidance.

*Question.* What steps would you take, if confirmed, to enhance the process?

*Answer.* I believe that the current mechanisms, procedures, and organizational structures created to balance strategy and investment decisions are about right, and the Navy's participation in these deliberative processes will continue to serve us well in the years ahead as we restructure our forces. Certainly, if confirmed, I will ensure active Navy staff participation in recommended initiatives such as the upcoming Quadrennial Defense Review.

The committee is concerned about the continued growth in Headquarters strengths, especially officers. As fiscal constraints continue to pressure active end strengths, we cannot afford continued growth in Headquarters staffs. There are 9 unified commands, 5 sub-unified commands, and 28 Service component commands. Additionally, each Service has numerous supporting commands and headquarters. In his testimony before this committee in March of this year, General Sheehan, Commander in Chief, U.S. Atlantic Command, testified that our tooth-to-tail ratio is unbalanced, that junior officers are not experiencing sufficient time in combat-related assignments, and that it is necessary to review the size and number of headquarters and the defense agencies.

*Question.* Do you share General Sheehan's concerns?

*Answer.* I agree that periodic review of the size and number of headquarters and defense agencies is necessary to ensure we are directing our manpower resources where we get the most payback. However, I disagree that Navy's tooth-to-tail ratio is unbalanced as the result of growth in the number of officers serving on headquarters staffs and defense agencies. Currently, 42 percent of Navy endstrength is dedicated to combat forces, as compared to 42 percent in 1976 and 45 percent in 1986. It has remained relatively constant over the past 20 years.

Navy headquarters staffs and our contribution to the Joint Staff, Unified Commands, and defense agencies have grown where it makes sense, such as in billets that directly support ongoing, operations and agencies that provide the technology, intelligence and logistics support needed by our operational forces. It is important to note that Navy administrative headquarters staffs, such as the Navy Staff and the Bureau of Naval Personnel have decreased in size by over 40 percent since 1990.

*Question.* Do you believe that it would be possible to consolidate some Navy headquarters, particularly support headquarters, and/or reduce the officer staffing of some Navy commands?

*Answer.* Yes. Through the drawdown, we worked hard at consolidating and streamlining staff and billet structure to more efficiently utilize our people. I will continue to work closely with the Secretary of the Navy and Navy Component Commanders to ensure our forces are structured correctly to most efficiently utilize our military capabilities and retain a high state of operational readiness.

*Question.* Do you have any recommendations to control the appetite for the growth of officer billets in both Service and joint headquarters?

*Answer.* If confirmed, I will work closely with the Secretary of Defense, Secretary of the Navy, Unified CINCs, Fleet Commanders and Joint Staff to ensure every, billet requested contributes to combat capability, and is not provided at the expense of our operational forces.

*Question.* What recommendations would you make to reverse the trend toward increased support activities and fewer combat forces?

*Answer.* The Navy is participating in several initiatives to reverse this trend. The Base Realignment and Closure Commission has been one of the more important initiatives, and there may be room for further reduction in our shore infrastructure. We support DOD efforts to increase outsourcing of support activities that can be provided at less cost by commercial firms. Reducing the number of different aircraft in inventory helps reduce maintenance and training costs. The common support aircraft program will contribute to this goal in Navy, and the Joint Strike Fighter could contribute in the joint arena. Innovative approaches to training may also help. I will promote these and other efforts that contribute to reducing support activities or providing the support in a more cost-effective manner.

*Question.* Just prior to Admiral Boorda's confirmation, Admiral Kelso implemented the last major reorganization of the Navy staff. Another reorganization of the Navy's headquarters staff has been under consideration for some time. Do you consider such a reorganization necessary? If so, what form should it take and what would be its principal organizational objectives?

*Answer.* When the Navy Staff reorganized in 1992, our purpose was to parallel established codes within the Joint Staff. I believe we should continuously look at better ways of doing business and that is what the latest reorganization study entails. Whether it is necessary to reorganize the staff will depend on the outcome of the study. If confirmed as CNO, the review of the reorganization study will be among the first orders of business.

**Question.** Recent testimony and press reports indicate the Department of the Navy faces a \$15 to \$20 billion shortfall in the years beyond fiscal year 2000. Do you agree with these assertions? What is your view of how these shortfalls can and should be resolved?

**Answer.** I agree that increases in Navy procurement rates, particularly new ship construction, must be achieved and sustained in the years beyond fiscal year 2000. To support Bottom-Up Review ship force levels of 330 to 346 ships, an average of 9 to 10 new ships must eventually be built per year. This is roughly a 3 ship increase over the current average building rate of 6.4 ships per year (32 new ships total) across the fiscal year 97-01 President's Budget FYDP.

If additional ship construction funding were available in the near-term, the out-year "bow wave" could become more manageable. Additions to the New Attack Submarine, LPD-17, DDG-51 and CVN-77 programs in particular would help to relieve pressure on the future procurement accounts.

We intend to actively pursue acquisition reform and other efforts, such as outsourcing and off-the-shelf purchasing, directed at reducing the costs of recapitalization. If confirmed, I will give the highest priority to continuing to drive down the cost of acquiring, and then supporting, future components of our force structure. While savings through cost-cutting will not, by itself, resolve the shortfall beyond fiscal year 2000, we hope to reduce the amount necessary to maintain a fully effective and capable force.

**Question.** In preparing its fiscal year 1995 budget request, the Navy developed a plan for recapitalization that relied on savings associated with infrastructure reduction, a sharp reduction in force structure, and new regional maintenance policies to generate the funds that would be needed for recapitalization. What success has the Navy had in achieving the goals of this plan? Is it still valid? If not, what plan has replaced it?

**Answer.** This is still a complicated picture. While I can point to success in achieving our goals in a number of important areas, there is much work yet to be done, and no one should underestimate the challenges and risks we face in generating the funds we need to recapitalize the Navy. If confirmed, the most difficult challenge I face is the same one my predecessor faced, and his predecessor before that—how to build to the capabilities we will think we will need for the future, while also operating combat-ready forces to meet today's commitments, all within given resource levels. The overarching issue is ensuring adequate and stable funding for our plan, so that we don't carry a lot of bills forward each year.

How are we getting there? First, we are achieving manpower, operations and maintenance and military construction savings through implementation of actions directed by successive Base Realignment and Closure Commissions (BRAC). We have closed naval shipyards (Philadelphia, Mare Island and Charleston) and aviation depots (Pensacola, Norfolk and Alameda). Recruit Training Center activity at Orlando and San Diego has been consolidated at Great Lakes. As a result of BRAC, DoN annual savings from closing bases will reach \$2.6B a year by fiscal year 2001. In earlier years some savings will be offset by the costs of executing closures and disposing of excess property.

Exclusive of the BRAC process, several training, base security, and maintenance activities have been outsourced to the private sector. I believe we must continue these and other shore infrastructure cost reduction initiatives if we are to continue to realize recapitalization savings.

As part of our overall plan, sharp reductions in force structure are also occurring. For example, planned Battle Force ship force levels for fiscal year 1999 have been reduced from 420 ships in POM-94 planning to 336 ships in the current fiscal year 1997 President's Budget FYDP. However, continued high demands for naval forces by the Combatant Commands and PERSTEMPO guidelines that balance the need for deployed naval forces overseas and the maintenance of an adequate quality of life for our sailors have placed limits on how far additional force level reductions can be taken.

The overall strategy of reducing infrastructure in order to free up funding to support recapitalization without sacrificing near-term readiness is still valid. I recognize this is a long term strategy, to be modified as difficulties and new opportunities arise. I intend to continue this course to put modernization on a reasonable track by the end of this century.

In closing, we expect to get the funds needed for recapitalization from within the three categories you described. If the level of savings we anticipate does not materialize, then our recapitalization plan will be at substantial risk. That is a real concern of mine for the future, but especially for the next 2 to 5 years.



## BASES IN OKINAWA

The United States is under intense pressure to reduce the number of military bases in Okinawa.

*Question.* In the event the Department of Defense is forced to give up bases in Okinawa and relocate its forces to either Japan or other nations in the region, what impact would such a realignment have on this ability to fight a conflict in the Pacific region?

*Answer.* In my view, this realignment of forces could have a significant and possibly damaging impact on our ability to fight a conflict in the Pacific region.

Okinawa and the forces there, in relation to critical sea lines of communication (SLOC), the Korean peninsula, and the Asian region, provide a unique power projection capability needed in order to maintain regional stability. U.S. forces and logistic supplies presently on Okinawa, together with the Amphibious Ready Group and Carrier Battle Group deployed to Japan, provide forces that can respond to regional contingencies much more quickly than if they were located elsewhere.

I recognize that the relocation of Okinawa-stationed forces to the main islands of Japan is a very sensitive and hotly contested domestic political issue, one which the people of Japan must resolve through their political process. An element of that process is the United States-Japan Special Action Committee on Okinawa (SACO). The SACO process addresses adjustments to bases, facilities, and procedures for U.S. forces in Okinawa. We want to minimize our intrusiveness on the people of Okinawa and be good neighbors. This process and others in progress are specifically to address base issues in Japan. Force structure, however, is key to our ability to respond to regional contingencies and to the defense of Japan. The government of Japan understands and values this as a key component of our bilateral security relationship. If confirmed, I will work closely with USCINCPAC and General Krulak to ensure the best possible strategic solution to this problem, one which promotes regional stability and supports our national interest.

Specific impact of base relocations include:

- Possible longer transit times to deploy forces to the area of conflict
- Lack of available training areas and increased time to reach areas outside of Japan.
- Slowing of the logistics train to support forward-deployed forces, if the new bases have less access to necessary infrastructure such as a nearby airfield.

*Question.* There has been recent speculation in the media that the Marine Corps may be considering relocating the Marine forces on Okinawa to Australia. Has the Navy been part of any such planning? Are there other alternatives which may be closer to Japan from which the United States could demonstrate "presence" and project power in the region?

*Answer.* The Department of Defense is discussing training opportunities in Australia with the Australian Government. It is my understanding that these discussions do not include, and DOD is not contemplating, stationing forces in Australia.

## INFORMATION WARFARE

*Question.* Admiral Johnson, there is an increasing awareness of the vulnerabilities that exist with regard to the intrusion and manipulation of automated data processing (ADP) systems/ information. How would you characterize the U.S. Navy's "Information Warfare" efforts with regard to ensuring the safety/survivability of the Navy's ADP systems and information?

*Answer.* The Navy has placed great emphasis on the assurance of information critical to the defense of the United States. Traditionally, Navy has relied on segregated Department of Defense information services with a heavy reliance on encryption to protect Navy's information. Our perspective on information assurance has broadened as a result of the information technology revolution and our investment in Commercial-Off-the-Shelf (COTS) solutions.

Navy's particular concern is with information that is in transit or is stored in Navy information systems, whether it is obtained from other Department of Defense (DOD) information systems or traverses the Defense Information Infrastructure (DII) and the public networks of our National Information Infrastructure (NII). In addition to ensuring the confidentiality of information, we also realize the added importance of ensuring the authenticity, integrity, reliability, and non-repudiation of information.

Based on these concerns, Navy is engaged in defining an Information Warfare Defense (IW-D) strategy. The cornerstone/foundation of this strategy is the Navy's Information Systems Security (INFOSEC) program. However, we realize INFOSEC products alone will not solve all the security and survivability issues associated with

a problem of this complexity. VADM John M. McConnell's statement to the House Select Committee on Intelligence in March, 1995 outlines the major issues confronting any IW-D program: "The challenges facing the INFOSEC mission are, if anything, even more severe in terms of scope and complexity. Exponential growth in the use of networked systems has opened broad avenues for unauthorized access, expanded the technical possibilities for degrading or damaging data and systems and fundamentally changed security requirements."

Navy recognizes that the defensive component of information warfare integrates a number of disciplines to protect information and information systems. Physical security, electronic security, operations security, counter psychological operations, and other disciplines plan strong supporting roles. However, the *critical defenses* against exploitation and information denial, destruction, and degradation are *supplied by INFOSEC*.

Navy is improving the development and acquisition process for information dependent systems, whether they are command and control or weapon systems. We are in the process of promulgating an information assurance policy to ensure the safety and survivability of our systems. Navy will ensure acquisition commands meet security implementation milestones during design, development, testing, and implementation of new information dependent systems; security requirements are included in "Requests for Proposals"; and National Security Agency (NSA) approved information assurance products are used.

A comprehensive vulnerability assessment program including network intrusion detection and a certification and accreditation plan will be developed to better support acquisition managers and operational commanders. In addition to the above, Navy intends to promulgate additional security policy requiring protective measures for all information systems (voice, video, imagery, and data).

*Question.* How are the Navy's efforts being integrated with those of the other services?

*Answer.* The long term answer for information assurance will be the design and implementation of the Defense Information Infrastructure (DII). Navy is working closely with the other services, the Defense Information Systems Agency and the National Security Agency to achieve substantial protection and assurance of the DII. Navy recognizes the importance of interoperable assurance solutions between the Navy's information infrastructure, the DII and the NII.

#### AVIATION PRIORITIES

The Navy chose to move forward with the F/A-18E/F development, in lieu of supporting a nearer term stealthy aircraft, the AFX aircraft. Although the Joint Strike Fighter (JSF) program holds promise for providing the Navy with an attack aircraft with much lower signatures, achieving any operational capability will be years into the future. The Committee also notes that DOD has chosen to retire the EF-111 jamming aircraft fleet in favor of relying solely on the EA-6B fleet for airborne electronic warfare capability. Given these circumstances, the Navy's reluctance to pursue reasonably priced upgrades to the EA-6B fleet is puzzling.

*Question.* Do you believe that the Navy has made the correct choices in deciding the priorities for aviation modernization?

*Answer.* The F/A-18E/F and the Joint Strike Fighter, due to their complementary capabilities, are absolutely the right choices for Naval aviation. The F/A-18E/F, operating with other Navy battle group assets, will provide a decisive, first day of the war strike fighter capability that will meet the threat well into the first part of the 21st Century. The F/A-18E/F provides greater range; increased survivability; carries more ordnance and has a margin for growth unavailable in the F/A-18C/D to enable rapid integration of new systems to counter future threats. By following an evolutionary approach for the F/A-18E/F, fully integrating the latest technologies and building upon known systems without completely designing a new platform, the F/A-18E/F provides the carrier air wing with new aircraft capability at one-third to one-half the cost of a new aircraft development program.

Beginning in about 2010, the JSF will be a key asset of strike aviation with an inherent air-to-air capability. With low observable/high survivability features designed in, JSF promises to be able to successfully fight and survive in future threat environments. With the ability to rapidly deploy, built-in reliability and maintainability and fast turnaround characteristics, JSF will be a sortie rate generator. Due to the projected high commonality between the Navy, Air Force and Marine Corps variants, and potential for allied procurement of JSF in large numbers, JSF will provide unprecedented interoperability between the services and our allies, allowing the Joint Forces Commander greater flexibility in deployment of forces.

The Department of the Navy balanced needs against fiscal realities and concluded the F/A-18E/F is exactly the right near term tactical aircraft solution, followed by the Joint Strike Fighter which will complement the F/A-18E/F. Although there are desirable features of an A/F-117X type aircraft, it is not fiscally possible for the Department to absorb the development costs associated with the A/F-117X. The development and procurement of the A/F-117X would come at the expense of reasonable procurement rates for the F/A-18E/F, thereby raising its unit cost, and at the expense of the JSF development.

The F/A-18E/F is critical to the Navy maintaining a decisive first day, survivable strike fighter that dominates the near term threat (2001-2015). The JSF ensures our future first day capability and leverages the F/A-18E/F, 2015 and beyond. The F/A-18E/F and JSF will clearly constitute Naval aviation's core capability from 2001 until beyond 2025.

The EA-6B is an integral element of Naval Aviation and vital to the Department of Defense's suppression of enemy air defenses (SEAD) program. Since the demise of the EA-6B advanced capability (ADVCAP) program in the fiscal year 1995 budget process, due to affordability (\$7.5B), the Navy has crafted a modernization building block strategy, based on available funding. The first incremental building block is the Block 89A program which upgrades the EA-6B fleet to a single configuration. The Navy has contributed approximately a billion dollars. The second building block is a funded development effort to procure low band transmitters. The next two building blocks procure recently developed high band transmitters and a communications countermeasures upgrade. The last building block is a receiver upgrade which will bring a reactive jamming capability to the aircraft. We have requested information from industry with the intention of beginning this vital upgrade program in the near future. I fully support the upgrade strategy for the EA-6B. I believe that previous upgrades have been correctly prioritized and budgeted and that they are funded to available levels within the framework of the total Navy POM.

*Question.* If confirmed, do you intend to have the Navy implement congressional guidance to upgrade the EA-6B fleet?

*Answer.* As with all guidance provided by the Congress, I would fully support your initiatives not only by the letter of the law but also its intent. Concerning EA-6B upgrades specifically, Navy has enthusiastically assumed the joint mission responsibility for airborne jamming. Working with our Marine Corps and Air Force counterparts, we will continue to provide the best jammer fleet possible with available funding. I intend to support all fully funded initiatives Congress pursues.

#### ARSENAL SHIP PROGRAM

Admiral Boorda was a champion of the arsenal ship concept. The Navy is apparently intending to implement a program that maintains a clear focus on keeping the cost of developing and fielding under tight control by an exclusive use of off-the-shelf components. However, the committee has raised concerns about the need for additional development in other areas so the Navy may fully realize the mission objectives of delivering an arsenal ship as a complete weapons system. This concern arises from several standpoints, not the least of which deal with whether the Navy will have the necessary connectivity and appropriate weapons available to meet the arsenal ship systems full potential.

*Question.* Please describe your view of the arsenal ship system concept, and whether you intend to continue this promising development program.

*Answer.* I am fully supportive of the arsenal ship concept and view it as an affordable, relevant enhancement to our existing battle force of carriers, amphibious ships, land attack-capable combatants, and submarines. Through concentration of massive firepower, continuous availability and application of netted targeting and weapons assignment, the arsenal ship will increase dramatically the scope and relevance of surface strike and fire support. Arsenal ships will be stationed continuously forward and, much like our Maritime Pre-positioning Force, they will remain on station for indefinite periods without dependence on host nation support or permission.

If confirmed, I intend to continue this promising development program because it will afford Navy enhancements to our operational capabilities and because it gives Navy the opportunity to demonstrate major cost and schedule savings for warship development through acquisition reform.

Navy is developing technologies in connectivity and weaponry which will enhance the effectiveness of the arsenal ship. Several of those technologies could be accelerated, should funding become available, and thus could be available earlier for incorporation into the arsenal ship designs.

## FORCE READINESS

*Question.* How would you characterize the current readiness of the Navy, of all our military forces?

During hearings before the Senate Armed Services Committee this year, senior military officers including the Service Chiefs indicated that long-term readiness, or modernization, was the principle area of concern and the bulk of any additional funding which the Congress provided to the Department of Defense top-line should be used for weapons procurement and R&D. Do you agree with these other officers that Congress should emphasize procurement and R&D over O&M for any additional funds?

*Answer.* We have made readiness our top priority, and the relevance of that decision is evident in the performance of our Navy forces worldwide. Daily, our men and women, ships and squadrons, both active and reserve, answer the call in response to dynamic world events. You have a first-rate Navy today, providing forward presence 365 days per year, a deterrent force to defuse tensions between potentially warring parties, and a force able to fight and win when required.

It is difficult for me to comment on the readiness of other services, although based upon my recent experience as Commander Second Fleet, I can tell you I was impressed with the professionalism and readiness of the service components that participated in our joint task force exercises and operations.

*Question.* What is your assessment of joint readiness of the Navy, of our military forces?

*Answer.* I am very upbeat about Navy's role in jointness. The Navy today routinely integrates with the other services for training and operations. Navy and Marine Corps exercise programs focus on participation of naval forces within the larger JTF Command and Control Structure. Exercising and operating daily in an integrated fashion, the Navy and Marine Corps provide the theater commanders forces uniquely suited as the enabling linchpins for joint operations. Prior to each deployment, naval units participate in joint task force (JTF) exercise scenarios with Army, Air Force, Coast Guard, and allied units, to hone their readiness to function in a joint operational environment.

Based on my experiences, especially as a Commander of forces supporting OPERATION SUPPORT DEMOCRACY in Haiti, the military has made significant strides in integrating the warfighting capabilities each service possesses and more effectively supporting the Joint Force Commander's intent and focus of effort. I will continue to focus on standardization and improving our interoperability with the other Services.

*Question.* Do you have any recommendations for improving the joint readiness of our military forces?

*Answer.* I am confident we are moving down the right path. In 1995 alone, naval forces participated in 123 joint exercises. Through the CINC exercise program, numbered Fleet and MEF headquarters staffs are aggressively tailoring manning and training requirements to support the operation of a Joint Task Force headquarters. Navy and Marine Corps unit exercise programs focus on the participation of naval forces within the larger JTF Command and Control Structure. New developments in naval command and control links continue to enhance joint interoperability. Personnel training and education programs also emphasize understanding the capabilities and employment of joint forces. Building on procurement of joint weapon systems and munitions offers additional opportunities for efficiencies.

## QUALITY OF LIFE

*Question.* The fleet, as well as the other military services, is operating at a very high operational and personnel tempo. This high tempo causes a negative effect on readiness, maintenance, morale, retention and family stability. Do you believe the current operational and personnel tempo poses a serious problem?

*Answer.* No, but both bear watching closely and we will do that. It is worth reviewing the distinction between the concepts of Personnel Tempo of operations, or PERSTEMPO, and Operational Tempo, or OPTEMPO. The PERSTEMPO Program was initiated in 1985 to balance support of national objectives with reasonable operating conditions for our people, while maintaining the professionalism associated with going to sea with a reasonable home life. Navy's PERSTEMPO Program is built around three specific goals:

- a. Maximum deployment length of 6 months, portal to portal.
- b. Minimum of 2.0:1 Turn Around Ratio between deployments.
- c. Minimum of 50 percent time in homeport for a unit over a 5-year cycle.

When looking at these criteria, and keeping in mind that Navy has gone from nearly 600 ships to 362 today, one might ask, "How can we keep these goals?" The answer is, you deploy fewer ships—and we are. Battle groups are smaller, and carriers take fewer escorts with them than we did 5 years ago. The same is true for amphibious ships and amphibious ready groups. We tailored our deployment schedules to meet a lower number of ships. Navy will be able to meet deployment length and PERSTEMPO guidelines so long as the Navy stays about the size we've anticipated, and our requirements don't go up drastically. Despite our commitments in Bosnia, Somalia and the saber-rattling in North Korea, we've been able to keep our word to our people, and to make 6-month deployments in peacetime the rule.

OPTEMPO, by contrast, is defined as the average number of ship underway days per quarter spent training for and executing the assigned mission. Since 1984, Navy's global OPTEMPO requirements have been consistently stated as 50.5 days per quarter deployed, and 29 days per quarter for non-deployed units. Deployed OPTEMPO supports the Global Naval Force Presence Policy, which stipulates location and number of Naval Forces required to support the combatant CINCs. Non-deployed OPTEMPO supports the inter-deployment training cycle which produces fully trained, combat-ready Naval Forces for deployment.

Since DESERT STORM, Navy has experienced relatively constant percentages of fleet units out of homeport and deployed on any given day. OPTEMPO has remained comparable for naval forces due to our planned, cyclical deployment schedule. For the foreseeable future, the current level of operational tempo should be considered the planning standard; there is nothing to indicate commitments. The challenges of the post-Cold War era have highlighted the need for forward deployed naval forces, ready to rapidly respond to regional contingencies and to provide power projection throughout the world. We believe that the current OPTEMPO/PERSTEMPO of the force as a whole is both sustainable and healthy.

*Question.* Are you committed to maintaining the limits on operational and personnel tempo established by Admiral Boorda?

*Answer.* I am committed to living within our established OPTEMPO and PERSTEMPO limits. On any given day, approximately 30 percent of the Navy is forward-deployed, and 50 percent of our ships are out of homeport. Our Sailors recognize that time spent away from home is a fact of life, and that the nature of our business is to be either forward-deployed, or in training or upkeep for required periods. We monitor closely the time a unit is away from home; this has been our practice since Navy established its PERSTEMPO program in 1985. We will continue to limit time away from home whenever possible, and in fact some units have been getting home a little bit early. As a former Fleet commander, I know that means a great deal to Sailors and their families. While I can't promise everyone that they'll get home early, I can promise I'll always try to get them home on time. And we will!

*Question.* In your opinion, can the Navy maintain the current operational and personnel tempo given projected reductions in the Navy's budget and endstrength?

*Answer.* I believe Navy will continue to be able to operate within our established OPTEMPO and PERSTEMPO guidelines provided our force structure stays about the size we've anticipated, and that our requirements don't go up drastically. The challenges of the post Cold War era have highlighted the need for forward deployed naval forces, ready to rapidly respond to regional contingencies and to provide power projection throughout the world.

As I said in the previous question, Navy is absolutely committed to meeting our OPTEMPO and PERSTEMPO guidelines. We look at every requirement to make sure we don't try to do too much. To date, Navy has met the challenges imposed by budget and end strength reductions by developing and using innovative solutions to meet all commitments while systematically continuing to shape our force and reduce PERSTEMPO and OPTEMPO. These methods include:

- Utilization of Naval Reserve Forces to fulfill requirements.
- Augmentation with naval forces from other countries.
- Reorganization of carrier battle groups and cruiser-destroyer squadrons and readjustment of training/maintenance schedules.
- Practical application of Navy assets to reduce the number of ships required to complete taskings.

The Chairman, Service Chiefs, and theater CINCs have developed a detailed Global Naval Force Presence Policy (GNFPP), allocating assets to all theaters on a fair share basis. This schedule provides a basis for long-range planning of major maintenance, training, and deployment cycles, ensuring our forces are ready when required. The current and projected naval force structure will necessitate flexibility in planning and deploying force packages to satisfy theater CINC requirements for

forward presence. GNFPF represents a balanced distribution of naval assets while preserving PERSTEMPO objectives.

*Question.* Some in the Department of Defense and the Department of the Navy are suggesting the possibility of merging the Navy Exchange System with the other exchange systems in order to reduce overhead and realize efficiencies potentially resulting in increased dividends for the services' Morale, Welfare, and Recreation programs. What is your opinion of such a proposal?

*Answer.* I think we should take a look at ourselves to see if there might be a better way to serve the needs of our Sailors and their families. Consolidation of exchanges may offer an increased efficiencies. However, before we reach a conclusion as to the viability of a consolidated exchange to ensure that a sound business case can be made for such a move and that it will live up to expectations. For this reason, if confirmed I would intend to work closely with the Assistant Secretary of Defense, Force Management Policy on his recently announced exchange consolidation study. Once the data has been gathered, I would coordinate with OSD and Congress on a course of action that will ensure the best service for our sailors and a healthy profit stream to MWR.

#### CONGRESSIONAL OVERSIGHT

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

*Question.* Do you agree, if confirmed, to appear before this committee and other appropriate committees of the Congress?

*Answer.* Yes.

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

*Answer.* Yes.

*Question.* Do you agree, if confirmed, to appear before this committee, or designated members of the committee, and provide information subject to the appropriate national security protection, with respect to your responsibilities as the Chief of Naval Operations, including your responsibilities as a member of the Joint Chiefs of Staff?

*Answer.* Yes.

*Question.* Do you agree to ensure that testimony, briefings and other communications are provided to this committee and other appropriate committees of the Congress?

*Answer.* Yes.

[The nomination reference of Adm. Jay L. Johnson, USN, follows:]

#### NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,  
SENATE OF THE UNITED STATES,  
June 5, 1996.

*Ordered,* That the following nomination be referred to the Committee on Armed Services:

The following named officer for reappointment to the grade of Admiral in the United States Navy while assigned to a position of importance and responsibility under title 10 U.S.C., sections 601 and 5033:

*Chief of Naval Operations*

*To be Admiral*

Adm. Jay L. Johnson, 3854.

[The biographical sketch of Adm. Jay L. Johnson, USN, which was transmitted to the committee at the time the nomination was referred, follows:]

#### RÉSUMÉ OF NAVAL SERVICE OF ADM. JAY L. JOHNSON

Born in Great Falls, Montana, 5 JUN 1946.  
Midshipman, U.S. Naval Academy, 30 JUN 1964.

Ensign, 5 JUN 1968.

Lieutenant (junior grade), 5 JUN 1969.

Lieutenant, 1 JUL 1971.

Lieutenant Commander, 1 JUL 1975.

Commander, 1 JUL 1981.

Captain, 1 SEP 1987.

Designated Rear Admiral (Lower Half), while serving in billets commensurate with that grade, 29 OCT 1990.

Rear Admiral (Lower Half), 1 JAN 1992.

Designated Rear Admiral while serving in billets commensurate with that grade, 15 MAR 1994.

Designated Vice Admiral while serving in billets commensurate with that grade, 13 JUL 1994.

Rear Admiral, 1 NOV 1994.

Vice Admiral, 20 JUL 1994.

Designated Admiral while serving in billets commensurate with that grade, 2 MAR 1996.

Admiral, Service continuous to date, 1 APR 1996.

Assignments and duties	From	To
NABTC, NAS, Pensacola, FL (DUINS) .....	JUN 1968	MAY 1969
Training Squadron 23 (DUINS) .....	MAY 1969	OCT 1969
Fighter Squadron 124 .....	OCT 1969	FEB 1971
Fighter Squadron 191 .....	FEB 1971	JUN 1973
Chief of Naval Personnel (Junior Off. Detailer) .....	JUN 1973	JAN 1976
Armed Forces Staff College (DUINS) .....	JAN 1976	JUN 1976
Fighter Squadron 124 (Replacement Pilot) .....	JUN 1976	MAY 1977
Fighter Squadron 142 (Admin. Off./Maintenance Off.) .....	MAY 1977	AUG 1979
Fighter Squadron 101 (XO) .....	AUG 1979	JUL 1980
Fighter Squadron 84 (XO) .....	JUL 1980	OCT 1981
CO, Fighter Squadron 84 .....	OCT 1981	JAN 1983
Commander, Naval Military Personnel Command (Head, Aviation Junior Off. Assignment Branch) .....	JAN 1983	OCT 1984
COMNAVAIRLANT (DUINS) .....	OCT 1984	MAR 1985
Commander, Carrier Air Wing ONE .....	MAR 1985	JUL 1986
Commander, SIXTH Fleet (Asst. C/S for Operations) .....	JUL 1986	JUN 1987
COMNAVAIRLANT (DUINS) .....	JUN 1987	FEB 1988
Commander, Carrier Air Wing ONE .....	FEB 1988	JUL 1989
Naval War College (SSG Fellow) .....	JUL 1989	JUN 1990
Bureau of Naval Personnel (ACNP for Distribution) (PERS-4) .....	JUN 1990	SEP 1992
Commander, Carrier Group EIGHT .....	OCT 1992	MAY 1994
COMNAVAIRLANT (TEMDU) .....	JUN 1994	JUL 1994
Commander SECOND Fleet/Commander Striking Fleet Atlantic .....	JUL 1994	MAR 1996
Vice Chief of Naval Operations .....	MAR 1996	TO DATE

#### Medals and awards:

Defense Distinguished Service Medal.

Defense Superior Service Medal.

Legion of Merit with three Gold Stars in lieu of subsequent awards.

Defense Meritorious Service Medal.

Meritorious Service Medal.

Air Medal with Numeral "8".

Navy Commendation Medal.

Navy Unit Commendation.

Meritorious Unit Commendation with two Bronze Stars.

Navy "E" Ribbon.

Navy Expeditionary Medal.

National Defense Service Medal with one Bronze Star.

Armed Forces Expeditionary Medal with one Bronze Star.

Vietnam Service Medal with two Bronze Stars.

Southwest Asia Service Medal with one Bronze Star.

Armed Forces Service Medal.

Sea Service Deployment Ribbon with one Silver Star and one Bronze Star.

Kuwait Liberation Medal.

North Atlantic Treaty Organization (NATO) Medal.

Republic of Vietnam Cross of Gallantry with one Bronze Star.

Republic of Vietnam Armed Forces Honor Medal First Class.

Republic of Vietnam Campaign Medal.  
Expert Rifleman Medal.

*Special qualifications:*

BS (Naval Science) U.S. Naval Academy, 1968.  
Designated Naval Aviator: (HTA) 10 October 1969.  
Language Qualifications: None of Record.

*Personal data:*

Wife: Garland Hawthorne of Colorado Springs, Colorado.  
Children: Cullen Johnson (Daughter), Born: 9 December 1970.

SUMMARY OF JOINT DUTY ASSIGNMENTS

Assignment	Dates	Rank
Assistant Chief of Staff for Operations, COMSIXTHFLT <sup>1</sup> .....	JUL 86-JUN 87	CAPT
Commander SECOND Fleet/Commander Striking Fleet Atlantic .....	JUL 94-MAR 96	VADM

<sup>1</sup> Joint Duty Equivalent—SECDEF approved 12/18/89

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Adm. Jay L. Johnson, USN, in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF  
NOMINEES FOR CERTAIN SENIOR MILITARY POSITIONS

INSTRUCTIONS TO THE NOMINEE: 1. Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

2. If you have completed this form in connection with a prior military nomination, you may use the following procedure in lieu of submitting a new form. In your letter to the Chairman (see Item 2 of the attached information), add the following paragraph to the end:

"I hereby incorporate by reference the information and commitments contained in the Senate Armed Services Committee form 'Biographical and Financial Information Requested of Nominees for Certain Senior Military Positions,' submitted to the committee on [insert date or your prior form]. I agree that all such commitments apply to the position to which I have been nominated and that all such information is current except as follows: . . . ." [If any information on your prior form needs to be updated, please cite the part of the form and the question number and set forth the updated information in your letter to the Chairman.]

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)  
Jay Lynn Johnson.



**2. Position to which nominated:**

Chief of Naval Operations.

**3. Date of nomination:**

June 1996.

**4. Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

**5. Date and place of birth:**

June 1946; Great Falls, MT.

**6. Marital Status:** (Include maiden name of wife or husband's name.)

Married to Garland Hawthorne Johnson.

**7. Names and ages of children:**

Cullen Johnson Nicoll (daughter, age 25).

**8. Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.

None.

**9. Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None.

**10. Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

American Legion.

Association of Naval Aviation.

Ducks Unlimited.

Military Order of the Carabao.

USNA Alumni Association.

U.S. Naval Institute.

The Retired Officers Association.

**11. Honors and awards:** List all memberships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

None.

**12. Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

**13. Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the administration in power?

Yes.

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[The nominee responded to the questions in Parts B-E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B-E are contained in the committee's executive files.]

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## SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

JAY LYNN JOHNSON,  
Admiral, U.S. Navy.

This sixth day of June 1996.

[The nomination of Adm. Jay L. Johnson, USN, was reported to the Senate by Senator Strom Thurmond on July 31, 1996, with the

recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on July 31, 1996.]

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## APPENDIX

### COMMITTEE ON ARMED SERVICES QUESTIONNAIRE ON BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF CIVILIAN NOMINEES

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF  
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

#### PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
2. **Position to which nominated:**
3. **Date of nomination:**
4. **Address:** (List current place of residence and office addresses.)
5. **Date and place of birth:**
6. **Marital Status:** (Include maiden name of wife or husband's name.)
7. **Names and ages of children:**
8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.
9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

## COMMITTEE ON ARMED SERVICES FORM

### FINANCIAL AND OTHER INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Information furnished in Parts B through F will be retained in the committee's executive files and will not be made available to the public unless specifically directed by the committee.

**Name:**

### PART B—FUTURE EMPLOYMENT RELATIONSHIPS

1. Will you sever all business connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?

2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.

3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization?

4. Has anybody made a commitment to employ your services in any capacity after you leave government service?

5. Is your spouse employed and, if so, where?

6. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?

## PART C—POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients or customers.

2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

3. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

4. Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration and execution of law or public policy.

5. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Please provide a copy of any trust or other agreements.)

6. Do you agree to provide to the committee any written opinions provided by the General Counsel of the agency to which you are nominated and by the Attorney General's office concerning potential conflicts of interest or any legal impediments to your serving in this position?

## PART D—LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

2. Have you ever been investigated, arrested, charged or held by any Federal, State, or other law enforcement authority for violation of any Federal, State, county or municipal law, regulation or ordinance, other than a minor traffic offense? If so, provide details.

3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.

4. Have you ever been convicted (including a plea of guilty or nolo contendere) of any criminal violation other than a minor traffic offense?

5. Please advise the committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

## PART E—FOREIGN AFFILIATIONS

1. Have you or your spouse ever represented in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

2. If you or your spouse has ever been formally associated with a law, accounting, public relations firm or other service organization, have any of your or your spouse's associates represented, in any capacity, with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

3. During the past 10 years have you or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

4. Have you or your spouse ever registered under the Foreign Agents Registration Act? If so, please furnish details.

#### PART F—FINANCIAL DATA

All information requested under this heading must be provided for yourself, your spouse, and your dependents.

1. Describe the terms of any beneficial trust or blind trust of which you, your spouse, or your dependents may be a beneficiary. In the case of a blind trust, provide the name of the trustee(s) and a copy of the trust agreement.

2. Provide a description of any fiduciary responsibility or power of attorney which you hold for or on behalf of any other person.

3. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, executory contracts and other future benefits which you expect to derive from current or previous business relationships, professional services and firm memberships, employers, clients and customers.

4. Have you filed a Federal income tax return for each of the past 10 years? If not, please explain.

5. Have your taxes always been paid on time?

6. Were all your taxes, Federal, State, and local, current (filed and paid) as of the date of your nomination?

7. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

8. Have any tax liens, either Federal, State, or local, been filed against you or against any real property or personal property which you own either individually, jointly, or in partnership?

(The committee may require that copies of your Federal income tax returns be provided to the committee. These documents will be made available only to Senators and the staff designated by the Chairman. They will not be available for public inspection.)

#### SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

\_\_\_\_\_.

This \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

COMMITTEE ON ARMED SERVICES QUESTIONNAIRE ON BIOGRAPHICAL  
AND FINANCIAL INFORMATION REQUESTED OF CERTAIN SENIOR  
MILITARY NOMINEES

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF  
NOMINEES FOR CERTAIN SENIOR MILITARY POSITIONS

INSTRUCTIONS TO THE NOMINEE:

Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

If you have completed this form in connection with a prior military nomination, you may use the following procedure in lieu of submitting a new form. In your letter to the Chairman, add the following paragraph to the end:

"I hereby incorporate by reference the information and commitments contained in the Senate Armed Services Committee form 'Biographical and Financial Information Requested of Nominees for Certain Senior Military Positions,' submitted to the Committee on [insert date of your prior form]. I agree that all such commitments apply to the position to which I have been nominated and that all such information is current except as follows: . . . ." [If any information on your prior form needs to be updated, please cite the part of the form and the question number and set forth the updated information in your letter to the Chairman.]

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
2. **Position to which nominated:**
3. **Date of nomination:**
4. **Address:** (List current place of residence and office addresses. Also include your office telephone number.)
5. **Date and place of birth:**
6. **Marital Status:** (Include name of husband or wife, including wife's maiden name.)
7. **Names and ages of children:**
8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the Committee by the Executive Branch.

**9. Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational or other institution.

**10. Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

**11. Honors and Awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the Committee by the Executive Branch.

**12. Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

**13. Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the Administration in power?

## COMMITTEE ON ARMED SERVICES FORM

### FINANCIAL AND OTHER INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Information furnished in Parts B through E will be retained in the committee's executive files and will not be made available to the public unless specifically directed by the committee.

**Name:**

### PART B—FUTURE EMPLOYMENT RELATIONSHIPS

1. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your military service. If so, explain.
2. Has anybody made a commitment to employ your services in any capacity after you leave military service?

### PART C—POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients or customers.
2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.
3. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.
4. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Please provide a copy of any trust or other agreements.)
5. Do you agree to provide to the committee any written opinions provided by the General Counsel of the agency to which you are nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position?

6. Is your spouse employed and, if so, where?



## PART D—LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

2. Have you ever been investigated, arrested, charged or held by any Federal, State, or other law enforcement authority for violation of Federal, State, county or municipal law, regulation or ordinance, other than a minor traffic offense? If so, provide details.

3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceeding or litigation? If so, provide details.

4. Have you ever been convicted (including a plea of guilty or nolo contendere) of any criminal violation other than a minor traffic offense?

5. Please advise the committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

## PART E—FOREIGN AFFILIATIONS

1. Have you or your spouse ever represented in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

2. If you or your spouse has ever been formally associated with a law, accounting, public relations firm or other service organization, have any of your or your spouse's associates represented, in any capacity, with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

3. During the past 10 years have you or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

4. Have you or your spouse ever registered under the Foreign Agents Registration Act? If so, please furnish details.

## SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

This \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

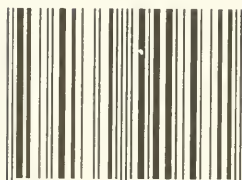


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