

## ADVANCED QUESTIONS FOR BRIAN E. SHERIDAN

### Defense Reforms

**More than a decade has passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms.**

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

Yes, I strongly support the full implementation of Goldwater-Nichols and the subsequent special operations reforms.

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

These reforms have fundamentally changed the way the Department of Defense works by strengthening the role of the Chairman of the Joint Chiefs of Staffs and the combatant commanders, and significantly improved the ability of the Department to carry out its fundamental mission -- protecting America's security and furthering its vital interests. It has made the chain of command more clear, thus making our armed forces more effective. It has helped us greatly improve the interaction among each of the services in conducting military operations -- fully joint operations are now the norm.

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

The Department of Defense made immense advancement in instituting the Goldwater-Nichols reforms. These reforms have strengthened the role of the Chairman of Chairman of the Joint Chiefs of Staff and allowed the CINCs a stronger voice in program decisions, thus developing a clearer chain of command and improving the application of strategy standards to resource allocation, and facilitating a stronger review of contingency planning.

**The goals of the Congress in enacting these defense reforms, as reflected in Section 3 of the Goldwater-Nichols Department of Defense Reorganization Act, can be summarized as strengthening civilian control; improving combatant commanders for the accomplishments of their missions; ensuring the authority of the combatant commanders is commensurate with their responsibility; increasing attention to the formulation of strategy and to the contingency resources; and enhancing the effectiveness of military operations and improving the management and administration of the Department of Defense.**

**Do you agree with these goals?**

Yes, absolutely.

**Over the past year, there were articles that indicated an interest within the Department of Defense in modifying Goldwater-Nichols in light of the changing environment and possible revisions to the national strategy.**

**Do you believe that the legislative proposals to amend Goldwater-Nichols may be appropriate? If so, what areas do you believe it might be appropriate to address in these proposals?**

I do not believe that Goldwater-Nichols legislation needs to be changed at this time, although it is likely we will continue to examine ways to better support the goals of the reforms.

### **Relationships**

**If confirmed, what will be your relationship with:**

#### **The Secretary of Defense?**

The Secretary intends that I function, if I am confirmed, as the principal staff assistant and civilian advisor to the Under Secretary of Defense for Policy and Secretary of Defense on Special Operations and Low Intensity Conflict matters. My principal duty as the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict will be the overall supervision (including oversight of policy and resources) of special operations activities and low intensity conflict activities within the Department of Defense.

#### **The Deputy Secretary of Defense?**

For the most part, my relationship, if I am confirmed, with all other senior officials of the Department will be based on the role of the principal special operations and low intensity conflict official within the Department of Defense. I will seek to carry out the policies and guidance of the Secretary with respect to actions and initiatives of the Deputy Secretary, and contribute to the development for the Secretary's attention of facts, options, analysis, and recommendations from the Deputy Secretary when guidance or direction is needed.

#### **The Under Secretaries of Defense?**

DoD Directive 5111.10 (March 22, 1995) assigns the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict to serve under the authority and direction, and control of the Under Secretary of Defense for Policy. My relationship with the other Under Secretaries of Defense and other senior officials of the Office of the Secretary of Defense will, if I am confirmed, be quite similar to that described above in relation to the Deputy Secretary of Defense.

### **The Assistant Secretaries of Defense?**

My relationship with the Assistant Secretaries of Defense and other senior officials of the Office of the Secretary of Defense will, if I am confirmed, be quite similar to that described above in relation to the Deputy Secretary of Defense.

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

The Chairman of the Joint Chiefs of Staff is the principal military advisor to the President, the National Security Council, and the Secretary of Defense. If I am confirmed, I intend to work closely with the Chairman to assure his full participation in the leadership team of the Department of Defense.

### **The Commander-in-Chief, United States Special Operations Command?**

The organizational relationship between CINCSOC and the ASD(SO/LIC) is a complex one because of the unique authority and responsibilities granted USSOCOM on administrative and resource matters. This relationship continues to evolve as the two organizations mature in their ability to carry out the authorities entrusted to them by the Federal statute and DoD policy directives. Under Ambassador Holmes' direction the relationship grew substantially toward a more focused partnership. I intend to continue, if confirmed, to foster this positive partnership between our organizations.

### **The regional combatant CINCs?**

If confirmed, I will provide, through the Chairman of the Joint Chiefs of Staff, oversight of the SOLIC related activities of the regional combatant CINCs.

### **The Commanders of the Service Special Operations Commands?**

The Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict works in a well-balanced partnership with CINCSOC. The service component commands are subordinate commands to USSOCOM and the CINCSOC has a normal command relationship with these component commanders. The OASD(SO/LIC), USSOCOM, and service component command staffs work closely together in a wide range of activities associated with the development of the USSOCOM program and budget, and the research, development, and acquisition of equipment for SOF. In addition, as members of the USSOCOM Board of Directors (BOD), the service component commanders have an essential role in our partnership to effectively allocate the precious resources entrusted to USSOCOM. The BOD, co-chaired by CINCSOC and ASD (SO/LIC), is the primary USSOCOM resource decision-making body. If confirmed, I intend to foster this positive partnership to ensure effective stewardship of SOF resources.

## **Duties**

**Section 136 (b) (4) of Title 10, United States Code, describes the duties and roles of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict. In addition, DoD Directive 5138.3 assigns certain responsibilities, functions, relationships and authorities to the Assistant Secretary.**

**In your view is this DoD Directive up to date or are there changes you would recommend?**

DoD Directive 5111.10 is currently being amended to reflect the new responsibilities assigned to the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict as a result of the Defense Reform Initiative. These new responsibilities are performed in the Office of Peacekeeping and Humanitarian Assistance and the Office of Inter-American Affairs. Other adjustments to the Directive are likely to be minor.

**Assuming you are confirmed, do you expect that Secretary Cohen will prescribe additional duties for you?**

No.

**If so, what do you expect those additional duties will be?**

N/A

**What Department of Defense activities are currently encompassed by the Department's definition of low intensity conflict?**

Low intensity conflict, or LIC, originally described an environment of a political-military confrontation between contending states or groups above routine peaceful competition among states, but below conventional war. LICs are waged using political, economic, informational and military instruments. Previously, LIC environments were generally seen as insurgencies in third world nations. The concept of LIC has evolved. Currently we recognize that assisting States in a non-confrontational manner and assisting them in meeting their own security requirements must be considered as well.

Today, the DoD is engaged in a number of operations and activities that meet the parameters of a LIC environment. These operations and activities include combating-terrorism activities, counter-drug operations, peace operations, foreign humanitarian assistance, and security assistance programs. Activities supporting these capabilities occur on a regular and everyday basis with special operations forces involved in theater engagement, JCET, counterdrug, and Foreign Internal Defense training events. These operations ensure that special operations forces are continually preparing for all possible missions on a worldwide basis.

**If confirmed, will you exercise overall supervision of all low intensity conflict activities of the Department of Defense?**

If confirmed, I will exercise overall supervision of all those low intensity conflict activities within my responsibility under DoD Directive 5111.10, as the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

**If other assistant secretaries within the Office of the Secretary of Defense will exercise supervision over some low intensity conflict activities, what will be the relationship between your office and those other offices?**

When other agencies of the U.S. government -- not just the DoD -- have the lead, the SO/LIC staff participates in, and supports those efforts. ASD/SOLIC has the responsibility to support their efforts both by recommending the appropriate use of SOF and correct applications of policy.

**In your opinion, should the law be changed to remove the supervision of low intensity conflict from the duties of the ASD(SOLIC)?**

No. The Congress showed great foresight in assigning LIC responsibilities to a specific DoD agency.

**Major Challenges and Problems**

**In your view, what are the major challenges confronting the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.**

Based upon my experience as the Principal Deputy Assistant Secretary within the Office of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, I see a number of challenges on the immediate horizon. With respect to special operations, the most important challenges appear to be in the area of counter-terrorism to include countering the terrorist use of weapons of mass destruction.

With respect to low-intensity conflict, I believe that we must continue to focus on those areas of major concern to the nation. First and foremost is our need to support the nation's counterdrug effort. It is crucial that DoD's contribution to the national counterdrug effort complement that of other federal agencies to get the most powerful impact for the Nation. We must continue to focus our efforts on reducing the production and trafficking of cocaine by increasing our efforts to improve the capability of security forces in Colombia.

Third, we must continue to forge ties across the interagency community to enhance the effectiveness of our regional theater engagement, peacekeeping and

humanitarian assistance strategies. The continued emphasis on the integration of civilian and military tasks when conducting peace and humanitarian assistance operations is very important. Of particular concern is that military-to-civilian transitions of responsibility and participation are properly planned for, seamless, and occur at the earliest possible point once security conditions permit.

Lastly, we must remain vigilant regarding asymmetric threats directed against the United States, our forces or those of our allies. Interagency coordination and cooperation remains absolutely vital to our success in meeting these challenges and I am committed to continuing OASD(SO/LIC) efforts in this area.

**Assuming you are confirmed, what plans do you have for addressing these challenges?**

As for combating terrorism, if confirmed, I will first continue to emphasize our need for vigilance and force protection. Second, I intend to enhance DoD's counterterrorism posture, especially regarding WMD. I will work with CINCOSOC to ensure that we have a robustly funded program that is prepared to counter this threat. Third, I will also work with others in the building to ensure the continued development of DoD's WMD consequence management capability.

While also serving as the DoD Coordinator for Drug Enforcement Policy and Support, if confirmed I will continue our customer-focussed support to law enforcement using DoD-unique resources to respond to the ever-changing and fluid tactics of narco-traffickers. Moreover, I will work closely with the Joint Staff and the U.S. Southern Command to assist security forces in Colombia in their struggle to contain and ultimately rid their nation of production, processing, and transshipment of illegal narcotics.

In the area of peace and humanitarian assistance operations, if confirmed, I will continue to work with other USG departments and agencies, as well as international and regional organizations, other nations and non-governmental organizations, to recognize the need for transition planning from military operations to peacebuilding. This can be accomplished through education, the exchange of lessons learned at various forums, and by ensuring that US military personnel introduce this factor into planning considerations. In addition, I will continue DoD leadership in the interagency training exercises that focus on political-military planning. These training events are mandated by Presidential Decision Directive-56, *Managing Complex Contingency Operations*. The exercises serve to enhance interagency coordination, make others aware of their stake in these operations, and prepare for smooth military-to-civilian transitions.

**What do you consider to be the most serious problems facing special operations forces?**

In my opinion, the most serious problem facing special operations forces is modernization, particularly the need to modernize SOF's mobility and fire support platforms. As you know, it has been nearly twenty years since the failure at Desert One forced the department to focus on the adequacy of the resources dedicated to SOF. At that time DoD, at the behest of Congress, put forth a major effort to revitalize SOF capabilities. Because of that investment, today's SOF are recognized not only as a critical component of national power, but also as a critical enabler—enhancing DoD's capability to work with allied forces and providing a critical link between Theater CINCs and U.S. country teams all over the globe.

To be effective, SOF require robust land, sea and air infiltration, exfiltration and support capabilities. OASD(SO/LIC) and USSOCOM are working with the Military Departments to ensure that SOF has capabilities that are sufficient to the task.

New SOF capabilities that are coming on line include: the CV-22, a variant of the MV-22 Osprey being procured for the U.S. Marine Corps, and the Advanced SEAL Delivery System (ASDS), a dry mini-submarine that greatly increases the range, duration, payload and most importantly, the diversity of our clandestine maritime capabilities.

Beyond this, the SOF community is in the process of improving the integration of our C4I systems. Over the near-term we are procuring three off-the shelf radio systems that greatly enhance our current capabilities. The Special Mission Radio System (SMRS) will replace our high frequency radios, the Multiband Inter/Intra Team Radio (MBITR) will replace all of our intra-team radios, and the Multiband Multimission Radio (MBMMR) will replace our SATCOM radio systems. For the future, we are supporting service development of the Joint Tactical Radio System (JTRS) which, as currently specified, should replace all of our tactical radio systems.

The SOF community is also modernizing the avionics and defensive systems of our legacy special operations aircraft. In cooperation with the Air Force, we are upgrading our C-130 fleets with new avionics equipment through the Avionics Modernization Program and the Common Avionics Architecture for Penetration (AMP/CAAP) Program.

**If confirmed, what management action and timetables would you establish to address these problems?**

If confirmed, I intend to address these problems by working closely with USSOCOM and the Military Departments. It is my intention to participate fully in upcoming reviews of Defense Department capabilities to ensure that SOF capabilities are fully considered and exercised. Over the past twenty years, SOF has moved from being a peripheral player to being a vital asset on the battlefield.

As we move into the future, the Department must ensure that our Nation's SOF remain able to support the needs of the National Command Authorities and the Theater CINCS.

### **Lessons learned**

#### **What lessons learned from your tenure as the Deputy Assistant Secretary of will you apply to the position of Assistant Secretary of Defense for Special Operations and Low Intensity Conflict?**

I have learned three critical lessons that will help me, if confirmed, during my tenure as Assistant Secretary. First, you need a game plan. There must be two or three major initiatives that you are proactively pushing. If you don't have a sense of where you are trying to go, you will end up stuck in a permanent "react" mode, dealing with the daily crisis and problems without a sense of direction.

Second, I have learned that if you want to get anything done in furtherance of your agenda, you have to coordinate closely with key players throughout the Department (Joint Staff, Services) the interagency (State, NSC, others) as well as Congress. Without good coordination and proactive communication, you cannot be successful.

Lastly, I have learned of the tremendous capability and flexibility that SOF provides to the nation. On a daily basis it makes a positive impact around the world. However, it is precisely the utility and accessibility of SOF that calls for attentive oversight in order to ensure that these unique resources are applied appropriately.

### **Civilian Oversight of the United States Special Operations**

**The 1986 Special Operations legislation assigned extraordinary authority to the Commander-in-Chief of the United States Special Operations Command to conduct some of the functions of both a military service and a unified combat command.**

#### **Which civilian officials in the Department of Defense exercise civilian oversight of the "service-like" authorities of the Commander-in-Chief, United States Special Operations Command?**

The Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict (ASD(SO/LIC)), working for the Undersecretary of Defense for Policy, is the civilian official below the Secretary and Deputy Secretary of Defense with the oversight of the "Service-like" authorities of the Commander-in-Chief of the U. S. Special Operations Command (USSOCOM). As you know, Federal statute



assigns ASD(SO/LIC) the responsibility for providing overall supervision (including oversight of policy and resources) of special operations and low-intensity conflict activities of the Department of Defense. Although the ASD(SO/LIC) is the primary overseer of special operations and low-intensity conflict activities, some of this oversight is expanded to include the recommendations of other functional offices. Under this arrangement, the ASD(SO/LIC) must rely on a cooperative relationship with these other OSD offices to provide full oversight of USSOCOM. I understand this arrangement, and if confirmed, I plan to work closely with the functional offices as well as USSOCOM to ensure that oversight of USSOCOM is efficient and effective.

**What organizational relationship should exist between the ASD(SO/LIC) and the Commander-in-Chief, United States Special Operations Command?**

The organizational relationship between CINCSOC and the ASD(SO/LIC) is a complex one because of the unique authority and responsibilities granted USSOCOM on administrative and resource matters. In my view, the organizational relationship should be a close partnership. I understand that the relationship has continued to grow toward a positively focused partnership. If confirmed, I intend to continue to foster this partnership between the two organizations.

**What should be the role of the ASD(SO/LIC) in preparation and review of Major Force Program 11 and the Command's Program Objective Memorandum?**

I believe it is essential for the ASD(SO/LIC) to be an active partner in preparing and reviewing Major Force Program 11 and the Command's Program Objective Memorandum. ASD(SO/LIC) serves as co-chair of the USSOCOM Board of Directors, along with USCINCSOC, and takes part in every budgetary and programmatic decision involving special operations forces. Representatives from SO/LIC spend a significant amount of time at USSOCOM headquarters in a joint effort to develop the Special Operations Forces (SOF) program. This joint effort produces a program that stresses force readiness and sustainability, provides sufficient force structure to meet the demands of the regional warfighting commanders and the National Command Authorities, and maintains high technology programs to ensure SOF capability remains at the cutting edge of technology. If confirmed, I will work closely with the Commander-in-Chief of the U. S. Special Operations Command to ensure that the annual funding can effectively maintain a ready force to meet the challenges of the new security environment while simultaneously replacing aging and obsolete equipment with systems that will meet the threat well into the next decade.

**What is the appropriate role of the ASD(SO/LIC) in the research and development and procurement functions of the Special Operations Command?**

The appropriate role of ASD(SO/LIC) in the acquisition functions of the Special Operations Command is to advise and assist USCINCSOC in resolving acquisition issues. SO/LIC representatives participate in working groups, integrated product/process teams, boards, and committees to address issues, make recommendations, and approve programs.

**What is the appropriate role of the ASD(SO/LIC) and his office in the operational planning of missions that involve special operations forces?**

The appropriate role of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, according to section 138 (b) (4) of Title 10 United States Code Armed Forces, shall be as the overall supervisor (including oversight of policy and resources) of special operations activities (as defined in section 167(j) Title 10) and low intensity conflict activities of the Department of Defense. The Assistant Secretary is the principal civilian adviser to the Secretary of Defense on special operations and low intensity conflict matters and (after the Secretary and Deputy Secretary) is the principal special operations and low intensity conflict official within the senior management of the Department of Defense.

**Funding for Counter-Terrorism**

**Section 1051 of the National Defense Authorization Act for Fiscal Year 1998 directed OMB to establish a reporting system for executive agencies with respect to the budget and expenditure of funds to combat terrorism. In the first two OMB reports provided pursuant to this legislation, the Department of Defense, unlike other agencies, counted all of its physical security expenditures as funds to combat terrorism.**

**Please explain why the Department of Defense continues to report all physical security expenditures as counter-terrorism activities.**

The Secretary of Defense determined that the CbT program baseline should consist of the resources (manpower and financial) associated with the following activities: physical security, security and investigative matters, counterintelligence, and counterterrorism.

The DoD combating terrorism (CbT) program is defined as all actions, including antiterrorism and counterterrorism, taken to oppose terrorism. Antiterrorism includes force protection defensive measures used to reduce the vulnerability of individuals and property to terrorist acts. Counterterrorism includes offensive measures taken to prevent, deter and respond to terrorism.

Physical security measures are force protection activities that directly reduce the likelihood that DoD personnel, facilities, and materiel will be attacked or will

mitigate the effects of such attacks should they occur. The activities, while not necessarily programmed or expended with specific intent to combat terrorism (e.g., routine law enforcement, police, guards, alarm systems, etc.), provide a major deterrence to combat terrorism. Therefore all resources for these activities are reported.

### **Response to Chemical or Biological Incidents**

**The Marine Corps has established a Chemical Biological Incident Response force.**

**Are the other Services equally focused on programs to respond to a terrorist incident?**

**If so, how are the Services coordinated to avoid duplication of efforts?**

Yes, each of the Services have programs to prevent, respond to, or mitigate, the use or threatened use of a weapon of mass destruction, whether by a terrorist or nation state. The Marine Corps and the Army are particularly focused on developing and maintaining Chem/Bio capabilities while the Air Force has capabilities for responding to radiological events. Current DoD force structure includes specialized active component (AC) and reserve component (RC) forces which collectively make-up the overall DoD capability to respond to chemical or biological incidents. The Chemical Biological Incident Response Force (CBIRF) of the Marine Corps and the U.S. Army's Technical Escort Unit (TEU) are examples of Active Duty DoD consequence response capabilities, while the RAID teams and United States Army Reserve Chemical Brigades are examples of reserve component capabilities. Several Services have organic chemical and biological units assigned to their force structures. The primary mission for these units are warfighting however; because their warfighting mission directly complement the consequence management capabilities needed during a response to a WMD incident, they basically can fulfill a dual use roles.

In addition to the TEU, the U.S. Army CB response capability includes the following:, United States Army Medical Research Institute of Infectious Diseases (USAMRIID), United States Army Medical Research Institute of Chemical Defense (USAMRICD), United States Army Medical Research Institute of Chemical Defense Chemical Casualty Site Team, and National Guard Rapid Assessment and Initial Detection (RAID) Detachments. The U.S. Navy force structure includes the Naval Medical Research Institute (NAMRI) and the Marine Corps CBIRF. The United States Coast Guard currently has National Strike Force Teams for maritime response to chemical and biological incidents.

To avoid duplication of these Service capabilities the Department of Defense follows a very formal process to determine each Service's required capabilities,

force structure and resourcing. DoD “force sizing” is a key component of DoD’s Planning, Programming, and Budgeting System (PPBS) which allocates limited resources. As in all aspects of the PPBS, the guidance received from OSD plays an important part. The Joint Staff considers numerous documents to include the Defense Planning Guidance (DPG), Presidential Decision Directives (PDDs), and other pertinent policy information issued by the Administration in developing requirements for forces as well as equipment. The Joint Staff and the Services use these and other documents to develop the National Military Strategy (NMS) which in turn drives the force design process. This process is directed by the Joint Staff and overseen by appropriate OSD offices to guard against unnecessary duplication of effort and to insure maximum efficient use of resources. For the specific area of terrorism my office actively participates in the oversight process on a daily basis.

### **Counter-Terrorism Initiative**

**The President recently announced a "new" \$10 billion initiative to combat terrorism.**

**What is new in terms to the role of the Department of Defense funding for the Department to combat terrorism?**

On January 22, 1999, the President announced that the FY 2000 budget request provides \$10 billion for government-wide efforts to combat terrorism and protect the nation’s critical infrastructures. Of the \$10 billion, \$8.6 billion is for combating terrorism, including the threat posed by weapons of mass destruction, and \$1.4 billion is for critical infrastructure protection. It is important to understand that the \$10 billion does not represent “new” or additional funding.

The FY 2000 DoD budget request for combating terrorism and terrorism consequence management program totals over \$4B and represents an increase of \$160.7 million over the FY 1999 base appropriated level. This includes increases of \$11.6 million for physical security equipment research and development and commercial off-the-shelf product integration, and \$14.6 million for the Counterterrorism Technical Support programs to address detection of non-nitrogen based explosives, chemical-biological detectors, and other technologies to support DoD and other federal, state, and local response elements. The budget also includes an increase of \$50 million in FY 2000 for the Defense Advanced Research Projects Agency (DARPA) to initiate and accelerate a number of research efforts that will lead to the development of products critical to addressing national domestic preparedness requirements. There is also an increase of \$20 million for consequence management activities to include additional National Guard (NG) RAID teams, NG RAID (lights) and increased reconnaissance and decontamination capabilities in the Reserve Components and other DoD agencies.

## **Response Task Force**

**Please describe how the two Response Task Force elements established under the Atlantic Command support and operate with state and local authorities in managing the consequences of a terrorist attack.**

**How would that change, if at all, under the proposal to create a CINC for homeland defense?**

The Response Task Force (RTF) is a deployable staff with command and control (C2) capability and limited chemical/biological technical expertise. The RTF establishes communications and liaisons (LNOs) with supported agencies and provides C2 for all DoD consequence management response forces. Our crisis response assets will continue to be managed by the Secretary of Defense personally.

Depending on the incident location, CINCUSACOM can deploy either his Response Task Force East (RTF-E) or Response Task Force West (RTF-W). RTF-W is based at Fort Sam Houston, Texas. RTF-E is headquartered at Fort McPherson, Georgia. Although neither RTF is a "standing" or permanent organization, they will assemble to coordinate and control the responding active duty and reserve units.

Within DoD, efforts are underway to determine the feasibility of improving support to civil authorities in the event of a terrorist incident involving WMD. While no new missions are under consideration, we expect several proposals for improving and unifying DoD's WMD response capability to reach the Secretary of Defense this summer. A CINC for "Homeland Defense" is currently not under consideration, although various concepts for a "JTF Civil Support" are being studied closely.

## **First Responder Transfer**

**The Committee recently learned that, in the year 2000, the lead responsibility for training "first responders" will be transferred from the Department of Defense to the Department of Justice. This training program was first authorized in the National Defense Authorization Act for Fiscal Year 1997, pursuant to legislation sponsored by Senators Nunn, Lugar and Domenici.**

**Please explain why this responsibility is being transferred from Defense to Justice.**

**Even if transferring responsibility for training first responders may be appropriate at some point why would such a transfer be effected now when these counter-terrorism efforts are just gaining critical momentum?**

DoD has made tremendous progress in developing and providing comprehensive and integrated WMD consequence management response and training for cities. However, as the program has developed, the need for one-stop shopping in the Domestic Preparedness Program has become evident. At a recent DoJ sponsored forum, attended by over 200 state and local emergency response planners, a key recommendation was that the President identify a single lead federal agency to head domestic preparedness programs and activities. The National Coordinator for Security, Infrastructure Protection and Counterterrorism, the Attorney General, the Secretary of Defense, and the Director of FEMA agreed in principle to that concept. It was then presented to the President, and he concurred.

Toward that end, DoD has proposed to transfer its current Domestic Preparedness Program responsibilities to DoJ, who would then become the lead federal agency for first responder training and related activities as specified in the Nunn-Lugar-Domenici legislation. DoD and DoJ hope to accomplish the transfer no later than October 1, 2000.

The transfer of the Domestic Preparedness program has three major benefits. First, this transfer is in the best interests for the first responder community in that it provides a single point of contact for training and equipping issues. Having the Attorney General and Director, FBI exercise the principal lead with regard to our domestic preparedness program ensures that the first responders (firemen and police officers) are working within their habitual law enforcement communities who will have the lead for domestic terrorist incidents. Second under this transfer concept, DoD's assistance will remain in a supporting role, emphasizing our natural and unique ability and organizational structure to mobilize resources. Third, the transfer to DoJ precludes any misperception in the public that our armed forces are making arrests, seizing evidence, or interrogating suspects.

### **Domestic Preparedness Funding**

**The Fiscal Year 2000 defense budget lines pertaining to Weapons of Mass Destruction Preparedness and Response Programs shows a decrease in nearly every program area compared to the Fiscal Year 1999 budget.**

**Specifically, why was the funding request for Domestic Preparedness and Consequence Management reduced so dramatically in the Fiscal Year 2000 budget?**

DoD will transfer lead federal agency responsibility to the Department of Justice (DOJ) at the start of FY 2001. FY 2000 will be a transition year. The DOJ will assume funding responsibility for the training equipment provided to the cities in FY 2000. The Office of Justice Programs in DOJ has requested an increase of \$173.5 million in FY 2000 for counterterrorism programs, including, counterterrorism training, equipment, technical assistance and technology

development. The only significant funding decrease between FY 1999 and FY 2000 is related to the transfer of funding responsibility for training equipment to DOJ. The DoD will continue to support the DOJ after the transfer of lead federal agency responsibility in FY 2001. Equipment evaluation and testing, the improved response process, the chemical-biological database, and the chemical-biological rapid response team will continue to be a DoD responsibility after FY 2000.

There appears to be a decrease in funding for Consequence Management activities in FY 2000 because the FY 1999 appropriations include a one-time increase of \$50 million included in the DoD supplemental, primarily for the implementation of Rapid Assessment and Initial Detection (RAID) teams, RAID (Light) teams, and related consequence management support to civil authorities. Notwithstanding the one-time increase, the FY 2000 budget is actually \$20 million higher than the amount appropriated in FY 1999.

**If confirmed as the Assistant Secretary, what will you do to ensure that the Department maintains adequate funding for this important initiative?**

The Assistant Secretary of Defense for Reserve Affairs provides policy guidance and oversight for city training/exercises, equipment loans, and expert assistance program elements while the Assistant Secretary of Defense (Special Operations/Low Intensity Conflict) provides oversight for the annual Federal-State-Local exercise mandated by law for the program. The DoD portion of the Domestic Preparedness Program is fully funded for FY 2000 and beyond. If confirmed, I will work closely with the Assistant Secretary of Defense for Reserve Affairs to ensure that the DoD contribution to the interagency Domestic Preparedness Program remains fully funded.

**Counter-drug Programs**

**How does the Department of Defense measure the success of each of the Departments counternarcotics programs?**

The Department continuously reviews both its strategic application of resources and the specific impact of each of its many supporting counterdrug programs.

Overall, our reviews continue to show clear and effective impact and concrete accomplishments. Such reviews involve monitoring: (1) drug-use levels within the military and civilian workforce to assess effectiveness of drug testing programs and operational readiness; (2) transit zone cocaine seizures and cocaine flow data to assess effectiveness and tactical impact of different interdiction efforts; (3) domestic law enforcement drug seizures and general support to assess the results of our assistance to law enforcement; (4) intelligence program collection and analysis products to identify intelligence gaps and to ensure critical

support is provided to U.S. and foreign counterdrug operations; and (5) source nation initiatives and operations to detect substantial changes in cocaine movements, production, and marketing.

**Do you believe that the current programs that the Department supports provide the most effective deterrence/detection/interdiction possible or should we focus the Department's efforts elsewhere?**

I believe that the current Department of Defense counterdrug programs are working effectively, although we are continuously reviewing the programs' deliverables to ensure their improvement.

**Compared to other missions that you will be responsible for as ASD (SO/LIC), where would you rank counter-narcotics in terms of its threat to our national security and the ability of the Department of Defense to make a meaningful contribution?**

If confirmed, I will rank the counternarcotics mission as among the most important assignments that I will have as the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict. The Department of Defense plays a vital role in the drug effort, contributing unique assets and skills not found in the law enforcement community.

**One of the most significant counter-narcotics issues that will be addressed by the Congress in the National Defense Authorization Act for Fiscal Year 2000 is the SOUTHCOM proposal to create three forward operating locations in the source and transit zone. The Committee understands that there may be a lack of support for the SOUTHCOM proposal by some members of the Joint Chiefs of Staff.**

**Would you outline the importance that these forward operating locations will play in the Department's counter-drug efforts?**

The locations are vital in allowing us to continue to perform the detection and monitoring missions currently flown out of Howard Air Force base in Panama. We have had great success over the years in disrupting the flow of cocaine by air, both within the source nations and in the transit zone areas of the Caribbean. The FOLs will allow us to continue this work.

**What role will the civilian leadership in the Department of Defense, who have responsibility for establishing policy, play in the decision to establish these forward operating locations?**

The civilian leadership at DoD has been fully engaged in the FOL process from the beginning. The civilian leadership will ultimately review and approve any FOL proposals.



**What is the current estimated cost of establishing and operating these forward operating locations?**

The current estimated cost, based on preliminary site surveys, to establish the FOLs runs as high as \$100 million.

**What assurance will we receive from host nations' that once these locations are established, we will continue to have access to them for several years?**

We recognize the importance of securing agreements that give us long term access. We participate in the negotiations with host nations and anticipate that any long term agreements will give us access for a suitable number of years.

**Several years ago the Congress authorized the Riverine Interdiction Initiative to provide assistance to the Peruvians and Colombians to interdict the shipment of drugs and precursor materials on their vast internal river networks. A number of concerns have been raised about the lack of progress being made in Peru because of a lack of cooperation from elements of their security forces.**

**Do you believe that this program is proceeding in a manner that will result in a real impact on the trafficking of narcotics?**

We share the Committee's concern about the slow start the Peruvians have gotten off to. We believe cooperation between the services is improving, although we are watching it closely. Overall, the program is making progress. Several milestones were met in 1998, including the opening of the Joint Peruvian Riverine Training Center (JPRTC) at the Nanay Naval Base in Iquitos, Peru, the delivery of 5 training patrol boats for the JPRTC, and the delivery of the first 8 operational patrol boats to Iquitos. I remain optimistic that the program can help disrupt the flow of coca leaf, paste and precursor chemicals along Peru's vast network of rivers.

**There have been several press reports over the past few years regarding the seemingly unstoppable Revolutionary Armed Forces of Colombia (FARC) insurgency within Colombia. These reports paint a picture of a nation state that may be facing the possibility of total collapse sometime during the next decade. Given the FARC's ideology and its reported links to the Colombian drug traffickers, a collapse of the elected government of Colombia or the surrender of significant portions of its countryside would have a serious impact upon U.S. interests in Latin America.**

**Please outline your views regarding the current situation in Colombia focusing on:**

**The links between the FARC and the Colombian drug traffickers and the extent to which drug revenues are being used to support this terrorist organization.**

I am very concerned not only about the internal security situation in Colombia, but of the “spill over” effect in Panama, Ecuador, Peru, Brazil and Venezuela. Fueled by cocaine dollars, the FARC and ELN threaten not only the integrity of Colombia, but also of creating a regional zone of instability. As for specifics:

An estimated two-thirds of FARC fronts are involved in drug trafficking to some extent. The involvement in drug trafficking ranges from “taxes” on coca leaf, use of air strips, and the movements of precursors, coca base, cocaine HCL, etc. to actual cultivation of coca leaf and operation of some laboratories. The links to narcotrafficking, which have become stronger and more numerous since the early 1990s, provide an increased resource base beyond the traditional funding sources of extortion, robbery and kidnapping. Our intelligence community estimates several hundreds of millions of dollars per year being made available to the FARC from its drug activities.

**-The ability of the Colombian military to regain control of its territory?**

The insurgents in Colombia have been around for decades. They tend to stay in the sparsely populated jungles of southern and eastern Colombia. The Colombian military has never had real control over these areas. The guerrillas on the other hand have historically had limited impact on the coasts or in Colombia’s urban centers, both areas of heavy police and military concentration.

In recent years, the guerrillas have been increasingly effective in engaging the military in the jungle areas. In my judgment, the military will be greatly challenged in trying to gain control over its territory, given its current level of resourcing and manning.

**-Ongoing DOD programs to assist the Colombian government in its counter-narcotics efforts specifically, and its military training and military professionalism in general.**

DoD currently assists the Colombian counternarcotics efforts by increasing the professionalism and efficiency of Colombian counternarcotics forces. DoD teams train the Colombian forces for aerial, ground and riverine/maritime interdiction of cocaine cultivation, production, and transportation. DoD training improves the Colombian counterdrug forces’ ability to produce actionable targeting packages and manage information operations. Currently, DoD personnel are training a Colombian (exclusively counterdrug) light infantry battalion that will operate in heart of Colombia’s cocaine producing regions. To control the rivers, which remain the de facto highways of southern Colombia, and the Colombian coastal regions, DoD has aggressively supported the training, equipping and infrastructure development of Colombia’s riverine and maritime forces. Moreover, support to aerial interdiction endgames remains the decisive point in DoD’s contribution to Colombia’s interdiction strategy; consequently, the Department will continue to upgrade the capabilities of Colombian aircraft and command and control systems.

In addition to counterdrug training, U.S. special operations forces work with Colombian military units to enhance professionalism, respect for human rights and increasing skills ranging from light infantry to counter-terrorism.

**Over the last several years there has been a rise in the involvement of Mexican drug cartels in the international trafficking of narcotics. This has led to increased reports of corruption among Mexican political, police, and military officials. To combat the rise in Mexican drug trafficking the United States has established a number of cooperative counter-narcotics programs between the U.S. government and the Government of Mexico (GOM) including the training of Mexican military counter-narcotics units by U.S. Special Forces. The United States has also provided the GOM with significant quantities of military equipment including several helicopters. Despite this assistance, there appears to be little progress in preventing the flow of drugs across the Southwest Border, and rooting out corruption in the GOM.**

**Please outline your views regarding the effectiveness of the contributions of the U.S. military in helping the GOM to disrupt the flow of drugs through Mexico focusing on:**

**Mexican military counter drug units that have received U.S. military training.**

I am also very concerned about the narcotics threat from Mexico. Corruption is endemic and the flow of drugs continues. For those very reasons, we decided it was important for us to try to work with our counterparts there to see if we could help improve their interdiction capabilities and drive the flow out of Mexico. The Mexicans have had some success in the last couple of years against air smuggling, but maritime and ground transportation continue to be successful for traffickers.

We have undertaken a number of programs to try to improve their interdiction capabilities. Since FY96, the Department has provided counterdrug training to over 2000 Mexican Army, Air Force and Navy personnel over 3,000 counterdrug courses of instruction. Counter drug training has included courses ranging from light infantry skills and first aid, to rotary wing pilot, aircrew and maintenance skills, riverine operations, media relations, and small boat handling and motor repair.

**Military equipment that was provided by the Department of Defense and the Department of State to the GOM.**

This has been our area of greatest challenge. Since 1996, the focus of counterdrug equipment support to Mexico has been delivery of 73 UH-1Hs (along with ground support equipment, aviation maintenance kits, and an initial set of spare parts) to the Mexican military for use in their interdiction program to stem the flow of drugs via air. An \$8 million Foreign Military Sales (FMS) case was established to aid Mexico in the initial phase of UH-1H operation. Mexico flew a

total of 8,876 flight hours in 4,766 missions with satisfactory results. The UH-1H fleet has been grounded since April 1998, after the release of a U.S. Army safety of flight message grounded UH-1H helicopters worldwide.

As stated above, subsequent to delivery of the UH-1Hs, the airborne threat decreased dramatically, and the drug traffickers shifted their transportation network to the seas. The Mexican military has successfully employed the UH-1H fleet to support its extensive manual eradication efforts and as reconnaissance assets to locate drug cultivation areas, and clandestine airfields.

**Southwest and Southeast Asia are the principal source zones for the production of opium and its derivative, heroin. While much of this is consumed by the countries within the region, and significant quantities of the remaining product is shipped to Europe for consumption, some is smuggled into the United States. Despite the threat that the narcotics produced in this region pose to our national interest, there is very little Department of Defense counter-narcotics activity in the area.**

**Please outline the Department's counter-narcotics efforts in these regions and their priority in relation to other military missions.**

The National Drug Control Strategy currently focuses our efforts primarily on cocaine. However, we are also very concerned about heroin trafficking into the U.S., and DoD does devote several million dollars a year to this problem. In addition, we are also very concerned about the increase of heroin trafficking into the U.S. from Mexico and Colombia. In contrast to cocaine, heroin can, and is, moved in much smaller amounts than cocaine, i.e. one or two kilos. In addition, while cocaine typically moves in a relatively limited area (the Caribbean) and in shipments of at least several hundred kilograms by vessel or by general aviation aircraft, most heroin enters the U.S. through airports, concealed in luggage.

As you are aware, the heroin market is a dynamic one, and traditionally has supplied itself from Southeast Asian providers. And in the past, interdicting Southeast Asian heroin has proven difficult because of heroin's flow and transportation patterns, and moreover because of the reluctance on the part of many of the southeast Asian nations to work with us on expanding our counterdrug efforts in the region. Our gravest concern continues to be the understanding of the economics of heroin contraband, but now with the addition of two new actors in the heroin equation.

The CINCPAC and I believe this is an important mission, and if confirmed, I would like to do more. I will continue to devote DoD funds and provide the most appropriate counterdrug assistance to this grave problem. Currently, U.S. Customs officials participate in several DoD sponsored programs, such as dog team and inspection cargo training, and the Joint Interagency Task Force-West,

provides DoD-unique linguist, training, and intelligence support to host nations to provide training and support in a regional context.

### **Joint Combined Exchange Training**

**Over the past several months there have been a number of articles about the Joint Combined Exchange Training (JCET) program. These articles portray a program that is unfocused, lacks appropriate civilian oversight, and engages in the military training of individuals who are known to have committed human rights abuses. However, the Department of Defense, while acknowledging some problems, challenged the accuracy of these reports. Last year, the Congress enacted legislation to ensure that this program would not be used to train foreign personnel engaged in inappropriate activities and that it received the appropriate level of civilian oversight.**

**Would you please outline the current status of this program including:**

**The extent to which this program enhances special operations forces readiness by providing varied training opportunities,**

In my judgment, the JCET program is in good shape. It has been, and is, focused on enhancing the skills of our SOF operators. It has been highly successful. JCET activities have always been conducted with the knowledge and approval of the regional CINC and with the US Ambassador to the country we are training in. Since last year, a number of steps have been taken to tighten civilian oversight in the Pentagon. They are outlined below.

As the Committee is aware, the primary purpose of JCET activities, conducted under the authority of Title 10, Section 2011, is to train the Special Operations Forces (SOF) of the combatant commander and to maintain SOF readiness at the highest level possible. JCETs ensure critical SOF readiness regarding language, culture, and knowledge of foreign environments, combat and combat support, and instructor skills. They also improve SOF capabilities regarding humanitarian activities, peacekeeping training, non-combatant evacuation, and support of coalition operations. Thus, JCET activities sharpen critical SOF unit Mission Essential Task List (METL) skills as well as SOF Joint METL skills.

Joint special operations task forces must display the strategic flexibility to adapt throughout the entire world and the tactical precision required for operations with far-reaching political consequences. This performance is possible only by having intelligent, experienced, mature, and resourceful personnel, armed with cross-cultural communications skills, to successfully interact with U.S. country teams, other government agencies, and non-government and foreign indigenous military organizations.

**The extent to which this program enhances the Regional CINCs' engagement strategy,**

An additional and highly desirable benefit of JCETs is that they contribute to the U.S. regional engagement strategy. Thus, the JCET program has become a complimentary part of the Regional CINC's engagement campaign. JCETs can promote regional stability through specialized engagement and overseas presence. JCET activities help to: demonstrate continued American intent and capability, reassure allies and friends, promote regional cooperation and trust, deter potential regional aggressors, build force interoperability, and maintain access to key host nation military personnel and important support facilities. In all activities covered by Section 2011, any benefits derived by the host nation forces are incidental to the training of U.S. SOF.

**The extent to which this program enhances military-to-military contacts between U.S. and foreign security forces thereby fostering greater understanding and cooperation between the U.S. and officials from other nations,**

By interacting with foreign military counterparts, U.S. forces impart a sense of military professionalism, which reflects our nation's firm democratic principles and traditions. Military-to-military contacts, in the context of JCETs, promote cooperation and understanding between U.S. forces and foreign security forces of other nations. Most important, U.S. SOF gain valuable experience from these overseas engagements through "up-close and personal" interaction with the host nation personnel in terms of language, culture, social customs, and values which build respect and trust.

**Those actions that the Department has taken over the past year to ensure that this program does not train individuals who have committed gross violations of human rights according to credible information that has been received by the Secretary of Defense.**

Since last year the Department has takes two steps to ensure that this program does not train individuals who have committed gross violations of human rights.

- 1) All activities planned under Section 2011 must now be reported in advance to the Secretary of Defense for approval. The Department's review of these proposed activities is conducted by the Assistant Secretary for Special Operations and Low-Intensity Conflict in consultation with the Assistant Secretary for International Security Affairs and other offices. This review encompasses all relevant information pertaining to current U.S. foreign policy, the nature of the proposed deployment, and the status of host nation units with which U.S. SOF personnel would be training, including information relating to violations of human rights.

- 2) The Department has established procedures to ensure that prior to a decision to conduct any DoD-funded training, full consideration is given to all credible information provided by the Department of State relating to gross human rights violations by the foreign security forces the U.S. would train. The Secretary of Defense will not approve the proposed training if DoD has received credible information from the Department of State that a member of such unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken, or a waiver for extraordinary circumstances has been approved by the Secretary of Defense.

We are confident that these improvements in DoD oversight of the JCET program, and the review of available human rights information for all DoD-funded training with foreign forces, will increase the transparency of these training activities and ensure they are in harmony with U.S. foreign policy objectives.

### **Qualifications**

**If confirmed, you will be entering this important position at a time of concern about the adequacy of the budget, force levels and readiness of our forces.**

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

During the past three years, I have served as the Principal Deputy Assistant Secretary of Defense for Special Operations and Low Intensity Conflict. Prior to this appointment, I served for three years as the Deputy Assistant Secretary of Defense for Drug Enforcement Policy and Support. Both roles have involved extensive familiarity with and oversight of SO and LIC activities. In addition, both roles required significant interaction with Congress, the Executive Office of the President, and other Federal agencies. I believe the duties the Secretary has in mind for me, if I am confirmed, are an extension and enlargement of the duties I have performed as the Principal Deputy Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

**Do you believe that there are any steps that you need to take to enhance your expertise to perform the duties of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict?**

If confirmed, I will take every opportunity to gain an even better understanding of the capabilities of the U.S. the special operations community. This effort will include visiting military units, both in the U.S. and overseas, and working to expand relationship that I now enjoy with many senior military leaders.

## **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.**

Yes.

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

Yes.

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

Yes.

**Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security projection, with responsibilities as the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict?**

Yes.

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

Yes.