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Before the

Subcommittee on Personnel

COMMITTEE ON  
ARMED SERVICES

## **UNITED STATES SENATE**

HEARING TO RECEIVE TESTIMONY ON OFFICER PERSONNEL  
MANAGEMENT AND THE DEFENSE OFFICER PERSONNEL  
MANAGEMENT ACT OF 1980

Wednesday, January 24, 2018

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1 HEARING TO RECEIVE TESTIMONY ON  
2 OFFICER PERSONNEL MANAGEMENT AND  
3 THE DEFENSE OFFICER PERSONNEL MANAGEMENT ACT OF 1980  
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5 Wednesday, January 24, 2018  
6

7 U.S. Senate  
8 Subcommittee on Personnel  
9 Committee on Armed Services  
10 Washington, D.C.  
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12 The subcommittee met, pursuant to notice, at 3:09 p.m.  
13 in Room SR-222, Russell Senate Office Building, Hon. Thom  
14 Tillis, chairman of the subcommittee, presiding.

15 Committee Members Present: Senators Tillis  
16 [presiding], Ernst, Gillibrand, McCaskill, and Warren.  
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1           OPENING STATEMENT OF HON. THOM TILLIS, U.S. SENATOR  
2 FROM NORTH CAROLINA

3           Senator Tillis: First I apologize for being late.  
4 This committee is now open.

5           I will start with some brief comments and then pass it  
6 over to the ranking member.

7           I want to thank some familiar faces that we were able  
8 to spend some time with last week. I am looking forward to  
9 your testimony before the committee.

10          The Personnel Subcommittee of the Senate Armed Services  
11 Committee meets this afternoon to receive testimony from  
12 military and civilian witnesses on officer personnel  
13 management and possible reforms to the Defense Officer  
14 Personnel Management Act, commonly referred to as DOPMA.

15          Officer personnel management is a combination of  
16 statute, regulation, culture, and tradition that determines  
17 how military leaders are recruited, trained, retained,  
18 promoted, assigned, and compensated. This is a very complex  
19 topic, and changes to longstanding practices must be  
20 carefully considered before being implemented. And by all  
21 accounts, today's system largely serves its intended  
22 purpose.

23          A personnel system is not an end unto itself. Rather,  
24 the military's officer personnel system must achieve desired  
25 objectives to increase the lethality and effectiveness of

1 the force.

2 DOPMA was passed in 1980. It is back when leisure  
3 suits were popular and disco.

4 [Laughter.]

5 Senator Tillis: To achieve the desired objectives at  
6 that time, namely in 1980 the Congress was concerned about  
7 providing a fully ready officer corps comprised of youthful,  
8 vigorous, and at the time, primarily men. These outcomes  
9 were deemed necessary to defeat the Soviet threat that faced  
10 our nation at that time.

11 I am concerned that the outcomes DOPMA was designed to  
12 achieve are growing increasingly irrelevant for some threats  
13 facing today's military.

14 I hope today our witnesses will provide us with some  
15 clearly defined outcomes that an updated personnel system  
16 should seek to achieve.

17 DOPMA's authors never envisioned the post-Cold War  
18 military as presently constructed. Today's force is 43  
19 percent smaller than the military of 1980 and is constantly  
20 engaged in ways never predicted during the Cold War.  
21 Repeated overseas combat deployments strain the more  
22 traditional warfighting career fields while at the same time  
23 new military domains require entirely different officer  
24 skill sets. We must ask ourselves can a personnel system  
25 designed for an industrial age military be successful in the

1 information age.

2 DOPMA's primary weaknesses are threefold. First, the  
3 system is unable to quickly provide the officers required to  
4 respond to unforeseen threats that demand unexpected skill  
5 sets. Secondly, the system is unable to effectively respond  
6 to rapid changes in the defense budget, resulting in  
7 inefficient and systemic surpluses or shortages of officer  
8 manpower. Lastly, DOPMA functions as a one-size-fits-all  
9 solution, which does not allow the services much ability to  
10 differentiate amongst themselves and among various officer  
11 career fields. I welcome your thoughts on how to improve  
12 the system to mitigate these shortcomings.

13 Today we are fortunate to have a distinguished group of  
14 witnesses to discuss these themes and help us seek out areas  
15 where the Congress can provide assistance.

16 On the first panel, we have the Honorable David Chu,  
17 President of the Institute for Defense Analyses and former  
18 Under Secretary of Defense for Personnel and Readiness.  
19 Welcome, Dr. Chu. The Honorable Peter Levine, a senior  
20 research fellow at the Institute for Defense Analyses and  
21 also former Under Secretary of Defense for Personnel and  
22 Readiness. Welcome. And Dr. Tim Kane, a fellow at the  
23 Hoover Institution and author of "The Total Volunteer  
24 Force." I will introduce the second panel when we make the  
25 transition.

1 I want to thank all the witnesses.

2 [Audio disruption.]

3 Senator Tillis: -- very important topic.

4 Ranking Member Gillibrand?

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1           STATEMENT OF HON. KIRSTEN GILLIBRAND, U.S. SENATOR  
2 FROM NEW YORK

3           Senator Gillibrand: Thank you, Mr. Chairman.

4           I join you in welcoming our witnesses today as we  
5 discuss career management of our military officers. I am  
6 pleased that we have outside experts as witnesses, as well  
7 as military personnel chiefs, to address improving the  
8 talent management of our military officers.

9           I have been and remained concerned about our military  
10 promotion practices that incentivizes officers to be  
11 generalists on a career path to become general or flag  
12 officers and ultimately to be chief of the military service  
13 rather than allowing officers to develop expertise in  
14 specific military skills. I understand the importance of  
15 officers having a broad understanding of their service in  
16 the military, but in some cases, this undermines our  
17 military's ability to do its job.

18           Senator Ernst and I have been pushing the services, for  
19 example, to develop judge advocates with complex litigation  
20 skills rather than requiring them to become well-rounded  
21 generalists in the practice of military law. As in the  
22 civilian sector, we need career prosecutors with years, even  
23 decades, of prosecutorial experience to prosecute complex  
24 cases particularly those related to sexual assault. A good  
25 prosecutor with just a few years and a limited number of

1 cases is not going to be as good as a highly experienced  
2 prosecutor who has prosecuted a large number of complex  
3 cases. This same rationale would also apply to other  
4 specialty areas such as cyber, acquisition, aviation,  
5 medical, and newly developing areas like artificial  
6 intelligence.

7       As we look at improving the officer personnel system,  
8 we should also review the qualifications for receiving a  
9 commission as a military officer. Is it really necessary  
10 that an individual with significant cyber expertise go  
11 through all the same military type training as an infantry  
12 officer? If a cyber expert's military role will be in an  
13 office setting performing cyber functions on an office  
14 computer, does he or she need to be proficient with a  
15 firearm or meet the same physical fitness requirements as a  
16 combat arms officer? If our current approach means that we  
17 are not getting the right people in these jobs, then the  
18 requirements need to be tailored for the specialty involved  
19 and flexible enough to bring in the talent we need.

20       Another area we should explore when it comes to cyber  
21 is making it easier for civilian experts to join the  
22 military so that when we identify individuals with  
23 sophisticated skills, education, and experience, we can  
24 bring them in at a higher rank commensurate with their  
25 military responsibilities.

1           We must also be cognizant of the fact that even if we  
2 provide the military with greater authority and more  
3 flexibility for officer personnel management, that does not  
4 mean that these authorities will be used as we intend them  
5 to be used. This has been our experience with efforts to  
6 have our services conduct a pilot program for a career  
7 litigation track, a program that the Navy already has in  
8 place. Once we provide new authority, it will take  
9 continual congressional oversight to ensure that the new  
10 authorities are used as intended.

11           Mr. Chairman, I look forward to hearing from our  
12 witnesses about what is working and what is not working with  
13 our officer personnel management system and then putting our  
14 heads together to develop meaningful changes that will  
15 improve the system and ensure we are recruiting, growing,  
16 and retaining the right people.

17           Senator Tillis: Thank you.

18           Before we get into any questions, we would welcome you  
19 to have any opening comments that you may want to make. And  
20 I have got a lot of questions. So we want to start with Dr.  
21 Chu.

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1           STATEMENT OF HON. S.C. CHU, PRESIDENT, INSTITUTE FOR  
2 DEFENSE ANALYSES

3           Dr. Chu: Thank you, Mr. Chairman and members of the  
4 committee. It is a privilege to appear before you this  
5 afternoon to discuss the Defense Officer Personnel  
6 Management Act, or DOPMA.

7           I should stress these are my own views. They do not  
8 reflect a position by the Institute for Defense Analyses or  
9 our research sponsors.

10          I do have a short statement that I hope might be  
11 offered for the record, if you would permit.

12          In my judgment, DOPMA's strength is also its weakness.  
13 With the just-revised retirement system as it used to be  
14 administered and given the fact that the compensation for  
15 officers is largely tied to grade, together that creates  
16 what you said, Mr. Chairman, which is a one-size-fits-all  
17 solution. And the difficulty that raises is across skill  
18 areas, as Senator Gillibrand has emphasized. It is not  
19 clear that you want the same experience level in all  
20 functions of the military services.

21          That has been a tension for many years in the  
22 Department. On the promotion front, the services have, to  
23 some extent, relieved that tension with separate competitive  
24 categories, done that for a long time for the professions,  
25 clergy, lawyers, clinicians, especially doctors. There have

1 been other solutions. The Army has a different way of  
2 accessing and managing many of its pilots, the warrant  
3 officer status for its community. And you have small  
4 solutions like the permanent professors at the United States  
5 Military Academy and the other military academies.

6 Before we go to change the rules, I would urge we have  
7 more of a focus on what results we want, what kind of  
8 experience profiles are really helpful, as Senator  
9 Gillibrand suggested in the cyber realm as one example. You  
10 might want in some areas the pyramid that is the current day  
11 where lots of people come in at the bottom, the operational  
12 community likes that. Only a few rise to the top. But it  
13 is also possible you want an inverted pyramid where you have  
14 mostly experienced personnel and you do not spend a lot of  
15 effort on training junior personnel. Military attaches are  
16 an example, you might argue, of such a situation.

17 In different communities, you might want a "Michelin  
18 man," that is to say many people in the middle, some at the  
19 top with deep experience. Acquisition is an excellent  
20 example. That would need lateral entry to actually work  
21 since you would not want to take in large numbers of junior  
22 people to train them on your watch. You would want to  
23 acquire them from the civil sector.

24 And in some areas, you might want a cylinder. Pilots  
25 are an example where you want people spend a long time in

1 one professional area. The Marine Corps has talked about  
2 that now a bit regarding cyber personnel.

3 I do think ultimately, as you suggested, Mr. Chairman,  
4 this turns on service culture. What would the services say  
5 are communities where they need a different experience  
6 profile because ultimately they have to administer this  
7 system to make it a success?

8 Put a little differently, I would start with the  
9 experience profile we would like for different communities,  
10 and subject to any constraints that various parties wish to  
11 impose, including the Congress' concern with grades, then  
12 solve for what you have to do with the other instruments at  
13 your disposal whether that is the retirement system, whether  
14 that is the compensation that is offered, or whether that is  
15 perhaps bonus authority for officer communities that the  
16 Department does not now have in order to get to the results  
17 that you need to serve America well.

18 Thank you, Mr. Chairman.

19 [The prepared statement of Dr. Chu follows:]

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1 Senator Tillis: Thank you.

2 Mr. Levine?

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1           STATEMENT OF HON. PETER K. LEVINE, SENIOR RESEARCH  
2 FELLOW, INSTITUTE FOR DEFENSE ANALYSES

3           Mr. Levine: Thank you, Mr. Chairman, Ranking Member  
4 Gillibrand, Senator McCaskill, thank you for inviting me to  
5 participate in today's hearing, and it is an honor to be  
6 back in this room.

7           With your permission, I will make just a few brief  
8 points.

9           First, the "up or out" system at its heart is still  
10 very much needed. DOPMA has been rightly criticized for  
11 limiting the Department's access to needed talent and for  
12 pushing out highly trained officers with critical skills too  
13 soon. Even so, though, it continues to provide a highly  
14 competitive environment in which the officer corps is  
15 continually refreshed, routinely producing officers whose  
16 leadership qualities are the envy of the world.

17           I had the privilege, while I was at the Department of  
18 Defense, of actually having general officers work for me,  
19 and I have to tell you having that kind of direct exposure  
20 to them on a day-to-day basis, you can only come away  
21 impressed.

22           Our officer personnel management system is an  
23 incredibly valuable investment portfolio that we rely on to  
24 produce results not this year but over a 20 to 30-year  
25 period. So we may want to diversify that portfolio and

1 bring in creative ideas at the edges with the kind of  
2 skilled occupations that we have been talking about, but we  
3 need to be really careful that we do not break the overall  
4 portfolio, that it continues to produce the kind of results  
5 we need so they can shape the force in 20 to 30 years. We  
6 cannot focus so much on the next 2 to 3 years that we lose  
7 that long-term focus.

8 Second, Mr. Chairman, I agree with you that we have to  
9 be very careful to avoid one-size-fits-all solutions in this  
10 area. What the Air Force needs may be very different from  
11 what the Marine Corps needs. What we need for the cyber  
12 workforce may be very different from what we need for the  
13 acquisition workforce. So I think it is important that you  
14 work with the military services and give them flexibility to  
15 do the kind of analysis that Dr. Chu is talking about and  
16 figure out what they need and address those needs rather  
17 than trying to impose a solution on them.

18 Third, as Dr. Chu indicated, real change is going to  
19 require not just changes in laws and rules but changes in  
20 culture and incentives. That is going to take leadership  
21 from the top down within the service because whatever new  
22 flexibilities or new career paths you may offer, they are  
23 only going to be successful if young leaders are convinced  
24 that when they follow these new career paths, it is not  
25 going to come back and disadvantage them tomorrow. If these

1 career paths are perceived as being potential dead ends --  
2 and I would particularly warn you about the idea of  
3 temporary pilot programs which will be perceived as  
4 potential dead ends -- then they are not going to do us much  
5 good. People will not commit a career to something if they  
6 do not perceive that it is going to be there when they need  
7 it.

8       Finally, I would urge you to keep in mind that our  
9 active duty military do not need to and will not have to  
10 meet all of our needs in areas like cyber, intelligence,  
11 acquisition, space, those kinds of specialty career fields.  
12 We have a mixed total force that consists of military,  
13 civilian, and contractors. Within the military area, we  
14 have both active duty and reserve. They serve different  
15 purposes and we need to think about that and optimize the  
16 entire force rather than just assuming that we can optimize  
17 the officer corps in isolation and that that will address  
18 the problem.

19       So with that, I would urge you to focus on increased  
20 flexibility rather than new requirements, to work closely  
21 with the Department, and to give direction to the services  
22 but allow them to develop their own unique solutions for  
23 these problems.

24       Thank you for allowing me to testify today, and I look  
25 forward to your questions.

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[The prepared statement of Mr. Levine follows:]

1 Senator Tillis: Thank you.

2 Dr. Kane?

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1           STATEMENT OF DR. TIMOTHY KANE, FELLOW, HOOVER  
2           INSTITUTION, STANFORD UNIVERSITY

3           Dr. Kane: Thank you, sir. Chairman Tillis, Ranking  
4           Member Gillibrand, Senator McCaskill, thank you for this  
5           opportunity. What I will say today --- these are my own  
6           views not those of the Hoover Institution or Stanford  
7           University.

8           And thank you for working together. I think this is a  
9           moment to work on a nonpartisan issue that may be rare. It  
10          may not happen again for 20 years. So I am excited to see  
11          significant change not pilot projects come out of the  
12          committee and this committee, in particular the  
13          subcommittee, can show how democracy works especially for  
14          the volunteers. So I am really enthusiastic about what you  
15          have endeavored and just holding this hearing.

16          So my colleague and former Secretary of State, George  
17          Shultz, recently wrote, "Over 40 years ago, Milton Friedman  
18          and his friend, Martin Anderson, put forward the idea of  
19          ending the draft and recruiting volunteers for the armed  
20          forces." At the time the bulk of flag officers thought that  
21          was a terrible idea. Now the bulk of flag officers would  
22          say this is brilliant. We do not want to go backwards. We  
23          want to go forward. And I have been really encouraged in  
24          the talks I have had over the last 5 years and worked on two  
25          books on this issue to see the Navy in particular. They

1 realize they need more flexibility than DOPMA is getting  
2 them. And I hear that from other officers in other  
3 services, but I think the Navy is ready to strike now on the  
4 issue because they want to be more efficient and better and  
5 stronger. And we need this fix to DOPMA to enhance our  
6 security.

7 So Mr. Shultz did not say all that. Mr. Shultz then  
8 said, "Since the draft ended in 1973, the concept can now be  
9 said, unequivocally, to have succeeded."

10 Yet, despite the world-class culture of the U.S.  
11 military, the bureaucracy still treats troops like  
12 interchangeable draftees. It is not only disrespectful but  
13 also short-sighted. And this cannot be fixed until DOPMA is  
14 fixed.

15 Now, my research and the research of others, I think  
16 all three of us at this table, have looked into the quality  
17 of the people who are volunteering, the men and women. It  
18 is fabulous. The literacy rates are above the civilian  
19 norms. Physical, moral, mental fitness is above average.  
20 Our enlistees and our officers are fantastic, but how they  
21 get treated is not so fantastic, and that is why we have  
22 repeatedly retention crises.

23 Now, 3 years ago, I conducted a survey as part of this  
24 book, "Total Volunteer Force," of 360 active duty officers,  
25 NCOs, and veterans to identify their thoughts on the

1 Pentagon management system. The respondents gave high marks  
2 to the U.S. military's leadership culture but low marks to  
3 talent management, as shown in figure 1 of the written  
4 testimony. Across the board, they saw promotion and job  
5 matching practices as the most troublesome and the weakest.  
6 Promotion -- that is encoded into DOPMA about how these  
7 things have to happen. This idea of "up or out" that we say  
8 is the culture, but it is not. It is coded into the law.

9       So because of DOPMA, commanders cannot hire. They  
10 cannot flexibly adjust their people, and they are actually  
11 left with empty billets when they are removing an abusive  
12 coworker. So they get essentially punished for trying to  
13 get their teams to work better.

14       Furthermore, promotions are completely lockstep based  
15 on seniority not merit, and promotion boards are completely  
16 centralized and dehumanized. I am using strong language  
17 because I think we assume the troops, the officers, work so  
18 hard in these promotion boards and they are fair and they  
19 are this and they are that. They might be all those things,  
20 but they are inefficient and we can build something that is  
21 a lot better by maybe mandating some flexibility. That  
22 might sound funny. Get commanders involved in the process.

23       Now, one of the side effects that concerns me of the  
24 law as it is written is that the sexual predators can hide  
25 in plain site in the ranks. Sexual assault in the ranks

1 occurs at 10 times the rate in the civilian sector. When  
2 you are rotating people constantly and you are rotating  
3 commanders constantly, unless someone is a proven criminal,  
4 you cannot weed them out. There is no informal information  
5 so that when commanders hire, they are just given a person.  
6 They are not allowed to do a background check or a reference  
7 check. I think you need to get commanders involved in the  
8 hiring process regardless of what you do on the UCMJ side of  
9 it because we are talking about people who are predators and  
10 they are not yet proven criminals and they are still lurking  
11 heavily. Now, most men and women in the ranks are not  
12 predators, but this system allows them to hide in plain  
13 sight, as I would say.

14 Key reforms that I would encourage the Senate to make.  
15 And I will just list four and then end.

16 Let us kill the "up or out" principle that is coded  
17 into law. I do not think it is helpful. It is not how the  
18 military had its history pre-1945. The historical military  
19 principle for most of our history has been "excellence or  
20 out," but we do not do that anymore. It really does not  
21 matter how excellent or un-excellent you are. You are  
22 pretty much guaranteed promotion pretty much all the way to  
23 20 years. So we are not really forcing people out. There  
24 is a big bubble of officers between 12 and 20 years, and  
25 then suddenly they drop off. So some of this ties into

1 compensation, but I think we should be forcing excellence  
2 and force people to require to recompute to stay in their  
3 jobs if they want to specialize.

4 Two, end the mandatory use of year groups after 10  
5 years, and end forced retirement for non-promotion after 10  
6 years.

7 Number three, restore balance to command authority.  
8 Let us give local commanders a voice in hiring so they can  
9 do informal reference checks.

10 And then four, allow innovation and flexibility by the  
11 services. You know, they may not use this flexibility, but  
12 right now they just do not have it.

13 And I will end on that and thank you again for this  
14 wonderful opportunity.

15 [The prepared statement of Dr. Kane follows:]

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1 Senator Tillis: Thank you.

2 Senator Gillibrand will be back. She had a commitment  
3 that she has to go to.

4 Mr. Levine, I want to start with you. In your written  
5 testimony, there were two things that I think are good,  
6 quotes that I may never attribute to you because they are so  
7 good, but I am going to use them again.

8 One, because I think it sets the tone of what I think  
9 we are trying to accomplish here. You say that before you  
10 undertake reform, it is important to understand not only  
11 what is broken but what is not broken. We have talked about  
12 some of the things that we should look at and possibly  
13 change, but let us talk about some of the things that you  
14 think are foundational and very important to keep in place.

15 Mr. Levine: Well, this is where I would agree with my  
16 colleague, Dr. Kane. I believe that the "up or out" system  
17 needs to be kept in place, that because we need to shape a  
18 workforce over 20 to 30 years, we cannot rely on individual  
19 decisions and we cannot rely on military leaders to  
20 structure their own teams in a free form way. We want to be  
21 responsive to the civilian job market and we want to  
22 recognize the realities of the civilian job market. But we  
23 are not in a position where we are just hiring for the next  
24 2 to 3 years, and we can allow our whole officer corps to  
25 turn over and get a new one if that does not work. We have

1 to plan far in advance, and I think that the "up or out"  
2 system is a way of continually refreshing. So I think the  
3 subcommittee ought to be open to different periods of time,  
4 different tour lengths. All kinds of different flexibility  
5 within DOPMA are open to consideration, but I think the "up  
6 or out" system itself not only works but performs a vital  
7 function for our military today.

8 Senator Tillis: So, Dr. Chu, you get to break the tie.

9 [Laughter.]

10 Senator Tillis: What are your thoughts?

11 Dr. Chu: I would put myself someplace in between.

12 [Laughter.]

13 Dr. Chu: Split the difference. And here is the  
14 reason.

15 I think it is very important, as Mr. Levine has said,  
16 that they have some mechanism to judge is the individual  
17 continuing to develop, is he or she continuing to perform at  
18 high levels, as Dr. Kane said. "Up or out" is one  
19 mechanism.

20 The problem is it is very rigid at the moment. You  
21 come into a window. You have got just two chances. If you  
22 have had an unusual career so that you did not do the normal  
23 things, you might be severely disadvantaged by that.  
24 Admiral Crowe is an example of that career path. Most  
25 people were amazed he ever made flag. Once he made flag,

1 the rest of the system took over and he eventually, as we  
2 all know, became chairman of the Joint Chiefs of Staff never  
3 having commanded a ship at the ship level. He was EXO over  
4 a submarine.

5 So we can do things differently, but the present system  
6 does not allow much leeway for that. And so I think in  
7 terms of relaxation, giving the service secretaries some  
8 degree of latitude to change the rules, whether that is to  
9 encourage them to use more selected pay and grade, which the  
10 authorities already do under the existing rules, whether it  
11 is allowing them to put people in different year groups as  
12 different careers might suggest so they do not compete  
13 against someone who has done all the normal things when they  
14 went off to do, let us say, a period of deeper education in  
15 a technical area that is needed. So some leeway for the  
16 service secretary, more waiver authority perhaps I think  
17 would be very helpful.

18 Senator Tillis: The other thing we talked about is we  
19 need to stay away -- I think there is generally a consensus  
20 that there should not be a one-size-fits-all, and we also  
21 talked about taking into consideration how we seek input  
22 from the different service lines about maybe areas that we  
23 should look. For example, I think there is a universal or  
24 kind of a horizontal focus on cyber because that seems to be  
25 something that although you may have different practices on

1 a day-to-day basis, that is a category where we are really  
2 behind and we need to work. And it seems to be one area  
3 that we could possibly focus on as a part of anything that  
4 we may move forward with in the markup.

5 But then there are the position -- that they be unique  
6 to the line of service. Now, we talked about acquisition.  
7 You could also argue, on the one hand, it is horizontal.  
8 There may be unique needs based on the line of service.

9 But you all said something that I think is interesting.  
10 On the one hand, Dr. Chu, I think you said something about  
11 pilots and you guys said do not do pilots. I think what you  
12 are talking about is start small and work on things that  
13 have a greater potential for being operationalized versus a  
14 test and a good idea that goes away, maybe does not get  
15 authorized. That would not be particularly appealing for  
16 somebody that is building a portfolio of experience in their  
17 career. Is that an appropriate way to interpret what you  
18 said?

19 Dr. Kane: If I can speak on that, sir, yes. Sometimes  
20 pilots get a bad name if they do not work out. So as an  
21 example, there is a problem with retention of female  
22 officers in enlisted. So there have been efforts to do  
23 sabbaticals. But I see those sabbaticals, and they do not  
24 look flexible to me. I talked to a young woman, enlisted,  
25 got into Stanford Business School. She thought about

1 leaving as a sabbatical program, but there was not control  
2 for her, that when she got done with her MBA, she could  
3 choose whether to come back in or not. She could choose her  
4 career field. It was all, oh, no, when you are done, if you  
5 are under the sabbatical program, we will tell you where to  
6 go. To me that is very disrespectful, and that is not  
7 flexibility. But the military can then interpret that and  
8 say, you know, we tried that flexible lateral entry idea or  
9 lateral reentry in this case, it does not work because these  
10 women are not taking up the program because it is not really  
11 flexibility. So that is my sense of caution.

12 Now, the type of a pilot project that could work is to  
13 say take a career field and do not force that career field  
14 to use the pyramid. Allow long-term specialization, say,  
15 within cyber or intelligence and maybe not in all the other  
16 competitive categories. I think that would be a brilliant,  
17 wise type of pilot project, but I would just caution against  
18 some of these.

19 Senator Tillis: Senator Warren?

20 Senator Warren: Thank you, Mr. Chairman. I apologize.  
21 We are covering multiple hearings this afternoon. So we are  
22 dashing in and out.

23 We are here to talk about how our military officers are  
24 recruited, retained, promoted, assigned. Our officer corps  
25 is the best in the world. We must have been doing something

1 right. But I think about how things are changing over time.  
2 I think about two ways they are changing.

3 DOPMA is this one-size-fits-all system. Everyone has  
4 been talking about that part. And today a lot of young  
5 officers require a different kind of talent management. At  
6 the same time, the demands of modern warfare are driving  
7 changes in the types of officers that we need in order to  
8 lead in the future. We demand a force that is highly  
9 adaptive, that is technically skilled in advanced  
10 technologies. You know, these are not skill sets that  
11 Congress had in mind when DOPMA was originally put together.  
12 So I worry that the Pentagon is just not set up either to be  
13 able to help guide careers or to be able to attract people,  
14 the people we need in our changing world.

15 So here is the question I want to ask. I want to ask  
16 the one wish question. If you could make just one, because  
17 this is what forces you to have to make hard choices -- one  
18 change to DOPMA in order to try to solve this part of the  
19 problem, the officer management of career and attracting the  
20 right people in -- if you could make one change, what change  
21 would you make? And we can start any place you want to  
22 start. Dr. Chu, do you want to start?

23 Dr. Chu: Actually the one change I would make is not  
24 DOPMA-specific.

25 Senator Warren: Fair enough. This is your wish.

1           Dr. Chu: But I would contrast how the Department  
2 manages skills for the enlisted force versus skills for the  
3 officers.

4           Senator Warren: Say more about that.

5           Dr. Chu: In the enlisted force, the Department has,  
6 thanks to the Congress, a set of special compensation  
7 authorities, bonuses as they are called. It has wide  
8 latitude within constraints Congress established how those  
9 are paid and it adjusts them. It really is a market and it  
10 looks at results on both recruiting and retention. So I  
11 would consider giving the Department somewhat broader  
12 authority for special compensation for officer communities,  
13 to allow it to deal, for example, with cyber. So if you are  
14 going to be with Google, do you have to pay as we are paying  
15 for pilots, let us say? Maybe we do; maybe we do not. I am  
16 not trying to prejudge the answer to that question. But I  
17 think part of the answer -- and that is the emphasis I would  
18 give -- lies in other parts of the system, not just in DOPMA  
19 per se. It is also a matter of how you administer the new  
20 retirement system. It is an issue of how you administer  
21 other items of compensation. So my one wish would be broad  
22 bonus authority for the officer corps the Department can  
23 apply in communities where it needs help as opposed to  
24 specialized.

25           Senator Warren: Thank you.

1 Mr. Levine?

2 Mr. Levine: So I get to choose a different one.

3 Senator Warren: Yes.

4 Mr. Levine: So what I would suggest is -- Dr. Kane  
5 mentioned the idea of sabbaticals. There are several  
6 different ideas around that idea. There is the career  
7 intermission program, which is currently a pilot basis.  
8 There are sabbaticals. There is also the idea of opting out  
9 of a promotion cycle. These are all ways that you can build  
10 in additional flexibility into officer careers so that this  
11 idea that you just have to keep punching tickets and there  
12 is only one path, you can get more flexibility into that and  
13 officers can build greater depth and experience, greater  
14 breadth of experience. They can even, under some of these  
15 programs, take time out to start a family, but create  
16 greater flexibility within the existing system without  
17 disrupting the overall system and disrupting the military's  
18 ability to plan.

19 And one thing I would emphasize about that is I know we  
20 all think that the military is resistant to change, but I  
21 had the honor of serving with two of the officers who will  
22 be on the next panel and immediate predecessors of the other  
23 two. They all supported this idea that we should build in  
24 this greater flexibility. The sabbatical program, the  
25 career intermission program, because they have been pilots,

1 young officers have been unwilling to trust them and to  
2 believe that promotion boards will give them full credit and  
3 will understand why they chose the career paths that they  
4 did. But I believe that if we make them permanent and if we  
5 make this an established part of the way the career pattern  
6 works with the help of our military leadership, we can  
7 really build some more flexibility.

8 Senator Warren: Actually I just want to make sure I am  
9 drawing the right point here. It is not that we make it  
10 permanent. It is that we open up the possibility that you  
11 can do it and you can make it permanent if you choose to  
12 make it permanent.

13 Mr. Levine: Congress would have to open up -- would  
14 create a permanent authority, but the service member would  
15 have to be --

16 Senator Warren: A permanent authority, but you make  
17 the decision whether or not it is permanent and obviously  
18 what the parameters are for that.

19 Mr. Levine: Yes, Senator.

20 Senator Warren: All right, good.

21 Dr. Kane?

22 Dr. Kane: This is one of those juicy questions and the  
23 genie says you get one wish.

24 Senator Warren: Yes, exactly.

25 Dr. Kane: -- three wishes.

1           Senator Warren: I know. I know. But the other two  
2 guys already slurped up the first two.

3           Dr. Kane: This is broad, but I would end the tyranny  
4 of the personnel commands. And I will tell you a little  
5 story because I think this is what galvanized me to start.  
6 I left the military, became an economist. I did not think  
7 much about these issues. I was not as expert.

8           A friend of mine was in the Air Force. 9/11 had  
9 happened and he was doing a mission. He was doing a  
10 targeting mission and got a call from Air Force Personnel  
11 Center that said, hey, congratulations, Major. You get to  
12 go back and get your master's degree. He is like I am  
13 helping find the enemy and putting bombs on the enemy and  
14 keeping America safe. I do not want to go. But there is so  
15 little control and there is so little respect for these men  
16 and women who volunteer to control their own careers. All  
17 the needs of the Air Force have to come first.

18           And it is such a nice sounding slogan, but what if that  
19 actually is short-term oriented and not long-term oriented?  
20 Because they ended up losing this officer. He did get 20  
21 years of retirement, but he could go and work for a  
22 different government agency and do the exact same mission,  
23 but he had to give up his 20-year retirement. He had to go  
24 home and explain to his wife and kids we are not going to  
25 have health care forever because I want to serve my country,

1 and the Air Force will not let me do that because he had  
2 already got two master's degrees on the taxpayers' dime and  
3 he did not want to go get a third. And they needed a warm  
4 body and they said, no, no, you are the guy. And he said I  
5 am not going to go. And they said, well, we will forcibly  
6 retire you.

7 That is the kind of nonsense that happens when people  
8 cannot control their own careers. And I think part of that  
9 is saying we will manage it for you. There is incredible  
10 responsibility placed on the shoulders placed of the  
11 personnel commands, and they do the best they can. But I  
12 have had so many meetings and calls. At HRC, I visited NPC  
13 at Millington. They are just as frustrated, but they are  
14 given their mission and they do the best they can.

15 So I would relieve them of that burden and say one  
16 thing to change in DOPMA is you do not have to retire after  
17 you have to promote two times. You just do not. And so  
18 people would not have that pressure of playing the game,  
19 checking the boxes, and the personnel commands would not  
20 say, gee, if you do not go to this school or you do not get  
21 this master's degree or you do not take this joint  
22 assignment, you are not going to get promoted. It is just  
23 not there anymore. And that is what you can fix with a  
24 sentence. The Senate can fix.

25 Senator Warren: Can I just ask? I know we are over,

1 but I just want to ask on this, just probe just a little  
2 bit. You are confident that if we made that change, we will  
3 not end up with an officer corps that sort of bulges out and  
4 is sluggish. I always like to remember somebody had  
5 something in mind when they wrote that. They thought there  
6 was a problem they needed to fix. It does not mean they got  
7 it right.

8 Dr. Kane: President Eisenhower.

9 Senator Warren: But it means you have at least got to  
10 think about what happens if you roll it the other direction.

11 Dr. Kane: President Eisenhower -- this goes back to  
12 the Civil War. The class of 1868 out of the Naval Academy  
13 -- none of those graduates were able to get past lieutenant  
14 for 21 years --

15 Senator Warren: Yes.

16 Dr. Kane: -- because they did not have an "up or out"  
17 system. So they instituted it, but now it has crept down  
18 the ranks. It is not just for the generals. It sort of  
19 influences everyone, and it is not "up or out." It is sort  
20 of "up or up." You just sort of play by the rules. You get  
21 promoted sort of lockstep.

22 I would force "excellence or out." Every 2 years, you  
23 are recompeting for a position you are in, and if your boss  
24 decides to hire someone else, she has the right to do that.  
25 You need to go look for another role within the military.

1 If you cannot find anyone to hire you, thank you for your  
2 service.

3 Senator Warren: So you think that is a way that we  
4 could prevent that from happening. So there would be  
5 another way to do that.

6 Dr. Kane: Yes, ma'am.

7 Senator Warren: All right. Very valuable. I find it  
8 enormously helpful to hear very specific suggestions.

9 Dr. Chu: If I may.

10 Senator Warren: Dr. Chu, if this is okay.

11 Dr. Chu: We are treating "up or out" as if it is  
12 either a good or bad idea for all promotions. And there is  
13 differentiation here that might well be considered, and that  
14 is up through about 04, you may well want an "up or out"  
15 system because that is really, I would argue, a "perform to  
16 stay" criteria, and it helps avoid the kind of gumming up of  
17 the system that Dr. Kane had described. It may be beyond  
18 that that you want to be somewhat more relaxed about how  
19 many chances people have to 05, to 06, and so on especially  
20 to 07.

21 And I particularly would highlight what I think is an  
22 unfortunate wrinkle in the law, which is the bar to  
23 commissioned service beyond 30 years of service. Now, I do  
24 not think you necessarily want every 06 to stay for 35-40  
25 years of service, but there is a cadre in every service in

1 my judgment of the military of senior 06's who are not going  
2 to make general officer or flag but who are the senior  
3 experts in their area. You speak about the lawyers, for  
4 example, deep knowledge of the system. And I think you want  
5 to have a way to perhaps retain some more of those people  
6 who may be at the peak of their professional abilities when  
7 they hit 30 years of commissioned service and our system  
8 says there is a way to deal with retiree recall. I  
9 recognize there are end runs around the constraints, but to  
10 more systematically think about keeping the most  
11 experienced, deeply technical 06's for longer than 30 years  
12 of commissioned service.

13 Senator Warren: Right. But if I can, you describe  
14 that as a more relaxed requirement. I realize it is  
15 relaxing the "up or out" part of it. But if I understood  
16 Dr. Kane correctly, it is not so much a more relaxed. It  
17 actually just changes what the sorting device is. So it is  
18 no longer "up or out," but you say we will substitute  
19 "other," like recompute for the same job every 24 months.  
20 Is that right? And do you agree with that, Dr. Chu? Is  
21 that right?

22 Mr. Levine: Senator, if I could on that point.

23 Senator Warren: Please.

24 Senator Warren: I think that as you look at the  
25 military personnel system, you have to keep the culture in

1 mind too. And one of the central aspects of the military  
2 culture is an inability to say no. So I would be very  
3 concerned about abandoning an "up or out" system in that if  
4 you say all the really best people we are going to keep,  
5 there is an inability to tell anybody that they are not one  
6 of the best.

7 Senator Warren: All the children are above average.

8 Mr. Levine: So as painful as it is to have arbitrary  
9 rules, sometimes those arbitrary rules really serve an  
10 important function.

11 So the way I would try to meet Dr. Chu and Dr. Kane's  
12 objective there is by allowing the occasional exception or  
13 the career field where you are going to build in some  
14 exceptions because we need to retain talent but not by  
15 abandoning the rule which I think is a structure which is a  
16 need to force decisions which otherwise people would be very  
17 reluctant to make.

18 Dr. Chu: And I think that does bring us back to the  
19 culture point because, as you all know, under DOPMA, the  
20 service secretary has authority for selection, retention,  
21 and grade. Rarely does the service use this authority. It  
22 also has authority on the other side of that coin to select  
23 out, and the boards have authority to say that this officer  
24 perhaps should be reviewed for dismissal from the service,  
25 not in quite so strong a language I acknowledge, but again

1 rarely used except when we have a downsizing problem and we  
2 have to have a reduction in force of some kind. So I think  
3 trying to encourage -- to have a conversation with the  
4 service about could we use these tools more aggressively to  
5 achieve some of these results would be very productive.

6 Senator Warren: Good.

7 Senator Tillis: Senator Warren, you were going right  
8 after the questions I was going to ask.

9 When we talked last week, most of the top tier  
10 management consulting firms dealt with the "up or out" issue  
11 back in the mid-1990s when you had two shots at making  
12 partner. If you did not, you left. And we were losing some  
13 really deep talent that were a very important part of our  
14 go-to-market strategy, but we did have a period where we  
15 started bulging and started creating a diamond pyramid. So  
16 we did have to go back through and figure out how to do the  
17 refresh and I think get closer to what Mr. Levine is saying  
18 to force the excellence for that versus kind of a holding  
19 area. There has got to be a constant attainment of  
20 knowledge and skills and a broader contribution. So I think  
21 that that discussion was very helpful.

22 One thing that I would like to ask you all to think  
23 about and possibly get back with us. We talked a bit last  
24 week. A part of what we may need to do is shed light on  
25 flexibilities and options that are already available in

1 DOPMA that are not regularly used. They are used on an  
2 episodic basis. Because I would rather shed light on that.  
3 And in the next panel, we will talk a bit about it. But  
4 shed light on let us fully get all the juice we can out of  
5 the current authorities that you have and then figure out  
6 what additional flexibilities you need and with that,  
7 accountability for dealing with the peaks and troughs and  
8 the challenges for bringing people in for special needs that  
9 may not be long-term, those sorts of things. I would really  
10 be interested in your feedback on what is actually possible  
11 within DOPMA that is not really a part of the day-to-day  
12 operation and execution of the personnel practices. So I  
13 would appreciate that feedback if you could give it some  
14 thought and potentially accept that as a question for the  
15 record.

16 [The information follows:]

17 [SUBCOMMITTEE INSERT]

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1           Senator Tillis: The last thing I want to do -- and it  
2 is mainly Dr. Kane to set the stage for the next panel, to  
3 react to it, is something that you said last week and you  
4 referred to today. And that has to do with you get an  
5 assignment, you get a person, you do not really get to do  
6 that sort of background hiring check. And you also said  
7 something in particular that had to do with things that may  
8 not be in the file but may be information you would gather  
9 if you just had that final discussion before somebody gets  
10 deployed. And you were particularly talking about sexual  
11 assault.

12           Would you just frame your position while I have got  
13 people's attention so that after you do your opening  
14 statements, I would like for you to give me a response from  
15 the perspective of the people who will speak in the next  
16 panel?

17           Dr. Kane: Yes, sir. The issue of sexual assault in  
18 the military bothers me. It is 10 times higher than it is  
19 in the civilian sector. I went to the Air Force Academy. I  
20 would be very proud if any one of my daughters -- and we  
21 have three -- would want to go. But I realize I am kind of  
22 sending her into the lion's den in a sense.

23           As I learn more about this issue, I do not really have  
24 a position and I am not an expert and understand the UCMJ  
25 processes. But I do understand that we entrust the captains

1 of Navy ships with nuclear weapons and tremendous wartime  
2 responsibilities but not the authority to hire, not the  
3 authority to just -- and I understand the risk of creating  
4 an old boys' club where commanders can just build their  
5 team. But why not at least have the personnel commands  
6 sends them three nominees, and then they call the commanders  
7 and say -- the previous commanders and say what do you think  
8 about this guy. Well, he has not committed a crime but  
9 there have been some problems. There have been some off-  
10 color jokes. And you know what? Who else are you talking  
11 to? Oh, I have heard about him. He is a solid blah, blah,  
12 blah. That human dimension to human resources has really  
13 been taken out. And so I worry that that is a big part of  
14 the problem. Even if you got all of the UCMJ and who is  
15 going to do the prosecuting perfectly right, you still have  
16 a filtering problem before they become criminals where they  
17 are just predators. And I think that only gets fixed when  
18 you fix DOPMA and you include commanders in the process.

19 To your point, there is some flexibility right now for  
20 the services to do that, to institute -- give three names to  
21 each commander. There is great flexibility to do better  
22 performance evaluations which are, if I can use mild  
23 language, a disaster in the Air Force, and they are a  
24 disaster in the Army. And they are incredible in the  
25 Marines. So the Marines seem to know how to do performance

1 evaluations really well.

2 I have 20 recommendations in the book "Total Volunteer  
3 Force." Maybe a third require legislative action, so the  
4 other two-thirds, yes, there are flexibilities and they are  
5 not well used now. But I would say those third are really  
6 critical. DOPMA and the requirement to be promoted after  
7 two bites at the apple I think is silly. And some of them  
8 are compensation, some rigidities in compensation that this  
9 new blended retirement system will help, but it is hard to  
10 get lateral entry when you have already got someone halfway  
11 through a 20-year retirement. Can they leave, come back,  
12 what happens?

13 And I will stop there.

14 Senator Tillis: Well, thank you.

15 We are going to transition to the next panel, but  
16 again, I appreciate the reference to the book. But those  
17 suggestions on things that we should look at -- do not fix  
18 something that is not broken, but let us figure out ideas  
19 that we can discuss that really prompt more extensive use of  
20 the authorities and the flexibility that is out there. I  
21 think it would be helpful and instructive to us.

22 Thank you all for being here. You have spent a fair  
23 amount of time on the Hill the last couple of weeks talking  
24 on this subject. We really appreciate your continued  
25 engagement. Thank you.

1           Mr. Levine: Thank you, Mr. Chairman.

2           Senator Tillis: We will now transition to the next  
3 panel. The second panel includes Lieutenant General Thomas  
4 Seamands, Deputy Army Chief of Staff, G-1; Vice Admiral  
5 Robert Burke, Chief of Naval Personnel; Lieutenant General  
6 Gina Grosso, Deputy Air Force Secretary for -- Chief of  
7 Staff for Manpower, Personnel and Services; and Lieutenant  
8 General Michael Rocco, Deputy Marine Commandant for Manpower  
9 and Reserve Affairs.

10           Thank you all for being here. We will start with  
11 General Seamands. Welcome.

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1           STATEMENT OF LIEUTENANT GENERAL THOMAS C. SEAMANDS,  
2   USA, DEPUTY CHIEF OF STAFF, G-1

3           General Seamands: Thank you, sir. Chairman Tillis,  
4   Ranking Member Gillibrand, distinguished members of the  
5   committee, I want to thank you for the opportunity to appear  
6   before you on behalf of the United States Army to testify on  
7   DOPMA. I have submitted a statement for the record and  
8   would like to highlight a few of the points from it now.

9           DOPMA has been in place since 1980, and it has worked  
10   well to standardize the management of the career Army  
11   officers. We now believe it is time to considered changes  
12   needed to more effectively and efficiently recruit, assess,  
13   retain the talented officers needed to sustain our ready  
14   force and to better manage and employ individual talents and  
15   specialized emerging skills.

16          Over the past 38 years since DOPMA became law, our  
17   service needs, technology, the population we bring in,  
18   develop, and eventually return to communities has all  
19   changed. In fact, in the past 10 years alone, the Army has  
20   grown, drawn down, and thanks to you, grown again.

21          While current DOPMA authorities allow for the Army to  
22   determine the required mix of grades and the numbers within  
23   those grades to execute assigned roles and missions, we are  
24   challenged to sustain some low-density, highly technical  
25   specialties like cyber that has already been discussed or

1 specific skill populations within the larger branches.

2 The Army is about people. A review and adjustment to  
3 DOPMA would enable more efficient and effective management  
4 of human capital to help ensure inevitable cycles of  
5 reduction and expansion work more smoothly for the services.

6 Our analysis tells us while DOPMA is the solid  
7 framework, it would benefit from a review and adjustments to  
8 offer opportunities for managing key and critical skills  
9 within officer grades to deal with today's rapidly changing  
10 world. We believe there are opportunities for change that  
11 would enhance our ability to better meet the current and  
12 future requirements for both the active and reserve forces.  
13 We welcome the opportunity to work with the committee.

14 Sir, if I can go off script for a second, I want to  
15 thank you for setting up the previous panel. That was like  
16 a Ph.D. level discussion, and I took away a lot of notes  
17 that will be very useful.

18 Again, sir, I would like to say again we really  
19 appreciate the committee's continued support of our  
20 Army needs as we have adapted to challenges for a prolonged  
21 conflict and welcome the opportunity to come before you  
22 today to testify concerning this critical personnel issue.  
23 I thank all of you for your continued support of our all  
24 volunteer Army.

25 And, Chairman, if I can ask for a clarification. You

1 asked us when we finish our opening statements to make a  
2 comment. Was it on the hiring or on the sharp that you  
3 wanted us to make a comment?

4 Senator Tillis: I am sorry?

5 General Seamands: When you asked Dr. Kane the final  
6 question --

7 Senator Tillis: It was on the hiring.

8 General Seamands: On the hiring?

9 Sir, the Army has put together a program called IAM,  
10 Interactive Assignment Module. And what that does, sir, it  
11 creates a marketplace for the officers in the Army and the  
12 commanders and the units that are in the field. It is a  
13 Web-based technology system. We piloted it about a year  
14 ago, and now every officer on a current assignment cycle  
15 will do it.

16 Essentially what happens, Senator, is the officer goes  
17 in and puts information into the module that is not readily  
18 available on the officer's record. So, for example, if they  
19 got their master's in hydrology, it would be helpful to know  
20 when a hurricane came through what the officer's skill sets  
21 were. And the unit can go in and identify the officers who  
22 meet the criteria they are looking for and then engage the  
23 officer directly and perhaps find an assignment the officer  
24 was not thinking about before but the skill sets match what  
25 the unit is looking for.

1           So we are still in the piloting stage. We expect to go  
2 fully live across the complete Army within the next year of  
3 officer assignments. But it is a great opportunity to  
4 capture the skills that are nowhere in the database, give  
5 access to the units that would be gaining the officers, and  
6 start a dialogue. So, for example, if a unit is, say, FIP  
7 fitted to go to Africa for a year, they can go in and find  
8 out that there was an officer who perhaps parents from the  
9 State Department and lived in Africa and has unique skills  
10 or experience, reach out to that officer, and then come to  
11 an agreement as to why that officer should come to that  
12 unit, what would happen to them when they came to give the  
13 officer predictability and give the unit a known quantity in  
14 terms of talent.

15           [The prepared statement of General Seamands follows:]

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1 Senator Tillis: Very good. Thank you.

2 Admiral Burke?

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1           STATEMENT OF VICE ADMIRAL ROBERT P. BURKE, USN, DEPUTY  
2 CHIEF OF NAVAL OPERATIONS, N-1

3           Admiral Burke: Chairman Tillis, Ranking Member  
4 Gillibrand, distinguished members of the subcommittee, thank  
5 you for the opportunity to appear before you to discuss the  
6 challenges we face and tools we need for effective officer  
7 personnel management.

8           The trends are clear. We are in a war for talent. The  
9 propensity to serve is declining amidst an improving  
10 economy, and it is adversely impacting both recruiting and  
11 retention. Sailors leaving the Navy continue to express  
12 frustration with our industrial age personnel systems and  
13 inflexible and complex personnel processes.

14           Through our Sailor 2025 program, the Navy has begun  
15 modernizing personnel management programs and training  
16 systems. In conjunction with that effort, we have  
17 undertaken transformation of internal business processes to  
18 improve service to sailors, increase our agility, improve  
19 our responsiveness, and reduce cost. And we have gotten a  
20 good start within existing authorities, but to achieve the  
21 point of service expected by our officers and the standard  
22 of agility and responsiveness needed by our fleet  
23 commanders, we need a more flexible set of officer  
24 management tools.

25           Three fundamental areas in which additional flexibility

1 is necessary would be first some options to supplement  
2 assessing officers only at the entry level; second, to  
3 provide some alternative career paths for officers beyond  
4 just the current "up or out" model; and third, the ability  
5 to reward talent and merit. We think these can be  
6 accomplished through relatively minor modifications to the  
7 current officer personnel management framework while  
8 maintaining the core DOPMA attributes which, again, we think  
9 have served us very well.

10 So in developing the future officer corps, we envision  
11 a combination of the current "up and out" model, which still  
12 would very much be the main path for the bulk of our core  
13 warfighting officers, but we would suggest that it be  
14 complemented by an "up and stay" and "up and bring back"  
15 construct, as well as the addition for an entry path for  
16 directly hiring experts.

17 The majority of Navy unrestricted line officers would  
18 remain under the "up and out" model until they separate from  
19 the service or retire or transition to an alternative path.  
20 Again, we think we would need a lateral appointment  
21 authority to hire experts into high-tech officer specialties  
22 like we have been talking about earlier today, the cyber  
23 fields, information technology, artificial intelligence,  
24 robotics, even some special fields of acquisition.

25 Adding an "up and stay" option would allow limited

1 numbers of officers with specialized skills to remain longer  
2 in a specific technical or non-command career track.

3 And then finally adding an "up and bring back"  
4 construct would provide for rapid return of qualified and  
5 experienced officers to the active duty component.

6 Additionally, we have ideas on a number of adjustments  
7 designed to reward performance, something that DOPMA lacks  
8 today, as well as some ideas to remove disincentives for  
9 serving line officers to specialize and/or pursue alternate  
10 career paths, education, or even life/work balance. And  
11 again, recognizing that one size does not fit all and some  
12 of these needs may even be temporal in nature, these  
13 authorities would need to be tailored for discretionary use  
14 to meet each of the services' needs.

15 Sir, we appreciate your continuing recognition of the  
16 need for change to ensure we have the necessary tools for  
17 officer force management in what is now clearly an  
18 increasingly dynamic and challenging global security  
19 environment. And I look forward to your questions.

20 [The prepared statement of Admiral Burke follows:]

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1 Senator Tillis: Thank you.

2 General Grosso?

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1           STATEMENT OF LIEUTENANT GENERAL GINA M. GROSSO, USAF,  
2 DEPUTY CHIEF OF STAFF FOR MANPOWER, PERSONNEL AND SERVICES

3           General Grosso: Chairman Tillis, Ranking Member  
4 Gillibrand, thank you for the opportunity to join the  
5 discussion today on DOPMA modernization. America's airmen  
6 remain always there providing global vigilance, reach, and  
7 power to defend our nation.

8           DOPMA has achieving its intended purpose and been  
9 essential to building today's Air Force. As we look to the  
10 future, infusing flexibility into the law will not only  
11 assist our efforts in retaining talented officers currently  
12 serving today but will also ensure the Air Force is an  
13 employer of choice in our ongoing nationwide war for talent.

14          Your Air Force is eager to modernize promotion  
15 processes and systems. In 2015, we transformed our enlisted  
16 evaluation and promotion process with much success.  
17 Building on this success, we are now turning our focus to  
18 officer evaluation and promotion processes. DOPMA  
19 flexibility, such as affording officers the option to opt  
20 out of promotion, increased authority regarding constructive  
21 credit, and improving permeability between the active and  
22 reserve components will greatly assist our efforts.

23          We are excited to partner with you and we greatly  
24 appreciate the committee's continuing support of the Air  
25 Force and the interest in discussing DOPMA modernization.

1 We look forward to collaborating with the Department of  
2 Defense, our sister services, and Congress to provide  
3 flexibilities within DOPMA to keep it relevant in the 21st  
4 century.

5 I look forward to your questions.

6 And if I could just quickly share with you how we hire  
7 commanders, our Chief of Staff, General Goldfein, as soon as  
8 he became the Chief, changed the way we hire commanders.  
9 Commanders hire commanders. So we have a board process that  
10 calls the list and basically creates a list of people to  
11 choose for command. That goes out to every hiring  
12 authority. That hiring authority can look at everybody on  
13 that list and pick who they want. That information goes to  
14 the personnel center. And what you will find is that then  
15 there are some conflicts. So all the personnel center does  
16 is say, hey, commander A, you want this person. Commander  
17 B, you want this person. You talk about it. And they have  
18 to resolve it. If they cannot resolve it at their level, it  
19 goes to the next level, which is usually a two- or three-  
20 star commander, and we have found that the commanders have  
21 worked out all of the deconflictions. So in the United  
22 States Air Force, commanders hire commanders.

23 [The prepared statement of General Grosso follows:]

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1 Senator Tillis: Thank you.

2 General Rocco?

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1           STATEMENT OF LIEUTENANT GENERAL MICHAEL A. ROCCO,  
2 USMC, DEPUTY COMMANDANT FOR MANPOWER AND RESERVE AFFAIRS

3           General Rocco: Chairman Tillis and distinguished  
4 members of the subcommittee, thank you for the opportunity  
5 to appear before you today to discuss officer personnel  
6 management and DOPMA.

7           Your marines are the foundation of the Marine Corps.  
8 They are the Corps' most critical resource and always will  
9 be. Your marines are recruited, trained, and retained and  
10 educated to win the nation's battles. Everything we do in  
11 the Marine Corps must contribute to their readiness and  
12 lethality in combat.

13           Overall, recruiting and retention remain strong. We  
14 are bringing in and keeping you men and women whose past  
15 service and future potential makes the Corps stronger. Your  
16 marines are supported by a professional civilian workforce  
17 across the service, and they remain committed to the Marine  
18 Corps mission.

19           We appreciate the support of Congress, especially this  
20 subcommittee, the increase in strengths and flexibilities  
21 that allow us to effectively manage our force. With the  
22 additional funding, this end strength increase will allow us  
23 to expand our capabilities to include cyber to meet the  
24 warfighting requirements.

25           We are working with the Department of Defense and other

1 services on the DOPMA study outlined in the NDAA. We are  
2 open to new ideas and improved officer management and  
3 retention such as providing lineal list promotion  
4 flexibility. When we look at DOPMA reform, lineal list  
5 promotion flexibility is the Marine Corps' number one  
6 priority. Lateral entry and ability to opt out are other  
7 authorities that can prove beneficial. We must remain  
8 adaptable and consider new ways to recruit and retain the  
9 high-tech force that we need for the future.

10 Chairman Tillis, I look forward to answering your  
11 questions.

12 And if I just may add for the Marine Corps on the  
13 command board, I would pick commanders. We have separate  
14 command boards much like our promotion boards. We take a  
15 group of former commanders, sequester them much like a  
16 promotion board, and then they review the records, and then  
17 they provide recommendations to the Commandant.

18 [The prepared statement of General Rocco follows:]

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1           Senator Tillis: Admiral Burke, do you want to weigh in  
2 on that one? I was going to get you on the tail end.

3           Admiral Burke: Yes, sir. Sorry I did not answer up  
4 front.

5           It is not a trust issue for not allowing the commanders  
6 to pick their crews, but it is more of a time issue,  
7 minimizing their distractions. But we do recognize the need  
8 to allow them to pick their talent in an effort to also make  
9 sure there is an adequate talent distribution across the  
10 fleet, that you do not have too much of a concentration in  
11 one area and a lack of talent on another ship or another  
12 squadron.

13           But we have piloted an effort under our Sailor 2025  
14 efforts that we call detailing marketplace, which is very  
15 much a version of Linked In for the Navy. Sailors get to  
16 put an enhancement to their service record that puts  
17 additional information why they think they are the prime  
18 pick for that job and communicate directly with the  
19 commands. So it is information in addition to their  
20 educational and job and experience records and then  
21 communicate directly with the commands to sort of negotiate  
22 and sell themselves and increase the transparency in the  
23 process for the sailors which gives them a lot more  
24 confidence. It also allows a little bit of horse trading in  
25 terms of preferences and allows the commanders to be much

1 more involved in seeing the entire field instead of having  
2 an external agency do invisible talent matching for them  
3 without them being able to see the whole thing.

4 So we are on our sixth pilot for that right now. We  
5 have done a mix of officer and enlisted community pilots,  
6 and we will be fielding it when our new information  
7 technology rolls out here this summer. We are going to be  
8 doing it on sort of handheld-based devices in about the  
9 August time frame.

10 Senator Tillis: Admiral Burke, I also wanted to thank  
11 you for the time you spent with me in the office. You  
12 talked about the "up or out."

13 [Audio disruption.]

14 Admiral Burke: Yes, sir. In the cyber world, again,  
15 the Navy experience, which I would say is not unlike the  
16 other services -- we have established a curriculum at the  
17 Naval Academy established in 2013. It was accredited just  
18 last year, and the first graduates graduated in 2016. In  
19 the class of 2019, we will have about 30 cyber warfare  
20 qualified graduates directly commissioned into that  
21 community. But for the most part, it is our cryptologic  
22 warfare folks from that community who also cover down on the  
23 cyber warfare mission, the offensive part of it. Our  
24 information professional community handles the defensive  
25 part. And then our technical subject-matter experts are a

1 new LDO, limited duty officer, community that we created,  
2 and we are tapping senior enlisted cryptologist talent to  
3 fulfill those roles. And we are kind of broadening that  
4 talent pool as well.

5       The one area that was a new mission area for us that we  
6 are having particular challenges with is in the cryptologic  
7 warfare -- or rather, the cyber warfare engineer realm.  
8 These are the folks that write the software, do the coding  
9 for the offensive operations, very much in high demand  
10 within other government organizations, as well as in the  
11 civilian community. And right now, we are directly  
12 commissioning those folks and growing them in a relatively  
13 limited officer community pool. Right now, it is an 01 to  
14 03 type of community. We have got about 40 officers in the  
15 program. And you gave us some relaxed authority to do a  
16 direct commission option with the ability to give 3 years  
17 constructive credit, but that is kind of 01 to 02 pay, which  
18 still leaves you in the mid \$40,000 initial salary hiring  
19 range, give or take. And what we are finding is those folks  
20 are in high demand elsewhere, and they are being hired in  
21 the hundreds of thousands of dollars a year salary range.

22       Senator Tillis: I was about to say \$40,000 could be  
23 the signing bonus.

24       Admiral Burke: Right.

25       Senator Tillis: And similar experiences in the other

1 service lines?

2 General Seamands: Yes, sir. We are running the pilot  
3 and we appreciate the authority to bring in people with up  
4 to 3 years. We would like to see that expanded just like  
5 with an AMED to bring in more senior people. And related to  
6 that may be a relaxation of the requirement to have 20 years  
7 active commissioned service by the age of 62 because we  
8 think there may be some people in industry or academia who  
9 would come in if they came in as a major or lieutenant  
10 colonel and they may be a little bit older and be able to  
11 bring that experience and education to us. But I would echo  
12 the Admiral's comments.

13 Senator Tillis: General Grosso?

14 General Grosso: Chairman, I would just echo that. The  
15 cyber career field for the Air Force is an example, which  
16 Dr. Chu described as a cylinder. And so that is where that  
17 constructive credit really helps because you could bring a  
18 talented person in at that field grade level rather than  
19 take 10 years to grow them. And so I would just echo  
20 constructive credit would be tremendously helpful for us.

21 General Rocco: And in the Marine Corps, we are still  
22 developing it. We have marines right now, both enlisted and  
23 officers, doing cyber missions both on the offense and  
24 defense. And we have, granted, a tyranny of small numbers,  
25 but we are bringing marines from other fields, be it the

1 intel field, the information operations field,  
2 cryptologists. We are bringing in marines who have a  
3 propensity for that skill, bringing them in directly into  
4 Mafer cyber, sending them off, getting their qualifications,  
5 and then putting them to work in the cyber field.

6 Senator Tillis: General Grosso, I wanted to ask you a  
7 question. I know it was a topic that was discussed before  
8 the full committee.

9 First, I know that you do have some widespread  
10 shortages among mid-grade officer ranks. And there was a  
11 decision to move forward with offering a 100 percent  
12 promotion opportunity. I believe at the time in the  
13 hearings, if my memory serves me correctly, that was not a  
14 permanent strategy but was in place to deal with some of the  
15 challenges that you have.

16 Over what period of time do you think you will continue  
17 to maintain that policy? If you moved beyond that, then how  
18 have you fixed the problem or was this just an episodic  
19 strategy?

20 General Grosso: Well, as we find we have got  
21 continuing growing end strength, we have shortages in the  
22 field grade, every non-rated field grade skill set. So that  
23 is why we went to a fully qualified promotion. That board  
24 is complete, but it is making its way through the process  
25 and the Secretary has not seen it yet. So once the

1 Secretary approves that, we will definitely come over and  
2 share the results with you. And so I think it is too early  
3 to give you a good answer on what the future is because I  
4 think we are going to see how did that board do, was the  
5 Secretary comfortable with the results. That decision was  
6 made just as she was coming on.

7 But I do think that constructive credit helps because  
8 our shortages are at that field grade level. So how we get  
9 talented field grade level in, we are leveraging the reserve  
10 component. It sort of gets to what Dr. Kane was talking.  
11 Can you keep the talent that you have if it is performing  
12 well? Can you bring talent in at that mid-level as it takes  
13 us time to grow the force? But it definitely would not be a  
14 long-term thing because eventually we are assessing enough  
15 to grow into that.

16 Senator Tillis: Thank you.

17 One of the things that I asked the prior panelists and  
18 a broader group that we met with last week was on the areas  
19 of how much of this could be fixed through more effective  
20 use of flexibilities you have today. So if we came back  
21 with a long list of tools that you already have in the  
22 toolbox that you are not using, are there any ones that you  
23 have looked at and think that they are not necessary? I  
24 mean, is there just this muscle memory and you have not gone  
25 back to really fully explore what authorities you already

1 have, or have there been thoughtful reasons why certain  
2 authorities you do not think are particularly helpful that  
3 others may think you should use?

4 We will just go down the line. We will start with  
5 General Rocco.

6 General Rocco: We currently feel we have flexibility  
7 within the current DOPMA system to do much of what we did.  
8 As I discussed in my opening comments, our number one  
9 priority is the merit-based lineal list adjustment. So we  
10 can reward those high performing officers, those men and  
11 women that perform well ahead of their peers. So we feel if  
12 we have that adjustment, that will go a long way in solving  
13 some of the other issues we have.

14 And again, when we talk about DOPMA and we talk about  
15 not having enough or having too many at certain levels, at  
16 least in the Marine Corps, we are not at our DOPMA ceilings  
17 for the numbers of officers. And we promote based on  
18 requirements, not just based on somebody who wants to hang  
19 around. And I think our promotion rates kind of support  
20 that where we retain, for the most part, the best and the  
21 brightest with an 85 percent promotion rate to captain, 70  
22 percent to major, and so on and so forth. And if you do  
23 make lieutenant colonel, which is about a 60 percent  
24 promotion rate, you can stay to 28 years.

25 And one of the things I noted from the previous panel

1 that I wrote down that we are going to pursue is the  
2 retire/retain. And I fully agree with some of the members  
3 of the last panel. At 30 years, the requirement is colonels  
4 need to retire. We do have a retire/retain, but we need to  
5 pursue that I think a little bit further.

6 General Grosso: Mr. Chairman, I think as we embark on  
7 this full-scale review of our promotions and evaluations,  
8 you will see us taking advantage of all of the  
9 flexibilities. I think you will see increased competitive  
10 categories. You will see some technical tracks as we do  
11 some modeling on that. So I think those flexibilities are  
12 very much appreciated, and I think we just culturally were  
13 not at a point where we were comfortable using them. But I  
14 think you will definitely see that in the next couple years.

15 Senator Tillis: Thank you.

16 Admiral Burke?

17 Admiral Burke: We are confident that the things that  
18 we are asking for -- we have exhausted the full range of the  
19 authorities that we have. We have done a lot of things  
20 under Sailor 2025, and we have multiple year groups in a  
21 single promotion board. We have blinded our promotion  
22 boards to zones. We have had boards at the 06/05 level  
23 where we have picked up to the maximum allowable numbers of  
24 below zone folks because we have blinded the boards to the  
25 zone of those folks. So they are picking purely on talent.

1           We stood up an office of talent optimization. We have  
2 relaxed our officer program age restrictions to the maximum  
3 extent possible unless there are physiological limitations.

4           You helped us remove the last remaining restrictions on  
5 the career intermission pilot program, and we are probably  
6 the biggest user among the services. And we have had  
7 tremendous success with aviation department heads who are  
8 now females that had children, and those women are now  
9 squadron commanders of aviation squadrons.

10           The fleet scholar education program that we put in  
11 place tours with industry. We are experiencing with  
12 targeted reentry for reserve component folks to bring them  
13 in in an expedited manner, but we are still limited by the  
14 scrolling process, which is one of the things that we hope  
15 to speed up as part of our active to reserve component  
16 permeability, the idea being, as Lieutenant General Grosso  
17 mentioned, the ability to move back and forth quickly.

18           And then all these concepts of a merit-based component  
19 to the pays that are just completely lacking. The current  
20 statutes allow for, if you interpret them liberally which we  
21 would do to the maximum extent possible, as we have been  
22 encouraged to do -- you could put a merit-based component to  
23 some of the retention and enlistment bonus authorities, but  
24 not solely a merit-based pay. So that is the thing that we  
25 think we are lacking.

1           But we have had tremendous support within OSD and the  
2 Secretary of the Navy to use that full latitude in the  
3 things that we are asking for to build that sort of new  
4 pyramid and put incentives based on good performance and  
5 examine some of the ways to remove some of the  
6 disincentives. I think we are at the point where we need to  
7 change some statute.

8           Thank you.

9           Senator Tillis: Thank you.

10          General Seamands?

11          General Seamands: Mr. Chairman, we are starting our  
12 review to find out what authorities we need. Every time I  
13 come over and get a chance to the PSMs, they enlighten me a  
14 little bit about existing authorities and help me get to  
15 where I need to be.

16          The Secretary of the Army, who you recently confirmed,  
17 has been very clear that he is all about talent management,  
18 and so as we start peeling back all the challenges and  
19 issues we face, I suspect we will explore and discover some  
20 cases where we have existing authorities we did not realize  
21 we had. But I think for the most part we understand what  
22 they are and employ them already.

23          Senator Tillis: Well, thank you all. I just wanted to  
24 say I think the discussion that we had around the work and  
25 sharing information that goes beyond the personnel file was

1 interesting, either the Linked In for the Navy. Did you  
2 refer to that as the IAM program?

3 General Seamands: Yes, sir, IAM 2, and eventually that  
4 will be incorporated into our IPPS, or integrated pay and  
5 personnel system.

6 Senator Tillis: I do think going forward it would be  
7 interesting to see -- I can see where that provides I think  
8 better visibility into the resources available from the  
9 perspective of optimizing who ultimately gets the assignment  
10 and having the command involved in that.

11 I would like to go back and talk about the other piece,  
12 which is really understanding the person. So you have got  
13 their skills and their past experience, and then the person,  
14 back to some of the testimony that Mr. Kane raised  
15 particularly around folks that we may be able to find are  
16 moving through the system where their next superior should  
17 be aware of certain behaviors they should look out for,  
18 particularly around sexual assault. So I will be interested  
19 to have that discussion subsequent to the committee.

20 Ranking Member Gillibrand?

21 Senator Gillibrand: Thank you, Mr. Chairman.

22 I want to follow up on the sexual assault issue.  
23 Lieutenant General Grosso, prior to your current assignment,  
24 you served as the Director of Air Force Sexual Assault  
25 Prevention Response in the Office of Vice Chief of Staff.

1 In this discussion on officer personnel reforms, I think it  
2 is important that we note the recent changes in career  
3 specialization for military lawyers. Specifically, in the  
4 last two NDAA's, the committee has included language creating  
5 a pilot program to evaluate and improve specialization in  
6 criminal litigation, as well as to offer career progression  
7 in that field and improve specialization in criminal  
8 litigation, as well as to offer career progression in that  
9 field that is equivalent to other military lawyers. We did  
10 this because we recognized the benefit to services in having  
11 trained, experienced litigators dealing with the most  
12 serious criminal cases, including sexual assault.

13 I know that the Navy has already developed a complex  
14 litigation track. Can the other services please talk a  
15 little about how they have approached this pilot program?  
16 You can go first, if you want.

17 General Grosso: Senator Gillibrand, ma'am, we have  
18 implemented a litigation track. We bring in about 120 new  
19 JAGs a year, and all of them start with getting prosecution  
20 training. They pick the best of those, and they give them  
21 additional training. So they will increasingly specialize  
22 and stay on that litigation track. Now, obviously we are  
23 just starting this, and we are learning from the Navy. And  
24 so we will watch along the way how it goes. We would like  
25 to come back to you in a couple years.

1           One of the things that our TJAG is cognizant of is that  
2 this litigation is very taxing emotionally and mentally. So  
3 how do we think about taking care of them? And one of the  
4 ideas that has come up is a career intermission program. So  
5 we are committed to creating a litigation track and helping  
6 these litigators be successful throughout their career. We  
7 will watch the promotions as well. That is one of the  
8 things, should we make them their own competitive category?  
9 I think it is too soon to tell, but we will definitely be  
10 watching that and then watching their wellbeing and see do  
11 we need to think about something like an intermission  
12 program if they need some time away from the litigation and  
13 the stress of the litigation.

14           General Rocco: Ranking Member Gillibrand, from the  
15 Marine Corps at the bases and stations, we have litigators  
16 or we have SJAs that do nothing but sexual assault cases.  
17 So we have set those folks apart. We have also hired  
18 subject-matter experts to provide counsel for those lawyers  
19 that are dealing in nothing but sexual assault cases.

20           As far as SJAs, we only have one special selection  
21 category in the Marine Corps. You are either restricted or  
22 a comptroller. And we are looking at expanding that to SJAs  
23 and some other MOSs.

24           Thank you.

25           General Seamands: Senator Gillibrand, thanks for the

1 question.

2           Within the Army, we have started a pilot that creates a  
3 separate litigation track to hone those skills over time to  
4 allow the prosecutors to continue to have repetitive  
5 assignments in that area. We have also identified a skill  
6 identification or additional skill identifier for those  
7 prosecutors that would track them, not only that they occupy  
8 the position but also their experience in terms of the  
9 number of cases they have tried and that kind of thing so we  
10 can track the experience over time. We are also watching  
11 the promotion boards to make sure that those officers  
12 identified are promoted at or above the average for  
13 everybody else. Additionally, we have increased the  
14 training for those people along that career track to make  
15 sure they understand and can hone their skills to better  
16 support the victims.

17           Senator Gillibrand: Do you want to say anything, Vice  
18 Admiral?

19           Admiral Burke: I think you are familiar with our  
20 career track, ma'am. Again, we are specializing at the 04,  
21 05, and 06 level. It is about 10 percent of our judge  
22 advocate general corps. So right now it is right around 90  
23 judge advocate generals. And then they get in that career  
24 track and they stay on the prosecution path. We are going  
25 to be expanding it slightly over the course of the next year

1 to about another 10 specializing in that area. But they do  
2 occasionally alternate out into judge roles as well, as well  
3 as victim legal counsel to provide the respite from the  
4 fatigue that General Grosso mentioned, but they are still  
5 very close to the courtroom environment continuously.

6 In terms of the promotion protection, we do provide  
7 language in the convening order for the boards that directs  
8 the boards of the special and critical role that the  
9 military justice litigation career track plays for good  
10 order and discipline and accountability, which is very  
11 important for the Navy. And it directs the board to  
12 favorably consider the valuable contributions of superior  
13 performance in that career track. And as a result of that  
14 language in the convening order, we monitor and ensure that  
15 they have a higher than average for the judge advocate  
16 general corps promotion rate, which they have enjoyed.

17 Senator Gillibrand: So would you recommend this to the  
18 other services?

19 Admiral Burke: The convening order language is an  
20 effective tool for the way the Navy boards work. I do not  
21 know if it has the same dynamic in the other services, but  
22 it is effective for Navy board dynamics. Yes, ma'am.

23 Senator Gillibrand: And how, if at all, do you think  
24 these programs can serve as a model for other specialty and  
25 highly trained career fields?

1           General Grosso:  Senator Gillibrand, I would say that  
2   is what we are thinking about for the technical track.  What  
3   does that look like?  What is the path?  What is the  
4   compensation that was brought up by our distinguished panel  
5   members before?  So anybody that needs to specialize in  
6   something, to your point earlier, we grow breadth but not  
7   depth, and that is something that we are looking at as we  
8   relook our performance management system.  I think you have  
9   given us a lot of tools, and that is where we will come back  
10  to you if we think we do not have enough.

11           General Rocco:  Ranking Member Gillibrand, from the  
12  Marine Corps, we are certainly open to taking a look at all  
13  of that.  One thing we have found that even with pilots in  
14  aviation that we have looked at in detail, we have come to  
15  find out that marines like being marines first.  And even  
16  myself, on a personal note, having spent 7 years in my first  
17  squadron, I was ready to leave the squadron and do something  
18  other marine things.  And we found that throughout the  
19  fields, whether it is lawyers, whether it is pilots or  
20  comptrollers for that matter.  So we are looking at that.  
21  We are open to that.

22           We realize the technical field, cyber in particular, is  
23  something that we need to take a hard look at because the  
24  moment you leave that field, I think the spill-up time if  
25  you come back to the expert that you were is probably a

1 little bit longer than some others. So we are sensitive to  
2 that fact. So we are looking at cyber in particular as a  
3 separate career track.

4 Senator Gillibrand: May I ask one more question on  
5 this line?

6 What other reforms are necessary to ensure we have  
7 trained, experienced military lawyers in the courtroom and  
8 that their career progression will not be harmed by their  
9 choice to specialize in this important field?

10 General Rocco: Ranking Member Gillibrand, we are  
11 looking at SJAs as a separate competitive category so we  
12 ensure that we have the right people in the right places at  
13 the right promotion rate and then promoted, if not at fleet  
14 average, but higher than the fleet average.

15 General Grosso: Senator Gillibrand, we already have a  
16 separate competitive category just for lawyers. So I think  
17 as we embark on our litigation track, we just need to watch  
18 that yearly. I took a note to -- I think the MOI -- get the  
19 language right in the MOI and then see how we are doing.  
20 Are we accomplishing what we want? Are they competing; are  
21 they not competing? And then what are we going to do to fix  
22 it.

23 Admiral Burke: Yes, ma'am. We are using the separate  
24 competitive category already, and it has panned out well.  
25 And the protective language for this particular career track

1 has been successful. To your earlier question, I think this  
2 type of career track model is exactly to our vision of the  
3 "up and stay" kind of model. So I think it has a lot of  
4 applicability for other technical career fields in  
5 specialization, exactly what we are thinking.

6 Senator Gillibrand: Great.

7 General Seamands: Senator Gillibrand, within the Army,  
8 we compete our JAGs within a separate category, and we do  
9 have the MOI, as the other branches talked about, where we  
10 focus and highlight things for the board to do. With the  
11 skill identifier, we also have the ability to have a  
12 requirement that so many people in that specialty are  
13 picked. So we continue to monitor that.

14 As the Admiral did, going back to the previous  
15 question, we have set up a separate category called  
16 information dominance for our cyber technical officers. And  
17 what we found is in the last 2 years, we have had two  
18 majors, two lieutenant colonels, and two colonels boards,  
19 and each time the cyber officers have competed at or above  
20 the same level in terms of the results of the other  
21 categories. So they are performing. I think we are picking  
22 the right officers. And we have kind of designed the  
23 information dominance to be a Petri dish, if you will, to  
24 test things and make sure that we get it right, things that  
25 we could possibly apply across the entire force.

1 Senator Gillibrand: Great.

2 Thank you, Mr. Chairman.

3 Senator Tillis: Thank you, Senator Gillibrand, and  
4 thank all of you. We feel like that there is a lot that  
5 works in DOPMA and that we do not want to break something  
6 that is not broken.

7 I also think that your active engagement, as we go  
8 through the process -- we think that there are areas that we  
9 can improve that we are going to work on language, and we  
10 want your active participation in that.

11 One thing that maybe you should consider -- we will  
12 keep the record open for a week, and for any of the  
13 panelists, the prior panel or this panel, I would like your  
14 feedback either through the formal channel or the committee  
15 or through communication with my staff and the committee  
16 staff of some of the things that -- a kind of a start/stop  
17 continued assessment of current practices that you would  
18 like to make sure for considering changes that we are  
19 vetting them with you and make sure that it is helpful.

20 You do a great job. It is an honor to have a panel  
21 like this before us. We want your continued collaboration  
22 in the process, and we appreciate you being here today and  
23 your service to our great nation.

24 We will be, again, keeping the record open for a week,  
25 and thank you.

1 This meeting is adjourned.

2 [Whereupon, at 4:32 p.m., the hearing was adjourned.]

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