

**HEARING TO CONSIDER THE NOMINATIONS
OF: RAYMOND E. MABUS, JR., TO BE SEC-
RETARY OF THE NAVY; ROBERT O. WORK
TO BE UNDER SECRETARY OF THE NAVY;
ELIZABETH L. KING TO BE ASSISTANT SEC-
RETARY OF DEFENSE FOR LEGISLATIVE AF-
FAIRS; AND DONALD M. REMY TO BE GEN-
ERAL COUNSEL OF THE DEPARTMENT OF
THE ARMY; MICHAEL NACHT TO BE ASSIST-
ANT SECRETARY OF DEFENSE FOR GLOBAL
STRATEGIC AFFAIRS; WALLACE C.
GREGSON TO BE ASSISTANT SECRETARY OF
DEFENSE FOR ASIAN AND PACIFIC SECU-
RITY AFFAIRS; JO-ELLEN DARCY TO BE AS-
SISTANT SECRETARY OF THE ARMY FOR
CIVIL WORKS; AND INES R. TRIAY TO BE
ASSISTANT SECRETARY OF ENERGY FOR
ENVIRONMENTAL MANAGEMENT**

TUESDAY, APRIL 28, 2009

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

The committee met, pursuant to notice, at 9:04 a.m. in room SD-106, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Reed, Akaka, Bill Nelson, Ben Nelson, Webb, McCaskill, Udall, Hagan, Begich, Burris, McCain, Inhofe, Martinez, Wicker, and Collins.

Also present: Senators Baucus, Cochran, and Landrieu.

Committee staff members present: Richard D. DeBobes, staff director; Leah C. Brewer, nominations and hearings clerk; and Paul J. Hubbard, receptionist.

Majority staff members present: Madelyn R. Creedon, counsel; Richard W. Fieldhouse, professional staff member; Creighton Greene, professional staff member; Michael J. Kuiken, professional staff member; Gerald J. Leeling, counsel; Peter K. Levine, general

counsel; William G.P. Monahan, counsel; Russell L. Shaffer, counsel; and William K. Sutey, professional staff member.

Minority staff members present: Joseph W. Bowab, Republican staff director; Pablo E. Carrillo, minority investigative counsel; Daniel A. Lerner, professional staff member; David M. Morriss, minority counsel; Lucien L. Niemeyer, professional staff member; Christopher J. Paul, professional staff member; and Richard F. Walsh, minority counsel.

Staff assistants present: Kevin A. Cronin and Christine G. Lang.

Committee members' assistants present: Christopher Griffin, assistant to Senator Lieberman; Ann Premer, assistant to Senator Ben Nelson; Jon Davey and Patrick Hayes, assistants to Senator Bayh; Gordon I. Peterson, assistant to Senator Webb; Jennifer Barrett, assistant to Senator Udall; Brady King, assistant to Senator Burris; Anthony J. Lazarski, assistant to Senator Inhofe; Jason Van Beek, assistant to Senator Thune; Brian W. Walsh, assistant to Senator Martinez; Erskine W. Wells III, assistant to Senator Wicker; Rob Epplin and Chip Kenneth, assistants to Senator Collins.

Committee members' fellows present: Edward J. Mason, fellow to Senator Reed; Lamont Atkins, fellow to Senator Akaka; Barbara Rubio, fellow to Senator Udall; James A. DeLapp, fellow to Senator Begich; Bruce Barry, fellow to Senator Burris; and Scott McGinnis, fellow to Senator Martinez.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Well, good morning, everybody. This is a very, very exciting morning for many of us, for families and friends. We have a huge agenda ahead of us. So we are going to have to push on.

Instead of the nominees sitting at that table, I would suggest if you can find room on the side, you do that and let our introducers all sit at that table because we are going to start off with them as soon as I make a brief opening statement.

I wonder if the Senators who are going to be making introductions, you can just sit right at the green table there right now, and then we will call on you in order. We are going to change things around a little bit here, save some time.

Senator Baucus, you can just sit anywhere there, too.

Today, the committee considers a number of nominations for the Department of Defense. In the first panel, we are going to hear from the following nominees: the Honorable Raymond Mabus to be Secretary of the Navy, Robert Work to be Under Secretary of the Navy, Elizabeth King to be Assistant Secretary of Defense for Legislative Affairs, Donald Remy to be general counsel for the Department of the Army.

In the second panel, we are going to hear from the following nominees: Michael Nacht to be Assistant Secretary of Defense for Global Strategic Affairs, Wallace Gregson to be Assistant Secretary of Defense for Asian and Pacific Security Affairs, Jo-Ellen Darcy to be Assistant Secretary of the Army for Civil Works, and Dr. Ines Triay—I hope I am pronouncing that name correctly—to be Assistant Secretary of Energy for Environmental Management.

Now I am going to cut short my comments about each of the nominees until we come to their panel because we want to give the Senators who are with us to make introductions an opportunity to proceed because of the schedules that they have, and then I will also avoid repeating a lot of what we expect they will be saying.

Let me call on Senator McCain for his opening comment.

Senator MCCAIN. As I always follow your lead, Mr. Chairman, I will do the same.

Thank you.

Chairman LEVIN. Thank you very much, Senator McCain, as always—

Senator MCCAIN. And I welcome the nominees.

Chairman LEVIN. —for your great cooperation.

Senator MCCAIN. And I know our colleagues will make their remarks very brief also.

[Laughter.]

Chairman LEVIN. Well, I think we may leave each other at that point. I am not sure.

Okay. Now we are going to call on our introducers, our colleagues who are going to be making the introductions first. And we are going to call first on Senator Baucus.

**STATEMENT OF HON. MAX BAUCUS, A U.S. SENATOR FROM
THE STATE OF MONTANA**

Senator BAUCUS. Thank you, Mr. Chairman.

Abraham Lincoln once said, “Character is like a tree and reputation like its shadow. The shadow is what we think of it. The tree is the real thing.”

Chairman Levin, Ranking Member McCain, fellow Senators, as you prepared for this hearing, you likely learned about the fine reputation of Jo-Ellen Darcy. Having known and worked with Jo-Ellen for the last 16 years, I can assure you that Jo-Ellen has an unprecedented knowledge of the Army Corps of Engineers and has the highest character. She has earned her reputation. Jo-Ellen is the real thing.

She joined the staff of the Environment and Public Works Committee in 1993 when I became chairman. She worked on the committee for more than a decade, responsible for, among other things, legislation relating to the Clean Water Act, Safe Drinking Water Act, Endangered Species Act.

Perhaps her most important contribution in this area was her work on the Safe Drinking Water Act of 1996, which is, to my mind, a model environmental law because it makes the law work more efficiently for cities and towns, and at the same time, it improves the protection of public health.

Most relevant to the position to which she has been nominated, Jo-Ellen was also the principal staffer responsible for legislation leading to the Water Resources Development Act, otherwise known as WRDA. And she became one of the Nation’s foremost authorities on that law.

During her tenure, she helped pass some of the Corps’ most sweeping initiatives, from restoring the Everglades to better protecting New Orleans in the wake of Hurricanes Rita and Katrina and requiring independent peer review of Corps projects.

Jo-Ellen's work has restored ecosystems, improved public safety, repaired our water infrastructure, and made the Corps more transparent and more accountable. And if confirmed, I am sure she will continue to improve the work of the Army Corps of Engineers.

In 2006, I was able to persuade Jo-Ellen to join the staff of the Senate Finance Committee, where she was instrumental in developing a series of tax initiatives for environmental protection, including those that were enacted as part of the farm bill. She has a record of great accomplishment, which is reflected in important environmental laws and environmental restoration projects all across the country.

She knows the Civil Works Programs of the Army Corps as well as anyone. She knows the law. She knows the Congress and, in particular, the Senate and its committees, and she is uniformly respected for an effective, pragmatic, and bipartisan approach to her work.

On a personal note, I would like to add that Jo-Ellen has achieved all of these accomplishments not only because of brains and hard work, but also because of her values. Her father, Dick Darcy, was a detective on the Fitchburg, Massachusetts, police force. He and his wife, Jean, raised Jo-Ellen to have strong values, especially fairness and open-mindedness, qualities that will serve her well.

I am sure that although he has passed away, Dick Darcy would be proud of his daughter today. And I know that Jo-Ellen's mom, who is not able to travel here today, and her sisters, brothers, cousins, nieces, and nephews, many of whom I have met, could not be more pleased and proud about this nomination.

So, Mr. Chairman, like you, I believe that there are few higher callings than public service. Jo-Ellen Darcy is the epitome of someone who has devoted her professional career to service, and I could not be more proud that the President has nominated her to serve as Assistant Secretary of the Army for Civil Works. Jo-Ellen is the real thing.

Thank you.

[The prepared statement of Senator Baucus follows:]

[COMMITTEE INSERT]

Chairman LEVIN. Thank you so much, Senator Baucus. We appreciate you and all of our colleagues coming here today for these very special moments in introduction.

Senator Cochran.

**STATEMENT OF HON. THAD COCHRAN, A U.S. SENATOR FROM
THE STATE OF MISSISSIPPI**

Senator COCHRAN. Mr. Chairman, thank you very much for the opportunity to be here before the committee.

I am here to introduce to the committee the Honorable Ray Mabus, who has been nominated by the President to serve as Secretary of the Navy.

This distinguished nominee has had a career of public service in our State that is quite impressive. After graduating summa cum laude from Old Miss in 1969 and completing a Woodrow Wilson fellowship at Johns Hopkins University in 1970, he served 2 years as a naval surface warfare officer onboard the USS Little Rock.

After completing his active duty in naval service, he attended Harvard Law School and graduated magna cum laude in 1976. He served as a law clerk to Judge J.P. Coleman on the 5th Circuit Court of Appeals, and he also worked as legal counsel to the U.S. House of Representatives Agriculture Committee here in Washington.

He returned to Mississippi to work in Governor William Winter's office and was elected Mississippi State auditor in 1983, where he served with distinction. Four years later, he was elected Governor of our State, and he led a period of record economic development, streamlined State government, improved Mississippi's public schools.

Ambassador Mabus was appointed by President Clinton to be United States Ambassador to Saudi Arabia in 1994. He served there for 2 years before returning to the private sector. He served on several corporate boards of international businesses. He is a member of the RAND Center for Middle East Public Policy and the Council on Foreign Relations.

I know that Ambassador Mabus will bring to this job the same high level of energy and skill that has been the hallmark of his career throughout the many responsibilities of public service that he has held. His academic credentials, his record of distinguished service to the State of Mississippi and to our country has been exemplary.

His integrity and judgment will also serve him well, and he will certainly prove to be, in my opinion, an excellent choice to be Secretary of the United States Navy. I commend President Obama for nominating him, and I look forward to working with him in this new capacity.

Thank you.

[The prepared statement of Senator Cochran follows:]

[COMMITTEE INSERT]

Chairman LEVIN. Thank you, Senator Cochran.

I think we will complete the introductions for Governor Mabus and call on Senator Wicker now.

**STATEMENT OF HON. ROGER F. WICKER, A U.S. SENATOR
FROM THE STATE OF MISSISSIPPI**

Senator WICKER. Thank you very much, Mr. Chairman and my fellow colleagues on the committee.

It is an honor for me to be here today. Senator Cochran and I represent the Magnolia State of Mississippi. If you could sit a little closer to me, in honor of Governor Mabus, I am wearing my magnolia tie this morning.

And we are joined by two colleagues from the House of Representatives, Chairman Bennie Thompson of the 2nd District of Mississippi and Representative Travis Childers of the 1st District of Mississippi. So it is a proud moment for people in the Magnolia State—Republican, Democrat, and Independent. And as Senator Cochran's presence and introduction testifies that we are continuing today in a strong tradition of bipartisanship of this Congress when it comes to matters of national defense.

Let me simply reiterate that in nominating Governor Mabus and Ambassador Mabus, President Obama has chosen well. Senator

Cochran mentioned the stellar academic record of Governor Mabus as a top graduate from the University of Mississippi, a master's at Johns Hopkins, and a law degree from Harvard. Clearly, a great quantity of gray matter will be housed in the Navy department in the person of Ray Mabus.

His service as a naval surface warfare officer I think will serve him well in this capacity. As Thad mentioned, he has twice been elected to State-wide office as auditor of public accounts and as Governor of Mississippi.

When I had the opportunity to serve with Governor Mabus as a freshman Republican State senator from Lee County, I think it is fair to say that when Ray Mabus and Roger Wicker were sitting around the Governor's office, perhaps sharing differing views on various approaches to revenue challenges that we were having during that time, neither of us expected to be in this room at this particular moment in 2009 with this introduction.

Nevertheless, I am delighted to be here and to join Senator Cochran in this introduction. I think Governor Mabus' experience as Ambassador to Saudi Arabia will also stand him in good stead, as will his experience in the private sector as CEO of Foamex, a polyurethane company, where he helped to move the company out of Chapter 11 bankruptcy.

Governor Mabus is joined today by his lovely family, and I am sure, Mr. Chairman, you will want him to make that introduction. But, indeed, they are a credit to Governor Mabus, Ambassador Mabus.

I expect Ray to run a tight ship for the taxpayers, and I think the President has chosen well on behalf of national security and on behalf of the best interest of America's sailors and Marines.

And I thank you very much, and I am delighted to join my senior colleague in this introduction.

[The prepared statement of Senator Wicker follows:]

[COMMITTEE INSERT]

Chairman LEVIN. Well, thank you both for a wonderful introduction. And thanks to your colleagues from the House for joining us here today as well.

Senator Landrieu?

**STATEMENT OF HON. MARY L. LANDRIEU, A U.S. SENATOR
FROM THE STATE OF LOUISIANA**

Senator LANDRIEU. Thank you, Mr. Chairman.

And thank you, Senator McCain and fellow Senators, ladies and gentlemen.

I am here for two reasons this morning, and I will be brief. One is to reluctantly support my friend Ray Mabus for Secretary of the Navy, only under the condition that he be fair to the State of Louisiana in shipbuilding with our neighbor Mississippi. But I am convinced that he will, and I have observed him for many years and will be an outstanding leader.

Second, Mr. Chairman, to joyfully introduce to you Mr. Donald Michael Remy, who is being nominated for general counsel for the Department of the Army. Although Mr. Remy

was born close here to Washington, D.C., his roots go very deep in Louisiana. And he is here with his parents, who I would like the

committee to welcome—Master Sergeant Donald E. Remy and his wife, Mrs. Ann Remy, who come from Harvey, Louisiana.

His father dedicated many of his years to the Army, retiring finally from Fort Polk. Ann is the bedrock that has kept this family Army strong these many years and, I am confident, had a great influence in preparing her son for the position that he is being nominated by President Obama this morning.

Of course, Don's wife, Monitra, and his two sons, Alex and Jason. Would you welcome the family this morning?

Thank you.

As I said, he was born in Fort Lee, Virginia, but his roots run deep, graduating from Leesville High School, but cum laude graduate from Howard University Law School. He received his undergraduate from Louisiana State University.

Throughout his career, Mr. Remy has served in numerous capacities, both the Government and private sector. Early on as an Army officer assigned to the Pentagon, he advised senior Army officials on numerous legal and policy issues related to major weapon acquisition systems. He has also served in the Department of Justice as senior counsel for policy and as Deputy Assistant Attorney General for Torts in Federal program branches of the Civil Division.

Moving into the private sector, where he has extensive experience, he served as attorney for a major U.S. company. He currently is a partner in a major and very prestigious Washington, DC, law firm of Latham & Watkins.

Mr. Remy has demonstrated tremendous commitment to this field over many years. He is no stranger here on Capitol Hill, having published, lectured, and testified before Congress on numerous occasions.

I have appreciated the opportunity, Mr. Chairman, to work over the years with Don Remy. Our paths have crossed, particularly as he led efforts to help our continued efforts to rebuild the Gulf Coast after Hurricanes Katrina and Rita. Confirming him will bring credit to this committee as well as to the Department of Defense and our Nation. So I urge you to confirm him as expeditiously as possible for general counsel of the Department of the Army.

Thank you very much, and I appreciate the opportunity, Mr. Chairman.

[The prepared statement of Senator Landrieu follows:]

[COMMITTEE INSERT]

Chairman LEVIN. Thank you so much, Senator Landrieu.

And thank you all for coming—

Senator WICKER. Mr. Chairman?

Chairman LEVIN. Senator Wicker?

Senator WICKER. I have noticed that since the hearing began, we have been joined by a third colleague from the House, Chairman Gene Taylor of Mississippi, the chairman of the Seapower Subcommittee of our counterpart at the other end of the building. So we are delighted to have three members of the House here in support of Governor Mabus.

Senator LANDRIEU. Now I am really feeling nervous, Mr. Chairman. Thank you.

[Laughter.]

Chairman LEVIN. Another old friend. We welcome them all.

And now, Senator Reed has an introduction.

**STATEMENT OF HON. JACK REED, A U.S. SENATOR FROM THE
STATE OF RHODE ISLAND**

Senator REED. Thank you very much, Mr. Chairman.

I am privileged and extraordinarily proud to introduce Elizabeth L. King, the President's nominee to be Assistant Secretary of Defense for Legislative Affairs. Liz and I have been colleagues for 13 years, as she has been a colleague to this committee.

She has an extraordinary grasp of the legislative issues and the legislative process. But she is also outstanding in terms of her intelligence, her integrity, her judgment, and her commitment to the men and women who serve in the military forces.

And that commitment is not just rhetorical. I doubt there are very few civilian appointees to the Department of Defense that can claim they have traveled 11 times to Iraq to visit forces in the field, 7 times to Afghanistan, 4 times to Pakistan, to Colombia, to Bosnia when we had troops committed there, to East Timor when we had a Marine expeditionary corps there. She has seen what soldiers, sailors, Marines, and airmen do, how difficult it is, and she will represent them extremely well on Capitol Hill.

She has great experience not only here in the Senate, but in the process of the 1995 BRAC, she was a chief assistant to the chairperson. She served in the House with Congressman Marty Meehan of Massachusetts. She is, again, an extraordinary individual.

She is a product of a strong, a devout family of Chicago. Leo and Rita King are not with us today, but their legacy lives on in a woman committed to public service. Her sister Celeste and Liz are raising their nephew Brendan, who is not here today because he is getting ready for the SATs. And Brendan's mother, Bernadette, passed away too soon, but with two strong Irish women behind him, he is going to be a great success, I am sure.

It is difficult to part company with someone you have worked with as a colleague for 13 years, but I do so knowing that she can serve even more widely and more adroitly than any woman in the armed service in her new position. And I am proud to introduce her to this committee.

[The prepared statement of Senator Reed follows:]

[COMMITTEE INSERT]

Chairman LEVIN. Thank you very much, Senator Reed.

Now Senator Webb will be introducing General Gregson, but he is on the second panel. We expect Senator Webb will be able to get here for that second panel.

And we will now ask our—let me just make one introduction because there was no one here to introduce Mr. Work, I don't believe. So let me just briefly say that Mr. Work served a career in the Marine Corps, retiring after 27 years of service. He then has served at the Center for Strategic and Budgetary Assessments, where he has focused on defense strategy and transformation and also maritime affairs.

Our other nominees on the first panel have all been introduced, and so I will not repeat what has been said about them. I will put my statement regarding them, however, in the record.

[The prepared statement of Senator Levin follows:]

Chairman LEVIN. So let us first, let me see, I guess the order of battle here is first to call on Governor Mabus.

**STATEMENT OF RAYMOND E. MABUS, JR., TO BE SECRETARY
OF THE NAVY**

Ambassador MABUS. Mr. Chairman, Mr. Ranking Member, members of the committee, thank you so much for giving me this opportunity to appear before you.

I want to thank Senator Cochran and Senator Wicker for their very kind introductions. I have worked with both for more than two decades, and I appreciate it very much.

And I also thank the members of the Mississippi congressional delegation—

Chairman LEVIN. Governor, I am sorry—

Ambassador MABUS. —Gene Taylor, Bennie Thompson, Travis Childers, and Congressman Gregg Harper had a conflict today and could not be here. But thank you so much for being here today in support of my nomination.

Chairman LEVIN. Now, Governor, let me interrupt you just for a minute.

Ambassador MABUS. Absolutely.

Chairman LEVIN. I failed to say something which is perhaps the most important, which is how indebted we are to all of your families, whether they are here or they are not able to be here, for their great support of you. It makes a huge difference in your lives, as you all know because you have been in public service. And just each of you feel free to make those introductions as you proceed.

Ambassador MABUS. Thank you so much, Mr. Chairman, and that gives me a great segue into introducing my family.

My wife, Lynne, who is a nurse and whose father was an Air Force doctor when she was born. Our daughter Elisabeth, who is a freshman at Harvard; our daughter Annie, who is a junior at St. Andrew's Episcopal School in Mississippi; and our daughter Kate, who is a second grader also at St. Andrew's.

And I want to echo what the chairman said about how important families are, particularly in just being there when people are in public service.

I also want to express my deep appreciation to President Obama for nominating me to this position and Secretary Gates for everything that he has done.

The Navy and the Marine Corps play critical roles in our Nation's service—fighting America's wars, projecting power where needed, protecting the sea lanes, delivering disaster relief, cooperating with other countries in efforts to multiply force, trying and preventing conflicts from arising or from turning into things which are larger, more dangerous, and harder to control, providing training and other assistance to nations around the globe, and doing many of these things in a sea-based, minimum footprint way.

The job of the Secretary has, as you know, many facets. They range from making sure that the Navy and Marine Corps recruit, train, and retain exceptional forces, to ensuring that those forces have enough of the right equipment to do their job, to caring for them and their families daily and especially in times of crisis, to

working with Congress and the other services in the larger Department of Defense.

These are important times for the Marine Corps and the Navy. Thousands of brave Marines and sailors are engaged in Iraq and Afghanistan while courageous thousands more carry out hazardous duties around the globe. These incredible, wonderful young Americans all volunteered to serve and are defending and representing the United States and all of us.

The Navy Department faces complex challenges. One of the most important is gaining control of an acquisition process, which far too often overpromises and underprices, breaks—sometimes spectacularly—budgets and schedules, ups requirements while lowering quantities, and resists accountability. If confirmed, this will be one of my areas of concentration.

And again, if confirmed, I look forward to working with the members of this committee to make sure we don't shortchange our sailors, marines, and taxpayers because of an out-of-control process.

My family history and my life's experiences will, if you confirm me, be crucial in doing this exacting job. My father served as a naval officer during World War II. His brother, my uncle, was a West Point graduate who was at the academy during World War I and served again during World War II. My mother's youngest brother, another uncle of mine, flew in both the North African and European theaters during World War II.

When it came my time to serve, I became a surface warfare officer in the Navy, and the time I spent in the Navy as a young man was one of the most profound experiences of my life. And it helped me so much in the other things that I have undertaken.

The people of Mississippi have honored me beyond measure by electing me both Governor and, before that, State auditor. As auditor, it was my job to make sure public money was being spent correctly. And in it, I learned about hard decisions involving finance.

From my period as Governor, I know that one person cannot do everything and that cooperation and collaboration, especially with the legislative branch, is crucial if anything is to be accomplished.

Later, when I served as United States Ambassador to Saudi Arabia, I saw firsthand what our military and all of us face in that critical and exceedingly complex part of the Earth. And from my time in the private sector, I bring lessons of efficiency and competition.

As a youngster growing up in Ackerman, Mississippi, I could not have imagined how rich and varied my life was to be so far. I, like so many people in this room, have lived my own part of the dream that is quintessentially American.

If you confirm me, I look forward to working with you, the President, Secretary Gates, and many others to make sure that the country which allows such dreams is well protected by our Navy and Marine Corps.

Thank you, and I look forward to your questions.

[The prepared statement of Ambassador Mabus follows:]

Chairman LEVIN. Thank you so much, Governor.

Next we will call on Robert Work, nominated to be Under Secretary of the Navy.

**STATEMENT OF ROBERT O. WORK TO BE UNDER SECRETARY
OF THE NAVY**

Mr. WORK. Mr. Chairman and Senator McCain, distinguished members of the committee, I am truly honored to be before you today as President Obama's nominee as the Under Secretary of the Navy. Serving in this post would be a great privilege, and I am grateful to both the President and Secretary Gates for choosing me for this position.

I would also particularly like to thank my family for being here today and supporting me and would like to introduce them to the panel and yourself, sir.

First is the love of my life, my bride of 31 years, Cassandra. She is a former Army nurse and mother of my beautiful daughter, Kendall, who is finishing her first year at Randolph Macon College here in Virginia. And I am forced to tell you that she is a proud new sister in Delta Zeta sorority. I am also joined by my brother, Skip, a former Marine and now a director for contracting and an author.

Unfortunately, neither my dad nor mom could be here today. My father fought as a Marine in three different wars, retired after over 30 years of active duty. But he was a Marine until the day he died. My mom was a Navy nurse, served in World War II. I, myself, was a Marine for 27 years, and my brother, Skip, a Marine for another 20.

So my birth family has contributed about 84 years of active service to the Nation in the Department of the Navy, my wife another 6 in the Department of the Army, and my wife and daughter another 34 years supporting me while I was on active duty.

So as you might imagine then, Mr. Chairman and members of the committee, I am both humbled and excited about the prospect of returning to service and especially at having the opportunity of being in a department that I so respect and love. If we are confirmed, I look forward to helping Governor Mabus lead the finest Navy and Marine Corps in the world and working closely with members of the committee and your respective staffs in carrying out the duties and responsibilities of the Under Secretary of the Navy.

Being called upon to serve our country at any time is a great honor, but being asked to serve in time of war is an especially high one and one that comes with important responsibilities. If confirmed, I give you my word I will do everything possible to ensure that our brave sailors and Marines have what they need to prevail in combat and that they go into harm's way knowing that their families will receive the support that they deserve.

I will also work hard with the Secretary of the Navy to ensure that our nearly 11,000 wounded warriors receive the best care possible and that the families of our fallen are treated with the dignity and respect they deserve.

I am also mindful that because of what looks like to be an especially challenging fiscal and budgetary environment, the incoming Secretary and Under Secretary will be forced to make hard decisions about the future Navy and Marine Corps. If confirmed, I believe that my lifelong experience, first as an active duty dependent, then a military officer, a husband and father of a military family,

and a leader strategist and analyst, well prepares me to contribute to these decisions.

However, I pledge not to enter this important job with any preconceived notions or positions. I will listen to the best available civilian and military advice and, when asked, give an honest, pragmatic advice and counsel to the Secretary of the Navy, the Secretary of Defense, and President.

If confirmed as the Under Secretary, I will also work hard as the department's Chief Management Officer to tee up well thought-out positions and recommendations to the Secretary on a full range of Department of Navy activities, lead and manage the department's Senior Executive Service, and explore ways to improve departmental business practices across the board.

In closing, I want to again thank President Obama for nominating me to this position and Secretary Gates for supporting my nomination. I am honored and truly humbled to be before you today. And if the Senate chooses to confirm me in this position, I hope to justify your trust fully and look forward to working closely with all of you in maintaining our great Navy and Marine Corps.

Thank you, Mr. Chairman. I look forward to the questions.

[The prepared statement of Mr. Work follows:]

Senator INHOFE. Mr. Chairman? Mr. Chairman?

Chairman LEVIN. Yes?

Senator INHOFE. Just a brief comment. I am ranking member on the Environment and Public Works Committee. My attendance is required at a meeting coming up.

But I want to say and get on the record that I am in full support of all the nominees today on both panels. I have worked with Ms. King back when she was with Marty Meehan on different causes. And certainly with Jo-Ellen Darcy, I agree with everything that Senator Baucus said.

I want to make this one comment, though. Ms. Darcy will probably—I know there is some request to have a confirmation hearing in EPW, and I think that if I can just go ahead and submit the questions as it would pertain to that committee, maybe that can be avoided. We will try to do that.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Inhofe.

Now Liz King, an old friend of this committee and a great—it is wonderful to see you here in any capacity, but a little bit strange to see you on the other side of this dais.

Ms. KING. Indeed.

Chairman LEVIN. Welcome.

**STATEMENT OF ELIZABETH L. KING TO BE ASSISTANT
SECRETARY OF DEFENSE FOR LEGISLATIVE AFFAIRS**

Ms. KING. Thank you. Thank you, Mr. Chairman.

Senator Levin, Senator McCain, members of the committee, thank you for the opportunity to appear here today.

I would like to begin by recognizing and thanking my sister Celeste and my nephew Brendan. While they could not be here today, I know they are with me in spirit. And their love, understanding, and camaraderie mean the world to me.

I would also like to thank a small army of friends, many of whom are here today. They have given me their love, support, and loyalty for many years, and it has made all the difference.

Finally, I would like to thank Senator Reed not only for his introduction, but for the privilege of working for him for the past 13 years. He has been a wonderful boss, mentor, and friend. Opportunities to work for someone like him do not come along often in one's life, and I will always treasure the experience.

It has been an honor to work on Capitol Hill for the past 14 years. If I am confirmed, I may be switching offices, but I look forward to continuing to work with the members of the Senate and House and their staffs to solve problems, implement legislation, and provide needed information in a timely fashion.

I hope to foster a strong partnership between Congress and the Defense Department so that together we can reach the common goal of meeting the needs of the men and women in uniform who tirelessly serve our Nation.

Thank you.

[The prepared statement of Ms. King follows:]

Chairman LEVIN. Thank you very much, Ms. King.

Now Mr.—is it “Ray-mee” or “Ree-mee”?

Mr. REMY. It is “Rem-mee,” Mr. Chairman.

Chairman LEVIN. Remy. I will get it right the third time. Mr. Remy?

**STATEMENT OF DONALD M. REMY TO BE GENERAL COUNSEL
OF THE DEPARTMENT OF THE ARMY**

Mr. REMY. Thank you, Mr. Chairman.

Chairman Levin, Senator McCain, and distinguished members of the committee, it truly is an honor and a privilege to appear before you today as the nominee for general counsel of the Army.

I am grateful to President Obama for his confidence in me and, if confirmed, for giving me the opportunity to return to my roots at the Pentagon and serve alongside the men and women, civilian and uniformed, who protect and defend our country.

Mr. Chairman, I am especially thankful to you and to Senator McCain and the committee and your staffs for holding this hearing so promptly. I also want to thank Senator Landrieu for her kind introduction.

If I may, I would like to follow up on the introduction that Senator Landrieu provided of my family. Were it not for the unconditional love and support of my family and my friends and for the grace of God, I would not be before you today.

In the audience today is my partner and head coach in what we refer to as “team Remy,” Monitra, my wife. She has been with me on our journey for 22 years, since our days in ROTC as cadets together.

Seated beside her, our two terrific sons—Alex, who is 15, and Jason, who is 11. Members of the committee, these two boys are happy to be here today and enjoy this civics lesson rather than go to school.

[Laughter.]

Mr. REMY. Their mother and I could not be more proud of the young men they have become and the future that they have ahead

of them. Indeed, it wasn't until I was a parent myself that I truly appreciated all that my parents did to help me become the man that I am.

Last year, Secretary of the Army Geren declared 2009 the Year of the Noncommissioned Officer, and I can think of no better tribute to the NCO than to offer my thanks in this forum to my father, retired Army Master Sergeant Donald Remy, who was awarded the Bronze Star for his service in Vietnam.

But we all know that beside every great soldier is the soldier's spouse. Just as my father dedicated 25 years of service to this Nation, so, too, did my mother, Ann Remy. Whether my father was deployed or at home, my mother was steadfast in caring for and raising not just me and my brother Adrian and sister Renee, who could not be here today, but also many other sons and daughters of our Army community.

While many friends and colleagues are here today, I want to thank in particular my sister-in-law Christine Butler for her presence and always being there for our family. I also want to recognize one of my closest friends, former FCC chairman, the Honorable Michael Powell.

America's Army is pivotal to the strength of our Nation. In an ever-changing global dynamic, the Army continues to adapt its aim to achieve and maintain balance for the 21st century. The issues, particularly the legal issues that arise in that context are complex, challenging, and, in some instances, unprecedented.

If confirmed, I want to assure the committee that I am committed to working cooperatively with the Judge Advocate General to provide expert, timely, value-added advice to the Army Secretariat and the Army staff. I am committed to assisting the department's efforts to assure that the acquisition process for materiel and services is efficient, effective, and compliant with our laws and regulations.

And I am committed to making certain that the Army's transformation is accomplished consistent with the rule of law and a practical understanding of the issues affecting our all-volunteer force and their families.

Senator Landrieu kindly noted my background and dedication to public service. I have served our Nation in uniform as a soldier and as a public servant in both the Department of the Army and the Department of Justice. I am greatly humbled by the opportunity to serve again. And if confirmed, I pledge to work closely with this committee to support and promote the outstanding men and women of the United States Army and their families.

I welcome your questions, Mr. Chairman.

[The prepared statement of Mr. Remy follows:]

Chairman LEVIN. Thank you, Mr. Remy.

And now I will ask you to answer the following standard questions. You can all answer at once.

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

[All four witnesses answered in the affirmative.]

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

[All four witnesses answered in the negative.]

Chairman LEVIN. Will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

[All four witnesses answered in the affirmative.]

Chairman LEVIN. Will you cooperate in providing witnesses and briefers in response to congressional requests?

[All four witnesses answered in the affirmative.]

Chairman LEVIN. Will those witnesses be protected from reprisal for their testimony or briefings?

[All four witnesses answered in the affirmative.]

Chairman LEVIN. Do you agree, if confirmed, to appear and testify upon request before this committee?

[All four witnesses answered in the affirmative.]

Chairman LEVIN. And do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

[All four witnesses answered in the affirmative.]

Chairman LEVIN. We thank you.

Let us try 8-minute rounds, see if we can get all of our questions that we need to ask during that period. We are trying to fit a lot in this morning. If we can do it, it would be great.

If we can't get both panels completed, we will have to figure out what arrangements to do then. But we will give it a go.

First, Governor Mabus, one initiative to improve management of our acquisition process within the department is Senate bill 454, which is sponsored by Senator McCain and myself. This bill would make several changes to current acquisition law and including presuming that programs would be terminated if they breached the Nunn-McCurdy threshold, elevating the level of independent cost estimating, and dealing with organizational conflicts of interest.

Governor Mabus first, and then I will ask you, Mr. Work, the same question. Are you familiar with our legislation?

Ambassador MABUS. Yes, sir. Senator, I have read the legislation.

Chairman LEVIN. And can you give us your personal opinion regarding any of the components of that legislation?

Ambassador MABUS. It is very obvious that our acquisition process needs reforming in some fundamental ways that this legislation seeks to address. And if I am confirmed, I look forward to working with this committee to make sure that those reforms are implemented, the reforms that Congress mandates are implemented effectively, timely, and in a very professional way.

Chairman LEVIN. Mr. Work, do you have any comment?

Mr. WORK. Secretary Gates—I agree with Secretary Gates that I fully agree with the intent of the legislation. I am especially drawn to the fact of trying to establish cost controls over out-of-control programs, independent cost estimation, and conflict of interest. I haven't been able to discuss fully with staff all of the aspects of the legislation and how it might be implemented, but the intent I fully subscribe to.

Chairman LEVIN. Thank you.

Mr. Work, if confirmed as Under Secretary, you are going to also become the first Chief Management Officer of the Department of the Navy. We established this position in 2007 out of frustration with the inability of the military departments to modernize their business systems and processes.

We chose to have the Under Secretary serve concurrently as Chief Management Officer because no other official in the Department of the Navy, other than the Secretary, sits at a high enough level to cut across stovepipes and implement comprehensive change.

Will you make the modernization of the Navy's business systems and processes a top priority?

Mr. WORK. Yes, Mr. Chairman, I will.

In my interviews with both Secretary Gates and the Deputy Secretary, they indicated how important this position is and how important that they were going to exercise it. And I look forward to working with the members of the committee to understanding the intent of the legislation and implementing it, if confirmed.

Chairman LEVIN. And will you report back to this committee on a regular basis on any obstacles that you are encountering in that effort?

Mr. WORK. Absolutely, sir. Yes, sir.

Chairman LEVIN. Now Chapter 633 of Title 10 establishes the requirement for a board of officers, commonly referred to as the Board of Inspection and Survey, to examine naval vessels. The committee is concerned about recent reports from that board which have found that certain front-line ships of the Navy are unfit for combat operations, and forward-deployed mine countermeasure ships were unable to get underway in 2006. The Navy attacked the material issues to restore those ships to high readiness.

However, subsequent reports of serious degradation to amphibious ships and, more recently, the determination that two Aegis combatants are "unfit" for combat operations raises concerns that there are systemic issues associated with organic-level maintenance and self-assessment that might jeopardize the Navy's ability to meet the objectives under the Navy's concept of operations called the fleet response plan.

Governor and Mr. Work, are you aware of recent reports that Navy readiness of the fleet has got some real problems such that additional ships have been unable to get underway and have inoperable systems that might threaten crew safety? Are you familiar with those reports? Governor first.

Ambassador MABUS. I am aware of the reports, Senator. I have not had an opportunity to study them in any detail.

Chairman LEVIN. And Mr. Work, are you aware of the reports?

Mr. WORK. Yes, sir. I am.

Chairman LEVIN. And will you both assure this committee that you are going to look into this matter to ensure that any classification of these reports is handled properly and not just done to shield the Navy from some unflattering press articles?

Ambassador MABUS. Yes, sir.

Mr. WORK. Yes, sir.

Chairman LEVIN. Ms. King, members of this committee and staff of this committee, as you know well, we work well with the DOD

officials on a day-to-day basis. We request and receive information that we need to understand the programs and activities of the department and to meet the committee's oversight responsibilities.

From time to time, the department has decided to impose formal requirements on such exchanges, such as all communications having to go through the Office of Legislative Affairs, all requests for information to be in writing, no official of the DOD could discuss an issue until the Secretary has made a decision, and so forth.

Now in our experience, and you have had an experience second to none for anybody who has, I think, ever been in the position to which you have been nomination, the imposition of that type of formal requirement could unnecessarily undermine the working relationship between this committee and the department that has been so beneficial to both sides.

And I am wondering if you could give us your assessment as to the desirability of informal communication between department officials and the committee and whether it is necessary and essential at times? And also then why impose any formal requirements on such communications?

Ms. KING. I am aware that there have—recently has been some imposition of formal requirements. And if I am confirmed, I plan on reviewing those procedures and processes because I believe that open channels of communication and getting everyone what they need in a timely manner in the most efficient way possible is the best way to form a partnership between Congress and DOD.

Chairman LEVIN. Okay. Thank you.

And Mr. Remy, increasing violence along the border with Mexico has brought renewed calls to use our military to assist the Border Patrol and Customs Service. Can you give us your thoughts on that? Any implications in terms of posse comitatus?

Mr. REMY. Yes, Mr. Chairman.

Mr. Chairman, the posse comitatus law deals with the ability of the uniformed personnel in our United States military to help States. I understand that there have been some circumstances where our military has been deployed, and there is a study underway looking at the deployment of our military forces along the border.

That is something that I believe would require a significant amount of analysis and thought. And if confirmed, I pledge to do that.

Chairman LEVIN. All right. Mr. Remy, during the Iraq war, private security contractors were used to perform a wide variety of security functions requiring the use of deadly force in a hostile environment. And to some extent, this was done out of necessity because we just didn't have and don't have yet sufficient troops to provide needed security.

However, the extensive use of private security contractors in Iraq has resulted in a number of problems, including the 2007 shooting incident in Baghdad, which resulted in the recent indictment of some employees.

Do you agree that the department needs to take steps to undertake first a comprehensive review of whether and to what extent it is appropriate for contractors to engage in functions that require

them to make discretionary decisions about the use of deadly force, which is not in the military chain of command by definition?

Mr. REMY. Yes, Mr. Chairman, I do believe that such a study is necessary.

Chairman LEVIN. And do you undertake that review and your commitment to do it with any particular thoughts along that line?

Mr. REMY. Yes, Mr. Chairman, if confirmed, if I have an opportunity to look into these issues, I will examine the question of whether or not individuals are doing functions that are inherently governmental functions and to determine whether or not it is appropriate to have contractors conduct interrogations, especially in the circumstance where those interrogations may impact the life or liberty of the individuals that are being interrogated.

Chairman LEVIN. Thank you.

Senator McCain?

Senator MCCAIN. Well, thank you, Mr. Chairman.

And congratulations to the nominees, and we look forward to as rapid confirmation as possible of your nominations.

Ambassador Mabus and Mr. Work, you are aware of the situation concerning cost overruns. This has been particularly true of the United States Navy, whether it be on acquisition of aircraft or a littoral combat ship or other acquisition requirements that have had dramatic and really terrible cost overruns associated with them.

Do you have thoughts on that, particularly in relation to the legislation that Senator Levin and I have introduced? We will begin with you, Governor.

Ambassador MABUS. Yes, sir. The acquisition process has to be gotten under control or we are going to unilaterally disarm ourselves. And if we do not begin to match up requirements with resources and make sure that our technology is mature before proceeding, stabilize the requirements for ships and aircraft during the manufacturing process, and have fair and adequate contracts going forward, and if confirmed, one of my areas of intense concentration and focus will be on this whole acquisition process, both for new systems and for those already in place.

Senator MCCAIN. Have you looked at Senator Levin's and my legislation?

Ambassador MABUS. Yes, sir. I have read it. And as Mr. Work said in his statement, I believe the intent of the legislation is—absolutely goes to the heart of some of these matters. And we have to make sure that we have good, independent cost estimates that if systems spin out of control that there is some teeth to looking at whether to continue them or not.

Senator MCCAIN. Mr. Work?

Mr. WORK. This is a problem that has long years in building. I believe that the U.S. Navy, along with other members of the DOD acquisition team, lost what I might refer to—Admiral Phil Balisle used to refer to as “technical authority,” being able to set good requirements, being able to understand when a program is in trouble, and being able to set remedial actions to take care of it.

The intent of the legislation, especially on the independent cost estimation and tracking closely the costs as they grow and taking action as required, I think are exactly right. The conflict of interest

provisions of the legislation are the part that I am not fully understanding the intent, and hopefully, if confirmed, we will be able to work with the committee to understand the intent and to keep these cost overruns from occurring.

Senator MCCAIN. Ms. King, I note that Senator Reed is next, will probably pose the most difficult questions for you. But we have had a problem from administration to administration, whether it be Republican or Democrat, with candid views from the members of the administration that work on the other side of the river.

This sometimes leads to needless conflict. Sometimes it leads to legislation which isn't developed in the closest coordination possible. And I hope you will work to keep the committee informed and help us perform our constitutional duties.

Ms. KING. Yes, Senator McCain, I plan to do that.

Senator MCCAIN. So you know from sitting on this side that some of the problems that we have had—

Ms. KING. Yes, sir.

Senator MCCAIN. —both Republican and Democrat.

Thank you.

Mr. Remy, I noticed in your bio that you said you worked for a well-known company or corporation. That happened to be Fannie Mae, one of the organizations that is responsible for the severe crisis we are in today. I will be submitting questions to you concerning what responsibilities you had there and what decisions were made during that period of time that you worked there, which was a direct—certainly the collapse of Fannie Mae was a direct contributor to many of the economic difficulties we have today.

Now on the subject—

Mr. REMY. Senator McCain, I am happy to answer any questions of yours or the committee's.

Thank you.

Senator MCCAIN. Thank you.

On the issue of the deployment of the military, I also serve on the Homeland Security Committee, and we had a hearing in Phoenix, Arizona, which is now the kidnapping capital of America, about border violence. And from talking with the mayors, the sheriffs, the Governor, the attorney general of my State, it is very clear that there is great danger of that violence spilling over into our State, Texas, New Mexico, California.

And now all four Governors of border States have requested the deployment of the National Guard to the border because they feel that for the reasons that I have just stated. Do you have views on this subject, particularly in light of the fact that the National Guard has been deployed in the past and there doesn't seem to be any large national crisis, constitutional crisis associated with it?

Mr. REMY. Senator McCain, I understand the concerns that the States are voicing, and I understand the need to have the security forces that are adequate to deal with the issues on those borders. I believe that, if appropriate, it would—I am sorry. I believe that, if appropriate, it would make sense to further examine that issue if it is something that is put into my space and, if confirmed, if it is something that I am charged with looking at.

Presently, it is not an issue that I have studied at great length, but it is something that I would be committed to examine.

Senator MCCAIN. Well, let me even recommend to you that you take a trip down to the border and are briefed personally by the individuals not only that are tasked to enforce our border, but also the residents and the mayors and city councils and others who are grappling with this very serious issue.

I could give you numerous examples of how close this violence has come to spilling over and actually has spilled over into the United States of America. Now all of it, of course, is exacerbated by this threat of swine flu, which we all know is originated in the country of Mexico as well.

So you will have significant input into the decisions concerning deployment of Guard or regular forces to the border, and I hope that you will give it a priority of familiarizing yourself with this situation.

Mr. REMY. Yes, Senator McCain. I will make it a priority.

Senator MCCAIN. Finally, Mr. Work, you said in your statement that you had some ideas about new approaches you are considering to curb rising health and personnel costs. What approaches are you considering?

Mr. WORK. During the last 2 weeks, we have received several briefings on both the Safe Harbor program and the Wounded Warrior program and all of the healthcare issues that are facing the department. The costs, as you know, Senator McCain, are rising much faster than the rate of inflation, and it is really causing a problem as far as execution in the Department of the Navy's budget.

The only clear idea that I have right now is, if confirmed, is to work with the Secretary and the two service Chiefs and the Assistant Commandant and the VCNO to really take a hard look at how we might be able to handle the problem within the service and then to work with members of the committee and also the Department of Defense to try to get a handle on healthcare costs writ large.

Senator MCCAIN. Thank you, Mr. Chairman.

Thank the witnesses.

Chairman LEVIN. Thank you, Senator McCain.

Senator Reed?

Senator REED. Thank you very much, Mr. Chairman.

Governor Mabus, you bring an extraordinary range of experience to the task before you. I think the President made a very wise choice. I think particularly, as you point out, your experience as a young officer on the deck of a combatant, service combatant is going to be very critical.

As my colleagues have suggested, the shipbuilding program in the Navy needs reform and attention, and there are just two issues that I think you probably don't have firm opinions, but I would like your comments upon.

There is always a tradeoff between advanced technology and new hulls. You know, building ships or just improving technology, if you could comment on that?

And also any sense of whether you feel there is excess capacity, particularly in service combatant capabilities of building those ships?

Ambassador MABUS. In terms of the first question, Senator, new technology, first, has to be looked at to whether it is appropriate; second, whether it is mature enough to be put on a combatant surface or subsurface ship or airplane. And then the issue of stability of requirements because once you have begun—as you well know, once you have begun construction, making major changes is one of the leading causes of stretching the completion date and raising the cost.

And I think you should look at, if new technologies come along, at building ships in blocks so that the next block of ships can be upgraded in terms of technology, but not trying to make the ships that are currently under construction be the most perfect ships that you can have.

And forgive me, but I have forgotten the second part of your question.

Senator REED. Just the issue of the excess capacity of particularly surface combatants in terms of the capacity to build these ships, the number of yards?

Ambassador MABUS. Well, I believe, sir, that the number of yards is very small in terms of just sheer numbers and that to keep the industrial base and to keep a well-trained workforce in order to build these ships that we are going to need, both today and in the future, we don't have any excess capacity, but that we do need to work very hard to make sure that there remains competitive—competition among those shipyards.

Senator REED. Thank you, Governor. Governor, Ambassador, and soon-to-be Secretary, thank you.

Ambassador MABUS. Thank you, Senator Reed.

Mr. Work, let me ask the same question, but a focus on the Marine Corps in terms of the technology that they need for this new asymmetric warfare. I know you have done a lot of work in terms of looking at this issue of how the Navy participates and the Marine Corps participates in this asymmetric warfare, but is there technologies that the Marine Corps might need that they don't have, and would you focus on that?

Mr. WORK. Senator Reed, the Marine Corps combat development command has been—as I understand it, has been working very closely with the department writ large to determine these new capabilities. I know that they have specifically looked, for example, at unmanned aerial vehicles and populating more of those throughout the force, ground robotics, advanced body armor for the Marines.

And so, I believe that the Commandant of the Marine Corps, as we understand it, is very much interested in getting the right gear to the troops at the right time, as quickly as possible.

Senator REED. Thank you.

I just want to note, too, that Congressman Taylor was here, Gene Taylor from Mississippi, a dear friend who I serve with. And he has since departed, but looking at him, I just discovered how the Senate ages you. He still looks remarkably good.

Mr. Remy, one of the issues that you will face is working with your uniformed colleagues, and you had the privilege of being a young captain JAG officer, I presume, in the general counsel. Is that correct?

Mr. REMY. Yes, I was in the honors programs in the general counsel's office, Senator Reed.

Senator REED. We have found out that the best source of advice, particularly with respect to these issues of compliance with the Geneva Convention, has been from uniformed officers, who raised the cry very early, who consistently were, I think, principal critics of some of the policies.

And just this is less a question and more a comment. I hope you, as a former uniformed JAG, recognize the real skill and talent and experience of those uniformed officers you will serve with.

Mr. REMY. I absolutely do, Senator Reed.

Senator REED. Well, thank you very much.

And I was going to—I will refrain from asking the question who your favorite boss is, Ms. King.

[Laughter.]

Senator REED. I will just simply say I neglected to indicate for the record that Liz is a graduate of the University of Pennsylvania and Georgetown Law School.

So, good luck. And thank you all for your commitment to the country and your service.

Chairman LEVIN. Thank you, Senator Reed.

Senator Martinez?

Senator MARTINEZ. Mr. Chairman, thank you very much.

I want to congratulate all of the nominees and your families and wish you the very best as you undertake your service. And thank you for undertaking the service.

I want to begin with Governor Mabus and Mr. Work and ask a question of both of you. Since 1952, there have been aircraft carriers based in two different homeports on the east coast of the United States. The Tarawa was homeported in Mayport in 1952, and ever since that time, we have had that kind of a dispersal policy.

Admiral Mullen, a CNO, before this committee stated that he was very supportive of strategic dispersal of our carrier force. His predecessor, Admiral Vern Clark, also stated on February 2005, and I quote, it is his belief that, "It would be a serious strategic mistake to have all of those key assets of our Navy tied up in one port."

Secretary England, who was Secretary of the Navy before he was Deputy Secretary, also stated in this committee that, in his judgment, dispersion was still a situation. A nuclear carrier should be in Florida to replace the USS John F. Kennedy to get some dispersion.

And even more recently, Secretary Donald Winter, with the concurrence of the current Chief of Naval Operations, Admiral Gary Roughead, signed the record of decision to upgrade Mayport to be nuclear ready, continuing the Navy's 54-year commitment of east coast strategic dispersal.

My question to both of you is would you let us know today what your intentions are with regards to the strategic dispersal of the Nation's nuclear aircraft carriers along the east coast? And would you tell us whether you agree or disagree with the prior three Chiefs of Naval Operations on their recommendations that there should be strategic dispersal of the nuclear carrier force?

Ambassador MABUS. Senator, I understand this issue and its importance. I also understand that this issue has been put into the Quadrennial Defense Review. And if confirmed, I expect to be an active member of that review, and I commit to making this a priority item if confirmed as Secretary.

Senator MARTINEZ. I need an answer to my question, though.

Ambassador MABUS. Sir, I simply do not have enough information to give you an answer in terms of what the final outcome should be.

Senator MARTINEZ. You would not disagree with three CNOs that all have indicated in their opinion the importance of strategic dispersal of the nuclear fleet, though, would you not?

Ambassador MABUS. Again, Senator, I do not have the information, as I am sitting here today, to give you an answer on that, except to acknowledge that I do understand that is their position.

Senator MARTINEZ. Mr. Work?

Mr. WORK. Senator, we haven't had an opportunity to talk with the former CNOs. As the Governor has said, this is an issue that has been briefed to us at the broadest level, and I look forward, if confirmed, to working with the Department of Defense, the Secretary of Defense in looking at this issue again in the 2009 QDR.

Senator MARTINEZ. There is also an issue of funding that is in the stream to—and a decision was made, and that decision, to my knowledge, was final that there would be strategic dispersal and that Mayport would become a homeport. And you both are aware of that decision having been made, correct, by the prior Secretary of the Navy and right up the chain of command?

And as a result of that decision, there was some work that needed to be done. We have had an environmental impact statement that has all gone through the process, a prior QDR. And as I say, this is a decision that goes back to when Vern Clark, Admiral Clark was the CNO.

Do you foresee supporting the continuation of the work that is already in the pipeline, including dredging and other improvements to Mayport that would make it capable of homeporting a nuclear carrier?

Ambassador MABUS. Senator, I believe that the two items that you mentioned, one is the dredging and second the pier upgrade and repair in Mayport, have been recommended by the Secretary of Defense to be included in the President's budget for this year. And as the President's nominee and reporting directly to the Secretary of Defense, of course, I support their recommendations.

Senator MARTINEZ. Mr. Work?

Mr. WORK. Senator, I agree with exactly what Governor Mabus said. As we understand it, the record of decision was made at the Department of the Navy in early January, and the Department of Defense reviewed that decision. And Secretary Gates decided to delay or to look at the decision as part of the 2009 QDR but continue the work that Governor Mabus said, which would not preclude any option after the 2009 QDR.

Senator MARTINEZ. The Navy has a goal and a plan to have a 313 ship fleet. Do you have an opinion of you on that issue and how we should get there?

Ambassador MABUS. Senator, this is another issue that the 313 ship fleet came out of the QDR, Quadrennial Defense Review, of 4 years ago. It was the best estimate at the time of what the Navy combatant needs would be going forward. There is another QDR underway right now, and I know that the size of the fleet is one of the critical parts of that QDR.

And I will, if confirmed, be a very active participant, and this will be one of the areas that I concentrate on to make sure that the size of the fleet is adequate and matches up with the requirements that we have and will give the Navy in terms of what its mission is both today and in the future.

Senator MARTINEZ. Mr. Remy, I want to ask a question of you, and I think it is, frankly, one of candor. And I want to suggest to you that I think it is important to have a good communication with the committee and be clear.

I have looked at your resume, and I find it astonishing that you do not list your employer for a number of years, and I can't even see the number of years because also your resume does not state when you began and when you ended your employment with what you describe as "a major U.S. company."

Now I know by description and also what Senator McCain said that it appears to have been Fannie Mae, but you don't disclose that or the years that you were at Fannie Mae. Am I correct that it is Fannie Mae that you were employed by before you were at Latham & Watkins?

Mr. REMY. Yes, Senator. Yes, Senator.

Senator MARTINEZ. When did you go to work there, and how long did you work there?

Mr. REMY. Senator, I worked at Fannie Mae from the years of 2000 through 2006.

Senator MARTINEZ. And to my knowledge, there is nothing wrong with having done that, and I think it should be on your resume clearly stated for all to see. Although there has been some controversy with the company, I know a lot of honorable people who have worked there, and I don't—I just don't think it is appropriate not to disclose it clearly.

Mr. REMY. Senator Martinez, you are right. I have nothing to hide. I did disclose my employment at Fannie Mae on a number of forms that I filed with the committee. I have many different versions of my biography. The version that apparently made it to this committee did not include Fannie Mae as my employer, although it did have the responsibilities that I had undertaken at Fannie Mae at the time.

That was a mistake. I take responsibility for that bio coming to the committee. Indeed, my time at Fannie Mae was a time period where I am personally proud of all of the work that I did at Fannie Mae. Some shameful things may have happened there, but I have nothing to hide from my responsibilities.

Senator MARTINEZ. And I don't disagree with that at all, particularly from the timeframe you describe and the responsibilities that appears that you held there. So I wasn't trying to imply anything other than I think it is important to speak with candor to the committee when you are up for nomination, and that is my only point. I appreciate your explanation.

Wish you all well, and thank you very much.

Mr. REMY. Thank you, Senator.

Chairman LEVIN. Thank you very much, Senator Martinez.

And I concur. I think we all would concur with your point that there is nothing to be ashamed of. In any event, it should be fully disclosed, and apparently, it was on a number of your other bios. And it was stated more generically you worked for a major company, I gather, in terms of the bio that came to us, as you indicated.

I am not familiar offhand with that bio. But apparently, that is what happened. You have acknowledged it, and I think that Senator Martinez's point is a good one, and then you agree with it that—

Mr. WORK. Yes, I do. Thank you, Mr. Chairman.

Chairman LEVIN. There may be questions for the record on that, as Senator McCain suggested. And if there are, we will try to get them to you quickly, and you can then answer them promptly as well as to specifically what those duties were.

Senator Akaka?

Senator AKAKA. Thank you very much, Mr. Chairman.

I would like to begin by thanking each of you on the first panel for your dedicated public service and your desire to serve our Nation in these very important leadership roles. I also want to add my welcome to your families and your supporters who are here with you this morning.

If confirmed, each of you will face, without question, enormous challenges in the Department of Defense. You will be charged with forming a comprehensive national security strategy to address today's crises while planning for a complex and uncertain future for our Nation. And I would say that with your backgrounds and expertise, I feel each of you are well qualified to handle these challenges that you will face.

I have been a strong advocate of our military readiness and military presence and our military engagements around the world. And we cannot overstate this importance in our work.

With recent activities we have witnessed from China and Korea, it is obvious that the challenges are many, and I want to pose this question to Governor Mabus and to tell you at the outset that I feel that the men and women of the Pacific Command have maintained a remarkable level of stability, but we must ensure that they are properly manned and equipped to address the public and possible future conflicts that are part of our challenges.

And also mention that I feel that Admiral Keating has done a tremendous job. He is helping to maintain the stability with the forces that are there in the Pacific.

And as I mentioned, I am particularly interested in readiness. And the question I ask of you, Governor, is what thoughts do you have on the overall readiness of the naval fleet in our country as well and in particular in the Pacific Command as it relates to the military personnel and equipment available?

Ambassador MABUS. Senator, at this point in the process, I do not have enough information to give you a definitive answer on that except to say that the readiness of the fleet in performing the mission that the country has given it is of highest importance and

that, if confirmed, it will be one of the things that will occupy my time more than any other.

Senator AKAKA. And Governor, as you know and I do that readiness is so important to our military.

Ambassador MABUS. Absolutely, Senator.

Senator AKAKA. And in training and taking care of personnel and even including the care of families in this and the importance of readiness, and I look forward to continuing to work with you, if confirmed, in this area.

Mr. WORK. I have been really concerned about the position of Chief Management Officer of Defense and, in this case, of the Navy. The GAO has reported that the Navy has not yet followed DOD's lead in establishing a template to address business transformation. As Navy CMO, it is critical that you establish performance goals and measures for improving the efficiency and effectiveness of the Navy.

My question to you is what is your understanding of the roles and responsibility of the Chief Management Officer?

Mr. WORK. Senator, the Chief Management Officer is responsible to the Secretary of the Navy for the efficient business processes throughout the department. For the last couple years, the Department of the Navy hasn't had an Under Secretary, and as I understand it, the CMO slot was delegated to the Assistant Secretary of the Navy for Financial Management and the Comptroller. And the Department of the Navy has set up an Office of Business Transformation, as required by the legislation.

If confirmed, one of my top priorities will be to find out exactly what these offices and people have done and to work very closely with the committee to understand exactly what the intent of the legislation is and to work with the Secretary and the Deputy Security to have a very, very good CMO operation.

Senator AKAKA. Ms. King, I am so glad to see you moving into this area in Defense and look upon your move as one that will help our cause, both Defense and the Congress, because of your work here, your relationships, and your understanding of what needs to be done to carry out the goals that we have.

And my simple question to you, with all of your experience, is what do you intend to do that may be different in bringing about a relationship of partnership as well as integrating our working processes between the Congress and the Department of Defense?

Ms. KING. Senator Akaka, if I am confirmed, what I would like to do is to make sure that the Congress and the Department of Defense see the relationship as not adversarial, but as working together toward a common goal and to review the processes and the communication to make sure that we are working toward one instead of against each other.

Senator AKAKA. I am asking that because I am chairman of the Veterans Affairs Committee here in the Senate, and what we have done in the last 3 years has been to try to create what we call a "seamless order" between Defense and Veterans Affairs. This has been working out well.

Ms. KING. Yes.

Senator AKAKA. So that both deputies are talking to each other once a week, and it is amazing what we have been able to do by

phone. And I hope this can grow and continue as we move along here.

Ms. KING. Keep that model going.

Senator AKAKA. Thank you very much, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Akaka.

Senator Hagan?

Senator HAGAN. Thank you, Mr. Chairman.

And to all of the nominees here today, congratulations for being here, and I look forward to hearing more of your testimony and also to your families that are with you.

One of the questions I have to Governor Mabus and to Mr. Work, currently, we have—unmanned aerial vehicles have proven to be a critical resource in Iraq and Afghanistan, and the unmanned ground vehicles have also proven to be an important and growing tool to support our military personnel. Although in an earlier stage, the Navy's development of the unmanned underwater vehicles is also important.

What is your perspective to the role of the unmanned systems for the Navy and the Marine Corps, and what do you see as the focus areas for the Navy and the Marine Corps for the development, training, and deployment of these vehicles?

Ambassador MABUS. Senator, as you know, Secretary Gates, in his recommendations as we move forward, was to put a great deal of emphasis on these unmanned vehicles. And in terms of the Navy, my level of knowledge there is simply to say that I understand the importance of these, that I know, going forward, the Navy has to—Navy and Marine Corps have to look into unmanned vehicles to perform some critical tasks and that I will make sure that the research, the development, the technology is there and is adequately analyzed and, if we move into an acquisition phase, adequately contracted for in a way that is cost efficient and make sure that our sailors and our Marines get the very best equipment possible.

And that, if confirmed, this will be an area that I look forward to working on to make sure that this new cutting-edge technology makes it to the fleet.

Mr. WORK. Senator Hagan, I believe we are on the cusp of a revolution in unmanned technologies. The last years of war have really shown how these different systems can help both the Marine Corps and the Navy. The Navy is about to commission a class of ships, the littoral combat ships, which is specifically designed to employ unmanned systems.

So I agree with Governor Mabus that this is an extremely high priority for the department. And if confirmed, I look forward to trying to populate more of these systems throughout the Navy and the Marine Corps.

Senator HAGAN. Thank you.

Another question I have I think the whole country is being—the media is so much focusing on the piracy off the coast of Somalia and some of the other areas in the world. And as you know, piracy is certainly increasingly becoming a strategic threat to the U.S. and our partners in the Asian Gulf. And I think key to combating this threat is to encourage partnership capacity and interoperability with the regional navies in the area.

What is your view of countering piracy, and how will you encourage other navies to contribute to maritime security, such as the CTF-150 and 151?

Ambassador MABUS. Senator, we all—the whole country is so proud of the SEALs, the sailors, the Marines that took part in the operation a couple of weeks ago that ended so successfully. But as you correctly point out, it is going to take a lot more to combat this problem, particularly in that part of the world.

If confirmed, one of my jobs as Secretary of the Navy is to ensure that we have the vessels, the people, the equipment to be able to carry out whatever missions are given by the combat commanders against those pirates. And I think it is particularly important what you brought out about partnering with other countries.

And as you know, the Navy now has the Africa partnership to partner with the navies and the countries along the coast of Africa, both east and west coasts, to encourage interoperability, to do training, to do combined not only exercises but also humanitarian efforts in those countries. Because one of the quotes from the national maritime strategy that the CNO, the Commandant of the Marines, the Commandant of the Coast Guard has released says that while people and equipment can be surged, trust cannot and that you have to work for a long time to establish that trust and that operating together.

And I think that the Navy, from my information, has made a good start there but is going to have to do a lot—is going to have to be very vigilant and work with the navies and the governments in that region to take on this problem.

Senator HAGAN. Mr. Work?

Mr. WORK. Senator, piracy is an issue that has been around for ages, centuries. It is not only a problem on the sea, but it emanates from the land.

So the Navy can do its part in areas where piracy is a big problem, working with other nations. I would note that even the Chinese have dispatched ships to fight this problem. But ultimately, it will require a solution both on the land and at sea to deny these pirates the ungoverned spaces that they operate in.

Senator HAGAN. I had one further question on our wounded warriors. And certainly, I know that it is of prime importance, and certainly, it is important for the families, sustaining the welfare for our sailors and Marines. But can you give me any thoughts on how you emphasize within the branch what you need to be doing in any different way or to continue the treatment for our wounded warriors?

Ambassador MABUS. Senator, there is no higher priority, if confirmed, that I will have than to care for these men and women who have represented us so well and who have paid so dearly in this country's defense.

Whether it is in their healthcare, their mental healthcare, the assistance to families, the reintegration either into their units or back to their hometowns, the continuing healthcare, the continuing care for them and their families, we have no higher duty as a country. And if confirmed, I will have no higher priority as Secretary of the Navy.

Mr. WORK. Senator, I believe both the Navy's Safe Harbor program and the Marine Corps Wounded Warrior Regiment are—from what we understand are extremely well run. As Governor Mabus said, if confirmed, I look forward to working with the Secretary to making sure that this is a world-class operation that we take care of our wounded heroes.

I agree with the Governor that there is no higher priority in the department to take care of our sailors and Marines who have given so much.

Senator HAGAN. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Hagan.

Senator BURRIS?

Senator BURRIS. Thank you, Mr. Chairman.

And welcome to our nominees. I continue to be extremely impressed with the very high caliber of individuals President Obama has nominated to run the essential portions within our Government. This panel is no less, Mr. Chairman. Quite an impressive panel.

The President and I agree that we need dedicated leadership to run the affairs of our Government. The Nation is looking for you nominees to play a role in the redirection of our efforts to benefit and protect all of our citizens, especially those who were ignored as a result of the previous policies.

I have office calls scheduled I think with several of you and look forward to these nominees moving quickly as we work on this ambitious agenda that we have also undertaken. There is an opportunity for us, in partnership with you nominees, to cause a real change in our Nation, and I look forward to the mutual cooperation to the benefit of this great Nation.

Mr. Chairman, there is a relationship here with each one of these nominees. Mr. Work, I understand that you are a graduate of the University of Illinois, and you—

Mr. WORK. I am, sir. Go Illini.

Senator BURRIS. Yes, Go Illini. Okay. I am a Saluki. But you are from Illinois. That will help.

And to Ms. King, who has the same name as my chief of staff, and I just wondered whether or not there was some relationship there, but they—

Ms. KING. We have looked, but no.

Senator BURRIS. Yes, she told me that you all are just “play cousins.” So that is what we call it. But they have the same name. So Brady has already briefed me in terms of your skills on this Hill and what you will do as the nominee.

Of course, Mr. Remy is distinguished being a Howard Law grad. And what is your class, Mr. Remy?

Mr. REMY. 1991.

Senator BURRIS. 1991 is a recent class. How about the class of 1963?

[Laughter.]

Mr. REMY. Go Bison.

Senator BURRIS. Go Bison.

And I will save the best for last. This young man here who is going to be our Secretary of the Navy was the State auditor of the

great State of Mississippi when I was State comptroller, and we worked very closely together in doing the responsibility for our State. But not only that, he advanced to the great position of Governor of the great State of Mississippi.

And we kind of shocked the people in my State capital when I was being honored, Mr. Chairman, as 10 years in public service. We brought in the guest speaker of our banquet, the Governor of the State of Mississippi was coming to Springfield, Illinois, to be the guest speaker to honor the State comptroller for 10 years. And of course, that kind of sent a message to a lot of people in my capital that there was something going on.

This was in the mid-1980s, and Governor Mabus was very, very supportive. Not only that, Governor, you may remember when my wife, who hails from Mississippi, from the great Delta part of Itta Bena, where Mississippi Valley State is, and we visited you at the Governor's mansion. It was the first time in her lifetime she had a chance to go in the Governor's mansion in the State of Mississippi.

And Ray, you are a tribute to the people of your State. I just noticed how you had the bipartisan support. I didn't think that those two Senators would come and support you like that, but evidently you have made your record in the State of Mississippi and they are very proud of you and I know you will do your record as Secretary of the Navy. So I am very pleased to be with you.

Just one quick question, Governor. Are you familiar with the contract that the Navy is putting out to a company called Boeing to do with this F-18 fighter that is going to replace five of those various Navy planes that are on the ships? And I think the Navy has requested some 39 of them, but they only budgeted for 31.

I wondered if you wouldn't look into that, should you be confirmed—and I know you will have a vote here. But look into the fact that we can make sure that we are getting the adequate supply of those F-18 and those Super Hornets that the Navy will need. Have you had any chance to look into any of that?

Ambassador MABUS. Senator, I know that Secretary Gates' recommendation going forward is to acquire 31 of the Super Hornets, 9 tactical fighters, and the other, the E/F series and the other planes to be the G series, the Growler series of that plane. And that his recommendation also was to have 24 planes each of the F-18 E/F series in the next 2 years, 24 and 24.

But in specific answer to your question, yes, I will look into that if I am confirmed.

Senator BURRIS. And second, Governor, the—I was listening to your answer and lost my train of thought. Oh, wow. I can't pull it back. But anyway, I will—

Chairman LEVIN. Perhaps you could just use that for the record? You could submit that question for the record.

Senator BURRIS. Yes, I will submit that question for the record because it had to do with the follow-up on—oh, I know what it is. It is the single-year contract. The company Boeing is seeking to manufacture—they want a 2-year contract on those F-18s, and they put that line up. That line has to come down.

Boeing hired a lot of people from across the river, and the plant is in St. Louis. But a lot of Illinoisans work in that Boeing factory,

and I wondered if you would look at, when you get there, whether or not that could be a 2-year contract with you and Secretary Gates rather than the 1-year contract?

Ambassador MABUS. Yes, sir.

Senator BURRIS. Okay, thank you. That was my point.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Burris.

Senator Begich is next.

Senator BEGICH. Thank you very much, Mr. Chairman.

I have very few questions. But first, Elizabeth, thank you for taking the time and meeting with me. It sounds like a breath of fresh air in the communication that you are going to bring to the Senate. So I appreciate that, as a new member here, and looking forward to working with you.

I want to follow up on Senator Hagan's questions, if I could, to Governor Mabus and Mr. Work in regards to the pirates. And how do you see—it seems to be a continued growing problem not only here, but also in the Pacific and the Pacific Rim. How do you see or do you see a more aggressive role by the United States in dealing with the pirates?

Ambassador MABUS. Senator, I think that the administration has talked about a much more comprehensive approach toward that and that you cannot simply deal with the pirates at sea. You have to deal with where they come from, with the states on the land.

One of the reasons that there has been more success against piracy in places like the Straits of Malacca is that you have governments and states ashore that are willing to use their law enforcement tools and techniques against pirates when they come back to their home bases and that you simply don't have that situation in Somalia right now. You have got a state that has no government that can do anything to do that.

And I know that the President, Secretary Clinton have talked about a far more comprehensive strategy in dealing with them and that, if confirmed, I look forward to making sure that the Navy has the equipment, has the people to carry out whatever missions the President and the combatant commanders give them in terms of whatever strategy we pursue.

Senator BEGICH. If I could, an additional follow-up? I guess are we going to be in a situation—and again, you may not be able to fully answer this. But are we going to be in a situation where we are waiting for the on-land situation to get resolved or at least more conducive to dealing with this?

Because Somalia has not been the most stable country for many, many years, but yet the piracy has continued to grow and be more aggressive in the last few years. And I guess I am a little more direct in how to deal with it, and I think what the SEALs did was the right thing to do in the sense of sending a message.

But how do you see this process moving forward? That is where I guess I recognize there is a lot of discussion, but Somalia is not necessarily the place that is going to end up first out to solve this problem, unless I am missing something. And I am new here, but I am just—from my outside looking in, additional comments or—

Ambassador MABUS. Well, sir, at this point in my process, and I am very new—

Senator BEGICH. We share that.

Ambassador MABUS. —I have not been given what exactly our strategy is against these pirates, and I know it is a matter of intense concern. The things I said about the President and Secretary Clinton in terms of dealing with it are things they have said publicly. But I know that it will be something that I will be intently concerned with should I be confirmed to this job.

Senator BEGICH. Thank you.

And I am assuming because one of the pieces of the puzzle will be if there is more intensity from us and the participation, the Navy will have to have the proper equipment, the right kind of ships that can move and be mobile and be able to deal with the issue.

Ambassador MABUS. Yes, sir.

Senator BEGICH. Is that part of the equation?

Ambassador MABUS. Yes, sir.

Senator BEGICH. Mr. Work, do you want to add to that or—

Mr. WORK. Simply, Senator, that there is two different ways or two complementary ways to deal with this problem. One is through law enforcement, using the U.S. Coast Guard following up on suppression of unlawful acts at sea. Kenya, for example, is just about ready to prosecute one of the first piracy cases because they are a signatory, as are we.

The Coast Guard operates under use of force rules, and the Navy would operate under rules of engagement. So, if confirmed, I think it would be very, very critical for the naval commanders to understand the rules of engagement and to be given all of the support they need to accomplish the mission.

Senator BEGICH. Very good.

Last totally different area. We are going to go north now because I am from Alaska. So any comment, I know the Coast Guard has a lot of comment regarding the Arctic and what the future is and what the role they might have there.

Do you from the Navy, from either one of you, have any comment in where you see the long-term role and participation in the future in regards to Arctic policy and how the Navy may or may not participate up there?

Ambassador MABUS. In the National maritime strategy that was put out by the Chief of Naval Operations, the Commandant of the Marine Corps, and the Commandant of the Coast Guard, one of the major areas that they saw our naval forces participating in is climate change and persistent presence in places all around the world to meet whatever either potential adversaries that we have or natural conditions that may be changing or needs attention and that our naval forces are uniquely positioned to be able to provide a lot of the information, a lot of the presence in those areas.

Senator BEGICH. So I think, yes, the Arctic is important?

Ambassador MABUS. A much better answer than I just gave. Yes.

Senator BEGICH. I understand.

Mr. Work, do you have any additional?

Mr. WORK. If the Northwest Passage opens up year round, it will fundamentally change trade routes and also passage of warships to the north. The Coast Guard obviously will have a prime role in supporting our interests up there. But if that happens, then the

U.S. Navy would obviously find this area a very, very important operational focus.

Senator BEGICH. Thank you very much.

I will end there, Mr. Chairman. Just say again, as Senator Burris said earlier and others have said, as the President has continued to bring folks forward for confirmation, especially to this committee that I have a role in, it is impressive the group of folks, the wide range of experience and the knowledge that you bring to the table.

So I just congratulate you, and I wish your families the best because you will need a lot of support going through this process that I hope ends in a positive in the sense of confirmation of all of you. But also once you are in service, the service that will be required of you and your families.

So thank you very much for your willingness to serve.

Senator REED. [presiding] Senator Webb?

Senator WEBB. Thank you, Mr. Chairman.

First, just a follow-up on a couple of things that Senator Begich just said. I am of the view—we are having hearings next week. But I am of the view that on this piracy issue, we are making it far too complicated. This has been the policies in terms of the violation of international law have been around for a long time. And if you shoot the people who do it and blow up their boats, they won't be back.

I would like to respond just a bit to what Senator Martinez said on this Mayport issue. I know you all are kind of in the barrel on this on your confirmation hearings. But I can remember when I was Assistant Secretary of Defense, and we had strategic homeporting, big push when John Lehman was Secretary of the Navy. And any logical proposition can be carried to an extreme. That is why you need to measure these things through risk assessment and other ways.

And actually, there was a big push at that time in the name of strategic homeporting to put homeporting in Alaska. Senator Stevens was a great advocate of that, and there actually was a plan in place at one point.

With respect to the names that Senator Martinez brought forward in terms of people who support the idea of strategic dispersal, I don't think there is anybody who disagrees with the notion that properly constructed and properly analyzed, there ought to be strategic dispersal. But I will tell you two former Secretaries of the Navy who certainly don't believe that applies to the situation we are talking about with moving a carrier from Virginia to Mayport, and that is Senator John Warner and myself. And if I were a Senator from Nebraska, I would be saying the same thing.

And I am not going to pose this to you directly, Governor Mabus, today because I am aware that the Deputy Secretary of Defense has already made a commitment to bring this issue up to the OSD level and to examine it in the next Quadrennial Defense Review. But for the record, there has never been a nuclear aircraft carrier in Mayport. You can check the data on that. There have been carriers. There has never been a nuclear aircraft carrier in Mayport.

And the number of aircraft carriers from the time that I was Secretary of the Navy even, and I say "even" because, as I was saying

to you yesterday, there were 930 ships in the United States Navy when I was commissioned in 1968. But even when I was Secretary of the Navy in the 1980s, there were 15 carriers, and it was a different situation than there is today.

We have a commitment from OSD on this. The preliminary work that has been authorized or that we have been informed will take place, the dredging and the improvement of the pierside, I am not going to oppose that. I believe, in fact, that it alleviates a lot of the concerns about possibly having a second place for a carrier to go in terms of an emergency. But I would say very strongly that this issue is going to be debated, and I want it to be debated properly.

I want it to be debated on issues of our National strategy and the assets that we have available to solve problems. When the Navy comes in here, as they did last year, and said they got \$4.6 billion in unfunded priorities—requirements, not priorities—requirements. Unfunded requirements, and then they turn around and say they want another \$1 billion to do this, I think they have gone from the area of “need to have” to the area of “nice to have.” And there are a lot of places you can take \$1 billion and do some good for the United States Navy.

And Mr. Work, you are uniquely qualified to address that issue. I am going to get back to that in minute.

Before I ask a question of you, Governor Mabus, I would like to say something to Ms. King. I would hope in the spirit of bringing the Department of Defense and this panel into harmony that you will take a look at this 60-day rule.

When we have people come up here and testify and we ask questions, and their response basically is, “Well, we will get back to you with a written answer.” In too many cases and, frankly, particularly with the Army, in too many cases, this has been used as a way to sort of roll issues that are kind of hot-button issue now and kind of get them off the radar screen.

And I hope that you will look at that 60-day period as sort of the floor rather than the regular process, particularly when there are issues that come before us that are time sensitive.

Ms. KING. I will, Senator.

Senator WEBB. Thank you.

Governor, I would like to say, first of all, I think you bring a great set of qualifications to the job, a very unique set of qualifications—having been Governor, having been an Ambassador, having served on active duty, and having been a businessman.

And I would say to you, as someone who has spent 5 years in the Pentagon, been around the military all my life, who loves the military, who also believes the military sometimes needs tough love, that I hope that once you assume your position here, you will resist the notion to get on an airplane and go say hi around the world, which is what they are going to ask you to do, and really get your arms around the need for strong civilian leadership in the Department of the Navy.

And I would like to give you an example here and ask for you to bring us your ideas in terms of management policies that might fix it. About a year and a half ago, I read in the Wall Street Journal that Blackwater, which now has a new name. I don’t remember what. I think it is XE. Was building a facility and had a multi like

tens of million dollar project in San Diego to build a facility to train active duty sailors how to tactically deal with a presence on their ship.

And the first thing that struck me about that was that why 6 years then after September 11 were we asking civilian contractors to teach our military people how to perform military functions? It would be like when I was in Quantico as a Marine having Blackwater coming and teaching me how to patrol.

So I started asking questions about this. The City of San Diego was opposing this facility. That is how it ended up in the Wall Street Journal. But I started asking questions about how did this project get authorized? Had it ever come before this committee? Was it specifically before the Appropriations Committee? How do these things happen?

And the end result of it was that there was a block of money that had moved forward from the Appropriations Committee, O&M money, from which the Department of the Navy decided that to service the "needs of the fleet," they would make this contract with Blackwater. In other words, it wasn't an authorized program. It simply emanated from a locality in the Navy.

And as I asked further questions, it turned out that from the information that I was given, an SES in the Navy one level up from the program authorizer could make this decision on up to an amount of \$78.5 million without even the approval of the Secretary of the Navy.

Now I think, as someone who has got a lot of experience in business and management, you would probably find that as disconcerting as I did?

Ambassador MABUS. Yes, sir.

Senator WEBB. Here is what I would ask. I would like to send you this packet and just get you to put a management check on it, if you would. And maybe can discuss or maybe I can just get your reaction in terms of management policies for these sorts of things that are happening inside the Department of the Navy?

Ambassador MABUS. I will be very happy to do that.

Senator WEBB. Thank you very much.

And Mr. Work, you are a lucky man because my time just ran out.

[Laughter.]

Senator REED. Senator Nelson?

Senator Bill Nelson: Ms. King, you have worked for Senator Reed, and you know the process up here. And I think the words of Senator Webb are well spoken about making sure that the Department of Defense is getting back to us on—they haven't in the past.

Ms. KING. I understand.

Senator Bill Nelson: It is another way of rope-a-doping. And we are so busy around here that we are not all the time checking every day to see that the Department of Defense is responding. And so, thank you. You are uniquely qualified for this.

Because Mayport has been brought up as an issue here, I am compelled to recall for the record the long history of commentary and testimony that has been made to this committee. This past January, the 14th of January, the Navy issued its record of deci-

sion to have a homeport for a nuclear aircraft carrier at Mayport. It, by the way, was replacing another aircraft carrier, the John F. Kennedy, a conventional carrier, that had been homeported there. And back in the 1980s, there were two aircraft carriers.

So the Atlantic fleet has historically been spread at least over two ports. In the Pacific, we know there are three homeports of which the six carriers stationed in the Pacific are spread.

And in its record of decision just a couple of months ago, the record of decision said, "The most significant strategic advantage offered by the development of an additional east coast CVN homeport is a hedge against a catastrophic event that may impact Naval Station Norfolk, the only existing CVN homeport for the Atlantic fleet CVNs of which there are five that are homeported of the now six CVNs, the most recent having just been commissioned, the George H.W. Bush."

Furthermore, the Navy stated in that record of decision, "Neither the Navy nor the Nation nor its citizens can wait for a catastrophic event to occur before recognizing the potential impacts of such an event. This lesson was learned all too well in the aftermaths of the recent catastrophic events, such as Hurricane Katrina. The Navy recognized its responsibility to develop a hedge against such an event."

Thus, according to the Navy, and I continue to read from the record of decision, "The decision to create the capacity to homeport a CVN at Naval Station Mayport represents the best military judgment of the Navy's leadership regarding strategic considerations."

They determined that, "The cost of developing a CVN homeport at Naval Station Mayport is more than offset by the added security for CVN assets and enhanced operational effectiveness provided by the ability to operate out of two homeports."

Those are not my words. That is the Navy's words in their decision to have a homeport for a nuclear carrier.

Mr. Chairman, I ask that the Navy's record of decision be entered into this committee record.

Chairman LEVIN. [presiding] It will be at this point.

[The information referred to follows:]

[COMMITTEE INSERT]

Senator BILL NELSON. Now, needless to say, the Secretary of the Navy and the Chief of Naval Operations, Admiral Roughead, clearly understood also the lessons of Pearl Harbor, of which Admiral Kimmel, a four-star admiral, the head of the Pacific fleet, because he allowed those battleships to be all collected up, and it was just serendipitous that our carriers had left port when the Japanese struck.

Admiral Kimmel was relieved of his command. He was forced to retire, and he was stripped of two of his four stars. His family, over the last half-century, have tried to have that case reviewed and stars reinstated, and the Navy has refused in large part because of the lesson that we must always remember.

So the Navy's decision to make Naval Station Mayport a homeport to a nuclear aircraft carrier is consistent with senior DOD and Navy leadership, including the following instances that have been well chronicled in this record of this committee.

In the additional views, we have cited, for example, the former Chief of Naval Operations Admiral Vern Clark told the Armed Services Committee in February 2005 that, in his view, “Overcentralization of the carrier port structure is not a good strategic move. The Navy should have two carrier-capable homeports on each coast.”

Admiral Clark went on to say, “It is my belief that it would be a serious strategic mistake to have all of those key assets of our Navy tied up in one port.”

In March 2006, Deputy Secretary of Defense and the former Secretary of the Navy Gordon England testified to this committee that the Navy needed to disperse its Atlantic Coast carriers, saying, “My judgment is that dispersion is still the situation. A nuclear carrier should be in Florida to replace”—to replace—“the USS John F. Kennedy to get some dispersion.”

Secretary England explained that, “The concern was there always will be weapons of mass destruction. Even though carriers were at sea, the maintenance facilities, et cetera, are still there, and the crews. So having some dispersion would be of value to the Department of the Navy.”

At the same hearing, the Vice Chairman of the Joint Chiefs of Staff Admiral Edmund Giambastiani shared his own judgment that we should disperse our carriers. He illustrated his sense of risk to the Nation’s east coast carriers when he recalled his own visit to Norfolk one Christmas where, “We had five aircraft carriers, all sitting one next to each other, and that is not something that we should routinely do.”

And Mr. Chairman, I would like to enter into the record a photograph as recent as 1997 of five aircraft carriers all docked, side by side, at the Naval Station Norfolk. And I would also like to enter into the record a chart prepared by the Department of the Navy of the number of times that two, three, four, five and, when you include across the river in the dry dock, six aircraft carriers have been located and the number of days in that particular calendar year going back for a couple of decades.

Chairman LEVIN. Without objection.

[The information referred to follows:]

[COMMITTEE INSERT]

Senator BILL NELSON. Then, on July 31, 2007, before this committee, when asked whether he agreed that it is in our national interest to ensure that we maintain two nuclear carrier ports on the east coast of the United States and in the principle of strategic dispersal, the Chairman of the Joint Chiefs of Staff Admiral Mike Mullen stated, “I am, Senator, and I am on the record more than once for this, very supportive of strategic dispersal of our carriers.”

And on last December, December 18, 2008, Secretary Gates wrote to Senator Webb and to Senator Warner, two former Secretaries of the Navy, as Senator Webb has pointed out, but also the two Senators from Virginia. Secretary Gates wrote of the Navy’s decision, wrote to those two Senators, “Based foremost on strategic considerations, the CNO recommended and after thorough consideration of the EIS, estimated cost of implementation, and strategic laydown and dispersal, Secretary Winter concluded that home-

porting a CVN at Naval Station Mayport best supports the Navy's mission and is critical to our naval security interest."

That is from a letter from Secretary Gates. And he continued, "There is significant national security value in establishing an additional east coast CVN support base." And Secretary of Defense Gates wrote, "Having a single CVN homeport has not been considered acceptable on the west coast and should not be considered acceptable on the east coast."

And Mr. Chairman, I ask that that letter be entered in the record.

Chairman LEVIN. Without objection.

[The information referred to follows:]

[COMMITTEE INSERT]

Senator BILL NELSON. Well, then, as Senator Webb has stated, on 10 April 2009, the Department of Defense announced their intent to review the Navy's homeporting decision in the Quadrennial Defense Review. Now both of you, I think, have stated for the record that you intend to play a major participatory role in the QDR. Is that correct?

Ambassador MABUS. If confirmed, that is correct, Senator.

Mr. WORK. Yes, sir.

Senator BILL NELSON. What weight would you share with the committee that you would give to the professional military judgments of the Chairman of the Joint Chiefs, the CNO, Admirals Mullen and Roughead?

Ambassador MABUS. Senator, I think that at this stage of my process and at the fact that this decision has been put in the QDR, that I should say that I understand the issue. I understand its importance. I understand the expressions of the decisions on both sides of the issue and that I look forward to delving into the details of this issue so that a fair and equitable decision can be made coming out of the QDR.

Senator BILL NELSON. All right. And I understand how you are constrained at this point. I appreciate that. It is a delicate situation. You are a great public servant, and you are going to be a great Secretary of the Navy.

One other fact has come to my attention that when you consider what we expect to be the DOD request on the funding for the long-lead items, which is the dredging of the channel—it has been filling up—back down to the depth that will accommodate a nuclear aircraft carrier, and it had been dredged to a similar depth when the John F. Kennedy was coming and going up through 2007.

As well as what we expect to be the request on the improvements to the pier, which is also a long-lead item and of which Senator Webb said he is not going to oppose those funding requests, it has come to my attention that the Navy engineers must have military construction funding this year if there is to be no delay in implementing the Navy's decision.

And Secretary Lynn has assured us that the QDR review would not cause a delay to the Navy. And since the QDR would be decided in the coming months, that would seem to be the case, and that is what he has committed to us.

Now the concern is that there may not be the request in the funding for the design funding, and that is a long-lead item, too.

So I would ask you, as the new Secretary of the Navy, if you would go and speak to your superiors that within that funding there should be the provisions for the design funding so that there is, in fact, what has been committed no delay, instead of it being pushed off again?

Ambassador MABUS. Yes, sir. I will investigate that particular issue.

Senator BILL NELSON. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you.

Now I was not planning on a second round, but I think Senator Webb has got his hand up.

Senator WEBB. Yes, briefly, Mr. Chairman, since my colleague took well over his 8 minutes and in lieu of a second round, I would just like to reiterate a few points that I made on this before, that it is properly before the Office of the Secretary of Defense to be looked at in terms of strategic viability.

I would like also, since my friend from Florida has put all these documents into the committee hearing, we did a 21-page assessment of the Navy's proposal. It was written largely by Gordon Peterson on my staff, a 30-year naval officer. And I would ask that be submitted, included in the record as well.

Chairman LEVIN. Without objection.

[The information referred to follows:]

[COMMITTEE INSERT]

Senator WEBB. Okay. Thank you, Mr. Chairman.

Senator BILL NELSON. Mr. Chairman, I would ask, in addition—I already requested that the chart be entered as well as the two photographs in the record, along with the record of decision, and the Secretary of Defense's letter to Senator Webb, December 18, 2008. That identical letter was sent to Senator Warner, the then-senior Senator of Virginia.

And also additional views that I had submitted back in the year 2007 to the National Defense Authorization Act for the year 2007.

Senator WEBB. Mr. Chairman, perhaps we could—

Senator MCCAIN. Mr. Chairman, could I ask the indulgence of my friend? I can see we are in a discussion that will probably go on for a long time and will probably be the subject of a markup. I would remind my colleagues we do have other nominees that have been waiting patiently. I hope we could move on here pretty quick.

Thank you, Mr. Chairman.

Chairman LEVIN. I am, unless there is additional need for questions, going to excuse this panel.

Senator REED. Senator Udall?

Chairman LEVIN. No, I checked with Senator Udall. Thank you, Senator Reed, for pointing that out. I did check with Senator Udall, and he indicated he did not need to ask questions of this panel. We appreciate that.

We will now excuse the panel. However, Mr. Remy, following a request here, if you could provide promptly for the record a detailed description of your duties at—and this is for the record—at Fannie Mae and whether you were aware of any of the activities which contributed to the mortgage crisis that has emerged? And if you could do that promptly, we would appreciate it.

Mr. REMY. Yes, Mr. Chairman.

Chairman LEVIN. Now, without objection, and we will excuse this panel with thanks to you and your families.

And we won't break here. We will just ask for people to move quickly out and in.

[Pause.]

Chairman LEVIN. Okay, everybody. Thank you for the quick turnaround time here. We are going to first ask Senator Webb if he would make his introduction, and then I will be calling on the other nominees.

Senator Webb?

Senator WEBB. Thank you, Mr. Chairman.

And I would like to say it is a great privilege and a pleasure for me to introduce General Gregson to this panel and to express my support for his confirmation.

I have known General Gregson since we were both 18 years old, which, when you get to be our age, is a long time. And I would like to put an anecdote out here just to explain my view of why I respect his service so much.

In February 1968 during the Tet Offensive, we had service selection at the Naval Academy. This was the first time that there was—

Chairman LEVIN. Senator, I hate to interrupt you, but we want to be able to hear this. Could we ask the folks in the back of the room to please be very quiet?

Could the folks in the back of the room please be quiet while they are exiting? Thank you.

Senator Webb?

Senator WEBB. Thank you, Mr. Chairman.

Just to start again on this, in February 1968 during the Tet Offensive, we had our service selection at the Naval Academy. I was one of six battalion Marine Corps coordinators trying to figure out which of the midshipmen would volunteer to go into the Marine Corps. We had a 10 percent quota. Watching the Tet Offensive on television, we were probably the only class in modern Naval Academy history that did not make its Marine Corps quota.

In my battalion, I had 22 midshipmen who said they were going to go into the Marine Corps, and on service selection night, half of them, for whatever reasons, made another decision. It was a very bad time for our country. It was a very bad time for the Marine Corps, which lost more than 100,000 killed or wounded in Vietnam.

Of the six Marine Corps coordinators, five of them were infantry officers. They received nine Purple Hearts, and one was killed in action.

The interesting thing about that evening for me, which I will never forget, is that Chip Gregson for 4 years at the Naval Academy kept a destroyer model on his desk. We all thought he was going to be a surface warfare guy. And when he looked at what was happening during Tet 1968, he came down and signed up for the Marine Corps. He moved toward the sound of the guns.

He served in Vietnam with the 1st Reconnaissance Battalion, was wounded, received a Bronze Star for heroism. He went on to a very distinguished career in the Marine Corps as an intellectual and as a combat leader. He has commanded at every level. He has

spent years in Asia, in Japan and at Okinawa. At the same time, he was a fellow over in the Brookings Institution and worked in the Pentagon in policy positions.

I can't think of a better person to take over the enormous responsibilities that he is about to assume. And I normally do not introduce people on the committees on which I sit, but in this particular case, I am very pleased to recommend General Gregson to this committee.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Webb.

That is an extraordinary introduction, and I know how much we appreciate it and how much General Gregson appreciates it.

The other members of the panel are the following: Dr. Michael Nacht. Am I pronouncing your name correctly?

Dr. NACHT. Yes, Senator.

Chairman LEVIN. Currently professor of public policy at the Goldman School of Public Policy at the University of California, Berkeley. Dr. Nacht served as a member of the U.S. Department of Defense Threat Reduction Advisory Committee for which he chaired panels on counterterrorism and counterproliferation of weapons of mass destruction.

He is also a consultant for Sandia National Labs and Lawrence Livermore National Laboratory. From 1994 to 1997, Dr. Nacht was Assistant Director for Strategic and Eurasian Affairs at the Arms Control and Disarmament Agency. And last, but far from least, I believe you have a son who resides in Ann Arbor, my home State.

Dr. NACHT. Correct.

Chairman LEVIN. That can only help you.

[Laughter.]

Chairman LEVIN. Lieutenant General Wallace Gregson, U.S. Marine Corps retired, has been a foreign policy and military affairs consultant for WCG & Associates International since 2006. He has been beautifully introduced by Senator Webb, and I don't think I could possibly add anything to that introduction. So I am not going to try.

Jo-Ellen Darcy is the senior environmental advisor to the Senate Finance Committee. She was given a wonderful introduction by Senator Baucus.

I will put my additional comments about her in the record, except to say that she worked on water issues for our Governor Jim Blanchard of Michigan both in Lansing and Washington and also has a master's of science degree in resource development from Michigan State University. And the rest I will put in the record, but that is about—nothing better can be said than what I just added.

And Dr. Ines Triay, did I pronounce your name correctly?

Dr. TRIAY. Mr. Chairman, it is pronounced "Tree-iy."

Chairman LEVIN. Triay. And Dr. Triay, you spent most of your career in service to the Department of Energy from your days as a scientist at Los Alamos Laboratory, and continuing as a career Federal employee, you have held a variety of senior scientific and management positions. You are presently Principal Deputy Assistant Secretary of Energy with responsibility for the Department of Energy's Environmental Management Program.

Your experience in that position, your deep commitment to the cleanup program will help ensure that the program is very well managed and technically sound. We are delighted that you have been nominated as well.

Now I am going to ask you standard questions that you can all answer together.

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

[All four witnesses answered in the affirmative.]

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

[All four witnesses answered in the negative.]

Chairman LEVIN. Will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

[All four witnesses answered in the affirmative.]

Chairman LEVIN. Will you cooperate in providing witnesses and briefers in response to congressional requests?

[All four witnesses answered in the affirmative.]

Chairman LEVIN. Will those witnesses be protected from reprisal for their testimony or briefings?

[All four witnesses answered in the affirmative.]

Chairman LEVIN. Do you agree, if confirmed, to appear and testify upon request before this committee?

[All four witnesses answered in the affirmative.]

Chairman LEVIN. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?

[All four witnesses answered in the affirmative.]

Chairman LEVIN. Okay. I think we are going to call first on Dr. Nacht.

**STATEMENT OF MICHAEL NACHT TO BE ASSISTANT
SECRETARY OF DEFENSE FOR GLOBAL STRATEGIC AFFAIRS**

Dr. NACHT. Mr. Chairman, Senator McCain, members of the committee, it is an honor to come before you as President Obama's nominee to be Assistant Secretary of Defense for Global Strategic Affairs.

And I wish to thank President Obama, Secretary Gates, and Under Secretary Flournoy for their support of my nomination.

Let me say a few words about my family. For their unwavering love and support, I want to foremost acknowledge my wife, Marjorie Jo, my partner of 45 years; my son Alexander and his wife, Maria, of New York; my son David and daughter-in-law, Alicia, who, as the chairman has acknowledged, are residents of Ann Arbor, Michigan; and our loving grandchildren Joshua, Benjamin, Julian, and a fourth on the way. I am delighted that my son Alexander could be with us today.

I also wish to cite the contributions to our Nation of my wife's family in national security. Her dad, Walter Seltzer, now deceased,

won the Silver Star with Oak Leaf Cluster, the Bronze Star, and the Purple Heart at the Battle of the Bulge in World War II.

Her cousin, Major Stephen Nurenberg, U.S. Army, is currently in Iraq with the Joint Task Force while stationed at Fort Eustis, Virginia. And another cousin, Michael Nurenberg, a member of the Virginia National Guard, was previously in the 3rd Ranger Battalion in Afghanistan.

Senators, I have twice served full time in Government—first as a NASA missile aerodynamicist in the early days of the space program, more recently as a nuclear arms and missile defense negotiator in the Clinton administration,

for which I received unanimous U.S. Senate confirmation.

After September 11, as the chairman has noted, I had the privilege to be asked by General Larry Welch, former U.S. Air Force Chief of Staff, to chair two panels of the Threat Reduction Advisory Committee of the Defense Threat Reduction Agency on counterterrorism and counterproliferation of weapons of mass destruction.

If confirmed, I would be honored to return to public service to contribute to our Nation's security. I would make every effort to meet the challenges posed by the array of issues in global strategic affairs.

I pledge to work closely with this committee and other committees of the Congress on each of these challenges, and I would like to thank the members of the committee for your consideration of my nomination.

[The prepared statement of Dr. Nacht follows:]

Chairman LEVIN. Thank you, Dr. Nacht.

General Gregson?

STATEMENT OF WALLACE C. GREGSON TO BE ASSISTANT SECRETARY OF DEFENSE FOR ASIAN AND PACIFIC SECURITY AFFAIRS

General GREGSON. Mr. Chairman, Senator McCain, members of the committee, thank you for the opportunity to appear before you this morning.

I would like also to thank Senator Webb for his most gracious introduction.

I am honored and grateful that the Secretary of Defense recommended me and the President has chosen to nominate me for Assistant Secretary of Defense for Asian and Pacific Security Affairs.

My wife, Cindy, whose patience and understanding have made this possible, is here today. Our oldest son is working in Boston and unable to attend. Our youngest son is serving with the Marines in Iraq and, similarly, unable to attend.

We have both urgent challenges and important opportunities in the Asian and Pacific region. If confirmed, I am eager to lend my efforts to meeting our national security goals.

Thank you.

[The prepared statement of General Gregson follows:]

Chairman LEVIN. Thank you very much, General Gregson.

Ms. Darcy?

**STATEMENT OF JO-ELLEN DARCY TO BE ASSISTANT
SECRETARY OF THE ARMY FOR CIVIL WORKS**

Ms. DARCY. Thank you, Chairman Levin, Senator McCain, members of the committee. Thank you for holding this hearing today so promptly after our announcement of these nominations.

It is my honor and privilege to be here today as President Obama's nominee to be Assistant Secretary of the Army for Civil Works. I am here today because of my experience with the Corps and its mission, and I am also here because of the love and support of my family and my friends.

I would like to introduce my family. My mom, Jean, couldn't be here today or my brother Richard, and I know that my father is looking down from on high. But I would like to introduce my three sisters, Bonnie Darcy Waldman, Pam Farentino, and Dr. Margie Darcy. And my cousin Sarah Lord is here, as well as my long-time friend Jean Antonucci.

I have several friends and colleagues here also today, and I would like to thank them for their support and their guidance over the years.

My experience as a Senate staffer for the last 16 years and my time working for the Governor of Michigan on Great Lakes issues has given me the opportunity to work with the Corps of Engineers on realizing project goals and on developing the policies that guide the Corps' mission.

In addition to firsthand knowledge of the complexity and importance of the Corps' responsibilities, my experience has given me great respect for the outstanding men and women of the Corps, who serve the Corps and serve this country. The Corps has, throughout its history, marshaled expertise and ingenuity to serve the changing needs of a growing Nation.

If confirmed, I look forward to building on that tradition of rising to new challenges to meet the Nation's needs in the 21st century.

Thank you for the opportunity to testify today, and I look forward to answering any questions.

[The prepared statement of Ms. Darcy follows:]

Chairman LEVIN. Thank you, Ms. Darcy.

Dr. Triay?

**STATEMENT OF INES R. TRIAY TO BE ASSISTANT SECRETARY
OF ENERGY FOR ENVIRONMENTAL MANAGEMENT**

Dr. TRIAY. Mr. Chairman, Senator McCain, members of the committee, it is a great honor to appear before you today as President Obama's nominee to be the Assistant Secretary for Environmental Management at the Department of Energy.

I thank President Obama and Secretary Chu for their confidence. I also thank the committee for considering my nomination.

I would like to introduce my husband, Dr. John Hall, who has been my friend, my partner, and my inspiration for over 20 years, and his parents, Mr. and Mrs. Harvey Hall, who are also here with me today.

In 1961, when my parents fled Cuba's Communist regime and went into exile with a 3-year-old daughter and nothing but their dreams for a better life and their love for freedom, it would have been impossible to believe that their daughter would ever be nomi-

nated by the President of the United States to serve this great country.

My parents and I are proud to be naturalized citizens of the United States and are humbled by the honor of my being here today. The pride that we feel has only served to deepen the great love that we have for this country and the admiration and respect that we have for the American people.

That a girl born in Cuba was welcome in Puerto Rico; encouraged to study math and science; received a Ph.D. in chemistry at the University of Miami in Florida; was recruited by Los Alamos National Laboratory and mentored by giants in the field of nuclear science; was asked to direct the beginning of the operational phase of the waste isolation pilot plant, the only nuclear waste repository of its kind in the world; was promoted to the top career position in the Department of Energy's Environmental Management Program, the most complex nuclear cleanup in the world; and is now being nominated to direct that cleanup is something that only happens in America.

Mr. Chairman, if I am confirmed to this position, I will work closely with you and with all of Congress to address the many local, State, regional, and national issues that we face within the Environmental Management Program. I commit to informing and consulting with Congress, the tribal nations, the State, our regulators, our stakeholders, and individual concerned citizens.

As I address you today, I want to affirm my commitment to safety, the safety of our workers, the safety of the public, and the safety of our environment. Safe operations and cleanup is our ever-present and ultimate goal.

I come before you today with a unique understanding of the complexity and magnitude of the task that we face. I have firsthand experience in every aspect of environmental management and have dedicated my life to the successful cleanup of the environmental legacy of the Cold War.

While we have made a significant progress in the Environmental Management Program, I recognize the enormity of the remaining effort and the technical challenges that we face. I am eager to use science and technology, robust project management, and our inter-governmental partnerships to reduce the cost and schedule of the remaining program.

As the committee is aware, the Environmental Management Program has come under considerable criticism for the execution of its projects. Under my leadership as acting Assistant Secretary, aggressive efforts are underway to transform the Environmental Management Program into a best-in-class project management organization.

I commit to you that if I am confirmed, I will work tirelessly to make this effort successful and to continue to improve the Environmental Management Program. I have a long history of demanding excellence from my team. Nothing less than performance that results in delivering our projects on time and within cost will be acceptable from the environmental management Federal team and our contractors.

Should I be confirmed, I will use every tool to ensure the successful performance of the environmental management mission. Relent-

less focus on performance, utilization of science and technology, staff professionalism and competency, transparency and accountability—these will be the cornerstones of my tenure if I am confirmed.

Mr. Chairman, members of the committee, I would be honored to serve this great country that I so deeply love. As a Latina, I embrace the responsibility of excelling and, if confirmed, I will do everything in my power to meet your highest expectations.

And I would be pleased to answer your questions.

[The prepared statement of Dr. Triay follows:]

Chairman LEVIN. Thank you very much, Doctor.

Let us try 8 minutes, see if we can finish in time for the vote at noon.

Dr. Nacht, first, one of the most significant policies for which you are going to be responsible is the nuclear posture review, and you are going to be leading that review for the Under Secretary of Defense for Policy, as I understand it.

Balancing near-term deterrence requirements while seeking to achieve the elimination of nuclear weapons is, to put it mildly, a challenge. I am wondering how you see that process working on a practical basis?

Dr. NACHT. Thank you, Senator.

Yes, the nuclear posture review policy process has begun. I don't know all the details, but it is a rather elaborate process that involves all the key stakeholders, including STRATCOM, the NNSA and DOE, and others, also the Department of State, and the NNSA and Department of Energy.

I will co-chair and lead key aspects of this review, reporting to Under Secretary Flournoy. And I think it is on a pretty fast track, but yet intends to be very comprehensive.

It is the first nuclear posture review since the Bush administration's activities in 2002, and we know that, I believe, there was no declassified version of that report produced, and we are going to try very hard to produce a declassified as well as a classified report. So I will play a significant role in that process.

Chairman LEVIN. General, on the question of U.S. assistance to Pakistan, I have got a couple of questions. This assistance can only be effective if Pakistan's leadership at all levels comes to believe that violent extremists in Pakistan pose the greatest threat to Pakistan's survival, not India.

And otherwise, the United States is simply going to be, if we just pour money into there without the government of Pakistan understanding or agreeing that its principal threat is the threat of extremists, we would be perceived as trying to buy their support for our goals rather than supporting Pakistan in their efforts to confront the existential threat to Pakistan represented by those extremists.

There has been a proposal now by the administration to provide military and development assistance to Pakistan as part of its new strategy. There is a request for \$400 million to establish a Pakistan counterinsurgency contingency fund to train and equip the Pakistan Frontier Corps and to provide counterinsurgency training to the Pakistan army. The Kerry-Lugar bill would provide \$1.5 billion

a year for 5 years to build democratic and economic institutions in Pakistan.

Would you agree, General, that the government of Pakistan needs to make the case publicly that the single- greatest threat to their security is posed by the militant extremists that spread out from the border area and that the Pakistan army should redirect its main focus to countering that threat?

General GREGSON. Mr. Chairman, I would certainly agree that Pakistan is in significant difficulty. They need to recognize that the extremism is an existential threat, and the resources that we provide to Pakistan need to be directed toward alleviated that specific threat.

Chairman LEVIN. General, in your opinion, to what extent is an improvement in Pakistan-India relations a prerequisite for successfully stabilizing the security situation in Pakistan itself?

General GREGSON. Pakistan and India have had difficult relations for the history of Pakistan. We need to work with Pakistan, India, and with other countries across the region to decrease any of the tensions that distract from our effort against the extremists.

Chairman LEVIN. There is a program in Afghanistan, General, called the National Solidarity Program. You and I have spoken about this in my office. Both General Petraeus and Under Secretary of Defense Flournoy have expressed strong support for this program.

It works through locally elected village councils. It empowers the Afghan people to set out their own development priorities. It also supplies small amounts of money, up to \$60,000 per village, so that the project that they select can be built or adopted.

And I am hoping that after your confirmation, you will become familiar with the National Solidarity Program and the community development councils that they have established in over 21,000 villages and localities in Afghanistan as a way of bringing some kind of grassroots decision-making as well as grassroots selected development to Afghanistan. Can you do that?

General GREGSON. Yes, sir. I certainly can, and I took the liberty of researching that program a bit after I left your office. I think it is a wonderful example of bottom-up development, and your mention that we work on projects that they select rather than projects that we select for them I think has got a lot of promise.

Chairman LEVIN. And then, finally, the President has said that he supports benchmarks for measuring progress in Afghanistan and for promoting accountability. In Iraq, Congress pressed for benchmarks, and Prime Minister Maliki and the Iraqi government finally did adopt some goals or milestones to measure progress in security and in political reconciliation.

We didn't invent the benchmarks. These were objectives that Iraq itself had set for itself with a timetable for achieving the benchmarks. And I am wondering, General, whether you will support the adoption of benchmarks by the Afghan government? We can have our own benchmarks, obviously, to track this. But most importantly, would you encourage the Afghan government to set some benchmarks for their own progress?

General GREGSON. I certain would. And whether we call them benchmarks or measures of effectiveness or some other term, I be-

lieve that we need to have a continuous dialogue about whether we are accomplishing what we need to accomplish. And if not, what do we need to change?

We also need, I think, to be very aware of the fact that the situation itself can change and that that might change what we are trying to do in the normal countermeasure ways that these develop. But we need to have a clear understanding not only within the Department of Defense but, in my mind, across the Government on what it is we are trying to do and, more than that, across the international coalition.

Chairman LEVIN. Okay. Thank you.

Ms. Darcy, just a question for you about the significant backlog of the Corps work. The Harbor Maintenance Trust Fund has about \$4 billion surplus in it that is growing every year, and yet we have got all kinds of ports, facilities, waterways, small harbors, including harbors in Michigan, that are silting due to the Corps not having the—saying that they don't have funds available for dredging and other operations and maintenance, which is critically important to commerce in our harbors.

The money collected for the Harbor Maintenance Trust Fund is intended to maintain harbors and channels. The Corps has significant operations and maintenance backlogs, and yet in fiscal year 2008, they spent only \$766 million in operations and maintenance from that trust fund while the tax revenues collected were more than twice that amount, \$1.6 billion.

Will you take a look at that issue, particularly take a look at the growing backlog that exists in dredging in our important harbors—not just in the Great Lakes, but obviously representing a Great Lake State, I am keenly aware of the importance of that trust fund and the need to keep those harbors open. Will you commit to take a strong look and see if we can address those backlogs?

Ms. DARCY. I will, Senator.

Chairman LEVIN. Okay. Thank you. My time is up.

Senator McCain?

Senator MCCAIN. Thank you, Mr. Chairman.

And I would tell all the nominees and their families who are here, we appreciate their willingness to serve the country.

General Gregson, in follow-up to Senator Levin's questioning, do you believe that we should set benchmarks for the progress of Pakistan in their cooperation and assistance in addressing the threat that is based in Pakistan to Afghanistan?

General GREGSON. We need to come to an understanding with Pakistan—

Senator MCCAIN. Do you think that we ought to have benchmarks for them?

General GREGSON. We certainly should have some measure of standards, benchmarks, measure of effectiveness. We need to know where we are going and whether we are getting there.

Senator MCCAIN. Should those benchmarks be included in the aid package to Pakistan?

General GREGSON. We need to somehow make sure that the aid that we are giving to Pakistan goes to the purpose for—

Senator MCCAIN. I say with respect, General, like you either don't wish to answer or not answer. My question is pretty clear.

Should those benchmarks be included in any aid package to Pakistan?

General GREGSON. Yes, sir. They should.

Senator MCCAIN. They should in writing. And what if the Pakistanis don't meet those benchmarks, General?

General GREGSON. If the Pakistanis don't meet those benchmarks, then our position and our posture over there and our effort becomes even more difficult. I think it is absolutely essential that we work with Pakistan to solve the problems in Central Asia, and they are all linked together.

Senator MCCAIN. Thank you, General.

Could I ask you about North Korea and ask you what do you think the state of the situation is vis-&-vis North Korea and whether we should resume six-party talks, and do you believe that they are willing to resume six-party talks?

General GREGSON. They have indicated most recently that they are not willing to resume the six-party talks. I think the six-party talks should be resumed. There are elements within the six-party talks that help us. The first essential is to stay in close formation with our two allies over there that are most intimately involved with North Korea—Japan and the Republic of Korea.

With the solid foundation from there, if we can find matters of common interest to work with Russia and China, that is in our favor, and it helps to build confidence in Northeast Asia that we are trying to work the issue.

Senator MCCAIN. Thank you.

General, I would just like to comment I think it is pretty obvious that North Korea has taken actions recently that are exactly in the opposite direction—driven out the inspectors, say they are moving forward with development of more nuclear weapons, the recent launch, which was more successful than the other ones.

So I hope that you will pay some attention to it and close attention to events there. And I think we are in agreement that China plays a key role in whatever cooperation we might lead to be expected from them.

Dr. Triay, have you ever been to Hanford, Washington?

Dr. TRIAY. Yes, Senator. I have.

Senator MCCAIN. You have been? And have you seen the state of the cleanup there?

Dr. TRIAY. Yes, Senator. I have. I am very familiar with the state of the cleanup.

Senator MCCAIN. And your assessment of the state of the cleanup? The information that we have is maybe 2062 before it is cleaned up?

Dr. TRIAY. Senator, that is correct. But as I was saying in my testimony, we will use science and technology. We will use robust project management in order to bring in the schedule as well as reduce the lifecycle cost of that cleanup.

Senator MCCAIN. Thank you.

I can't recall the numbers right now as the cost overruns over the initial estimates, but they are astronomical. And it seems to me that a target date of 2062 is not something that we should be satisfied with. It took a lot less years than that to do the pollution, much less.

So I hope you will give that a high priority. It has just been something I have been concerned about for a long period of time.

Ms. Darcy, do you believe that the Corps of Engineers should prioritize projects for authorization?

Ms. DARCY. No, Senator.

Senator MCCAIN. You don't?

Ms. DARCY. No, the current practice of the Corps is to not prioritize them for authorization. Once those projects—

Senator MCCAIN. And you agree with that?

Ms. DARCY. I do.

Senator MCCAIN. Business as usual.

Dr. Nacht, do you believe that the world—we can achieve a world free of nuclear weapons?

Dr. NACHT. I think it is an aspiration, and as President Obama said in Prague, something that may not be achieved in his lifetime. But it is an aspiration, which will then structure some of what we will try to do to change attitudes. And perhaps this will lead to reduction in nuclear arsenals, significant reduction, and also to dissuasion of others to acquire nuclear weapons.

Senator MCCAIN. Are you optimistic about recent dialogue between the United States and Russia?

Dr. NACHT. I haven't been briefed in detail on this, but from the public accounts, the terms were used as a productive beginning. I have spent 3 years negotiating with the Russians in the START and missile defense area, and I know it is a challenging experience.

But I think, as I understand it, Under Assistant Secretary Gottemoeller, we are off to a good start.

Senator MCCAIN. Have you had a chance to look at the proposals that Secretary Gates has made concerning reductions in some of our missile defense programs or even elimination?

Dr. NACHT. I have read some of them. I don't believe the department has released a full budget, but I have read some of the statements.

Senator MCCAIN. Well, I was talking specifically about missile defense proposals that Secretary Gates has made, which are pretty specific. Will you look at those and give us a response in writing as to what you feel about those proposals?

Dr. NACHT. Absolutely.

Senator MCCAIN. Thank you very much.

I thank the witnesses for being here and look forward to their confirmation.

I thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCain.

Senator McCaskill?

Senator MCCASKILL. Thank you, Mr. Chairman.

My questions are for Ms. Darcy as it relates to water, and it won't surprise you, Ms. Darcy, that I want to talk about the Missouri River. As you are aware, the GAO, I am sure, did a study at the urging of Senator Dorgan earlier this year that talked about the decline in the amount of goods being transported along the Missouri River.

Unfortunately, this study did not take into account that the navigation season had been severely curtailed by the Corps and nor did it take into account the value of the goods that are being shipped

or the jobs associated with these shipments and the impact on Missouri and, in fact, the heartland's utilities as it relates to water being used as cooling on four major power plants along the river.

I understand why Senator Dorgan wants the Garrison diversion project, but what he is advocating now is a new study. Now, what drives me crazy in the Federal Government is the money we spend on studies.

We completed a study that cost \$35 million about the river. It cost \$35 million, and it took 15 years to complete. And now we are proposing to do another study.

You know, some things aren't going to change. The north is going to want more water, and the south is going to fight about it. And we could study it until the cows come home, but it is not going to change that reality and whether or not we are going to make sure that navigation is still available on the southern portions of the river.

And so, we were able to get a letter that Senator Dorgan signed that said that the Corps should delay this study—the funding was put into the omnibus appropriations bill, over my objection and other Senators' objection. And there was an agreement reached that Senator Dorgan would ask the Corps, along with Senator Bond and me, to not begin this study until after October to give us another chance to reach out to stakeholders and perhaps have the entire Senate weigh in about this.

We have learned that preliminary work has begun on this study, even though a letter was sent to the Corps saying to delay the study. I need to ask you today why is preliminary work being done on a study that you have been asked to delay? And whether or not you are willing to say stop it until we hear back from the Senate after we finish the appropriations process this year?

Ms. DARCY. Senator, because I am not at the Corps yet, my only response to you, I think, today can be, if confirmed, I would be happy to look into it. I understand the frustration on the Missouri River, and I also understand the frustration over continuous studies.

Senator MCCASKILL. Well, I appreciate that. I don't mean to diminish North Dakota, South Dakota, and Montana, but the population of Missouri alone exceeds the population of those three States. And we need that navigation. It is very important to the economic health of our State.

And I just have learned the hard way that sometimes this is arm wrestling behind doors as it relates to appropriators, and there are much bigger policy issues here than who has Senators on the Appropriations Committee and who doesn't.

And I just wanted to make sure that on the record I got your assurances that you were going to go into this with your eyes wide open, and I particularly would like, as quickly as possible once you are confirmed, some kind of word back to my office about not beginning to spend any of the money that has been appropriated on this study until after the date of October that we asked you to hold off on until you actually begin going down that road.

Ms. DARCY. If confirmed, I most certainly will look at it immediately.

Senator MCCASKILL. Thank you.

And thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCaskill.

Senator MCCAIN. Could I just ask one more question of Ms. Darcy? You are aware of the threats to the Colorado River?

Ms. DARCY. Yes, I am, Senator.

Senator MCCAIN. And not only pollution, but lower levels and all of those aspects of the issue?

Ms. DARCY. I am, Senator.

Senator MCCAIN. And how important they are to the West?

Ms. DARCY. Yes, sir.

Senator MCCAIN. I thank you, Mr. Chairman.

Chairman LEVIN. Thank you.

There have been requests for some answers for the record. Dr. Nacht, if you can get those in? As soon as you get those in, we can then proceed to consider the nomination. There is another witness who is going to get us information for the record from the earlier panel.

We are going to move as quickly as we can on these nominations. If you could get those answers in today or tomorrow, it would be helpful. There is usually, I think, a 48-hour wait, is there, before they go to the floor? Do they still wait 2 days?

No limit. Okay. Just if you could get those answers in promptly, we will try to take these nominations up very, very quickly.

We very much appreciate, as Senator McCain said, not only your service, your willingness to serve, but the support of your families. It is essential. You know it, and we just want them to be understanding that we are grateful to them as well as to you.

We will stand adjourned, and that will be it.

[Whereupon, at 11:56 a.m., the hearing was adjourned.]