snowflake

April 16, 2001 9:15 AM

TO: Terry **Robbins**

FROM: Donald **Rumsfeld** DR

SUBJECT: **Gannon** and **Adelman**

I **talked to** Frank **Gannon** and Ken **Adelman**. Both **would** be willing **to** help. **You** might want to talk to both **of them—they** have both written **several books—before you talk** to **the** publisher.

Thanks.

4/16/01

DHR:dh
041601-3

16 April 01

March 12, 2001 3:31 PM

~~snowflake~~

fax'd 3/12 6:45 pm DH

TO: Terry Robbins (b)(6)

FROM: Donald Rumsfeld

SUBJECT: Publication of Rumsfeld's Rules

I received the attached. Think about it and let's visit. I could donate any royalties to an appropriate charity.

Attach.

DHR:dh
031201-25

DEPUTY ASSISTANT SECRETARY OF DEFENSE
PUBLIC AFFAIRS

3/11

Mr. Secretary —

If you are interested in hearing more, Dan Dell'Orto and I will come see you.

V/R
Craig

11-L-0559/OSD/2969

Quigley, Craig, Rear Adm., OASD(PA)

From: Taylor, Tim, CAPT, OASD(PA)
Sent: Friday, March 09, 2001 12:15 PM
To: Quigley, Craig, Rear Adm., OASD(PA)
Subject **FW: Rumsfeld's Rules**

-----Original Message-----
From: Conti, David [mailto:David.Conti@(b)(6)
Sent: Friday, March 09, 2001 11:34 AM
To: 'tim.taylor@osd.mil
Subject: Rumsfeld's Rules

Captain Taylor,

This is a followup to our conversation earlier today.

HarperCollins Publishers is extremely interested in publishing a book version of "Rumsfeld's Rules."

Our idea is to publish the "Rules" along with an original introduction and anecdotes illustrating the rules written by Secretary Rumsfeld. We feel that the book format, along with the value added by the new material would become extremely popular among business leaders around the world.

I am executive editor of HarperBusiness, an imprint of HarperCollins Publishers. We are the premier business book publisher, with a list of authors that includes Peter Drucker, Jim Collins (Built to Last) Noel Tichy (The Leadership Engine), Michael Dell, among many others.

I hope to hear from you or someone in your office regarding this most exciting opportunity.

Cordially,

Dave Conti

HarperCollins Publishers
10 East 53rd Street
New York, NY 10022
(b)(6)
david.conti@h(b)(6)

snowflake

March 10, 2001 6:04 PM

TO: Marty Anderson

c c : Terry Robbins

FROM: Donald Rumsfeld

SUBJECT: Publication

fax'd 3/12 DH

After you talk to the folks at Simon and Schuster and they have read "Rumsfeld's Rules"" and "Brilliant Pebbles I and II," why don't you connect them with Terry Robbins, the person who handles business things for me in Chicago.

If I did it, I would certainly want any benefits from it to go to a charity. And I think it might make sense to do it.

In addition, I have a friend named Frank Gannon who writes and might be a good person to help work on the book-he could get paid out of the first royalties or signing fee. Although I doubt it will be as big as Hillary's or the Pope's.

Terry's phone number in Chicago is (b)(6)

Thanks.

DHR:dh
031001-18

snowflake

April 16, 2001 2:15 PM

TO: Andy Marshall

cc: Paul Wolfowitz
Steve Cambone

FROM: Donald Rumsfeld DR

SUBJECT: Thoughts on Marshall Paper

Here are some thoughts a friend of mine gave me on the Marshall paper.

I agree on Central Asia and the Persian Gulf.

I also agree on the idea of coming up with some specific targets on R&D.

The point on D&D is valid as well.

Thanks.

Attach.
03/19/01 Transcript

DHR:dh
041601-40

381

16 Apr 01

Transcript
Donald H. Rumsfeld
March 19, 2001

p16

...economic growth section is that the Persian Gulf and Central Asia become dramatically more important because of oil shipments and that the Indian Ocean and th potential for _____ of India to become an arbitor of who gets to , . . (decide) where the ships go, becomes dramatically bigger. This was actually done on a study, tl it Andy financed I think in the Summer of '99 on Asia, but if you look at the numbers, fo example, of the increase in China's reliance on oil imports and the increase in India's reliance on oil imports, I think that, to me would say that the Persian Gulf and Central Asia become dramatically more important than they already are, which is opposed to, say, East Asia or South Asia, per se..

1. Third, I don't think as a practical matter you can skip Latin America and Africa and minor wars everywhere and have a defense assessment that sort of stipulates the really big players probably won't be much of a problem and what we ought to do is dump all these other projects. This is what he says, and if you read the last part of this paper, it sort of says these are the things we should quit doing? Well, as you know, in Columbi a for example, we may be more likely to increase than decrease. In Mexico we better hope that Fox is successful. All of sub-Sahara and Africa is at best shaky. And the Albanians are proving that it is really hard to bring peace to anybody. And I am just suggesting to you that you almost need a section that says we need strategies for effective, affordable power outside the big states. The strategy may be hiring mercenaries or training secondary states, or maybe doing a lot of things, but we don't, today, have any strategy

which allows us to do the most likely things we will be doing the next 20 years. He just skips all of them. And leaps straight back into big state problems.

2. Fourth, he almost ... he touches on this with a very light one or two sentences, I think denial and deception is a much bigger problem going out. That we have active opponents who consistently try to figure out what we do to learn and who are expending more and more resources to block us from learning. That is a big, not a small, problem. And I would list it in big blocks and this is something I was working on as Speaker and then of course you ran into the same stuff as you began to go through your commissions. But I think that needs to be highlighted as a real problem to be worked. I think his point on joint training is exactly right and is something you ought to try to pull together that we ought to insist that we design joint exercises as opposed to the Marines get to do one thing, and the Army does another, than Navy and Air Force go off and are all happy. But they are not forcing the outer margins of jointness at all.

3. Then, I just have three last points. I think he is on the right direction here, but I would make it stronger. You need a bigger push to the next generation of technology. For example, he makes a point in reference about carriers. But if you go to on-man systems, you've got those Marine helicopter carriers that are much cheaper, have many fewer people on them in terms of Navy personnel, but easily have enough space to launch all sorts of on-man capabilities. It could easily be power projection ships in their own right against virtually anybody in the Third World probably for at least 20 years. But that is a

whole different way of thinking than how many F- 18s can I put on a nuclear-powered carrier.

4. I think you also need, if I can talk about next generation and then sort of super-next generation. The super next generation requires a much bigger DARPA and probably a requirement at your level to every service to shift some percentage, 3, 4, 5% of their total budget, to testing and pushing the outer edge of the technologies appropriate to their particular system. We ought to just say to them, if it's already fieldable, that doesn't count. You can buy it if you want to, but you ain't buying it out of this 5% or 4%. You need some number that goes to all the services as well as a bigger DARPA that is pushing that we are going to keep investing in technology til we figure out what works.

5 The last two things are, I think the alliance challenge is the industrial-base challenge. I mean, we either have to decide we are truly allies and figure out how we are going to bring them into our industrial base and lead a joint industrial base effort combined I guess with the industrial base effort, or you are going to see the Europeans spin off in the next 20 years.

6. Lastly, as I suspect you are already discovering, that this is a fancy set of words, you could knock it down to something simpler later on, but we have to address the notion of a multi-tasked, multi-focused, simultaneous leadership, where you get up in the morning, and you have got one rhythm in Columbia, the second rhythm in Taiwan, the third rhythm in Indonesia and you just had a bomb go off next to an America or Bradley in

Kosovo, and by the way, the Europeans are going to meet tomorrow morning to talk about launching a next generation fighter aircraft directly to Petivila (sp). Those are fc ır different things; each of them has it's own rhythm, its own pattern, and you've got to have all four of those in your commands capabilities simultaneously, And nobody has ever had to do that in history. Because you didn't used to get this kind of real time reflow. And I think that's gotta be' something that's addressed by both the NSA and th White House, but also at State and Defense.

DR. "That's interesting..

END OF TAPE

DHR/azn
Trans.NG.031901.01. 4:31 PM

snowflake

April 16, 2001 3:37 PM

TO: William Schneider, Jr.
Chris Williams
Larry Di Rita

FROM: Donald Rumsfeld

SUBJECT: Reports for Congress

Please take a look at this draft message to Congress on reports. Edit the letter, and then tell me what you think we ought to do with it.

Thanks.

Attach.
04/12/01 de Leon memo to SecDef re: Draft "Message to Congress"

DHR:dh
041601-52

2/9

16 Apr 01

April 12, 2001

To: Deputy Secretary Wolfowitz
Steve Cambone
Bill Schneider
Chris Williams
Powell Moore

CC: Secretary Rumsfeld

From: Congressional Reports Group (Rudy de Leon, Larry DiRita, Dan Dell'Orto, Bruce Dauer, Bob Shue) Rudy de Leon

Subject: Draft "Message to Congress"

For several weeks, we have had a small group look at the issue of Congressional reports. After a careful accounting of the reports mandated during the Fiscal 2001 legislative cycle, plus an examination of recurring reports required by permanent law, we have concluded that during this current year OSD is accountable to the Congress for 899 reports.

Our study group understands that the exchange of information between the legislative and executive branches is essential in shaping our national security policies. In fact almost 500 people – military and civilian – in the Department (OSD, JCS, Army, Navy, Air Force, Marines, CINCS, Agencies) have duties associated with liaison and support to the legislative branch.

Yet, at the same time, we can improve how the executive and legislative branches conduct their business.

Attached is our draft "Message to Congress" on Reports. Your comments would be very helpful as we complete our drafting and before this letter is sent to the Hill.

Thanks.

[MESSAGE TO CONGRESS]

I write to initiate a dialogue on how the Department of Defense can be more responsive to the Congress by improving and establishing a more meaningful system of communication and exchange. As I stated at my confirmation hearing before the Senate Armed Services Committee, I am fully committed to working "closely with the committee and with the other appropriate committees of the Congress to develop, fund, and implement an overall defense program that can achieve our goals for the future."

Working together, I believe the legislative and executive branches can develop policies that will lead the United States Armed Forces through a time of transformation. As the Department continues building a strategic framework and budget for the new fiscal year, however, I find that through various statutes and report language, Congress has asked the Department of Defense in the coming fiscal year for almost 900 reports and notifications. A specific break down follows:

Department of Defense Congressionally Mandated Reporting Requirements

(FYO 1) Mandated Reports (List Attached):

• One-time reports	465
• Recurring reports in Committee reports	16
• Recurring reports in law	50
	531

Reports in Permanent Law (List Attached):

• Codified Recurring Reports	368
Total Reporting Requirements:	899

Exchange of information between the legislative and executive branches is essential in shaping our national security policies. In fact almost 500 people – military and civilian – in the Department (OSD, JCS, Army, Navy, Air Force, Marines, CINCS, Agencies) have duties associated with liaison and support to the legislative branch. The success of our partnership in working together is critical to the young men and women who wear the uniform of our armed forces.

Yet the sheer volume of reports threatens to undermine the very system of effective congressional oversight they are intended to enhance. With so many reports, the quality and value of individual products are diminished. As a result, leaders within the Department have long expressed concern about the time and money devoted to preparation efforts, Similarly, congressional leaders have long expressed reservations about the utility of the products they receive,

11-L-0559/OSD/2979

The Department's Responses to Congress' Need for Information

The reporting regime that has evolved over the decades reflects the unique relationship and responsibility of the legislative and executive branches in matters of national security. This relationship derives from the United States Constitution. As Article I states, Congress shall "raise and support" our armed forces and together the executive and legislative branches will "provide for the common defense."

This constitutional responsibility, in turn, rests on the ability of Congress to access accurate information concerning the United States Armed Forces. Accurate information is the foundation of effective and responsible oversight. Many reports provide information and analysis otherwise unavailable to Congress and contain information and analysis that are indispensable to effective decision-making. It therefore is clear that the Department of Defense should provide that information to the Congress in a timely and usable manner.

The challenge for any Secretary of Defense is to determine how best to meet the Congress' need for information while also meeting the larger purpose of those obligations—strong, capable military forces supported by an effective and efficient Department of Defense. Along with our emerging defense team, I face the same challenge today. We are working hard to conduct a strategic defense review that will determine the structure and shape of U.S. forces for decades to come, We are selecting, nominating, securing Senate confirmation for, and installing senior appointees who will guide the Department. Moreover, we are preparing a Fiscal Year 2002 budget and beginning the process that will lead to the Future Years Defense Program (FYDP).

Within the Department: Changing the Culture

There are important steps the Department can take on its own to change the culture surrounding these congressional reports and to improve its management of complying with these two requirements.

Continuing to Seek Effective Alternatives to Reports. Leaders from the Office of the Secretary of Defense and the Military Departments already work with congressional committees whenever possible to meet legitimate oversight needs for information without formal reports that are intensive in time, labor and money. Defense leaders regularly negotiate agreements with committees to eliminate, find alternatives, or consolidate reporting requirements not required by statute. Indeed, without briefings, consolidation of submissions, or accepting information in forms other than official reports, the present figure would be significantly higher. The Department will continue to respond vigorously to these inquiries.

Include Cost Estimates in Congressionally Required Materials. Under the current regime, the financial cost of preparing reports rarely enters into the decision of whether to request a report. Introducing that factor at the onset of the process would be a simple and significant step toward measuring-and then reducing-the burden placed on the Department. A logical first step would be to ensure each office that prepares a report include a formal cost estimate similar to those made for responses to Freedom of Information Act (FOIA) requests. In

lieu of measuring costs for each submission, costs for recurring reports could be estimated annually or at some other interval. Costs of preparing budget justification material could be estimated both on an aggregate basis and for large discreet elements. Finally, cost estimates might be included in replies to letters or other requests that require a substantial or unusual effort.

Working with Congress

Additionally, the Department of Defense and the Congress should:

- Conduct a review of all recurring requirements, with the goal of re-evaluating, prioritizing, and then reducing the number of these requirements;
- Agree that those reports requiring the use of outside contractors be specified and the requirement re-evaluated;
- Adopt self-imposed limits on the number and length of annual reports required by the Department;
- Use "sunset" dates to reduce the number of supposedly "one time only" reports that often return each year despite the formal request by the Department in each year's budget request that such statutory reports included in the previous years not be repeated; and,
- Publish the financial cost and manpower required to prepare each report,

Taken together, these initiatives would greatly enhance congressional oversight to the benefit of both the Congress and the Department. Members of Congress and staff would be able to focus on the most critical issues. The Department would be able to devote greater time, attention and resources to those reports and requirements remaining. Responses to Congress would be timely. The quality and value of each remaining report would increase. As a whole, congressional oversight would improve to the ultimate benefit of our men and women in uniform.

[SIGNED]

Enclosures:
1. Overview of Required Reports
2. FY 01 Mandated Reports
3. Reports in Permanent Law
4. Proposed Legislation
5. Roster of Legislative Support

11-L-0559/OSD/2981

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-290		**SAC-MILCON Subcommittee Rpt (on S 2521, Rpt'd 9 May 00)**				
106-290	0 1 2	Transfer Authority	Notify	"After the fact"	OUSD/C	Transfers between any accounts in the bill could be accomplished at the determination of the SECDEF. **SECDEF** report
106-290	020	Armed Forces Institute of Pathology Facility	Report	"Without further delay"	**OASD/HA**	Evaluate alternatives for improving the AFIO facilities. **SECDEF** report.
106-290	020	Weapons Storage and Maintenance Facility, Ft Bragg, NC	**Report**	06/15/01		JCS'd improvements in the overall infrastructure required to ensure the safety certification and security of those foreign weapons.
106-290	0 2 1	Antilles Consolidated School System	Report	08101100	OUSD/P&R	Deficiencies of the school system, corrective measures to be implemented, and an associated time line for resolving the issues.
106-290	022	Weapons of Mass Destruction -- Civil Support Teams (WMDCST)	Report	2/15/01	**NGB**	Distribution of funds for unspecified minor construction funding to directly support WMDCST requirements.
106-290	025	NATO Security Investment Program Funds	Notify	21 days prior to obligation	OUSD/P	**Before** using NSIP funds for NATO enlargement or Partnership for Peace (PFP) purposes.
106-290	053	**Support** for counter-drug activities of the Government of Colombia	Report	Within 45 days of enactment	***OUSD/P***	Outline specific uses for all funds appropriated in account. **SECDEF report.**
106-290	053	**Support** for counter-drug activities of the Government of Colombia	Notify (if necessary)	15 session days prior to obligation of funds	OUSD/C	Limit on funds made available.
106-290	053	Support for counter-drug activities of the Government of Colombia	Report	Monthly	***OUSD/P***	Identify private sector firms providing support, the number of Americans overseas in execution of supporting contracts, the number of military personnel and U.S. Government employees operating in Colombia and surrounding region.
106-290	059	Defense Health Programs	Report	Within 30 days of enactment	OUSD/P&R	Report on the application and use of funds provided.
106-614		**HAC-MILCON Subcommittee Rpt (on HR 4425, Rpt 9 May 00)**				
106-614	006	Historic Preservation	Report	3/30/01	OUSD/AT&L	Develop innovative initiatives and future plans that can help reduce costs and improve maintenance of historic properties.
106-614	007	Joint Use Facilities	Certify	With use of Form 13900391	Army / Navy / Air Force	When the Department assesses facilities needs, and Form 1390/1391 which is presented as justification for either joint use or unilateral construction.
106-614	007	Transfer Authority	Notify	"After the fact"	OUSD/C	The budget request proposed a general provision allowing the transfer of up to **$67,000,000** between any accounts in the bill. **SECDEF** report.
106-614	007	Paint	Report	03130101	OUSD/AT&L	Review current military specifications and costs for paint.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-614	008	Recycled foundry sand	Report	03/30/01	Army / Navy	Prior and potential use of foundry sand in military construction.
106-614	008	BMDO Construction Projects	Notify	30 days prior to obligation	BMDO	The Committee is concerned about this request and wants prior notification of specific projects with detailed justification.
106-614	0 1 1	Child Development Centers	Plan	02/15/01	OUSD/P&R	Creation of 25,000 additional child care spaces through constructing child development centers over the next five years.
106-614	014	Ft Belvoir: Army Museum	Report	Within 90 days of enactment	Army	Determine whether Fort Belvoir is an appropriate site for the National Museum of the U.S. Army.
106-614	015	Lemoore NAS Quality of Life and Work Space Conditions	Report	03/15/00	Navy	Explain the execution of the Infrastructure Improvement Plan, including any changes or modifications that have been made to the plan and the reasons therefor.
106-614	015	Puerto Rico-Roosevelt Roads Naval Station	Report	Within 90 days of enactment	Navy	Outline options available for development of the land. a timetable, the Navy should develop with the Municipality of Ceiba, and actions to be taken by the Department.
106-614	020	Facilities Backlog	Report	With the budget	Army / NGB	Current backlog of facilities requirements of the Army National Guard.
106614	020	Armory Infrastructure	Report	01101101	Army / NGB	Status of armory infrastructure.
106-614	024	NATO Security Investment Program	Report	Quarterly	OUSD/C	NATO nations share of cost and NSIP project costs and cost shares.
106-614	024	NATO Expansion	Notify	21 days prior to obligation	OUSD/P	Before using NSIP funds for NATO enlargement or Partnership for Peace (PFP) purposes.
106-614	026	New housing constmction	Notify	30 days prior	OUSD/AT&L	Funds appropriated for a new construction project may be transferred for purpose of a private sector pilot project at the same location. SECDEF report.
106-614	026	Construction improvements	Notify	30 days prior	OUSD/AT&L	Funds appropriated for a construction improvement project may be transferred for purpose of a private sector pilot project at the same location. SECDEF report.
106-614	027	Foreign Currency Savings, O&M	Report	12/01/00	OUSD/C	Allowcation of savings from foreign currency re-estimations.
106-614	027	Operation and Maintenance, Reprogrammings	Notify	Within 30 days of transfer of funds	OUSD/C	Proposed transfers of funds in excess of ten percent to all primary accounts and subaccounts.
106-614	028	Domestic Leases	Report	Quarterly	OUSD/C	Details of certain new or renewed leasing agreements.
106-614	028	Foreign Leases	Report	2 1 days prior to entering into an agreement	OUSD/C	Perform an economic analysis on all new leases or lease/contrac agreements; report details of any new or renewal lease exceedin $20,000 per year (as adjusted for foreign currency fluctuation, but not adjusted for inflation).
106-614	029	Asbestos and Lead-based paint removal	/Notify	As required	Services	When asbestos and/or lead-based paint removal costs cause /maintenance and repair thresholds to be exceeded.

11-L-0559/OSD/2983

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
	030	Fire Suppression	Report	Within 30 days after enactment	Army	To ensure smoke detectors, alarms and fire extinguishers are installed in all stairwell apartments in Germany.
106-614	032	Marine Corps Barracks.	Notify	30 days in advance of intended fund use	Navy	Authorizes the use of private funds for the construction, improvement, repair, and maintenance of the historic residences
106-614	035	Contractor Support for Family Housing Privatization	Report	Quarterly	OUSD/AT&L	Review and report the expenses of each Service to ensure excessive amounts are not being spent on contractor support.
106-614	038	Environmental Restoration	Notify	When necessary	OUSD/AT&L	A ceiling is established on the level of funding unless it is determined that additional obligations are necessary, and the necessary reasons for the increase are given. SECDEF report.
106-614	2:X--	Hunters Point Naval Shipyard	Report	01/15/01	Navy	Status of the transfer and remediation of the shipyard.
106-6 14	039	Rio Vista Reserve Center: Cleanup efforts and asbestos remediation	Report	09/15/00	Army	Concerning plans for building demolition, including the require /funding, funding source, and estimated dates for completion of such activities.
106-292		**SASC Rpt (S 2549, Rpt'd 12 May 00)**				
106-292	048	Interim Brigade Combat Teams (IBCT) - Medium Armored Combat Vehicles	Report & Plan	02/01/01	Army	Description of the Army's plans for conducting a side-by-side comparison of existing versus new hardware implementations.
106-292	049	Interim Brigade Combat Teams (IBCT) - Medium Armored Combat Vehicles	Report	03101/02	Army	Provide analysis of the results of the side-by-side comparative operational analysis.
106-292	049	Interim Brigade Combat Teams (IBCT) - Medium Armored Combat Vehicles	Certify	When necessary	PA&E	Certify that the conclusions of the operational analysis containe /in the Army's 2nd report support the proposed acquisitions for /additional IBCT equipment. SECDEF report.
106-292	094	LHD-8 Advance Procurement	Report	None Specified	Navy	Continued concerns over the FYDP and the Navy's structure of contract for LHD–8 that maximizes potential costs savings.
106-292	124	Advanced SEAL Delivery System	Report	None Specified	OUSD/AT&L	Explain why this program was not to elevate to a higher level of review, as was required.
106-292	125	Special Operations Forces small arms and support equipment	Report	Prior to any add'l authorizations	JCS	Assess the suitability of the equipment enhancements for all SOF operational elements and any recommendations for improvements to meet the needs of SOCOM.
106-292	127	C-S aircraft upgrades	Report	02/15/01	Air Force	Contain analysis to support the recommendation on sequence of aircraft upgrades and project lift capabilities for ten years.
106-292	127	Electronic digital compass system	Report	None specified	Army	Assess the utility and costs involved in integrating and procurin systems for combat and tactical vehicles of the first digitized division and the digitized corps.
106-292	128	I Soldier's portable on-system repair tool (SPORT)	Report	None specified	Army	Following a review of outstanding requirements, report on an acquisition strategy designed to meet those requirements.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-292	142	Army Future Combat Systems (FCS)	Report	01/31/01	OUSD/AT&L	Include the schedule for this initiative; funding required for FY-02 and future years; and a description and assessment of the acquisition strategy. SECDEF report.
106292	176	Refuel Los Angeles-class SSNs or convert Ohio-class SSBNs	Report	W/FY-02 Budget	Navy [AT&L]	Report the attributes used to analyze the options and the distinctions among these attributes in the near- and long-term.
106-292	177	Shipboard simulators for Marine Corps operations	Report	03/01/01	Navy	Assess Marine Corps training for Marines afloat; a program to develop and field additional simulation capabilities; and plans to support the fielding of new training simulation systems.
106-292	212	National Missile Defense (NMD)	Report	04/01/01	BMDO	Report the analysis of the advantages and disadvantages of a competitive approach to follow-on GBR development and deployment.
106-292	216	Complex systems design	Report	When completed	Army	Conduct a review of the project.
106-292	221	Management reform for DoD test and evaluation centers	Report	When funds are awarded	OT&E	Report on the allocation of PE 64940D funds and the criteria used to determine the recipients.
106-292	222	Crusader	Report	03/01/01	OUSD/AT&L	Describe how the current development and acquisition strategy will fit with efforts designed to field the objective force described in the Army transformation initiative.
106-292	224	Joint Training and Experimentation	Report	03/01/01	JCS	Assess the advisability and feasibility of establishing a joint national training center, include a summary of actions taken, planned or under consideration.
106-292	224	Maritime patrol aircraft	Report	03/01/01	OUSD/AT&L	Outline the status of the MMA concept exploration, including the impact of funding requested in the FY-02 budget request to prevent near-term shortfalls. SECDEF report. AT&L can sign.
106-292	225	Prophylactic pharmaceuticals	Report	When completed	Army	Report results of a cost-benefit analysis of a development program based on current medical research, and include the funding requirement to fully develop this research.
106-292	226	Radiation Hardened Electronics Investment Strategy	Report	4/1/2001 and Annually thereafter	OUSD/AT&L	Report on implementation of the Strategy, including the degree to which directed investment goals are being fulfilled. SECDEF report.
106-292	226	Transition of successful research projects into the acquisition system	Report	NLT 6 months after enactment	OUSD/AT&L	Review the transition pace problem and report alternative approaches to ensuring that successful research initiatives are fielded in a timely manner, and the review should consider possible changes to the acquisition and budgeting systems.
106-292	264	Manufacturing Technical Assistance Pilot Program	Report	When necessary	Navy	Outline results of this pilot program. SECDEF report.
106-292	283	Cultural and Historic Activities	Report	04/01/01	Navy	Describe all the uses of Legacy funds and relevant state funds, status of recovery and preservation activities related to three civil war era vessels, and the projected funding and date for completion of all recovery and preservation activities.

Congressional Reporting Requirements /Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-292	286	Charlestown Naval Auxiliary Landing Field, Charlestown, R.I.	Report	01/01/02, if necessary	Army	If the site demolition workplan cannot be executed in FY-01, then the Army needs to explain their inaction.
106-292	286	Inventory of financial management and feeder systems	Plan	Addition to current requirement	OUSD/C	Additional matters to be covered under the original report, e.g., identify each system listed in the inventory as critical or non-critical and major or non-major,. SECDEF report.
106-292	287	Joint Computer-aided Acquisition and Logistics Support (JCALS) program	Report	03/01/01	OUSD/AT&L	Report progress made to restructure the program to expand the functionality and use of the JCALS program beyond the technical manual capability.
106-292	289	Revised requirements for report on use of smart card as PKI authentication device carrier	Report	12/01/00	OASD/C3I	Report on the cost and feasibility of existing hard disk storage , technology or other technologies that could be used, include a comparison of the technologies on a cost and performance basis
106-292	302	Funeral honors for members of the uniformed services	Report	03/01/01	OUSD/P&R	Following a conference with VA, HHS and Commerce, report it findings and recommendations. SECDEF report.
106-292	302	Information related to alternatives to the Survivor Benefit Plan (SBP)	Report	NLT 01/30/01	OUSD/P&R	Describe the TAP program and its content by service, include a description of the methods of exposure; various numbers on particpates, and those who declined SBP. SECDEF report.
106-292	303	Study on the use of peyote by military personnel	Report	Upon completion of study	OUSD/P&R	Report the findings of a study and any recommendations prior to finalizing a Department directive. SECDEF report.
106-292	319	Financial assistance for those beneficiaries requiring animal assistance	Report	None specified	OUSD/P&R	Study requirements for dependents of military personnel whose medical conditions may require such assistance, include an assessment of the economic impact of obtaining such animals.
106-292	319	Health care benefits for retirees living overseas	Report	NLT 03/12/01	OUSD/P&R	Report on the desirability and feasibility of providing health can benefits to these military retirees. SECDEF report.
-106-292	319	Implementation of DoD and VA sharing initiatives	Report	NLT 0113 1101	OUSD/P&R	With the VA, develop a plan and report on the formation of problem solution groups and regional liaisons to facilitate sharing opportunities. SECDEF report.
106-292	320	Notification of persons affected by unanticipated adverse outcomes of medical care	Report	NLT 03/01/01	OUSD/P&R	Review the current notification process and any additional requirements the Secretary deems necessary. SECDEF report.
106-292	320	Special pays for military health care professionals	Report	NLT 03/01/01	OUSD/P&R	Conduct a review and report on the adequacy of special pays an bonuses. SECDEF report.
106-292	329	Appropriate use of the government purchase card	Report	02/01/01	Services	Report the findings of sampled purchase card transactions fmm selected commands to determine whether the prices paid were fair and reasonable.
106-292	329	Appropriate use of the government purchase card	Report	02/01/01	OUSD/AT&L	Report on processing costs at the DFAS. SECDEF report. AT&L can sign.
106-292	329	Availability of contractor past performance information	Report	NLT 03/01/01	OUSD/AT&L	Examine the award fee determination information disclosure under FOIA, determine whether a clarification in regulation is i the public interest. SECDEF report. AT&L can sign.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-292	330	Online auctioning	Report	03/01/01	OASD/AT&L	Provide a progress report on identifying specific markets for which online auctioning may be appropriate and the development of a pilot program.
106-292	331	Performance goals and measures for quality of equipment and other products	Report	02/01/01	OUSD/AT&L	Report how the Department plans to improve its quality assurance program. SECDEF report. AT&L can sign.
106-292	332	Polyacrylonitrile (PAN) carbon fibers	Report	02/01/01	OUSD/AT&L	Report on the domestic and international industrial structure that produces PAN carbon fibers, current and anticipated market trends, and on any decision made in regard to the DFAR restriction. SECDEF report. AT&L can sign.
106-292	405	Support for Weapons of Mass Destruction Civil Support Teams	Report	NLT 10/01/01	Army	Provide a report on the expenditure of these funds.
106-292	416	Report on Naval Foundry and Propeller Center, Philadelphia, Pennsylvania	Report	NLT 03/01/01	Navy	Analyze the facility, equipment, and staffing requirements and include the funding levels needed in future budgets to provide the needed capabilities and capacity at the Center.
106-292	417	Report on requirement for Education Center at Fort Stewart, Georgia	Report	01/15/01	Army	Study requirement and feasibility of funding and constructing an education center, also address the desirability of joint use by the local community and any cost sharing arrangements.
106-292	417	Study on commercial leases	Report	04101101	OUSD/AT&L	Analyze the relocation of activities in metropolitan areas that have vacant or underutilized DOD property; areas studied should include Philadelphia and San Antonio. Report
106-292	418	Study regarding the location of the National Museum of the U.S. Army	Report	NLT 1 year after enactment	Army	Initiate a new site selection process and report the selected site, if one is judged appropriate, the site selection process, schedule for developing the museum, and funding sources.
106-616		**HASC Rpt (HR 4205, Rpt'd 12 May 00)**				
106-616	062 / 341	Reserve Component Automation System (RCAS)	Report	NLT 03/01/01	Army	Detail programmed funds for RCAS for FYs 2002 through 2007
106-616	120	Aircraft navigational and passenger safety equipment	Report	02/01/01	Services	Report on passenger and navigation safety upgrade status and plans for each of its passenger-carrying aircraft.
106-616	125	F-15 modifications	Report	With the FY-02 budget request	Air Force	Provide plan to implement a block upgrade program.
106-616	129	Predator unmanned aerial vehicle (UAV) system	Report	With the FY-02 budget request	Air Force	Assess the utility of a Predator-B aircraft, including the benefits or problems operating a mixed Predator fleet.
106-616	172	Chinook helicopter modification and improvement	Report	With the FY-02 budget request	Army	Assess the need to establish a funded product improvement program; report the results including levels of funding required.
106-616	176	Future Combat System (Future Scout and Cavalry System (FSCS) program)	Report	NLT 12/31/00	Army	Report how the Army will sustain the joint FSCS program to develop and demonstrate key technologies applicable to the future family of combat systems.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-616	193	Advanced anti-radiation guided missile (AARGM)	Report	With the FY-02 budget request	Navy	Provide results of the developmental testing of the ARRGM seeker and the Navy's plans for further development.
106-616	199	Common Command and Decision (CC&D) System	Report	With the FY-02 budget request	Navy	Report on the Navy's program plan and funding for the CC&D P3I program and for insertion of advanced technology in the CEC/SSD integrated combat system.
106-616	200	Composite advanced sail development	Report	With the FY-02 budget request	Navy	Provide the Navy's plan for further development of a composite advanced sail for the Virginia class submarine.
106-616	200	CVNX aircraft carrier design product modeling	Report	With the M-02 budget request	Navy	After conducting an assessment of the cost-effectiveness of developing a product model for the CVNX report the results, together with plans and funding requirements for development.
106-616	203	Extended range guided munition (ERGM)	Report	11/01/00	Navy	Provide a revised program baseline, risk reduction measures, ant measures to foster competition in the program.
106-616	204	Fielded system obsolescence, technology insertion and technology refreshment	Report	With the FY-02 budget request	Navy	Report on plan for an Acoustic Rapid COTS Insertion (A-RCI) program that would address the issues of technology refresh and technology insertion in legacy and developmental programs.
106-616	205	Fleet health technology and occupational lung disease	Report	NLT 03/21/01	Navy	Report on the plan for the occupational lung disease study and any initial study results
106-616	207	Hybrid fiber optic/wireless communication technology	Report	With the FY-02 budget request	Navy	Assess the progress in the program and the potential for incorporation into the Navy's core science and technology Program.
106-616	219	P-3 modernization program	Report	With the FY-02 budget request	Navy	Provide plans for sustaining the operational capabilities of the P-3 and for development of a replacement aircraft.
106-6 16	220	Parametric Airborne Dipping Sonar (PADS)	Report	With the FY-02 budget request	Navy	Pending successful completion of tests, report on the Navy's plan for further development.
106-616	220	Project M	Report	With the FY-02 budget request	Navy	Report on the Navy's plan for transition of the technology
106-616	224	SSGN Conversion	Report	With the FY-02 budget request	Navy [AT&L]	Provide an approved acquisition strategy and program plan, and a decision as to whether the SSGN shall be START-accountable or START compliant. SECDEF report.
106-616	226	Vacuum electronics	Report	With the FY-02 budget request	Navy	Provide final results and recommendations on the assessment of vacuum electronics and solid state technologies and
106-616	249	Extended range cruise missile (ERCM)	Notify	If necessary, but 30 days prior to obligating any funds	Air Force	If the Air Force proposes to pursue an acquisition strategy using other than full and open competition, inform the committees of the rationale and justification.
106-616	249	Extended range cruise missile (ERCM)	Report	If necessary, but 30 days prior to obligating any funds	OUSD/AT&L	If Air Force opts to include a penetration warhead, DDR&E provide an assessment of penetration warhead improvements necessary to defeat the full spectrum of targets identified.
106-616	256	Small smart munitions (Miniaturized Munitions Capability (MMC))	Report	With the FY-02 budget request	Air Force/Navy	Final results of analysis of alternatives, include a review of all 26 government and industry MMC concepts.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-616	256	Space-based infrared system-high (SBIRS-High)	Notify	Prior to approval of changes	Air Force	Prior to any proposed change to the currently established milestones for the SBIRS-High program. SECDEF report.
106-616	258	Spacelift range system	Report	1/15/01	Air Force	Identify legal impediments to non-federal funding of range improvements and maintenance, and changes required to eliminate the impediments. SECDEF report
106-616	270	National missile defense (NMD)	Report	If determined NMD radars shouldn't be competed	BMDO	Detail justification for noncompete determination not later than 30 days prior to the proposed initiation of any noncompetitive effort.
106-616	271	Navy theater wide (NTW)	Report	02/15/01	BMDO	Assess NTW radar requirements and technologies and architectures, include consideration of expected threats,.
106-616	272	Russian-American cooperative national missile defense	Report	01/15/01	BMDO	Examine concept report on possible architectures, technical merits and challenges, cost, effectiveness, technology transfer risks, and areas of technical cooperation.
106-616	279	High definition displays for military applications	Report	With the FY -02 budget request	OUSD/AT&L	Develop a strategy for meeting the requirements for advanced high definition displays. SECDEF report. AT&L can sign.
106-616	282	Information technology, superiority and assurance	Report	11/01/00	OASD/C3I	Report findings and recommendations of assessed shortfalls in the information technology program. SECDEF report.
106-616	284	Requirement for "designated laboratory"	Report	With the FY-02 budget request	OUSD/AT&L	The Department's position, actions, and funding requirements relative to establishment of a second designated laboratory. , SECDEF report. AT&L can sign.
106-616	285	Science and technology affordability initiative	Report	03/01/01	OUSD/AT&L	/Report on manner in which the S&T program addresses total lif cycle costs of weapons systems, include a description and assessment, associated funding requirements, and related policy initiatives. SECDEF report.
106-616	285	Tactical and support aircraft noise reduction	Report	03/01/01	OUSD/AT&L	Provide status of funding and plans for noise reduction in tactical and support aircraft and for the reduction of sound pressure levels. SECDEF report. AT&L can sign.
106-616	286	Thermionics for space power systems	Report	With the FY -02 budget request	DTRA	Report the results of the assessment of progress being made in the program and plans for its continuation. SECDEF report.
106-616	290	Central Test and Evaluation Investment Program (CTEIP)	Report	Prior to including in any budget request	OT&E	Report any recommended change to current funding procedures for T&E facilities. SECDEF report.
106-616	331	Armed Forces Recreation Centers	Report	01/31101	OUSD/P&R	Review the categories of personnel with AFRC privileges to determine whether those categories should be broadened to include honorably discharged veterans. SECDEF report.
106-616	331	Lodging Programs	Report & Plan	01131/01	OUSD/P&R	Review change in policy, detailing the reasons for the change,- and submit a plan to hold harmless Army and Marine Corps MWR. SECDEF report.
106-616	331	Nonappropriated Fund Support of Official Activities	Report	03/31/01	OUSD/P&R	Review the support that category C activities provide to official activities without reimbursement. SECDEF report.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-616	332	Army Apprenticeship Program	Report	01/31/01	Army	Report on plans to implement an apprenticeship program for Army maintenance depots.
106-616	332	Army Workload and Performance System	Report	02/01/01	Army	Update the AWPS master plan to incorporate GAO's recommendations and submit a revised master plan.
106-616	333	Civilian Air Traffic Controllers	Report	10113110 1	OUSD/P&R	Determine the best method to solve the recruiting and retention problem and report any recommendations. SECDEF report.
106-616	334	Container Freight Station (CFS) Operations	Report	180 days prior to any action on any ifunction transfer	JCS	Report results of the MTMC business case analysis and assess the effects of the proposed transfer on military readiness. SECDEF report.
106-616	336	Defense Personnel Records Imaging System-Electronics Military Personnel Records System	Report	09101100	Navy	Identify the strategy for sustainment of this system.
106-616	337	Department of Defense Civilian Personnel (Recruiting and Retention)	Report	01/31/01	OUSD/AT&L	Develop a comprehensive plan to attract high quality scientists and engineers, and report the findings and recommendations. SECDEF report. AT&L can sign.
106-616	340	National Maintenance Program (NMP)	Report	02101101	Army	Identify the proliferation of depot-level maintenance that is performed outside of the public depots.
106-616	341	Naval Audit Service	Notify	Within 10 days of decision being made	Navy	Submit documentation to support any decision to close audit sites in major fleet concentration areas.
106-616	342	Urban Warfare Training	Report	02/01/01	JCS	Report on master plan for a **DOD-wide** strategy, with milestones, for improving service and joint capabilities to conduct these military operations. **SECDEF** report.
106-616	361 [redacted]	Incentives for Overseas Assignments	Report	12/31/00	OUSD/P&R	Study incentives for overseas assignments and report on attainable and affordable recommendations to resolve the problem of filling overseas duty positions. SECDEF report.
106-616	361	National Guard Military Technician Overtime Pay	Report	03/31/01	OUSD/P&R	Report findings and recommendations to a review of the "time off in lieu of overtime" policy and cost considerations. SECDEF report.
106-616	372	Benefits of Military Service	Report	03/31/01	OUSD/P&R	Review the programs employed to provide service members information on the benefits available to them, and include an assessment of the programs effectiveness. SECDEF report.
106-616	373	Extension of Time Limitation on Use of Reserve Education Benefits	Report	03131101	OUSD/P&R	Study time limitations on use of education benefits and determine if an extension of the time limitations is useful and cost effective. **SECDEF** report.
106-616	373	Improved Basic Allowance for Housing (BAH)	Report	Annually 0313 110 1-06	OUSD/P&R	Study the growth of housing costs in areas where the local costs of housing are believed to be directly influenced by increases in BAH rates. SECDEF report.
~~106-616~~	~~373~~	~~Military Pay Day Every 14 Days~~	~~Report~~	~~03/31/01~~	~~OUSD/P&R~~	~~Study whether the change to a 14-day pay period for military~~ personnel is both necessary and desirable. SECDEF report.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-616	374	Pay Table Reform for Mid-Grade Enlisted Members	Report or Legislative Proposal	With the FY-02 budget request	OUSD/P&R	Study the issue and submit either a legislative proposal or an explanation as to why the concerns are not valid. **SECDEF** report.
106-616	374	Reimbursement for Reservists' Travel Expenses	Report	0313 1101	OUSD/P&R	Review current travel practices, potential advantages for Reservist and Reserve components of providing reimbursments, and report. **SECDEF** report.
106-616	374	Reimbursement of Permanent Change of Station (PCS) Expenses	Legislative Proposal	With the FY-02 budget request	OUSD/P&R	Based on a DoD study, develop a legislative proposal designed to enhance PCS reimbursement levels. **SECDEF report.**
106-616	383	Preventive Health Care Services	Report	03/01/01	OUSD/P&R	Report on the steps taken to improve the implementation of the PPIP initiative. **SECDEF** report.
106-616	383	Computer-Based Patient Record and Medical Records Tracking System	Report	Annually beginning 03101101	OUSD/P&R	Report on the progress and the remaining timelines and tasks associated with integrating the medical information systems. **SECDEF** report.
106-616	383	Computer-Based Patient Record and Medical Records Tracking System	Report	03131101	OUSD/P&R	Report the progress of the MRTS and any interim measures to assure that all hospital and medical records of service members can be easily identified. SECDEF report.
106-616	384	Mandatory Enrollment Program for TRICARE Beneficaries	Report	03/31/01	OUSD/P&R	Conduct a study of the benefits to be gained by requiring TRICARE beneficiaries to enroll in any of the Department's TRICARE programs. SECDEF report.
106-616	384	Two-Year Extension of Authority for Use of Contract Physicians at Military Entrance Processing Stations and Elsewhere	Report	12/31/00	OUSD/P&R	Extend authority for two years to complete tests of alternative methods for streamlining the new-recruit medical screening and make recommendations for changes. SECDEF report.
106-616	394	Compliance with Applicable Labor Laws in Procurement of Military Clothing	Report	NLT 04/01/01	OUSD/AT&L	Report any information indicating non-compliance by contractors, with emphasis shall be placed on proper wage payments and **scales. SECDEF** report.
106-616	4 0 8	DoD Personnel Security Investigation Requirements Priorities	Report	NLT 03/01/00	DA&M	Describe efforts to establish a prioritization scheme and to provide more timely and complete personnel security investigations. **SECDEF** report.
106-616	455	Condition of Barracks to Support Basic Training	Report	With the FY-02 budget request	Army	Report findings, including recommendations, coincident with Army's review of current plans and programs. **SECDEF** report
106-616	465	Military Housing Privatization Initiative	Report	With the FY-02 budget request	Army	/Report findings, including recommendations on the impact of military housing developed under the authority of subchapter IV ch. 169 of title 10, U.S.C., at Fort Carson. SECDEF report.
106-298		**SAC-Defense Subcommittee Rpt (on S 2593, Rpt'd 18 May 00)**				
106-298	014	Overseas Contingency Operations Transfer Fund' (OCOTF)	Report	Monthly	OUSD/C	'Provide reports identifying contingency related expenses for which contingency costs are incurred.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-298	014	Container use maximization	Report	Within 1 year from enactment	JCS	Outline in detail the inventory of DOD-owned container /equipment and its readiness condition, the percentage being containerized, and provide an analysis of steps taken.
106-298	018	Unutilized plant capacity	Report	NLT 09/15/00	Army	Study the scale and capacity of arsenals and ammunition plants, in an effort to mitigate the need for further cash subsidies.
106-298	023	/Hunter's Point Naval Shipyard	Report	NLT 01/15/01	Navy	Report on the status of the conveyance and remediation of this property.
106-298	028	Civil Air Patrol (CAP)	Report	04101101	Air Force	Report on the status of the relationship between the organizations and the governance and management of CAP, e.g /the cost of Air Force oversight of CAP.
106-298	033	Real property maintenance, Army National Guard	Report	04/15/01	NGB	Detail how all funds appropriated for real property maintenance to the ANG will be allocated.
106-298	034	Distributive Training Technology program	Report	02115101	NGB	Report on how the Department intends to allocate funding for this program in FY-0 1.
106-298	034	Homeland Defense Initiative, Camp Gruber, OK and Camp Dawson, WV	Report	03/05/01	NGB	Report on a feasibility study to assess the establishment of combat training centers for local, State and Federal entities in response to weapons of mass destruction (WMD) threats.
106-298	03.5	Angel Gate Academies	Report	NLT 02/15/01	OUSD/P&R	Should this program be included in the civil-military program and should it be expanded to additional locations.
106-298	035	8 19th Red Horse Squadron	Report	10/15/00	Air Force	/Report on the plan and time line to provide this standard vehicle allowance to the 8 19th Squadron.
106-298	036	C^4 Infrastructure Requirements for C-17 Beddown	Plan	11/15/00	Air Force	Provide a plan and time line for satisfying these funding commitments.
106-298	036	Notification of environmental contract awards	Notify	Upon release of draft solicitations	Services	Notify interested State and local authorities and interested Members of Congress upon release of draft solicitations for contracts anticipated to exceed $5,000,000.
106-298	037	Museum of the Rockies	Report	10/01/00	OUSD/AT&L	Provide a report on plans to fund and build this facility, and the overall construction schedule, to include the DD form 139 1.
106-298	051	Worker Health and Safety	Report	03/01/01	OUSD/P&R	Report on current policies that insure workers who may have been exposed to radioactive and hazardous materials, are able to discuss those exposures with their health care providers or othe appropriate officials. SECDEF report.
106-298	059	STAR-T	Certify	When necessary	Army	Certify, when appropriate, that the program no longer has any software integration problems.
106-298	083	C-130 modifications	Report	Not specified	Air Force	Report on the potential acquisition of existing simulators to support this effort, and the location of the simulator training site to support the Pacific Air Forces.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-298	083	Commando Solo	Report	NLT 02/15/01	Air Force	Conduct an analysis of options for effective airframe alternatives, to include the investigation of cost effective, commercial aircraft replacement options.
106-298	097	Electronic Warfare Plan	Assessment	04101101	OUSD/AT&L	Provide a analysis of each system's capability and potential for enhancement, including a specific assessment of each system's capability against the current and projected threats.
106-298	098	Objective Crew-Served Weapon (OCSW)	Report	Within 60 days of passage	Army	Provide a status of the program.
106-298	118	/Combat Training Ranges	Report	11/01/00	Air Force	Inform the Committees of the earliest expected implementation of ADOSM to achieve initial operational capability.
106-298	127	PAC-3/Navy Area Defense	Report	04/15/01	OUSD/AT&L	Conduct a study of the potential for the missile to be used as the interceptor in the Navy Area program.
106-298	136	Defense Working Capital Funding Adjustments	Report	NLT 10/30/00	OUSD/P&R	Report on the usage policies, categories, reimbursement, etc. of the commissaries. SECDEF report.
106-298	139	Deseret Chemical Depot	Report	Within 30 days of investigation	Army	Report the findings from safety investigations conducted at Tooele Chemical Agent Facility (TOCDF).
106-298	140	Clinical Coupler Demonstration Project	Report	03/01/01	OUSD/P&R	Report the results of the clinical couplers demonstration, including a recommendation on whether they should be fully incorporated into the CHCS II system.
106-298	144	/Office of the Inspector General	Report	Semi-annually	IG	Submit a semi-annual expenditures report in compliance with the requirements contained in sec. 127 of title 10, U.S.C.
106-644		*HAC-DefenseSubcommittee Rpt(on HR 4576, Rpt'd 25 May 00)*				
106-644	006	Information Assurance and Computer Network security	Report	With the M-02 budget request	OASD/C3I	Provide details on planned obligation of funds, as well as funding proposed in the FY-02 budget. SECDEF report.
106-644	014	Interim Brigade Combat Teams (IBCT) [redacted]	Certify	With FY-02 budget request	OUSD/C	Certify the budget submission fully funds an additional two IBCTs, as well as in each of the succeeding years of the FYDP until eight brigades are financed. SECDEF report.
106-644	014	Interim Brigade Combat Teams (IBCT) (Army Management)	Report	04/30/01	Army	Commission an independent organization to review and make necessary recommendations to improve the Army's management structure, procedures, etc., and provide a summary of the Secretary's planned recommendations and actions.
106-644	014	Interim Brigade Combat Teams (IBCT) (Army Management)	Report	04/30/01	Army	After a review of ways to improve the Army's management structure and procedures, provide a summary of recommendations and actions to be taken.
106-644	041	Guard and Reserve Workyear Requirements	Report	02/01/01	OUSD/C	Report on efforts to ensure that accurate accounting information is used in preparing the Reserve components budget submissions. SECDEF report.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-644	050	War Reserve and Prepositioned Materials	Report	01/31/01	JCS	Detail specific shortfalls and other stocks needed as described in the QRR, include estimates for both quantities and types of material shortfalls, measures to eliminate shortfalls, and estimates of the cost to remedy. SECDEF report.
106-644	052	O&M Budget Execution Data	Notify	Semiannual	OUSD/C	Summarize O&M budget execution, including the effect of rebaselining procedures, other below threshold reprogrammings and prior approval reprogrammings.
106-644	052	O&M Budget Execution Data	Notify	30 days prior	OUSD/C	Notify prior to executing procedures to rebaseline O&M accounts.
106-644	052	O&M Reprogrammings	Notify	If necessary	OUSD/C	Notify of the cumulative value of any and all transfers in excess of $15,000,000 from any of the O&M budget activities and subactivity group categories.
106-644	053	Public transit vouchers	Report	NLT 12/31/00	OUSD/P&R	Delineate measures that the DoD has taken to implement E.O. 13 150, and estimate the funding required to support the Executive Order. SECDEF report.
106-644	062	Naval Sea Cadet Program	Report	NLT 12/31/00	Navy	Lists the benefits of the program to the Navy, and identifies financial, material and manpower resources the Navy should make available to the program in order to expand it.
106-644	067	C-5 Spare Parts	Report	NLT 01131101 and 09/30/01	Air Force	Report the overall status of the spare and repair parts program, including whether necessary resources are programmed to address future requirements.
106-644	067	AF cargo distribution hub	Report	NLT 12/31/00	Air Force	Assess the feasibility of using Youngstown-Warren Airport as a hub for the distribution of DoD cargo.
106-644	071	DoD Schools	Report	01/15/01	OUSD/P&R	Report on school teacher compensation/allowances and fees for teacher/dependent medical services, include recommendations and legislative proposals, if appropriate. SECDEF report.
106-644	085	Depleted Uranium Environmental Restoration	Report	11/23/00	Army	Define responsibilities for restoration of the site, if any, plans to meet them, and identify funding requirements, how the Army has financed them, and a detailed schedule for completion.
106-644	091	Ground Proximity Warning System (GPWS)	Report	04/01/01	Army	Report the viability of installing GPWS on Army transport helicopters, include a cost analysis of the latest generation on a single circuit card and an acquisition plan.
106-644	093	Short Range Air Defense (SHORAD) Modernization	Plan	01/15/01	Army	Submit a plan for modernization of the force, and include an analysis of the threat against the current, mid-term and future threat forces, alternatives for meeting the threat and their cost, and the plan to fund modernization.
~~106-644~~	~~098~~	~~Ammunition Management~~	~~Report~~	~~Within 3 months of enactment~~	~~Army~~	~~Report the effectiveness of the Triad at managing ammunition,~~ include readiness measurements; on-time delivery; reduction in backlog, and modernization of production base.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-644	103	Up-armored High Mobility Multi-purpose Wheeled Vehicles (HMMWV)	Report	NLT 07/10/00	Army	Outline Army's acquisition objective, current inventory levels, and the funding required to alleviate the shortfall.
106-644	108	EP-3 Modernization	Report	01/15/01	k	Identify the outyear requirements for a SLEP, including any requirement to replace sensors.
106-644	118	Aviation requirement for Joint Tactical Terminals	Report	03/15/01	Navy	Review and report the requirement for aviation joint tactical terminals.
106-644	128	Miscellaneous Production Charges	Report	NLT 02/15/01	AT&L	Report the findings of a review of plans to acquire next generation targeting pods, and steps taken to promote joint commonality.
106-644	145	Information security lessons learned	Report	11/15/00	OASD/C3I	Outline efforts in implementing lessons learned from April 10, 2000, report on Year 2000.
106-644	148	Tactical radios	Certify	Prior to more than 25% of funds being obligated	OASD/C3I	Certify that the development program meets interoperability requirements, is not duplicative of other developmental efforts and is fully funded in the budget.
106-644	148	Networking of Intelligence, Surveillance, and Reconnaissance (ISR)	Report	NLT 09/30/01	OASD/C3I	Provide a report on the strategy to network ISR platforms.
106-644	151	Use of special access-like security measures to protect business sensitive information	Report	NLT 11/01/00	OUSD/AT&L	Report on the review of guidance for using security measures to protect business sensitive information, and development of additional guidance.
106-644	156	Unmanned Aerial Vehicles (UAV)	Report	06/15/01	Army	Identify UAV requirements not met by the Tactical UAV (TUAV) and plans for meeting those requirements.
106-644	157	Excalibur (XM-982)	Report	07/10100	Army	Outline alternatives for meeting the 155mm requirement, including capabilities, estimated development cost, production cost, and the schedule for each alternative.
106-644	167	DD-21 Next generation surface combatant (Interoperability)	Report	NLT 3/15/01	Navy	Address the acquisition strategy and the use of innovative technologies from small companies being considered, along with the optimal method of competition.
106-644	168	Unmanned Aerial Vehicles (UAVS)	Report	12/15/00	Navy	Address all of the plans for unmanned aerial vehicles, including at a minimum, all identified requirements.
106-644	176	Radiation hardened electronics	Report	NLT 04/01/01, then Annually	OUSD/AT&L	Report on the implementation of the Radiation Hardened Electronics Investment Strategy, and describe the degree of participation by the Services and Agencies. SECDEF report.
106-644	177	Air Traffic Control, Approach, and Landing System	Certify	Prior to funds being obligated	OUSD/P&R	Certify that the development program meets schedule and performance requirements of Air National Guard units.
106-644	177	High Altitude Endurance Unmanned Aerial Vehicle (HAE UAV)—Global Hawk	Report	3/15/01	Air Force	Address the plan for acquiring the Global Hawk.
106-644	184	Arms control technology	Report	12/01/00	OUSD/AT&L	Provide a detailed report on the plan for obligating these funds.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-644	195	Anthrax Vaccine Program	Report	12/30/00	Army	Present plans to significantly accelerate the availability of new vaccine as well as any additional unfunded requirement associated with this goal.
106-644	197	Tethered Aerostat Radar System (TARS)	Report	Not specified	*OUSD/P*	Report on the status of the Tethered Aerostat Radar System.
106-644	197	Tethered Aerostat Radar System (TARS)	certify	Not specified	*OUSD/P*	Certify that the budget for M-02 and the FYDP fully meet the operational and modernization requirements, and management responsibility and funding have been best allocated.
106-710		**MILCON Conference Rpt (on HR 4425, Rpt'd 29 Jun 00)**				***Became P.L. 106-246 on 13 Jul 00***
106-710	005	Sec. 110, New installation overseas	Notify	Prior to initiation	OUSD/AT&L	No funds MilCon Appropriations Acts may be used to initiate a new installation overseas without prior notification.
106-710	006	Sec. 113, Proposed military exercises	Notify	30 days prior	JCS	Provide plans and scope of proposed military exercise involving U.S. personnel if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.
106-710	007	Sec. 119, Transfer of Funds	Report	02/15 Annually	OUSD/P & C	Provide details of the specific actions proposed to be taken to encourage nations of the NATO, Japan, Korea, and U.S. allies bordering the Arabian Gulf. SECDEF report.
106-710	007	Sec. 123, DoD Family Housing Improvement Fund	Notify	30 days prior to transfer	OUSD/AT&L	Additional amounts as may be determined may be transferred to the DoD Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts.
106-710	008	Sec. 125, Transfer of funds (military family housing)	Notify	NLT 60 days before issuing any solicitation	OUSD/AT&L	Provide notice of any guarantee (including making mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the certain events.
106-710	009	Sec. 127, O&M for family housing, including flag and general officer quarters	Report	Annually	OUSD/C	Report all O&M expenditures for each individual flag and general officer quarters for the prior fiscal year.
106-710	009	Sec. 128, Family Housing Master Plan	Plan	07/01/01	Services	Demonstrate how the plan will meet the year 2010 housing goals with traditional construction, operation and maintenance support, as well as privatization initiative proposals.
106-710	010	Sec. 135, Marine Corps Barracks, 8th and I Streets	Notify	30 days prior to the use of funds	Navy	Authorization to use funds received for the construction, improvement, repair, and maintenance of the historic residences
106-710	011	Sec. 136, Brooks Air Force Base Development Demonstration Project	Plan	30 days prior to exercising any authority	Air Force	The Secretary may not exercise any authority under this section until after the submission of a master plan for development of the Base.
106-710	014	Sec. 136, Brooks Air Force Base Development Demonstration Project	Report	30 days prior	Air Force	Section 2662 of title 10, U.S.C., applies to transactions at the Base during the Project.
106-710	015	Sec. 139, Transfer of Funds	Report	NLT 60 days after enactment	*OUSD/P*	Report on construction, security and operation of Forward Operating Locations (FOL) in Manta, Ecuador, Aruba, Curacao, and El Salvador. SECDEF report.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-710	017	Operation and Maintenance, Defense-wide (including Tranfer of Funds)	Certify	30 days prior to funds becoming available	Navy	Certify that the integrity and accessibility of the training range is uninterrupted, and trespassing and other intrusions on the range have ceased.
106-710	017	Operation and Maintenance, Defense-wide (including Tranfer of Funds)	Recertify	90 days after initial certification	Navy	SECNAV shall recertify the status of the range 90 days after the initial certification, and each 90 days thereafter.
106-710	019	Sec. 104, Abrams M1A2 SEP Upgrades	Certify	Prior to funds being obligated	Army	Certify that these funds will be used to upgrade vehicles for an average unit cost (for 307 vehicles) that does not exceed $5,900,000.
106-710	020	Sec. 106, Defense Health Program	Notify	Before charging	OUSD/P&R	Notify the committees before charging an obligation or an adjustment to obligations under this section. SECDEF report.
106-710	020	Sec. 106, Defense Health Program	Report	NLT 30 days after the end of FY-00	OUSD/P&R	Report on obligations made under this section. SECDEF report
106-710	022	Sec. 113, Patriot missile program	Plan	NLT 30 days after /enactment	BMDO	Submit a revised plan for $125,000,000 to remain available until September 30, 2002, and be available only for this program
106-710	023	Sec. 118, NMD Program	Notify	15 days prior	BMDO	Notify prior to issuing any type of information or proposal solicitation with a potential annual contract value greater than $5,000,000 or a total contract value greater than $30,000,000.
106-710	061	Drug Interdiction and Counter-Drug Activities, Defense (including Transfer of Funds)	Report	15 days prior to obligation or expenditure of funds	OUSD/P	Report on the value, duration and purpose of contracts for training, logistics support, planning or assistance contracts for any overseas activity.
106-710	062	Sec. 3 101, Counter-drug activities of the Government of Colombia	Certify	15 days prior to obligation or expenditure of funds	OUSD/P	Address the support provided under this section by the Government of Colombia. SECDEF report
106-710	064	Sec. 3201, Conditions on Assistance for Colombia -- Waiver	Certify	If necessary	OUSD/P	Assistance may be furnished if to do so is in the national security interest. *President* **report**
106-710	065	Sec. 3202. Regional Strategy	Report	Within 60 days of /enactment	OUSD/P	Current policy and strategy regarding U.S. counternarcotics assistance for Colombia and neighbors. ***President report***
106-710	066	Sec. 3204, Limitations on support for plan Colombia and on assignment of U.S. personnel in Colombia	Report	When necessary	OUSD/P	Request the availability of funds. ***President report.***
106-710	067	Sec. 3204, Limitations on assignment of U.S. personnel in Colombia -- Exception	Report	If necessary	OUSD/P	Request the limitation not apply. *President report.*
106-710	067	Sec. 3204, Support for Plan Colombia	Report	Semiannually from 06/01/01	OUSD/P	Delineate any costs (including incremental costs) incurred by any entity of the Executive branch during the two previous fiscal quarters. *President report.*
106-710	067	Sec. 3204, Bimonthly report	Report	Within 90 days of enactment and every 60 days thereafter	OUSD/P	Includes the aggregate number, locations, activities, and length of assignment for all temporary and permanent military and /U.S. individuals retains as contractors. *President report.*
106-710	057	Real Property Maintenance: Reporting Requirement	Notify	21 days prior	Services	Submit prior to carrying out any repair project with an estimated /cost in excess of $7,500,000.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-710	088	Alkali Silica Reactivity	Report	NLT 05/01/00	OUSD/AT&L	Assess the overall condition of facilities and infrastructure with respect to ASR, also address the long-term strategy and recommendations to manage this issue.
106-710	089	Air Force Electronic Warfare Evaluation Simulator	Report	NLT 02/28/01	Air Force	Conduct a comprehensive cost/benefit analysis and standard return on investment criteria in the relocation study now being performed and provide a report.
106-710	094	DoD Family Housing Improvement Fund (Contractor Support for Family Housing Privatization)	Report	Quarterly	OUSD/AT&L	Review quarterly, and report the expenses of each component to ensure excessive amounts are not being spent on contractor support.
106-710	094	DoD Family Housing Improvement Fund (Reporting Requirements)	Notify	45 days prior to entering into any contract	Services	Submit notice of the nature and terms of the privatization contracts following a 45-day review period..
106-710	094	DoD Family Housing Improvement Fund (Reporting Requirements)	Notify	45 days prior to transfer of any funds	OUSD/C	Submit notice and justification for the transfer of appropriated funds into the account. SECDEF report.
106-710	095	Base Realignment and Closure Account, Part IV	Notify	2 1 days prior to transfer of funds	Army	Any transfer of funds which exceeds reprogramming thresholds for any construction project financed by any BRAC Account and shall not be subject to reprogramming procedure.
106-710	097	Cadet Physical Development Center	Notify	30 days prior to use of private donations	Army	Any further requirements must be funded though private donations.
106-710	132	Anti-Deficiency Act and TRICARE	Report	Within 60 days of enactment	OUSD/P&R	Delineate the extent and scope of any violations of fiscal law or departmental regulations found during an investigation into the execution and administration of Defense Health Program funds.
106-710	132	Military personnel, recruiting, advertising, retention programs	30 days prior to obligation		OUSD/C	The remaining funds shall be withheld from obligation pending the proposed specific distribution of funds.
106-710	165	Drug Interdiction and Counter-Drug Activities /Defense (Plan Colombia)	NLT 30 days	following enactment	*OUSD/P*	Report proposed uses of funds and describe steps taken for maximum force protection of U.S. personnel, including their rules of engagement. SECDEF report.
106-710	165	Drug Interdiction and Counter-Drug Activities, Defense (Plan Colombia)	Notify	15 days prior to any obligation or transfer	OUSD/C	Provide specific purposes contained in the budget request and delineated in the statement of managers.
106-710	165	Drug Interdiction and Counter-Drug Activities, Defense (Plan Colombia)	Report	Monthly	*OUSD/P*	Identify firms, number of American citizens located overseas in execution of supporting contracts, and number of personnel operating in Colombia and surrounding region.
106-754		**Appropriations Conference Rpt (on HR 4576, Rpt'd 18 Jul 00)**				***Became P.L. 106-259 on 9 Aug 00***
106-754	015	National Guard and Reserve Equipment	Report	NLT 30 days after enactment	OUSD/P&R	Submit a modernization priority assessment for each Reserve or National Guard component.
106-754	020	Sec. 8005, Military Functions	Notify	Prior to transfer	OUSD/C	Transfers between working capital funds and the military functions account. SECDEF report.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-754	020	Sec. 8006, Working Capital Funds	/Notify	Prior to transfer	OUSD/C	Transfers between working capital funds and the "Foreign Currency Fluctuation" and "Operation and Maintenance" appropriation accounts. SECDEF report.
106-754	020	Sec. 8006, Working Capital Funds	Notify	Prior to transfer	OUSD/C	Transfers between working capital funds and the war reserve material inventory. SECDEF report.
106-754	020	Sec. 8007, Special Access Program	Notify	30 days prior to transfer	OUSD/C	Funds may not be used to initiate a special access program.
106-754	020	Sec. 8008, Multiyear Contracts	Notify	30 days prior to contract award	OUSD/C	No funds shall be available for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability.
106-754	021	Sec. 8008, Multiyear Contracts	Notify	10 days prior to termination	OUSD/C	No multiyear procurement contract can be terminated.
106-754	021	/Sec. 8009, Humanitarian and Civic Assistance costs	Report	9/30 Annually	OUSD/C	O&M funds may be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted.
106-754	022	'Sec. 8014, Contractor performance	Certify	'When necessary	OUSD/AT&L	No funds shall be available to convert to contractor performance an activity or function that, until an efficient and cost-effective organization analysis is completed.
106-754	023	Sec. 8016, Shipboard anchor and mooring chain	Certify	If necessary	Services	When adequate domestic supplies are not available on a timely basis, the Secretary of the service responsible for the procurement may waive the restriction on a case-by-case basis.
106-754	024	Sec. 8019, Executive agreement with NATO member host nation	Report	30 days prior	OUSD/AT&L	Each executive agreement with a NATO member host nation shall be reported. SECDEF report.
106-754	024	Sec. 8021, Relocations	Certify	When necessary	DA&M	If a relocation within the National Capital Region is required in the best interest of the Government. SECDEF report.
106-754	027	Sec. 8032, Department of Defense Federally Funded Research and Development Center (FFRDC)	Report	With FY-02 budget request	OUSD/AT&L	Present specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year. SECDEF report.
106-754	027	Sec. 8033, Procurement of carbon, alloy or armor steel plate	Certify	When necessary	Services	Certify that adequate domestic supplies are not available to meet requirements and an acquisition must be made.
106-754	028	Sec. 8036, Buy American Act	Report	'When necessary	OUSD/AT&L	Determine the amount of DoD purchases from foreign entities in FY-01 and indicate the dollar value of items for which the BA Act was waived pursuant to any agreement. SECDEF report.
106-754	028	Sec. 8041, DoD Overseas Military Facility Investment Recovery Account	Report	30 days prior to transfer or obligation of funds	OUSD/C	Detail the balance available, projected income during FYs 2001 and 2002, and specific expenditures to be made using funds transferred from the account during FY-01. SECDEF report.
106-754	031	Sec. 8052, Field Operating Agency	Certify	If necessary	OUSD/P&R	Certify that granting a waiver on limitations will reduce the personnel requirements or the financial requirements of the department. SECDEF report.

Congressional Reporting Requirements /Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-754	033	Sec. X060, Military Treatment Facilities	Certify	If necessary	Services	Certify that the beneficiary population is declining and civilian strength reductions may be consistent with responsible resource stewardship and capitation- based budgeting.
106-754	033	Sec. 8061, Pentagon Reservation Maintenance Revolving Fund	Certify	When necessary	DA&M (Pentagon Renovation)	Certify that the total cost for the planning, design, construction and installation of equipment for the renovation will not exceed $1,222,000,000. **SECDEF** report.
106-754	034	Sec. 8064, Vessel propellers and ball and roller bearings	Certify	When necessary	Services	Certify that adequate domestic supplies are not available to mee requirements on a timely basis.
106-754	034	Sec. 8066, Purchase of supercomputer	Certify	If necessary	OUSD/AT&L	Certify that an acquisition must be made in order to acquire capability for national security purpose. **SECDEF** report.
106-754	035	Sec. 8070, Limitation on Transfer of Defense Articles and Services	Notify	15 days in advance of any transfer	OUSD/P	A description of the equipment, supplies, or services to be transferred, and a statement of the value in peacekeeping or peace-enforcement operations.
106-754	035	Sec. 8071, Defense exports loan guarantees	Report	Quarterly	OUSD/AT&L	Report on the implementation of these loan guarantees. **SECDEF** report.
106-754	037	Sec. 8078, FY-02 Budget Request reductions	Report	02/01/01	OUSD/C	Identify, by amount and by separate budget activity, activity group, subactivity group, line item, program element, program, project, subproject, and activity any reductions.
106-754	038	Sec. 8084, RDT&E funds to procure end-items for delivery to military forces	Certify	If necessary	OUSD/AT&L	May waive the restriction on a case-by-case basis by certifying that it is in the national security interest. **SECDEF** report.
106-754	038	Sec. 8086, Funding reductions of 0.7%	Report	60 days after enactment	OUSD/C	Amounts provided in all appropriation accounts in titles III and IV of the Act are affected and reductions shall be applied on a pro-rata basis to each appropriation account.
106-754	039	Sec. 8091, New Start Program	Notify	Prior to payment	OUSD/C	No funds may be used to compensate an employee of the DoD who initiates a program without notification.
106-754	040	Sec. 8092, Foreign security forces training program	Report	15 days after the exercise of any waiver	OUSD/P	Describe the circumstances, purpose and duration of training, U.S. and foreign forces involved, and human rights violations information necessitating the waiver. **SECDEF** report.
106-754	040	Sec. 8095, ADC(X) class main propulsion diesel engines and propulsors	Certify	On a case-by-case basis	OUSD/AT&L	When adequate domestic supplies are not available to meet requirements on a timely basis and such acquisitions must be made in order to acquire capability. **SECDEF** report.
106-754	041	Sec. 8099, Advanced concept technology demonstration projects	Report	30 days prior to obligation of funds	OUSD/AT&L	Include a description of the demonstration project and its estimated annual and total cost.
106-754	041	Sec. 8099, Advanced concept technology demonstration projects	Certify	If necessary	OUSD/AT&L	Waive the restriction by certifying that it is in the national interest to do **so. SECDEF report.**
106-754	042	Sec. 8102, Certifications as to Compliance with Clinger-Cohen Act	Notify	Prior to Milestone approval	OASD/C3I	Certify, with respect to each mikstone, that the system is being developed in accordance with the Act.
106-754	043	Sec. 8103, Reimbursement by another department or agency	Certify	If necessary	OUSD/C	Certify a waiver if a department or agency is more than 90 days in arrears for **goods or services. SECDEF report.**

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-754	044	Sec. 8109, the Center of Excellence for Disaster Management and Humanitarian Assistance	Report	04/01/01	OUSD/P	Regards training of foreign personnel in the previous year, specify countries in which the training was conducted, type of training, and the foreign personnel trained. SECDEF report.
106-754	046	Sec. 8 117, Health care contract costs	Report	03/01/01	OUSD/P&R	Evaluate the scope and extent of health care contract claims, an on actions taken to implement the provision. SECDEF report
106-754	046	Sec. 8120, Work-related illnesses resulting from exposure to beryllium or beryllium alloys	Report	05/01/01	OUSD/AT&L	Work-related illnesses in the DoD workforce, including the workforce of contractors and vendors. SECDEF report.
106-754	047	Sec. 8 123, Interim Armored Vehicle program (Family of Medium Armored Vehicles)	Report	NLT 90 days after source selection	Army	Include the required R&D and production unit cost for each variant of the vehicle and the program cost and milestones.
106-754	048	Sec. 8123, Joint warfighting requirements for new medium brigades for the Army	Report	With FY-02 budget request	JCS	Describe any adjustments made to operational plans of the unified combatant commands for use of those brigades.
106-754	048	Sec. 8 124, LRIP for F-22 aircraft program	Certify	When necessary	OUSD/AT&L	Certify that all Defense Acquisition Board exit criteria for the award of low-rate initial production of the aircraft have been met. SECDEF report.
106-754	048	Sec. 8124, LRIP for F-22 aircraft program	Report	When necessary	OT&E	Assess the adequacy of testing to date to measure and predict performance of F-22 avionics systems, stealth characteristics, and weapons delivery systems.
106-754	048 / 293	Sec. 8 127, NMD Program	Notify	15 days prior to issuing	BMDO	When issuing any type of information or proposal solicitation with a potential annual contract value greater than $5,000,000 c a total contract value greater than $30,000,000.
106-754	049 / 091	Sec. 8 13 1, Overseas Contingency Operations Transfer Fund	Report	NLT 30 days after the end of each quarter	OUSD/C	Explain transfers from the "Overseas Contingency Operations /Transfer Fund", and transfers for maintenance, pay of civilian personnel, and base operations support. SECDEF report.
106-754	49	Sec. 8133, Navy ship construction appropriation transfer of funds	Report	30 days prior to the proposed transfer	Navy	Navy may transfer funds for the purpose of liquidating necessa ship cost changes for previous ship construction programs appropriated in law.
106-754	050	Sec. 8136, Navy Inactive Fleet and Maritime Administration National Defense Reserve Fleet ship disposal and scrapping	Report	06/01/01	Navy (and DoT)	Report the total number of vessels currently designated for scrapping, and the schedule and costs for scrapping these vessels.
106-754	098	Underutilized Plant Capacity	Report	09/15/00	Army	Study the scale and capacity of the plants.
106-754	098	Air Battle Captain	Report	Within 60 days of enactment	Army	Submit a detailed recruitment plan, specifically addressing this program.
106-754	099	Enhanced Skills Training Program	Report	10/01/00	Army	Define the long-term plans for the program's partnership with HBCU's.
106-754	099	Open Burn/Open Disposal Practices	Report	09/30/01	Army	Study potential alternative technologies and report on possibile phase out; include a review of technologies currently in existence and under development and assess cost and feasibility of constructing facilities.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-754	106	Enhanced Safety in DoD Industrial Facilities	Report	12/01/00	OUSD/AT&L	Evaluate the feasibility of establishing pilot programs to improve worker safety and include proposals for employing gain sharing incentives. SECDEF report. AT&L can sign.
106-754	121	Civil/Military Programs	Report	04/15/01	OUSD/C	Report the status of the obligation of funds for these programs.--
106-754	147	Forward Looking Infrared Devices (FLIR)	Report	Prior to obligation of funds	Army	Justify a requirement for a unique FLIR and demonstrate that it is affordable compared to a common system.
106-754	189	SLQ-32 Electronic Warfare System	Report	Within 120 days	Navy	Assess the operational readiness status of the system, including plans and funding requirements.
106-754	220	Joint Strike Fighter	Report	With FY-02 budget request	OUSD/AT&L	Provide a status of the program, technical development results, flight test program, and cost estimates. report.
106-754	234	Artillery Systems -- Demonstration/Validation	Report	30 days prior to 50% of funds	Army	Submit an Analysis of Alternatives on Crusader and analysis of Crusader and Future Combat System. SECDEF report.
106-754	234	Enhanced Skills Training Program	Report	NLT 10/01/00	Army	Report on long term plans for Army's partnership with HBCU's in preparing students for the Army.
106754	264	Discoverer II	Report	Not specified	OASD/C3I	Submit a program plan for the development, testing and application of technologies funded under this revised initiative.
106-754	264	Joint Ejection Seat Program	Plan	30 days prior to contract award	OUSD/AT&L [N/AF]	Address all specific applications for the ejection seat or ejection seat technology developed. Specifically address the cost and commonality benefits. SECDEF report.
106-754	264	Joint Ejection Seat Program	Certify	Prior to obligation of funds	Navy / Air Force	Certify that a joint program office is in place to manage to program.
106-754	281	Information Technology Center	Report	NLT 05/01/01	JCS	Outline plans for proceeding with establishment of the centers. SECDEF report.
106-754	284	National Defense Sealift Fund (C- 17)	Notify	When necessary	OUSD/C	NDAF should conform to the requirements for other DoD procurement accounts.
106-754	287	Peer Reviewed Medical Research Program	Report	03/01/01	Army.	Report the status of the program, and include the corresponding funds provided in previous fiscal years.
106-754	291	T-AGOS support	Report	NLT 03/30/01	OUSD/P	Analyze the operational effectiveness of the T-AGOS ships and provide a summary of suggested alternative platforms or assets and their associated costs.
106-945		**Authorization Conference Rpt (HR 4205 (HR 5408), Rpt'd 6 Oct**				***Became P.L. 106-398 on 30 Oct 00***
106-945	029 / 642	Sec. 111, Multiyear procurement authority (M2A3 Bradley)	Certify	Prior to executing a contract	Army	Certify that the vehicle has successfully completed the initial operational test and evaluation and milestone III review.
106-945	029	Sec. 113, Objective Force Development Process	Report	30 days prior to obligation of 80% of the funds	Army	Include envisioned operational environments, threat assumption on which R and D efforts are based, and potential operational and organizational concepts.
106-945	030 / 643	Sec. 113, Objective Force Development Process	Report	03/01/01	JCS	Report on the process for developing the objective force in the transformation of the Army, including joint warfighting and lift requirements. SECDEF report.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-945	030 / 643	Sec. 113, Costs and Effectiveness of Medium Armored Combat Vehicles for the Interim Brigade Combat Teams	Plan	30 days prior to obligation of funds	Army	Compare costs and operational effectiveness of infantry carrier variant and troop-carrying medium armored vehicles currently i. the Army inventory for the use of infantry battalions.
106-945	031	Sec. 113, Costs and Effectiveness of Medium /Armored Combat Vehicles for the Interim Brigade Combat Teams	Certify	30 days after /submission of Army's plan	Army --	After completion of the comparison of costs and operational effectiveness, certify approval of the obligation of funds, the force structure and subsequent operational capability will not diminish the combat power. **SECDEF** report.
106-945	032	Sec 122, Arleigh Burke class destroyer program	Report	11/01/00	**Navy**	Update information provided in the report of the SECNAV entitled the 'Arleigh Burke (DDG-5 1) Class Industrial Base Study of 1993'.
106-945	033 / 644	Sec 123, Virginia class submarine program	Report	With FY-02 budget request	OUSD/AT&L	Report on a plan for maintaining at least 55 fast attack submarines; two production rate assessments of potential savings; and an analysis of various contracting strategies. SECDEF report.
106-945	034 / 644	Sec. 124, Limitation during fiscal year 2001 on changes in submarine force structure	Report	04/15101	Navy	Required force structure to support the national military strategy and include the acquisition strategy and fleet maintenance requirements. ***President report*** .
106-945	035 / 645	Sec. 127, Alternative funding mechanism for naval vessels and other naval capabilities	/Report	With FY-02 budget request (NLT 02/05/01)	Navy	Include a detailed description of the funding mechanisms and effect of each funding mechanism on production stability of other shipbuilding programs funded within the Navy.
106-945	036 / 646	Sec. 131, B-2 Bomber	Report	03/01 Annually	Air Force	Include the capability to carry out missions; ongoing and planned technology efforts to improve capabilities and meet expanded threats; and a fiscally-phased program for each of three funding scenarios. **SECDEF** report.
106-945	036 / 646	Sec. 132, Modernization of Air National Guard F-16A units	Plan	02/01/01	**Air Force**	A plan to modernize and upgrade the combat capabilities of those units that are assigned F-16A aircraft.
106-945	037 / 647	Sec. 141, Study of Final Assembly and Check Alternatives for the Joint Strike Fighter program	Report	NLT 180 days after date of award of a contract	OUSD/AT&L	After award of a contract for engineering and manufacturing development provide the results of a study of final assembly an checkout alternatives for that aircraft. **SECDEF** report.
106-945	038 / 647	Sec. 152, Federal economic assistance for communities impacted by Chemical Demilitarization activities	Report	04/01/01	OUSD/AT&L	Report on impact of the DoD destruction program on communities in the vicinity of stockpile storage sites and associated activities at certain facilities. **SECDEF** report.
106-945	040 / 717	Sec. 212, Joint Strike Fighter program	Report	12/15/00	**OUSD/AT&L**	Describe the criteria for exiting from the demonstration and validation phase, and entry into into the engineering and manufacturing development phase. **SECDEF** report.
106-945	040 / 717	Sec. 212, Joint Strike Fighter program	Certify	Upon completion of exit criteria accomplishment	OUSD/AT&L	Certify accomplishment of exit criteria; technological maturity i sufficient for entry into engineering and manufacturing development phase; and short take-off, vertical-landing aircraft variant. **SECDEF** report.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-945	041 / 717	Sec. 212, Joint Strike Fighter program	Notify	Prior to any transfer	OUSD/AT&L	Transfers within the JSF Navy and AF accounts may occur, subject to established congressional notification and reprogramming procedures. SECDEF report.
106-945	041 / 717	Sec. 213, FY-02 Joint Field Experiment	Report	NLT 31112001	JCS	Report on the concept plan, including the objectives; forces participating; schedule and location; and for each participate, identification of budget issues. SECDEF report.
106-945	042 / 718	Sec 214, Nuclear Aircraft Carrier Design and Production Modeling	Report	With the N-02 budget request	Navy	Report the results of the required assessment and plans and funding requirements for developing the model specified.
106-945	042 / 718	Sec 214, Use of Technology Insertion Approach for Construction of the DD–21 Ship	Plan	NLT 04/18/01	Navy	Submit a plan for pursuing the Approach as authorized, and include estimates of resources necessary to carry out the plan.
106-945	042	Sec 214, Acquisition and Maintenance Plan	Report	NLT 04/18/01	Navy	Report on the Navy's plan. SECDEF report.
106-945	043 / 718	Sec 215, DD–2 1 class destroyer program	Plan	NLT 04/18/01	Navy	Pursue a technology insertion approach for construction as authorized; the plan shall include estimates of the resources necessary to carry out.
106-945	043 / 718	Sec 215. DD-2 1 class destroyer program	Report	NLT 04/18/01	OUSD/AT&L	Report on Navy's plan for the acquisition and maintenance of the destroyers. SECDEF report.
106-945	044 / 718	Sec. 216, Limitation on Russian American Observation Satellites Program (RAMOS)	Report	30 days prior to obligation or expenditure of funds	*BMDO*	Explain plans to protect U.S. advanced military technology that may be associated with the program. SECDEF report.
106-945	044 I719	Sec. 217, Joint Biological Defense program	Notify	Prior to funds being obligated	OUSD/AT&L	Submit when the FDA has approved the current manufacturel for production of the anthrax vaccine. SECDEF report.
106-945	044	Sec. 217, Joint Biological Defense program	Report	Prior to funds being obligated	OUSD/AT&L	'Report contingencies associated with continuing to rely on the current manufacturer. SECDEF report.
106-945	045 / 719	Sec. 217, Joint Biological Defense program	Notify / Justify	NLT 7 days after funds obligated exceeds $5M	OUSD/AT&L	Notify that total obligations exceed $5M, together with written justification for obligation of funds in excess of that amount. SECDEF report.
106-945	045	Sec. 218, Biological warfare defense vaccines 'research and development programs	Report	02/01/01	OUSD/AT&L	Report on the acquisition of biological warfare defense vaccines for the Department SECDEF report.
106-945	046 I 720	Sec. 220, Unmanned advanced capability combat aircraft and ground combat vehicles	Report	01/31/01	OUSD/AT&L	'Report on the programs to demonstrate the aircraft and vehicles undertaken jointly between the DARPA and any of the services. SECDEF report.
106-945	048	Sec. 221, Global Hawk high altitude endurance unmanned aerial vehicle	Report	NLT 45 days after demonstration	OUSD/AT&L	Report on the results of the demonstration, including an assessment of the technical feasibility and a discussion of the operational concept for the use of the vehicle. SECDEF report.
106-945	049 / 722	Sec. 232, Reports on Ballistic Missile Threat Posed By North Korea (Threat)	Report	NLT 2 weeks after next long-range test by W.K. or @days	DIA	Assess the missile threat, whether the U.S. is capable of defeating the N. Korean missile threat, and the potential for proliferation of missile technologies. *President report*.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-945	049 / 722	Sec. 232, Reports on Ballistic Missile Threat Posed By North Korea (Reducing Vulnerability)	Report	NLT 2 weeks of next test	DIA	Provide any steps intended to reduce the vulnerability to the N. Korean long-range ballistic missile threat, and the technical and programmatic viability of testing any other missile defense systems. ***President report*** .
106-945	050	Sec. 233, Plan to modify ballistic missile defense systems and architecture	Report	NLT 02/15/01	OUSD/AT&L	After assessing the plan report on the results of **the** assessment. SECDEF report.
106-945	050	Sec. 234, Management of Airborne Laser program	Report	NLT 02/15/01	BMDO	Report **on** the role of the airborne laser, including assessments o various aspects of the program.
106-945	053	Sec. 247, Technology **Plan**	Report	02/15/01	OUSD/AT&L	Provide a detailed technology plan to develop and mature high energy laser technologies.
106-945	0 5 3	Sec. 248, High Energy Laser programs	Report	NLT 02/15/2001, 2002 & 2003	OUSD/AT&L	Assess the adequacy **of** the management structure, funding available, technical progress, and extent to **which** goals and objectives of the plan have **been** met. **SECDEF** report.
106-945	054	Sec. 250, Review of Defense-wide directed energy programs	Report	NLT 03115101	OUSD/AT&L	Report the findings of the evaluation **of** expansion of the management structure. **SECDEF** report.
106-945	054	Sec. 2.51, Merits of Mobile Offshore Base Concept	Report	NLT 03/01/01	OUSD/AT&L	Report on the cost-benefit analysis, using operational concepts; recommendation regarding whether to proceed as a program ant if so state which service is to be designated to have the lead responsibility; and include a schedule. **SECDEF** report.
106-945	054	Sec. 251, Mobile Offshore Base potential use for certain **purposes** of associated technologies	Report	NLT 03/01/01	**Navy**	Report on the potential use of technologies associated with the concept. including an assessment of the potential application an feasibility of using existing technologies.
106-945	063 / 759	Sec. 312, Certain environmental restoration activities	Notify	Before paying costs of permanently relocating	OUSD/AT&L /and Services	Upon determination that such permanent relocation is part of a response action. **SECDEF report.**
106-945	065 / 762	Sec. 318, Ship disposal project	Report	NLT 12/31/00	**Navy**	Include a description of the competitive procedures used for the solicitation and award of task orders including a description; an assessment of the results; and a strategy for future procurement.
106-945	066 / 762	Sec. 319, Defense Environmental Security Corporate Information Management Program	Report	NLT 60 days after enactment	OUSD/AT&L	**Include** a mission statement **and strategic** objectives **for** the /Program, recommendations of the Secretary for the Programs future mission and objectives. **SECDEF** report.
106-945	066 / 762	Sec. 320, Plasma Energy Pyrolysis System	Report	NLT 02/01/01	Army	Analysis of information and data on fixed-transportable unit ant on mobile unit demonstration phase; recommendations on futur applications of system; and statement of projected funding.
106-945	069 / 764	Sec. 336, Effects of availability of slot machines on U.S. military installations overseas	Report	NLT 03131/01	OUSD/P&R	Evaluate the effects of the availability of slot machines as a **MWR** activity, the morale of military communities overseas, an members' personal financial stability ~~SECDEF~~ report.
106-945	07 1 / 764	Sec. 34 1, Centers of Industrial and Technical Excellence and public-private partnerships to increase utilization of such **centers**	Report	If necessary	OUSD/AT&L	Report the extent to which a loan guarantee program modeled after the Armament Retooling and Manufacturing Support Program would help **to** achieve the objectives. **SECDEF** report

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	/Action Office	Brief
106-945	075	Sec. 343. Arsenal Support Program Initiative	Report	NLT 07/01/01 & 2002	Army	Specifying the amount of loans guaranteed during the preceding calendar year.
106-945	075	Sec. 343, Arsenal Support Program Initiative	Report	NLT 07/01/01	Army	Report on the implementation of the demonstration program, and include a review of contracting at the manufacturing arsenals and recommendations appropriate regarding any changes.
106-945	079	Sec. 344, Codification and improvement of armament retooling and manufacturing support programs	Report	NLT 07/01/01	Army	Report on the procedures and controls implemented to carry out this program. SECDEF report.
106-945	080 / 765	Sec. 351, Additional information required before conversion of commercial or industrial type functions to contractor performance	Certify	If necessary	OUSD/AT&L	Certify the factors considered in the examinations performed, and the decisions made, did not include any predetermined personnel constraint or limitation. **SECDEF** report.
106-945	081 / 766	Sec. 352, Effects of outsourcing of overhead costs of Center of Industrial and Technical Excellence and Army ammunition plants	Report	Changes may not begin until at least 60 days after report	Army	Include a description of the effect that the performance and administration of the resulting contract will have on the overhead costs to the required report.
106-945	081 / 766	Sec. 353, Consolidation, restructuring, or reengineering of organizations, functions, or activities	Plan	Annually with budget request	OUSD/AT&L	Submit each Strategic Sourcing Plan of Action for the Department (as identified in the DoD Interim Guidance), for the following year. SECDEF report.
106-945	082	Sec. 353, Consolidation, restructuring, or reengineering of organizations, functions, or activities: Decision to execute plan	Report	If a decision is made	OUSD/AT&L	Describe the decision, include a projection of savings compared with cost; describe missions, duties, or requirements affected; and various certifications and schedules. **SECDEF** report.
106-945	082 / 767	Sec. 353, Consolidation, restructuring, or reengineering of organizations, functions, or activities	Notify	30 days prior to implementation of the plan	OUSD/AT&L	Plan may not be implemented until notification of the intent to carry out such plan is provided.
106-945	083 / 767	Sec. 354, Savings resulting from workforce reductions as part of conversion of functions	Report	NLT 02/01 annually	OUSD/AT&L	Report on the results of the monitoring performed under the system established. **SECDEF** report.
106-945	084 / 767	Sec. 355. Performance of emergency response functions of chemical weapons storage installations	Certify	Prior to any conversion	Army	Certify the plan for conversion is consistent with recommendation contained in GAO Report NSIAD–00–88, and provides for a transition to contractor performance.
106-945	084 / 767	Sec. 356, Suspension of reorganization or relocation of Naval Audit Service	Report	180 days prior	Navy	Detail plans and justification for the reorganization or relocation of the performance of the auditing functions, as the case may be.
106-945	090 / 769	Sec. 373, Effects of worldwide contingency operations on readiness of military aircraft and equipment	Report	NLT 180 days after date of enactment	JCS	Assess the effects of operations on the readiness of equipment, and the capability of the Armed Forces to maintain a high level of equipment readiness and to manage a high operating tempo. **SECDEF** report.
106-945	091 / 769	Sec. 374, ID of requirements to reduce backlog in maintenance and repair of Defense facilities	Report	NLT 03/15/01, with annual updates	OUSD/AT&L	Identify, develop and annually update a strategic plan for the reduction of the backlog. **SECDEF** report.
106-945	093 / 770	Sec. 377, Air Force spare and repair parts program for C–5	Report	NLT 01/01/01 and 09/30/01	Air Force	Report on the overall status of the spare and repair parts program.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-945	094 / 770	Sec. 381, Public sale of certain military equipment identified on U.S. Munitions List	Report	NLT March 31 annually	DLA	Identify each public sale conducted by a military department or defense agency and cover various elements of the public sale. **SECDEF** report.
106-945	097 / 772	Sec. 386, Additions to plan for ensuring visibility over all in-transit end items and secondary items	Plan	NLT 180 days after enactment	OUSD/AT&L	Submit any revisions made to the plan that are required by any law enacted after October 17, 1998. SECDEF report.
106-945	099 / 772	Sec. 389, Alkali Silica Reactivity (ASR)	Report	09130106	OUSD/AT&L	Outline the damage caused to aviation facilities and the availability of technologies capable of preventing, treating, or mitigating the impact of ASR. SECDEF report.
106-945	099 / 773	Sec. 390, Demostration project for the National Guard to provide internet access	Report	02/01/05	Army	Describe the activities conducted under the demostration project and include any recommendations regarding the expansion of this demostration project to other offices.
106-945	099 / 773	Sec. 391, Additional conditions on implementation of Defense Joint Accounting System	Report	Prior to granting a Milestone III decision	OUSD/C	Report on analysis of the requirements for the DJAS and analysis of alternatives to the system to determine whether it warrants deployment. **SECDEF** report.
106-945	100 / 773	Sec. 391, Additional conditions on implementation of Defense Joint Accounting System	Certify	If necessary	OUSD/C	Will the system meet required functionality for users; acquisitio standards; applicable Milestone requirements; and requirements of the Clinger-Cohen Act. SECDEF report.
106-945	100 / 773	Sec. 392, Defense Travel System	Report	11/30/00	OUSD/C	Provide a schedule and discussion of the development, testing, and fielding of the system; and analysis of the costs and benefits of fielding this system. SECDEF report.
106-945	104 / 781	Sec. 415, Increase in numbers of members in certain grades authorized to be on active duty in support of the Reserves	Report	NLT 03131/01	OUSD/P&R	Report on management of the grade structure for reserve-component officers enlisted members subject to sec. 12011 and sec. 12012 of title 10, U.S .C., respectively. SECDEF report.
106-945	116	Sec. 507, Grade of Chiefs of Reserve components and Directors of National Guard components	Report	NLT 02/01/01	OUSD/P&R	Report on a study of changing the grade authorized for the Vice Chief of the NGB from major general to lieutenant general, and include recommendations/conclusions. SECDEF report.
106-945	122	Sec. 534, Review of allocation of Junior Reserve Officers' Training Corps (JROTC) units among the services	Legislative proposal	If necessary, with FY 02 budget request	OUSD/P&R	Based on the review of the allocations of units it is determined that an increase in the statutory maximum number of such units is warranted. **SECDEF** report.
106-945	123	Sec. 535, Authority for NPG School to enroll certain Defense industry civilians	Certify	Prior to the start of the academic year, annually	Navy	Providing instruction during that year will further the military mission of the school; enhance the design and development of defense systems; and will be on a space-available basis.
106-945	124	Sec. 535, Authority for NPG School to enroll certain Defense industry civilians	Report	NLT 60 days after receipt of Navy report	Navy	Submit the Navy report on the program, together with any comments that are considered appropriate. SECDEF report.
106-945	125	Sec. 542, Consideration of Proposals for Posthumous of Honorary Promotions or Appointments of members or former members	Report	When necessary	Services	Provide notice upon making a determination as to the merits and include a statement of the reasons for the decision of the Secretary.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-945	141	Sec. 56 1, Army recruiting pilot programs	Report	NLT 02/01/06	Army	Provide a separate report on each pilot program carried out, and include an assessment of the value of the actions taken and any recommendations to increase the effectiveness and efficiency.
106-945	143 / 794	Sec. 563, Access to **secondary schools** for military recruiting purposes	Notify	If necessary	OUSD/P&R	If one year after notification is given a local educational agency **continues** to deny access to at least two of the armed forces. SECDEF report.
106-945	144	Sec. 564, Pilot program to enhance military recruiting by improving military awareness of school counselors and educators	Report	NLT 180 days after program period	OUSD/P&R	Provide the Secretary's findings and **conclusions** on the pilot program. **SECDEF** report.
106-945	147 J 795	Sec. 573, Congressional review period for **assignment** of women to duty on submarines	Notify	Prior to any change in Navy policy	Navy	No changes in the policy, as in effect on May 10, 2000, may tak effect until notification is given and a period **of 30** days **of** continuous session of Congress has past. **SECDEF** report.
106-945	147 / 795	Sec. 573, Congressional review period for assignment of women to duty on submarines	Notify	Prior to funds being available	Navy	Before funds may **be** expended to **reconfigure** any submarine, o to design any new submarine, and a period of 30 days of continuous session **of** Congress have past. **SECDEF** report.
106-945	149 / 795	Sec. 574, Management and per diem requirements	Report	03/31102	OUSD/P&R	Report **on** the administration **of** this provision and make recommendations for revision. **SECDEF** report.
106-945	150	Sec. 576, Test of ability of Reserve component intelligence units and personnel to meet **current** and emerging Defense intelligence needs	Report (Interim)	7/1/2002 & *2003*	OASD/C3I	Submit interim reports on the status of the test program. **SECDEF** report.
106-945	150	Sec. 576, Test of ability of Reserve component intelligence units and personnel to meet **current** and emerging Defense intelligence needs	Report (Final)	NLT 12/1/2004	OASD/C3I	'Submit a **final** report with recommendations for changes. **SECDEF** report.
106-945	152	Sec. 578, Study of use of civilian contractor pilots for operational support missions	Report	NLT 6 months after enactment	JCS	Study the feasibility and cost of using civilian contractor personnel as pilots and other air crew members to fly nonmilitary Government aircraft. **SECDEF** report.
106-945	157	Sec. 604, Supplemental subsistence allowance for low-income members with dependents	Report	NLT 03101 2001-2006	OUSD/P&R	Postponement authority of up to 180 days may be exercised, as determined by the SECDEC after consultation with the FRTIB Executive Director. **SECDEF** report.
106-945	168 / 805	Sec. 633, Authorization **of** retention bonus for members of the armed forces qualified	Notify	90 days before any bonus	OUSD/P&R	In advance, of each military skill to be designated as critical, -- notice shall be submitted. SECDEF report.
106-945	168	Sec. 633, Authorization of retention bonus for members of the armed forces qualified	/Report	NLT 02/1 5 annually	OUSD/P&R	Analyze the effect of bonuses on retention of members qualifier for which the bonuses were offered; and describe the intentions regarding their continued use. **SECDEF** report.
106-945	178 /808	Sec. 661, Participation in Thrift Savings Plan (TSP)	Notify	If necessary	OUSD/P&R	/Postponement authority of up to 180 days may be exercised, as determined by the SECDEC after consultation with the FRTIB Executive Director. **SECDEF** report.
106-945	184 / 8 12	Sec. 702, Chiropractic health care for members /on active duty	Report	NLT 01/31/01	OUSD/P&R --	Plan to phase in, over a period of five years, **services** for all active duty service personnel, also continue to provide services and benefits as provided during FY-00. **SECDEF** report.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-945	188 / 8 14	Sec. 7 12, Conditions for eligibility for CHAMPUS and TRICARE; expansion and modification of Medicare subvention project	Notify	If necessary	OUSD/P&R	Continuation of program would be contingent upon SECDEF and HHS jointly developing and implementing terms and conditions for both agencies. SECDEF report.
106-945	190	Sec. 7 12, Conditions for eligibility for CHAMPUS and TRICARE; expansion and modification of Medicare subvention project	Report	Annual Report	OUSD/P&R	Report on the program and its impact on costs and the provision of health services. SECDEF report
106-945	190	Sec. 712, Conditions for eligibility for CHAMPUS and TRICARE; expansion and modification of Medicare subvention project	Report	60 days before changes	OUSD/P&R	Justify changing the designation of a site; applying comparable requirements; making significant changes in payment amounts or methodology, and operation of the program; or terminating the agreement. SECDEF report.
106-945	190	Sec. 7 12, Conditions for eligibility for CHAMPUS and TRICARE; expansion and modification of Medicare subvention project	Notify	Upon negotiating an agreement	OUSD/P&R	Transmit a copy of a proposed agreement with HHS and all related agreements and supporting documents. SECDEF report.
106-945	198 / 8 16	Sec. 723, Modernization of TRICARE business practices and increase of use of military treatment facilities	Plan	NLT 03115101	OUSD/P&R	Submit a plan to provide portability and reciprocity of benefits for all enrollees under the program throughout all regions. SECDEF report.
106-945	199 / 8 17	Sec. 725, Protections against health care providers seeking direct reimbursement from members of the uniformed services	Report	NLT 01/31/01	OUSD/P&R	Recommend practices to discourage or prohibit providers under TRICARE program, and individuals or entities working on their behalf, from seeking direct reimbursement. SECDEF report.
106-945	201	Sec. 73 1, Demonstration project for expanded access to mental health counselors	Plan	NLT 03131101	OUSD/P&R	Submit a plan to carry out the demonstration project. SECDEF report.
106-945	201	Sec. 73 1, Demonstration project for expanded access to mental health counselors	Report	NLT 02101103	OUSD/P&R	Report on demonstration project, including the extent to which expenditures for reimbursement changes. SECDEF report.
106-945	203	Sec. 733, Health care management demonstration program	Report	NLT 03115102	OUSD/P&R	Report on the demonstration program, include an assessment of the value of incorporating the use of the tested planning and management models. SECDEF report.
106-945	205 / 819	Sec. 751, Management of anthrax vaccine immunization program	Report	NLT 04/01 Annually	DEFSECDEF	Track and report separations resulting from refusal to participate. SECDEF report.
106-945	207 / 8201	Sec. 753, Health Informatics	Report	Annual	OUSD/P&R	Adds two additional sections to the annual report as required by Sec. 723 of the NDAA for FY-00 (P.L. 106–65). SECDEF report.
106-945	210	Sec. 755, Augmentation of Army medical department by detailing reserve officers of the Public Health Service	Report	NLT 03101101	Army	Report the results of a review and assessment of the adequacy of laws for authorizing the Secretary of HHS to detail reserve officers.
106-945	210 / 820	Sec. 756, Privacy of DoD medical records	Plan	NLT 04101101	OUSD/P&R	Submit a comprehensive plan to improve privacy protections. SECDEF report.
~~106-945~~	~~211~~	~~Sec. 757, Authority to establish special locality-based reimbursement rates~~	~~Report~~	~~NLT 03/31/01~~	~~OUSD/P&R~~	~~Report on actions taken to carry out sec. 1079(h)(5) of title 10, U.S.C. SECDEF report.~~

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-945	211	Sec. 757, Authority to establish special locality-based reimbursement rates	Report	NLT 180 days after enactment	OUSD/P&R	The extent to which physicians are choosing not to participate in contracts for the furnishing of health care in rural States, include reasons for withdrawals and refusals. **SECDEF** report.
106-945	212 / 821	Sec. 760, Training in health care management and administration	Report	NLT 18 months after enactment	OUSD/P&R	Include a survey of professional civilian certifications and credentials; descriptions of continuing education activities and of the prominence of such credentials or certifications among senior civilian executives. **SECDEF** report.
106-945	213	Sec. 761, Studies on feasibility of sharing Biomedical Research Facility (Tripler Army Medical Center)	Report	NLT 03/01/01	Army	Report on a study on the feasibility of sharing a biomedical research facility with the Department of VA and the School of Medicine at the University of Hawaii.
106-945	213	Sec. 761, Studies on feasibility of sharing Biomedical Research Facility (Little Rock Medical Facility)	Report	NLT 03/01/01	Air Force	Report on a study on the feasibility of sharing a biomedical research facility with the Department of VA and the School of Medicine at the University of Arkansas.
106-945	214	Sec. 762, Study on comparability of coverage for physical, speech, and occupational therapies	Report	NLT 03131/01	OUSD/P&R	Report on the findings of the study comparing coverage and reimbursement for covered beneficiaries to coverage and reimbursement for such therapies. **SECDEF** report.
106-945	215 / 824	Sec. 801, Acquisition pilot programs	Report	NLT 01/01/01	OUSD/AT&L	Describe, for each acquisition program identified in Sec. 5064(a of the FASA of 1994, quantitative measures, recommended revisions to statutes or the FAR, any new innovative business practices, etc. **SECDEF** report.
106-945	216	Sec. 802, Multiyear service contracts	Notify	If necessary, at least 30 days in advance of contract award	OUSD/C	Head of an agency may not initiate under this section a contract for services that includes an unfunded contingent liability in excess of $20,000,000. **SECDEF** report.
106-945	217	Sec. 802, Multiyear service contracts	Notify	If necessary, 10 days after notification	OUSD/C	Head of an agency may not terminate a multiyear procurement contract for services until notice is provided. **SECDEF** report.
106-945	217	Sec. 802, Multiyear service contracts	Notify	If necessary, 30 days after notification	OUSD/C	Before any contract contains a clause setting a cancellation ceiling in excess of $100,000,000 may be awarded. **SECDEF** report.
106-945	219 / 826	Sec. 806, Reporting requirements relating to Multiyear Services Contracts	Report	Annually, NLT w/President's budget request	OUSD/C	Contains information on each multiyear service contract or extension of an existing contract entered into, or planned, by the head of an agency during the current or preceding year'. **SECDEF** report.
106-945	219 / 826	Sec. 806, Reporting requirements relating to Multiyear Services Contracts	Report	Prior to entering into a multiyear contract	OUSD/C	Provide a report containing information described in paragraph (4) of this amendment with respect to the contract (or contract extension). **SECDEF** report.
106-945	224	Sec. 811, Acquisition and management of information technology	Notify	NLT 30 days after the date of designation	OASD/C3I	Whenever during FYs 2001, 2002, or 2003 a system previously designated as a major automated information system is changed to another category.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-945	224	Sec. 811, Acquisition and management of information technology	Report	NLT 60 days after enactment	OASD/C3I	Specify systems previously designated as a major automated information system currently in another designation category including as a "special interest major technology initiative".
106-945	224	Sec. 811, Acquisition and management of information technology	Report	NLT 04/01 of FYs 2001, 2002 & 2003	OASD/C3I	Report on implementation of the requirements of this section during the preceding fiscal year, including each major automated information system approved. **SECDEF** report.
106-945	226 / 828	Sec. 812, Tracking and Management of information technology purchases	Report	NLT 03/15 Annually	OASD/C3I	Summarize data collected for each purchase of information technology products and services in excess of the simplified acquisition threshold. **SECDEF** report.
106-945	228 / 828	Sec. 814, Navy-Marine Corps Intranet	Certify	Prior to obligation or expenditure	Navy	Certify a review of the business case and comments provided by the OSD(C) and the Director of OMB and determine that implementation of the contract is in the Navy's best interest.
106-945	229 / 829	Sec. 814, Navy-Marine Corps Intranet (phased implementation)	Certify	Prior to exceeding threshold	Navy	After a review of the operational testing and cost review have determined that the implementation of the contract is in the best interest of the Navy.
106-945	231	Sec. 822, Financial analysis of use of dual rates for quantifying overhead costs at Army ammunition plants	Report	NLT 02/15/01	Army	Report results of the analysis carried out on the costs incurred and the benefits derived from implementation of a policy of using various sets of rates for quantifying overhead costs.
106-945	232	Sec. 824, Extension of waiver period for live-fire survivability testing for MH-47E and MH-60K helicopter modification programs	Certify	If necessary	OUSD/AT&L	May waive the application of the survivability and lethality tests if live-fire testing of the programs would be unreasonably expensive and impracticable. **SECDEF report.**
106-945	233 / 831	Sec. 831, Impact of foreign sourcing of systems on long-term military readiness and related industrial infrastructure	Report	NLT one year after enactment	OUSD/AT&L	Study whether parts, components, and materials of certain systems are obtained through domestic sources or from foreign sources, and the impact on military readiness. SECDEF report.
106-945	235 / 831	Sec. 834, Requirement to conduct study on contract bundling	Report	Before the FY-02 budget request	OUSD/AT&L	Report the results of a study on the practice of "contract bundling", and the effect on small businesses. SECDEF report.
106-945	238 / 835	Sec. 905, Additional components of Chairman of the JCS annual report on combatant command requirements	Report	With the budget request	JCS	Identify the extent to which the FYDP includes funds to address the capability shortfalls identified during the Joint Readiness Review conducted during first quarter of fiscal year.
106-945	241 / 836	Sec. 911, Western Hemisphere Institute for Security Cooperation	Report	NLT 03/15 Annually	Army	Detail activities of the institute for the previous calendar year, in consultation with the Secretary of State. **SECDEF** report.
106-945	241 / 836	Sec. 912, Regional centers for Security Studies	Notify	Upon intent to establish	OUSD/P	Upon intent to establish the center, including a description of the mission and functions, and justification. **SECDEF** report.
106-945	242 / 836	Sec. 912, Regional centers for Security Studies	Report	NLT 02/01/01, then Annually	OUSD/P	Report on operations during the preceding fiscal year, including budgetary and international participation information for each center. **SECDEF** report.
106-945	244 / 837	Sec. 916, The Joint Requirements Oversight Council reform initiative	Report	Semiannually from 03/01/01 - 03/01/03	JCS	Focus on the progress made on the initiative of the Chairman to reform and refocus the Joint Requirements Oversight Council.
106-945	246	Sec. 921, Institute for Defense Computer Security and Information Protection	Plan	NLT 04/01/01	OASD/C3I	Submit a plan for establishing and contracting to organize and operate the institute. **SECDEF** report.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-945	250	Sec. 922, Information Security Scholarship Program	Plan	NLT 04/01/01	OASD/C3I	Submit a plan for implementing the programs under chapter 112 of title IO, U.S.C.
106-945	250/838	Sec. 931. Shortfalls in equipment procurement and MILCON for the Reserve components in future-years defense programs	Report	NLT 15 days after budget request	OUSD/P&R	Adds reporting requirement to Sec. 10543(c) of title 10, U.S.C.
106-945	250/839	Sec. 932, Number of personnel assigned to legislative liaison functions	Report	NLT 12/01/00	OASD/LA	Report the number of personnel, shown by organizational entity and by pay grade, performing legislative liaison functions as of April 1, 2000. SECDEF report.
106-945	250	Sec. 933. Joint report on establishment of national collaborative information analysis capability	Report	NLT 03/01/00	OASD/C3I	Assess alternatives architectures for the establishment of a national capability.
106-945	251/839	Sec. 934, Network Centric Warfare (Implementation)	Report	03/01/01	OASD/C3I	Report on the development and implementation of network centric warfare concepts. SECDEF report.
106-945	251/839	Sec. 934, Network Centric Warfare (Joint Experimentation)	Report	03/01/01	JCS	Study the present and future use of joint experimentation for developing network centric warfare concepts. SECDEF report.
106-945	253	Sec. 935, Air Force Institute of Technology	Report	NLT 09/30/01	Air Force	Report the roles and missions, organizational structure, funding, and operations as projected, along with any recommendations.
106-945	254	Sec. 941, Flexibility in implementation of limitation on major DoD headquarters personnel	Certify	If necessary	OUSD/P&R	Certify that the limitation of headquarters personnel, would adversely affect national security. SECDEF report.
106-945	258	Sec. 1001, Transfer Authority	Notify	Upon determination	OUSD/C	Total amount of authorizations that may be transferred may not exceed $2,000,000,000. SECDEF report.
106-945	260/842	Sec. 1005, Limitation on Funds for Bosnia and Kosovo Peacekeeping Operations for FY-01	Certify	When necessary	OUSD/P	If a waiver is necessary and will not adversely affect the readiness of U.S. military forces or national security interests. *President report*
106-945	260/842	Sec. 1005, Limitation on Funds for Bosnia and Kosovo Peacekeeping Operations for FY-01	Report	When necessary	OUSD/P	Reasons for waiver, including impact of military involvement in Balkan peacekeeping operations on military readiness, and specific reasons additional funding is required. *President*
106-945	261	Sec. 1006, Requirement for prompt payment of contract vouchers	Report	If necessary	DFAS	If for any month of the noncompliance reporting period the requirement is not met, a report on the magnitude of the unpaid contract vouchers shall be submitted. SECDEF report.
106-945	262	Sec. 1007, Prompt recording of obligations of funds for contractual transactions	Plan	NLT 11/15/00	OUSD/C	Ensure that each obligation under a transaction be recorded not later than 10 days after the date on which the obligation is incurred. SECDEF report.
106-945	263	Sec. 1008, Electronic submission and processing of claims for contract payments	Plan	NLT 03/30/01	OASD/C3I	Plan for the implementation of the requirements imposedunder Sec. 2227 of title 10, U.S.C. (as added by subsection (a)). SECDEF report.
106-945	269	Sec. 1022, DoD expenditures to support foreign counter-drug activities	Report	NLT 01/01/01	OUSD/P	Detail the expenditure of funds during FY-00 in direct or indirect support of the counter-drug activities of foreign governments. SECDEF report.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-945	269	Sec. 1023, Recommendations on expansion of support for counter-drug activities	Report	NLT 02/01/01	OUSD/P	What, if any, additional countries should be covered or additional support provided to covered countries, together with the reasons; and a plan for providing support. **SECDEF** report.
106-945	269	Sec. 1024, Review of riverine counter-drug program	Report	NLT 02/01/01	OUSD/P	For each country receiving support, provide an assessment of th effectiveness of the program, and a recommendation regarding responsibility for managing the program. SECDEF report.
106-945	269	Sec. 1025, Tethered Aerostat Radar System	Report	NLT 05/01/01	*OUSD/P*	Report on the status of the TARS used to conduct detection and monitoring and border security and air sovereignty operations. **SECDEF** report.
106-945	271	Sec. 1031, Preparedness of military installation first responders for incidents involving weapons of mass destruction	Report	NLT 90 days after enactment	OUSD/P	Describe the overall program, deficiencies of installations to respond to an incident; schedule and costs associated with implementation; and plans. **SECDEF** report.
106-945	274	Sec. 1033, Loan guarantees to improve domestic preparedness to combat cyber-terrorism	Report	NLT 03/01 annually	OUSD/C	Report on the loan guarantee program. **SECDEF** report.
106-945	274 / 849	Sec. 1034, Status of domestic preparedness against the threat of biological terrorism	Report	03/31/01	*OATSD/CS*	Report on the status of domestic preparedness against the threat of biological terrorism. ***President report*** .
106-945	275 / 849	Sec. 1034, Status of domestic preparedness against the threat of biological terrorism	Report	03/01/01	DIA	An intelligence estimate of the threat posed by a biological weapon and the consequeaces of a biological terrorist attack compared to using other types of weapons. **SECDEF** report.
106-945	276 / 850	Sec. 1041, Revised nuclear posture review	Report	Concurrently w/QDR rpt due in 12/01	OUSD/P	Report the results of a comprehensive review of the nuclear posture of the U.S. for the next 5-10 years. SECDEF report.
106-945	276 / 850	Sec. 1042, Plan for long-term sustainment and modernization of U.S. strategic nuclear forces	Plan	NLT 04/15/01	OUSD/P	Develop a long-range plan for sustainment and modernization o strategic nuclear forces to counter emerging threats and satisfy evolving requirements of deterrence. **SECDEF** report.
106-945	278 / 851	Sec. 1044, Report on the defeat of hardened and deeply buried targets	Report	NLT 07/01/01	OUSD/P	After conduct a study relating to the defeat of hardened and deeply buried targets report the results. **SECDEF** report.
106-945	279 / 851	Sec. 1052, Report on submarine rescue support vessels	Plan	With FY-02 budget request	Navy	Report on the plan of the Navy for providing for submarine rescue support vessels through FY-07.
106-945	279 / 852	Sec. 1053, Report on Federal Government progress in developing information assurance strategies	Report	NLT 01/15/01	**OASD/C3I**	Detail the specific steps taken by the Federal Government as of the date of the report to develop critical infrastructure assurance strategies as outlined by PDD-63. ***President report.***
106-945	279 / 852	Sec. 1054, DOD process for decisionmaking in cases of false claims	Report	02/01/01	OUSD/AT&L	Describe policies and procedures in cases of claims; include an: changes in policies and procedures, and how such procedures a being implemented. **SECDEF** report.
~~106-945~~	~~289~~	~~Sec. 1063, Relationship of Defense information~~ assurance program to government-wide information security program	Report	~~Annual~~	~~OASD/C3I~~	~~An addition to the annual report requirement is made by~~ ameading Subsection (e) sec. 2224 of title 10, U.S.C. **SECDEI** report.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-945	289	Sec. 1071, Limitation on granting of security clearances	Report	02/0 1 Annually	OASD/C3I	Report each waiver issued authorizing an exception to prohibitions during the preceding year with an explanation for each case. **SECDEF report.**
106-945	298	Sec. 1078, Coordination of nuclear weapons secrecy policies and consideration of health of workers at former DoD nuclear facilities	Report	NLT 05/01/0 1	OUSD/P&R	Report the results of the review, including any changes made or recommendations for legislation; and the status of the notifications required. **SECDEF** report.
106-945	298 / 855	Sec. 1081, Funds for administrative **expenses** under Defense Export Loan Guarantee program	Report	Prior to providing funds for admin expenses	OUSD/AT&L	**Report on** operation of the DELG Program and determination as to which agency, office, or other activity should administer, manage, and oversee the program. **SECDEF** report.
106-945	327	Sec. 1105, Study **on** civilian personnel services	Report	NLT 01101102	OUSD/P&R	Assess the manner in which personnel services are provided **for** civilian personnel **and** report, and include, if appropriate, a proposal for a demonstration program.
106-945	329	Sec. 1112, Work Safety Demonstration Program	Report	**NLT** 12/1/2001	OUSD/AT&L	Submit an interim **report on** demonstration program containing at a minimum, for each site of the demonstration program certain baseline information and comparisons. SECDEF report
106-945	329	Sec. 1112, Work Safety Demonstration Program	Report	NLT 12/1/2002	OUSD/AT&L	Final report containing, at a minimum, for each site a determination on safety practices; comparisons **of** lost workday injury rates, and direct/indirect costs. **SECDEF** report.
106-945	340	Sec. 1203, Furnishing of Nuclear Test Monitoring Equipment to Foreign Governments	Report	Promptly after entering into any agreement	Air Force	Identify the country with **which** the agreement was made, **the** anticipated costs to be incurred, and the national interest that is furthered by the agreement. **SECDEF** report.
106-945	34 1 / 867	Sec. 1204, Additional matters for annual report on transfers of militarily sensitive technology to countries and entities of concern	**Report**	Annual	OUSD/AT&L	Include in annual report a description of actions taken on recommendations **of** inspectors general **contained** in previous annual reports. ***President report.***
106-945	34 1 / 867	Sec. 12 11, Assessing effect of continued operations in the Balkans region on readiness to execute the national military strategy	**Report**	**NLT** 04101 Annually	OUSD/P	Making the report on the readiness impact of U.S. military operations in the **Balkans** an annual report. President ***report***
106-945	341	Sec. 12 11, Assessing **effect** of continued operations in the Balkans region on readiness to execute the national military strategy	Notify	When necessary, but NLT the latest date **of** next annual rpt	OUSD/P	Notice that the annual report is no longer required after U.S. military operations in the Balkans region have ended. **SECDEI report.**
106-945	342 / 868	Sec. 1212, Situation in the Balkans (Benchmarks)	Report	06/30/01 and Semiannually thereafter	OUSD/P	Report **on** progress in achieving benchmarks for conditions that would achieve a sustainable peace and ultimately withdrawal of **U.S.** military presence in Kosovo. President report.
106-945	342 I868	Sec. 1212, Situation in the Balkans (Comprehensive Strategy)	Report	06/30/01 and Semiannually thereafter	OUSD/P	Report **on** progress in developing and implementing a comprehensive political-military strategy for the Balkans. President report
~~106-945~~	~~342 / 869~~	~~Sec 1213 Semiannual report on Kosovo~~ peacekeeping	~~Report~~	~~12/1/2000 and~~ Semiannually thereafter	~~OUSD/C~~	Report on the contributions of Europe nations and organizations to the peacekeeping operations in Kosovo. ***President report***

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-945	343 / 869	Sec. 1221, NATO fair burdensharing (Costs)	Report	30 days after a military operation begins, or later, if	OUSD/C	Report on costs of Operation Allied Force, including ordnance expended, fuel consumed, personnel; and estimated cost of reduced service life of U.S. aircraft, etc. **SECDEF report.**
106-945	343 / 869	Sec. 1221, NATO fair burdensharing (Future Operations)	Report	NLT 90 days after completion of the military operation	OUSD/C	Report on costs of Operation Allied Force, including ordnance expended, fuel consumed, personnel; and estimated cost of reduced service life of **U.S. aircraft,** etc. **SECDEF** report.
106-945	345 1870	Sec. 1231, Joint Data Exchange Center with Russian Federation	Report	NLT 30 days after enactment	OUSD/P	Report on plans for a center on early warning systems and notification of ballistic missile launches. **SECDEF report.**
106-945	345 / 871	Sec. 1232, Sharing and exchange of ballistic missile launch early warning data	Report	03115101	OUSD/P	Report current and planned activities with respect to sharing and exchanging early warning data; include an assessment of the benefits and risks of sharing such data. **SECDEF** report.
106-945	346 / 871	Sec. 1233, Communist Chinese military companies operating in the U.S.	**Report**	NLT 03/01/01	DIA	Make a determination of those persons operating in the U.S. or any of its territories and possessions and submit a list in classified and unclassified form. **SECDEF** report.
106-945	346	Sec. 1233, Communist Chinese military companies operating in the U.S.	Report	02/0 1 Annually	DIA	To make additions or deletions to the list. **SECDEF** report.
106-945	346 / 872	Sec. 1234, Adjustment of composite theoretical performance levels of high performance computers	**Report**	**04101101**	OUSD/P	Report on national security implications of trends in the R & D, manufacture, use, and proliferation of information technology in **the** commercial sector. **SECDEF** report.
106-945	355	Sec. 1302, Obligation or expenditure of funds for other purposes (Cooperative Threat Reduction)	**Report**	30 days prior to obligation or expenditure of funds	OUSD/P	Report the purpose and the amount **for** which funds will **be** obligated or expended CTR. SECDEF report.
106-945	356	Sec. 1302, Obligation or expenditure of funds for other purposes (Cooperative Threat Reduction)	Notify	15 days prior to obligation of **funds**	OUSD/C	Provide notification of the intent to obligate amounts appropriated **for FY -0** 1 in excess of the amount specifically authorized and the justification for doing **so. SECDEF** report
106-945	356	Sec. 1304, Limitations on use of funds for **funds** for fissile material storage facility	Notify	15 days prior **to CTR** fund use	OUSD/C	For construction of a second wing **for** the storage facility. **SECDEF** report.
106-945	356	Sec. 1305, Limitation on use of funds to support warhead dismantlement processing	Notify	15 days prior to CTR fund use	OUSD/C	When the U.S. has reached an agreement with Russia, which **shall** provide for appropriate transparency measures, regarding assistance by **the U.S. SECDEF report.**
106-945	357 / 876	Sec. 1307, Limitation on use of funds for /construction of fossil fuel energy plants	Report	, Within 60 days of enactment	OUSD/P	Detail options for assisting Russia in the development of alternative energy sources to the three plutonium production reactors remaining in operation in **Russia** *President report.*
106-945	357 / 876	Sec. 1308, **Reports** on activities and assistance under Cooperative Threat Reduction programs	Report	02/05/01 and each first Monday in February	OUSD/P	Consolidate reports on activities and assistance **during the** preceding fiscal year under CTR programs. ***President report.***
106-945	360 / 876	Sec. 1308, Reports on activities and assistance under cooperative threat reduction programs	Report	NLT 30 days after enactment	OUSD/P	Assess Russia's arsenal of tactical nuclear warheads, include a summary of U.S. efforts to work cooperatively with Russia. **SECDEF** report.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-945	360 1877	Sec. 1309, Russian chemical weapons elimination	Report	NLT 90 days after enactment	OUSD/P	Identify the amount of money spent; assistance provided by the international community for the storage and elimination of nerve agents; countries providing assistance; and value of assistance. SECDEF report.
106-945	361	Sec. 1310, Limitation on use of funds for elimination of weapons grade plutonium program	Report	30 days prior to 50% being obligated or expended	OUSD/P	Report on agreement between the U.S. and Russian Federation /regarding the shut down or conversion of the reactors of the Russian Federation. SECDEF report.
106-945	363	Sec. 1403, Commission to Assess the Threat to the U.S. from Electromagnetic Pulse Attack	Report	NLT 1 year after the Commission's report	OASD/C3I	Report on the Commission's findings and conclusions; describe political-military scenarios; evaluate the likelihood of an EMP attack compared to other threats. SECDEF report.
106-945	365 / 879	Sec. 1501, Assistance for economic growth on Vieques	Notify	When necessary	Navy	The advance notice required by the Vieques supplemental appropriation of each proposed transfer shall also be submitted to the committees.
106-945	368 / 879	Sec. 1503, Determination regarding continuation of Navy training	Certify	If necessary	Navy	If the CNO and the CMC jointly find that the range is no longer needed for training.
106-945	383	Sec. 1705, Progress on Spectrum Sharing	Report	Within 1 year of enactment	OASD/C3I	An interim report on the progress of the engineering study. SECDEF report.
106-945	430	Sec. 2801, Joint use military construction projects (defined)	Certify	With FY-03 budget request, Annually	OUSD/AT&L	Each Secretary evaluated the feasibility of carrying out the projects as joint use MILCON projects. SECDEF report.
106-945	431	Sec. 2803, Revision of space limitations for military family housing	Report	With each budget request, Annually	Services	Include in the request information on the net floor area of each unit of military family housing to be constructed, acquired, or improved under the authority.
106-945	4 3 5	Sec. 28 12, Enhancement of authority of military departments to lease non-excess property	Report	30 days prior to entering into a lease	Services	Report the facts of the lease for which all or part of the consideration proposed is in-kind and in excess of $500,000.
106-945	435	Sec. 2812, Enhancement of authority of military departments to lease non-excess property	Report	30 days prior to expending	Services	Report the facts of the proposed expenditure from the special account of a military department.
106-945	436	Sec. 2812, Enhancement of authority of military departments to lease non-excess property	Notify	NLT March 15 Annually	OUSD/AT&L	Changes reporting requirement of Subsection (d)(3), sec. 2667 of title 10, U.S.C. SECDEF report.
106-945	455	Sec. 287 1, Land conveyance, A AFES property, Farmers Branch, Texas	Report	Within 30 days after sale of property	OUSD/P&R	Report the particulars of the sale. SECDEF report.
106-945	480	Sec. 3 138, Contingent limitation on use of certain funds.. . with formerly utilized sites remedial action program funding prohibition	Certify	NLT 11/01/01	Army	Certify that the Corps of Engineers is in compliance with the requirements of travel funds for the Chief of Engineers.
106-945	503	Sec. 3301, Authorized uses of Stockpile funds	Report	If necessary or 45 days prior to obligation	DMCA	May obligate amounts in excess of $7 1 ,000,000 if extraordinary or emergency conditions necessitate additional obligations; or may make the additional obligations described in notification.
~~106-945~~	~~638~~	~~Air Mobility Command~~	~~Report~~	~~03/15/01~~	~~Air Force~~	~~Provide analysis for the C-141, C-5, and C-17 fleets and~~ determine readiness levels, explore alternatives to existing aircraft stationing plans for component airlift forces.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	Due Date	Action Office	Brief
106-945	639	Intelligence, Surveillance, and Reconnaissance (ISR) programs	Report	With FY-02 budget request	OASD/C3I	Provide an analysis evaluating current capability and forces; identifing capabilities and forces; enumerate capabilities that need to be created or enhanced, and itemize how the budget and the FYDP supports these needs. SECDEF report.
106-945	640	Multipurpose individual munition (MPIM)	Plan	NLT 01/30/01	Army	Following a final, thorough review of the status of this program and alternatives to the status quo, provide a plan to the on how these requirements will be met as soon as practicable.
106-945	674	DP-2 thrust vectoring system proof-of-concept demonstration	Assessment	With FY-02 budget request	Navy	Assess the program's progress, plans and funding requirements for completion of the flight-test demonstration.
106-945	677	Advanced land attack missile (ALAM)	Report	With FY-02 budget request	Navy	Report on recommended revisions to the program plan and the funding required to deploy as soon as technically feasible.
106-945	692	Specialty aerospace metals	Report	With FY-02 budget request	Air Force	Report on the plan for meeting requirements for advanced special aerospace metals and alloys.
106-945	692	Space-based radar	Report	05/01/01	OUSD/AT&L	Prepare a roadmap to guide the development and deployment of an operational system.. SECDEF report.
106-945	693	Space maneuver vehicle	Report	04/01/01	Air Force	Report on concepts, critical development paths, and applications for a low-cost reusable lower stage booster, and how it could fit into an overall Military Spaceplane system.
106-945	694	Satellite control network	Report	04/01/01	Air Force	Conduct an evaluation of commercial technologies and services relevant to modernization of the satellite control network.
106-945	708	National Missile Defense (NMD)	Report	04/01/01	BMDO	Report on plans for mitigating the ground-based interceptor (GBI) booster problems.
106-945	711	Common Imagery Processor (CIP)	Plan	03/15/01	OASD/C3I	Outline a path for migrating tactical imagery programs, including the CIP, NAVIS, and CIGSS, to integrated solutions within the CIGSS architecture.
106-945	712	Defense Space Reconnaissance Program	Report	05/01/01	OASD/C3I	Provide an assessment and recommendations regarding the overall role of the NRO in supporting tactical military forces. **SECDEF report.**
106-945	715	National Imagery and Mapping Agency (NIMA) pre-acquisition activities	Report	02/01/01	OASD/C3I	Describe the implementation of numerous steps to ensure the TPED efforts begin efficiently and promptly. **SECDEF** report.
106-945	720	Sec. 219, Cost limitations applicable to F-22 aircraft program	Notify	If necessary	DOT&E	Consult with the USD(AT&L) to determine that the increase, ne exceed 1 1/2 percent of the total amount, is necessary in order tc ensure adequate testing.
106-945	756	Cultural and historic activities	Report	NLT 04/01/01	Navy	Completely describe all prior and current use of Legacy funds and relevant state funds, and the status of recovery and preservation activities. **SECDEF** report.
106-945	758	Water quality issues at installations in Kaiserslautern, Germany	Report	With FY-02 budget request	Army / Air Force	Plan and submit findings and recommendations for completion of remediation and restoration, to include related costs.

Congressional Reporting Requirements/Assignments 2001

Report	Page	Subject	Action	/Due Date	Action Office	Brief
106-945	760	Sec. 314, Payment of fines and penalties for environmental compliance at Ft Wainwright, Alaska	Report	NLT 03/01/02	OUSD/AT&L	Report the analysis of all environmental compliance fines and penalties assessed and imposed at military facilities during fiscal years 1995-2001. **SECDEF** report.
106-945	776	Revision of authority to waive limitation on performance of depot-level maintenance	Waiver	None specified	Air Force	Waive the 50 percent depot maintenance requirement for reason of national security. President ***report.***
106-945	792	Sec. 552, Defense Clearance and Investigative Index (DCII)	Report	04/01/01	IG	Submit findings and recommendations of a review of policies and procedures addressing the degree that must exist before
106-945	811	Armed Forces Retirement Home fees	Report	03/30/01	OUSD/P&R	Following a review, report the results and any recommendations for changing the current fees or operations of the Armed Forces Retirement Home. **SECDEF report.**
106-945	815	Sec. 713, Medicare subvention project	Plan	03/30/01	OUSD/P&R	A plan for universal, continuous enrollment of all eligible beneficiaries beginning in **fiscal year 2002. SECDEF** report
106-945	815	Sec. 713, Accrual funding for health care for Medicare-eligible retirees and dependents	Report	02/08/01	OUSD/P&R	Report results of an independent study, including any recommendations. **SECDEF** report.
106-945	824	Acquisition programs at the National Security Agency	Report	With FY-02 budget request	OASD/C3I & NSA	Outline an oversight plan, including the changes the plan will make in the acquisition process. **SECDEF** report.
106-945	825	Sec. 802, Multiyear services contracts	Report	02/01/01	OUSD/C	Contains information comparable to that required by Sec. 2306b(l)(4) for each multiyear service contract and each extension of an existing contract entered into, or planned, during the current or preceding year. **SECDEF** report.
106-945	832	Management of acquisition of mission-essential software for major defense acquisition programs	Report	03101101	OUSD/AT&L	Report on the roles of the USD(ATL) and the CIO in developing, managing, and reviewing policies; and the amount of funds used to support weapon systems. **SECDEF** report.
106-945	865	Sec. 1142, Increase in number of positions authorized for the Defense Intelligence Senior Executive Service	Report	03/15/01	OASD/C3I	How will the additional senior executive service positions be allocated within the defense intelligence community? **SECDEF** report.

Department of Defense

CONGRESSIONALLY MANDATED REPORTS

By United States Code

U. S. CODE	REPORT TITLE	REVIEW DATE	OPR	CMR #
Report Frequency =AN				
5 USC 552(e)	DoD FREEDOM OF INFORMATION ACT PROGRAM REPORT TO CONGRESS	2000/01/21	WHS	271
		NY YY	Y	0

DESCRIPTION: EACH DOD COMPONENT SHALL COMPILE FREEDOM OF INFORMATION ACT (FOIA) STATISTICS ON A FISCAL. YEAR BASIS BEGINNING OCTOBER 1, 1997, AND REPORT SAME TO DFOISR, WHS, NO LATER THAN NOVEMBER 30 FOLLOWING EACH FISCAL YEARS's CLOSE. DETAILED INSTRUCTIONS FOR PREPARATION OF AGENCY REPORTING REQUIREMENTS ARE CONTAINED WITHIN DOD 5400.7-R, "DEPARTMENT OF DEFENSE (DoD) FREEDOM OF INFORMATION ACT PROGRAM." DFOISR, WHS WILL CONSOLIDATE AGENCY INPUT FOR DOD AND COMPILE A CONSOLIDATED DOD REPORT (SUBMISSION ALSO REFLECTS AND DISPLAYS INFORMATION RECEIVED FROM EACH INDIVIDUAL DOD AGENCY). IN TURN, THE CONSOLIDATED DOD FOIA REPORT IS SUBMITTED TO THE ATTORNEY GENERAL (DEPARTMENT OF JUSTICE) AND PUBLISHED ELECTRONICALLY NO LATER THAN FEBRUARY 1 FOLLOWING THE FISCAL YEARS CLOSE (PER CONGRESSIONAL GUIDANCE). THE FOIA REPORT INCLUDES BUT IS NOT NECESSARILY LIMITED TO INFORMATION CONCERNING: FOIA DETERMINATIONS ON INITIAL REQUESTS AND APPEALS (WITH DETAIL REGARDING WHY REQUESTS FOR RECORDS FROM THE PUBLIC WERE NOT FULFILLED); INFORMATION REGARDING THE NUMBER AND MEDIAN AGE OF INITIAL REQUESTS STILL PENDING BEFORE EACH AGENCY AT THE OPEN/CLOSE OF EACH FISCAL REPORTING PERIOD; THE NUMBER AND MEDIAN AGE OF INITIAL REQUESTS PROCESSED, BY TRACK, DURING THE FISCAL YEAR; THE NUMBER OF PART-TIME AND FULL-TIME STAFF WORK-YEARS DEDICATED TO FOIA PROCESSING DURING EACH REPORT PERIOD; ESTIMATED LITIGATION COST; AND OVERALL PROGRAM COST.

COMMENTS:

5 USC 5597

DESCRIPTION:

11-L-0559/OSD/3019

10 USC 113 **note**	ANNUAL REPORT ON MILITARY POWER OF THE PEOPLE'S REPUBLIC OF CHINA	2000/03/20	DIA	1544
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DESCRIPTION: (a) NOT LATER THAN MARCH 1 EACH YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE SPECIFIED CONGRESSIONAL COMMITTEES A REPORT, IN BOTH CLASSIFIED AND UNCLASSIFIED FORM, ON THE CURRENT AND FUTURE MILITARY STRATEGY OF THE PEOPLES REPUBLIC OF CHINA. THE REPORT SHALL ADDRESS THE CURRENT AND PROBABLE FUTURE COURSE OF MILITARY-TECHNOLOGICAL DEVELOPMENT ON THE PEOPLE'S LIBERATION ARMY AND THE TENETS AND PROBABLE DEVELOPMENT OF CHINESE GRAND STRATEGY, SECURITY STRATEGY, AND MILITARY STRATEGY AND OF MILITARY ORGANIZATIONS AND OPERATIONAL CONCEPTS, THROUGH THE NEXT 20 YEARS.

COMMENTS:

10 USC 113 note	COUNTERINTELLIGENCE POLYGRAPH PROGRAM	2000/05/15	C3I	411
		N N N N		0

DESCRIPTION: NOT LATER THAN JANUARY 15 OF EACH YEAR THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT ON POLYGRAPH EXAMINATIONS ADMINISTERED BY OR FOR THE DEPARTMENT OF DEFENSE DURING THE PREVIOUS FISCAL YEAR. EACH SUCH REPORT WILL INCLUDE: (A) A STATEMENT OF THE NUMBER OF POLYGRAPH EXAMINATIONS ADMINISTERED. (B) A DESCRIPTION OF THE PURPOSES AND RESULTS OF SUCH EXAMINATIONS; (C) A DESCRIPTION OF THE CRITERIA USED FOR SELECTING PROGRAMS AND PERSONS FOR EXAMINATION, (D) A STATEMENT OF THE NUMBER OF PERSONS WHO REFUSED TO SUBMIT TO SUCH AN EXAMINATION AND A DESCRIPTION OF THE ACTIONS TAKEN AS A RESULT OF THEIR REFUSAL, (E) A STATEMENT OF THE NUMBER OF PERSONS FOR WHICH SUCH AN EXAMINATION INDICATED DECEPTION AND THE ACTION TAKEN AS A RESULT; (F) A DETAILED ACCOUNTING OF THOSE CASES IN WHICH MORE THAN TWO SUCH EXAMINATIONS WERE NEEDED TO ATTEMPT TO RESOLVE DISCREPANCIES AND THOSE CASES IN WHICH THE EXAMINATION OF A PERSON EXTENDED OVER MORE THAN ONE DAY. ALSO, A DESCRIPTION OF ANY PLANS TO EXPAND THE USE OF POLYGRAPH EXAMINATIONS IN THE DoD, A DISCUSSION OF ANY PLANS FOR RECRUITING AND TRAINING ADDITIONAL POLYGRAPH OPERATORS TOGETHER WITH STATISTICAL DATA ON THE EMPLOYMENT TURNOVER OF DoD POLYGRAPH OPERATORS, A DESCRIPTION OF THE RESULTS DURING THE PRECEDING FISCAL YEAR OF THE RESEARCH PROGRAM, AND A STATEMENT OF THE NUMBER OF POLYGRAPH EXAMINATIONS ADMINISTERED TO QUALIFYING PERSONS.

COMMENTS:

10 USC 113 note	ANNUAL REPORT ON UNITED STATES **MILITARY ACTIVITIES IN** COLUMBIA	2000/03/20	POL	1535
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DESCRIPTION: NOT LATER THAN JANUARY 1 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON FOREIGN RELATIONS OF THE SENATE AND THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON INTERNATIONAL RELATIONS OF THE HOUSE OF REPRESENTATIVES A REPORT DETAILING THE NUMBER OF MEMBERS OF THE UNITED STATES ARMED FORCES DEPLOYED OR OTHERWISE ASSIGNED TO DUTY IN COLUMBIA AT ANY TIME DURING THE PRECEDING YEAR, THE LENGTH AND PURPOSE OF THE DEPLOYMENT OR ASSIGNMENT, AND THE COSTS AND FORCE PROTECTION RISKS ASSOCIATED WITH SUCH DEPLOYMENTS AND ASSIGNMENTS.

COMMENTS:

11-L-0559/OSD/3020

10 USC 113 note | REPORT ON NATO DEFENSE **CAPABILITIES INITIATIVE** | 2000/03/20 | AT&L | 1537

0

DESCRIPTION: (b)(1) NOT LATER THAN JANUARY 3 1 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEES ON ARMED SERVICES AND FOREIGN RELATIONS OF THE SENATE AND THE COMMITTEES ON ARMED SERVICES AND INTERNATIONAL RELATIONS OF THE HOUSE OF REPRESENTATIVES A REPORT, TO BE PREPARED IN CONSULTATION WITH THE SECRETARY OF STATE, ON IMPLEMENTATION OF THE DEFENSE CAPABILITIES INITIATIVE BY THE NATIONS OF THE NATO ALLIANCE.

COMMENTS:

10 USC 113 note | MILITARY FAMILY RELOCATION ASSISTANCE PROGRAM | 1994/04/30 | AT&L | 844

N N N N 0

DESCRIPTION: NOT LATER THAN MARCH 1 EACH YEAR, THE SECRETARY OF DEFENSE, ACTING THROUGH THE DIRECTOR OF MILITARY RELOCATION ASSISTANCE PROGRAMS, SHALL SUBMIT TO CONGRESS A REPORT ON THE PROGRAM UNDER THIS SECTION AND ON MILITARY FAMILY RELOCATION MATTERS.

COMMENTS:

10 USC 113(c)(1) | EXPENDITURES, WORK, ACCOMPLISHMENTS OF THE DEPARTMENT OF DEFENSE | 1999/03/23 | COMP | 406

N Y N N Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL REPORT ANNUALLY IN WRITING TO THE PRESIDENT AND CONGRESS ON THE EXPENDITURES, WORK, AND ACCOMPLISHMENTS OF THE DEPARTMENT OF DEFENSE TOGETHER WITH -- (1) A REPORT FROM EACH MILITARY DEPARTMENT ON THE EXPENDITURES, WORK, AND ACCOMPLISHMENTS OF THAT DEPARTMENT; (2) ITEMIZED STATEMENTS SHOWING THE SAVINGS OF PUBLIC FUNDS, AND THE ELIMINATION OF UNNECESSARY DUPLICATIONS; (3) A REPORT FROM THE RESERVE FORCES POLICY BOARD ON THE RESERVE PROGRAMS OF THE DEPARTMENT OF DEFENSE INCLUDING A REVIEW OF EFFECTIVENESS OF SPECIFIC CHAPTERS OF 10 USC AS THEY APPLY TO RESERVE OFFICERS); AND (4) SUCH RECOMMENDATIONS AS THE SECRETARY OF DEFENSE CONSIDERS APPROPRIATE.

COMMENTS:

10 USC 113(c)(2) | RESERVE PROGRAMS OF THE DEPARTMENT OF DEFENSE | 1999/02/16 | RA | 249

YY YY Y 0

DESCRIPTION: AT THE SAME TIME THAT THE SECRETARY SUBMITS THE ANNUAL REPORT UNDER PARAGRAPH (1), THE SECRETARY SHALL TRANSMF TO THE PRESIDENT AND CONGRESS A SEPARATE REPORT FROM THE RESERVE FORCES POLICY BOARD ON THE RESERVE PROGRAMS OF THE DEPARTMENT OF DEFENSE AND ANY OTHER MATTERS THAT THE RESERVE FORCES POLICY BOARD CONSIDERS APPROPRIATE TO INCLUDE IN THE REPORT.

COMMENTS:

11-L-0559/OSD/3021

10 USC 113(e)(1) FOREIGN POLICY AND MILITARY FORCE STRUCTURE 1999/03/23 POL 410

NY NN Y 0

DESCRIPTION: THE SECRETARY (OF DEFENSE) SHALL INCLUDE IN HIS ANNUAL REPORT TO CONGRESS--(A) A DESCRIPTION OF THE MAJOR MILITARY MISSIONS AND OF THE MILITARY FORCE STRUCTURE OF THE U.S. FOR THE NEXT FISCAL YEAR; (B) AN EXPLANATION OF THE RELATIONSHIP OF THOSE MILITARY MISSIONS TO THAT FORCE STRUCTURE; AND (C) THE JUSTIFICATION FOR THOSE MILITARY MISSIONS AND THAT FORCE STRUCTURE.

COMMENTS:

10 USC 113(i)(1) COMPREHENSIVE NET ASSESSMENT OF THE DEFENSE CAPABILITIES 1999/03/23 POL 407

NY NN Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL TRANSMIT TO CONGRESS EACH YEAR A REPORT THAT CONTAINS A COMPREHENSIVE NET ASSESSMENT OF THE DEFENSE CAPABILITIES AND PROGRAMS OF THE ARMED FORCES OF THE UNITED STATES AND ITS ALLIES AS COMPARED WITH THOSE OF THEIR POTENTIAL ADVERSARIES. EACH REPORT SHALL -- (A) INCLUDE A COMPARISON OF THE DEFENSE CAPABILITIES AND PROGRAMS OF THE ARMED FORCES OF THE UNITED STATES AND ITS ALLIES WITH POTENTIAL ADVERSARIES (B) INCLUDE AN EXAMINATION OF THE TRENDS EXPERIENCED IN THOSE CAPABILITIES AND PROGRAMS DURING THE FIVE YEARS PRECEDING AND AN EXAMINATION OF THE EXPECTED TRENDS IN THE FIVE-YEAR DEFENSE PROGRAM; (C) INCLUDE A DESCRIPTION OF THE MEANS BY WHICH THE DEPARTMENT OF DEFENSE WILL MAINTAIN THE CAPABILITY TO RECONSTITUTE OR EXPAND THE DEFENSE CAPABILITIES AND PROGRAMS OF THE ARMED FORCES OF THE UNITED STATES ON SHORT NOTICE TO MEET A RESURGENT OR INCREASED THREAT TO THE NATIONAL SECURITY; (D) REFLECT, IN THE OVERALL ASSESSMENT AND IN THE STRATEGIC AND REGIONAL ASSESSMENTS, THE DEFENSE CAPABILITIES; AND (E) IDENTIFY THE DEFICIENCIES IN THE DEFENSE CAPABILITIES OF THE ARMED FORCES IN SUCH BUDGET AND FIVE-YEAR DEFENSE PLAN.

COMMENTS:

10 USC 113(j)(1) COST OF STATIONING UNITED STATES ARMED FORCES OUTSIDE THE UNITED STATES 1999/03/23 COMP 409

NY YN N 30 Z

DESCRIPTION: NOT LATER THAN APRIL 8 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL TRANSMIT TO THE COMMITTEES ON ARMED SERVICES AND COMMITTEES ON APPROPRIATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY AND THE COMMITTEE ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES A REPORT ON THE COST OF STATIONING U.S. FORCES OUTSIDE THE U.S. EACH SUCH REPORT SHALL INCLUDE A DETAILED STATEMENT OF THE FOLLOWING: (A) COSTS INCURRED IN THE U.S. AND COSTS INCURRED OUTSIDE THE U.S. IN CONNECTION WITH THE STATIONING OF U.S. FORCES OUTSIDE THE U.S.; (B) THE COSTS INCURRED OUTSIDE THE U.S. IN CONNECTION WITH OPERATING, MAINTAINING, AND SUPPORTING U.S. FORCES OUTSIDE THE U.S., INCLUDING ALL DIRECT AND INDIRECT EXPENDITURES OF U.S. FUNDS IN CONNECTION WITH SUCH STATIONING; AND, (C) THE EFFECT OF SUCH EXPENDITURES OUTSIDE THE U.S. ON THE BALANCE OF PAYMENTS OF THE U.S.

COMMENTS:

10 USC 115a(a)	ANNUAL DEFENSE MANPOWER REQUIREMENTS REPORT	1999/11/05	P&R	34
		NY YN Y 0		

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS AN ANNUAL MANPOWER REQUIREMENTS REPORT. THE REPORT, WHICH SHALL BE IN WRITING, SHALL BE SUBMITTED EACH YEAR NOT LATER THAN 45 DAYS AFTER THE DATE ON WHICH THE PRESIDENT SUBMITS TO CONGRESS THE BUDGET FOR THE NEXT FISCAL YEAR UNDER SECTION 1105 OF TITLE 31. THE REPORT SHALL CONTAIN THE SECRETARY OF DEFENSES RECOMMENDATIONS FOR--(1) THE ANNUAL ACTIVE DUTY END-STRENGTH LEVEL FOR EACH COMPONENT OF THE ARMED FORCES FOR THE NEXT FISCAL YEAR; AND (2) THE ANNUAL CIVILIAN PERSONNEL END-STRENGTH LEVEL FOR EACH COMPONENT OF DOD FOR THE NEXT FISCAL YEAR.

COMMENTS:

10 USC 116(a)(1)	ANNUAL OPERATIONS AND MAINTENANCE REPORT	1999/03/23	AT&L	436
		Y Y N N Y 0		

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A WRITTEN REPORT, NOT LATER THAN FEBRUARY 15 OF EACH FISCAL YEAR, WITH RESPECT TO THE OPERATIONS AND MAINTENANCE OF THE ARMY, NAVY, AIR FORCE AND MARINE CORPS FOR THE NEXT FISCAL YEAR WHICH SHALL INCLUDE: (A) THE NUMBER OF AIRCRAFT FLYING HOURS FOR THE ARMY, NAVY, AIR FORCE, THE NUMBER OF SHIP STEAMING HOURS FOR THE NAVY, AND THE NUMBER OF FIELD TRAINING DAYS FOR THE COMBAT ARMS BATTALIONS OF THE ARMY AND THE MARINE CORPS; (B) THE NUMBER OF SHIPS OVER 3,000 TONS (FULL LOAD DISPLACEMENT) IN EACH NAVY SHIP CLASSIFICATION ON WHICH MAJOR REPAIR WORK SHOULD BE PERFORMED DURING THE NEXT FISCAL YEAR; AND (C)THE NUMBER OF AIRFRAME REWORKS, AIRCRAFT ENGINE REWORKS, AND VEHICLE OVERHAULS WHICH SHOULD BE PERFORMED BY THE ARMY, NAVY, AIR FORCE AND MARINE CORPS. THE SECRETARY OF DEFENSE SHALL ALSO INCLUDE IN EACH SUCH REPORT THE JUSTIFICATION FOR AND AN EXPLANATION OF THE LEVEL OF FUNDING RECOMMENDED IN THE BUDGET OF THE PRESIDENT FOR THE NEXT FISCAL YEAR FOR AIRCRAFT FLYING HOURS, SHIP STEAMING HOURS, FIELD TRAINING DAYS OF THE COMBAT ARMS BATTALIONS, MAJOR REPAIR WORK TO BE PERFORMED ON SHIPS OF THE NAVY, AIRFRAME REWORKS, AIRCRAFT ENGINE REWORKS, AND VEHICLE OVERHAULS.

COMMENTS:

10 USC 117(d)	JOINT READINESS REVIEWS	2000/03/14	JCS	1482
		Y Y Y N 0		

DESCRIPTION: THE SECRETARY SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON APPROPRIATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY AND THE COMMITTEE ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES A REPORT IN WRITING CONTAINING THE RESULTS OF THE MOST RECENT JOINT READINESS REVIEW CONDUCTED UNDER SUBSECTION (d), INCLUDING THE CURRENT INFORMATION DERIVED FROM THE READINESS REPORTING SYSTEM. EACH SUCH REPORT SHALL BE SUBMITTED IN UNCLASSIFIED FORM AND MAY, AS THE SECRETARY DETERMINES NECESSARY, ALSO BE SUBMITTED IN CLASSIFIED FORM.

COMMENTS:

11-L-0559/OSD/3023

10 USC 119(a)(1) SPECIAL ACCESS PROGRAMS - CONGRESSIONAL OVERSIGHT 1999/12/15 C3I 457

YY YN Y 0

DESCRIPTION: NOT LATER THAN MARCH 1 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE DEFENSE COMMITTEES A REPORT ON SPECIAL ACCESS PROGRAMS. EACH REPORT SHALL SET FORTH--(A) THE TOTAL AMOUNT REQUESTED FOR SPECIAL ACCESS PROGRAMS OF DOD IN THE PRESIDENT'S BUDGET FOR THE NEXT FY SUBMITTED UNDER SECTION 1105 OF TITLE 3 1; AND (B) FOR EACH PROGRAM IN THAT BUDGET THAT IS A SPECIAL ACCESS PROGRAM--(I) A BRIEF DESCRIPTION OF THE PROGRAM; (ii) A BRIEF DISCUSSION OFTI-IE MAJOR MILESTONES ESTABLISHED FOR THE PROGRAM; (iii)THE ACTUAL COST OF THE PROGRAM FOR EACH FY DURING WHICH THE PROGRAM HAS BEEN CONDUCTED BEFORE THE FY DURING WHICH THAT BUDGET IS SUBMITTED AND (iv) THE ESTIMATED TOTAL COST OFTI-IE PROGRAM AND THE ESTIMATED COST OF THE PROGRAM FOR (I) THE CURRENT FY, (II) THE FY FOR WHICH THE BUDGET IS SUBMITTED, AND (III) EACH OFTI-IE FOUR SUCCEEDING FISCAL YEARS DURING WHICH THE PROGRAM IS EXPECTED TO BE CONDUCTED.

COMMENTS:

10 USC 119(b)(1) SPECIAL ACCESS PROGRAMS - NOTIFICATION OF NEW PROGRAMS 1999/12/15 C3I 456

N N N N 0

DESCRIPTION: NOT LATER THAN FEBRUARY 1 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE DEFENSE COMMITTEES A REPORT THAT, WITH RESPECT TO EACH NEW SPECIAL ACCESS PROGRAM, PROVIDES- (A) NOTICE OF THE DESIGNATION OF THE PROGRAM AS A SPECIAL ACCESS PROGRAM AND (B) JUSTIFICATION FOR SUCH DESIGNATION.

COMMENTS:

10 USC 128(d) PHYSICAL PROTECTION OF SPECIAL NUCLEAR MATERIAL 1999/03/23 AT&L 1398

NY NN Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL PREPARE ON AN ANNUAL BASIS A REPORT TO BE MADE AVAILABLE UPON THE REQUEST OF ANY INTERESTED PERSON, DETAILING THE SECRETARY'S APPLICATION DURING THAT PERIOD OF EACH REGULATION OR ORDER PRESCRIBED OR ISSUED UNDER THIS SECTION. IN PARTICULAR THE REPORT SHALL (1) IDENTIFY ANY INFORMATION PROTECTED FROM DISCLOSURE PURSUANT TO SUCH REGULATION OR ORDER; (2) SPECIFICALLY STATE THE SECRETARY'S JUSTIFICATION; AND (3) PROVIDE JUSTIFICATION THAT THE SECRETARY HAS APPLIED SUCH REGULATION OR ORDER SO AS TO PROTECT FROM DISCLOSURE ONLY THE MINIMUM AMOUNT OF INFORMATION NECESSARY TO PROTECT THE HEALTH AND SAFETY OF THE PUBLIC OR THE COMMON DEFENSE AND SECURITY.

COMMENTS:

10 USC 129(f)	USE OF **PROHIBITED** CONSTRAINTS TO MANAGE DEPARTMENT OF DEFENSE PERSONNEL	1999/02/18	ALLDO D	1479
		YN NN	N 58	

DESCRIPTION: (f)(1) NOT LATER THAN FEBRUARY 1 OF EACH YEAR, THE SECRETARY OF EACH MILITARY DEPARTMENT AND THE HEAD OF EACH DEFENSE AGENCY SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES A REPORT ON THE MANAGEMENT OF THE CIVILIAN WORKFORCE UNDER THE JURISDICTION OF THAT OFFICIAL. (2) EACH REPORT OF AN OFFICIAL SHALL CONTAIN THE FOLLOWING: (A) THE OFFICIALS CERTIFICATION (I) THAT THE CIVILIAN WORKFORCE UNDER THE JURISDICTION OF THE OFFICIAL IS NOT SUBJECT TO ANY CONSTRAINT OR LIMITATION IN TERMS OF MAN YEARS, END STRENGTH, FULL-TIME EQUIVALENT POSITIONS, OR MAXIMUM NUMBER OF EMPLOYEES, AND (II) THAT, DURING THE 12 MONTHS PRECEDING THE DATE ON WHICH THE REPORT IS DUE, SUCH WORKFORCE HAS NOT BEEN SUBJECT TO ANY SUCH CONSTRAINT OR LIMITATION. (B) A DESCRIPTION OF HOW THE CIVILIAN WORKFORCE IS MANAGED. (C) A DETAILED DESCRIPTION OF THE ANALYTICAL TOOLS USED TO DETERMINE CIVILIAN WORKFORCE REQUIREMENTS DURING THE 12-MONTH PERIOD REFERRED TO IN SUBPARAGRAPH (A).

COMMENTS: ARMY: SINCE THE EARLY 19805, THE CONGRESS HAS BEEN INTERESTED IN HOW THE DEPARTMENT MANAGED ITS CIVILIAN WORKFORCE. WHILE MEMBERS WHO HAD DEPOTS IN THEIR DISTRICTS SUPPORTED THE INITIAL THRUST OF LEGISLATION, THE LATEST SUPPORT HAS BEEN MORE BROAD BASED. THE REPORT DOES NOT HAVE ANY VALUE TO THE ARMY. WE SUSPECT THAT IT HAS LITTLE VALUE TO DoD. THE PASSING OF THIS REPORT DIRECTLY TO THE COMMITTEES ERODES THE AUTHORITY AND RESPONSIBILITY OF THE DoD. RESPONDENTS = DCAA(YNNNN1), ARMY (NNNNN20), NAVY (YNNNN3), AF(NNNNN34)

10 USC 139(f)	DIRECTOR OF OPERATIONAL TEST AND EVALUATION - ANNUAL REPORTING REQUIREMENT	1999/02/01	OT&E	437
		Y Y Y Y	0	

DESCRIPTION: THE DIRECTOR, OT&E SHALL PREPARE AN ANNUAL REPORT SUMMARIZING THE OPERATIONAL TEST AND EVALUATION ACTIVITIES OF THE DEPARTMENT OF DEFENSE DURING THE PRECEDING FISCAL YEAR. EACH SUCH REPORT SHALL BE SUBMITTED CONCURRENTLY TO THE SECRETARY OF DEFENSE, THE UNDER SECRETARY OF DEFENSE FOR ACQUISITION, AND THE CONGRESS NOT LATER THAN 10 DAYS AFTER THE TRANSMISSION OF THE BUDGET FOR THE NEXT FISCAL YEAR UNDER SECTION 1105 OF TITLE 31. THE REPORT SHALL INCLUDE SUCH COMMENTS AND RECOMMENDATIONS AS THE DIRECTOR CONSIDERS APPROPRIATE, INCLUDING COMMENTS AND RECOMMENDATIONS ON RESOURCES AND FACILITIES AVAILABLE FOR OPERATIONAL TEST AND EVALUATION AND LEVELS OF FUNDING MADE AVAILABLE FOR OPERATIONAL TEST AND EVALUATION ACTIVITIES. THE SECRETARY MAY COMMENT ON ANY REPORT OF THE DIRECTOR TO CONGRESS.

COMMENTS:

10 USC **153(c)**	REPORTS ON RISKS UNDER NATIONAL MILITARY STRATEGY AND COMBATANT COMMAND **REQUIREMENTS**	2000/03/20	JCS	1536
			0	

DESCRIPTION: (c)(1) NOT LATER THAN JANUARY 1 EACH YEAR, THE CHAIRMAN SHALL SUBMIT TO THE SECRETARY OF DEFENSE A REPORT PROVIDING THE CHAIRMANS ASSESSMENT OF THE NATURE AND MAGNITUDE OF THE STRATEGIC AND MILITARY RISKS ASSOCIATED WITH EXECUTING THE MISSIONS CALLED FOR UNDER THE CURRENT NATIONAL MILITARY STRATEGY. (d) NOT LATER THAN AUGUST 15 EACH YEAR, THE CHAIRMAN SHALL SUBMIT TO THE COMMITTEES OF CONGRESS NAMED IN PARAGRAPH (2) A REPORT ON THE REQUIREMENTS OF THE COMBATANT COMMANDS ESTABLISHED UNDER SECTION 161 OF THIS TITLE.

COMMENTS:

10 USC **168** note	MILITARY-TO-MILITARY EXCHANGES AND CONTACTS WITH CHINESE PEOPLES LIBERATION ARMY - ANNUAL REPORT	2000/03/20	JCS	1543
			0	

DESCRIPTION: (e) NOT LATER THAN MARCH 3 1 OF EACH YEAR BEGINNING IN 200 1, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEEE ON ARMED SERVICES OF THE HOUSE OF REPRESENTATIVES A REPORT PROVIDING THE SECRETARY'S ASSESSMENT OF THE CURRENT STATE OF MILITARY-TO-MILITARY CONTACTS WITH THE PEOPLE'S LIBERATION ARMY.

COMMENTS:

10 USC 168 note	LIMITATION ON MILITARY-TO-MILITARY EXCHANGES AND CONTACTS WITH CHINESE PEOPLES' LIBERATION ARMY - ANNUAL CERTIFICATION	2000/03/20	JCS	1542
			0	

DESCRIPTION: (d) THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEES ON ARMED SERVICES OF THE SENATE AND THE COMMITTEES ON ARMED SERVICES OF THE HOUSE OF REPRESENTATIVES, NOT LATER THAN DECEMBER 31 EACH YEAR, A CERTIFICATION, IN WRITING AS TO WHETHER OR NOT ANY MILITARY-TO-MILITARY EXCHANGE OR CONTACT DURING THAT CALENDAR YEAR WAS CONDUCTED IN VIOLATION OF SUBSECTION (a).

COMMENTS:

10 USC 183	ANNUAL JUSTIFICATION FOR THE DEPARTMENT OF DEFENSE ADVISORY COMMITTEES	1999102123	COMP	1467
		Y Y Y N	0	

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL INCLUDE IN THE ANNUAL REPORT OF THE SECRETARY UNDER SECTION 113(c) OF THIS TITLE A REPORT ON ADVISORY COMMITTEES OF THE DEPARTMENT OF DEFENSE. IN EACH SUCH REPORT, THE SECRETARY SHALL-- (1) IDENTIFY EACH ADVISORY COMMITTEE THAT THE SECRETARY PROPOSES TO SUPPORT, OR THAT THE SECRETARY IS REQUIRED BY LAW OR DIRECTION FROM THE PRESIDENT TO SUPPORT, DURING THE NEXT FISCAL YEAR; AND (2) FOR EACH COMMITTEE IDENTIFIED, SET FORTH-- (A) THE JUSTIFICATION OR REQUIREMENT FOR THAT COMMJTTEE, (B) THE PROJECTED COSTM THE DEPARTMENT OF DEFENSE TO SUPPORT THAT COMMITTEE DURING THE NEXT FISCAL YEAR.

COMMENTS:

10 USC 1 9 s	DEFENSE AUTOMATED PRINTING SERVICE - **APPLICABILITY** OF FEDERAL PRINTING REQUIREMENTS	1999/02/18	AT&L	514
		Y Y Y N Y	0	

DESCRIPTION: THE DEFENSE AUTOMATED PRINTING SERVICE SHALL COMPLY FULLY WITH THE REQUIREMENTS OF *SECTION 501* OF TITLE 44 USC RELATING TO THE PRODUCTION AND PROCUREMENT OF PRINTING, BINDING AND BLANK-BOOK WORK.44 USC 501 STATES: JCP REQUIRES A PLAN OF PRINTING EQUIPMENT ACQUISITIONS FOR THE CURRENT YEAR PLUS TWO ADDITIONAL YEARS. THIS REPORT MAKES A PROJECTION OF WHERE AN ENTITY IS HEADED - FACTORS AFFECTING PRODUCTION; PLANTS SCHEDULED TO OPEN/CLOSE AND WHY; AND A REQUIREMENT TO RECEIVE PERMISSION FROM THE JOINT COMMITTEE ON PRINTING PRIOR TO A CHANGE IN ANY ASPECT OF PRINTING.

COMMENTS:

10 USC 221 **note**	BUDGET JUSTIFICATION DOCUMENTS	2000/10/17	COMP	1567
			0	

DESCRIPTION: THE BUDGET OF THE PRESIDENT FOR FISCAL YEAR 2002 SUBMITTED TO THE CONGRESS PURSUANT TO SECTION 1105 OF TITLE 3 1, UNITED STATES CODE, AND EACH ANNUAL BUDGET REQUEST THEREAFTER, SHALL INCLUDE SEPARATE BUDGET JUSTIFICATION DOCUMENTS FOR COSTS OF UNITED STATES ARMED FORCES PARTICIPATION IN CONTINGENCY OPERATIONS FOR THE MILITARY PERSONNEL ACCOUNTS, THE OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND, THE OPERATION AND MAINTENANCE ACCOUNTS, AND THE PROCUREMENT ACCOUNTS. PROVIDED THAT THESE BUDGET JUSTIFICATION DOCUMENTS SHALL INCLUDE A DESCRIPTION OF THE FUNDING REQUESTED FOR EACH ANTICIPATED CONTINGENCY OPERATION, FOR EACH MILITARY SERVICE, TO INCLUDE ACTIVE DUTY AND GUARD AND RESERVE COMPONENTS, AND FOR EACH APPROPRIATION ACCOUNT.

COMMENTS:

10 USC 221(a)	FUTURE YEARS DEFENSE PROGRAM: SUBMISSION TO CONGRESS: CONSISTENCY IN BUDGETING	1999/02/23	COMP	447
		Y Y Y Y Y	0	

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS EACH YEAR, AT OR ABOUT THE TIME THAT THE PRESIDENT'S BUDGET IS SUBMITTED TO CONGRESS THAT YEAR A FUTURE-YEARS DEFENSE PROGRAM (INCLUDING ASSOCIATED ANNEXES) REFLECTING THE ESTIMATED EXPENDITURES AND PROPOSED APPROPRIATIONS INCLUDED IN THAT BUDGET. ANY SUCH FUTURE-YEARS DEFENSE PROGRAM SHALL COVER THE FISCAL YEAR WITH RESPECT TO WHICH THE BUDGET IS SUBMITTED AND AT LEAST THE FOUR SUCCEEDING FISCAL YEARS.

COMMENTS:

10 USC 229(a)	PROGRAMS FOR COMBATING TERRORISM: DISPLAY OF BUDGET INFORMATION	2000/03/20	POL	1532
			0	

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS, AS A PART OF THE DOCUMENTATION THAT SUPPORTS THE PRESIDENTS ANNUAL BUDGET FOR THE DEPARTMENT OF DEFENSE, A CONSOLIDATED BUDGET JUSTIFICATION DISPLAY, IN CLASSIFIED AND UNCLASSIFIED FORM, THAT INCLUDES ALL PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE COMBATING TERRORISM PROGRAMS.

COMMENTS:

10 USC 230	AMOUNTS FOR DECLASSIFICATION OF RECORDS	2000/03/20	WHS	1538
			0	

DESCRIPTION: NO RECORDS OF THE DEPARTMENT OF DEFENSE THAT HAVE NOT BEEN REVIEWED FOR DECLASSIFICATION SHALL BE SUBJECT TO AUTOMATIC DECLASSIFICATION UNLESS THE SECRETARY OF DEFENSE CERTIFIES TO CONGRESS THAT SUCH DECLASSIFICATION WOULD NOT HARM THE NATIONAL SECURITY.

COMMENTS:

10 USC 401(d)	**HUMANITARIAN AND CMC ASSISTANCE PROVIDED IN CONJUNCTION WITH MILITARY OPERATIONS**	1999/03/04	POL		580
		YN	YN	Y	0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMF TO THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON FOREIGN RELATIONS OF THE SENATE AND TO THE COMMITTEE ON NATIONAL SECURITY AND THE COMMITTEE ON INTERNATIONAL RELATIONS OF THE HOUSE OF REPRESENTATIVES A REPORT, NOT LATER THAN MARCH 1 OF EACH YEAR, ON ACTIVITIES CARRIED OUT DURING THE PRECEDING YEAR. THE SECRETARY SHALL INCLUDE IN EACH SUCH REPORT--(1) A LIST OF THE COUNTRIES IN WHICH HUMANITARIAN AND CIVIC ASSISTANCE ACTIVITIES WERE CARRIED OUT DURING THE PRECEDING FISCAL YEAR; (2) THE TYPE AND DESCRIPTION OF SUCH ACTIVITIES CARRIED OUT IN EACH COUNTRY DURING THE PRECEDING FISCAL YEAR; AND (3) THE AMOUNT EXPENDED IN CARRYING OUT EACH SUCH ACTIVITY IN EACH SUCH COUNTRY DURING THE PRECEDING FISCAL YEAR.

COMMENTS:

10 USC 437(c)	**CONGRESSIONAL OVERSIGHT: ANNUAL REPORT**	1999/03/28	AT&L		452
		NN	NN	Y	0

DESCRIPTION: NOT LATER THAN JANUARY 15 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE APPROPRIATE COMMITTEES OF CONGRESS A REPORT ON ALL COMMERCIAL ACTIVITIES AUTHORIZED UNDER THIS SUBCHAPTER THAT WERE UNDERTAKEN DURING THE PREVIOUS FISCAL YEAR. THE REPORT SHALL INCLUDE--1) A DESCRIPTION OF ANY EXERCISE OF THE AUTHORITY OF THIS REPORT; 2) A DESCRIPTION OF ANY EXPENDITURE OF FUNDS MADE; AND 3) A DESCRIPTION OF ANY ACTIONS TAKEN WITH RESPECT TO AUDITS CONDUCTED TO IMPLEMENT RECOMMENDATIONS OR CORRECT DEFICIENCIES IDENTIFIED IN SUCH AUDITS.

COMMENTS:

10 USC 481(c)	**RACE RELATIONS, GENDER DISCRIMINATION, AND HATE GROUP ACTIVITY: ANNUAL SURVEY AND REPORT**	2000/10/21	P&R		1263
		YY	YY	Y	0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL CARRY OUT AN ANNUAL SURVEY TO MEASURE THE STATE OF RACIAL, ETHNIC, AND GENDER ISSUES AND DISCRIMINATION AMONG MEMBERS IN THE ARMED FORCES SERVING ON ACTIVE DUTY AND THE EXTENT (IF ANY) OF ACTIVITY AMONG SUCH MEMBERS THAT MAY BE SEEN AS SO-CALLED HATE GROUP' ACTIVITY UPON COMPLETION OF EACH ANNUAL SURVEY UNDER SUBSECTION (a), THE SECRETARY SHALL SUBMIT TO CONGRESS A REPORT CONTAINING THE RESULTS OF THE SURVEY. (FORMERLY 10 USC 451)

COMMENTS:

10 USC 483(a)	REPORTS ON TRANSFERS FROM HIGH-PRIORITY READINESS APPROPRIATIONS	1999/03/23	COMP	1447
	N Y Y N N 30 z			

DESCRIPTION: NOT LATER THAN THE DATE ON WHICH THE PRESIDENT SUBMITS THE BUDGET FOR THE FISCAL YEAR TO CONGRESS PURSUANT TO SECTION 110.5 OF TITLE 31, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON APPROPRIATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES A REPORT ON TRANSFERS DURING THE PRECEDING FISCAL YEAR FROM FUNDS AVAILABLE FOR EACH COVERED BUDGET ACTIVITY.

COMMENTS:

10 USC 484(a)	ANNUAL REPORT ON AIRCRAFT INVENTORY	1999/03/24	COMP	1448
	N N N N N 5 z			

DESCRIPTION: THE USD(COMPTROLLER) SHALL SUBMIT TO CONGRESS EACH YEAR A REPORT ON THE AIRCRAFT IN THE INVENTORY OF THE DEPARTMENT OF DEFENSE. THE UNDER SECRETARY SHALL SUBMIT THE REPORT WHEN THE PRESIDENT SUBMITS THE BUDGET TO CONGRESS UNDER SECTION 1105(a) OF TITLE 3 1.

COMMENTS:

10 USC 485	JOINT WARFIGHTING EXPERIMENTATION	2000/03/20	JCS	1484
	Y Y Y N Y 0			

DESCRIPTION: THE COMMANDER OF THE COMBATANT COMMAND ASSIGNED BY THE SECRETARY OF DEFENSE TO HAVE THE MISSION FOR JOINT WARFIGHTING EXPERIMENTATION SHALL SUBMIT TO THE SECRETARY AN ANNUAL REPORT ON THE CONDUCT OF JOINT EXPERIMENTATION ACTIVITIES FOR THE FISCAL YEAR ENDING IN THE YEAR OF THE REPORT. NOT LATER THAN DECEMBER 1 OF EACH YEAR, THE SECRETARY SHALL SUBMIT THAT REPORT, TOGETHER WITH ANY COMMENTS THAT THE SECRETARY CONSIDERS APPROPRIATE AND ANY COMMENTS THAT THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF CONSIDERS APPROPRIATE, TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES.

COMMENTS:

10 USC 4 8 7	UNIT OPERATIONS TEMPO AND PERSONNEL TEMPO: ANNUAL REPORT	2000/03/20	P&R	1531
	0			

DESCRIPTION: (a) THE SECRETARY OF DEFENSE SHALL INCLUDE IN THE ANNUAL REPORT REQUIRED BY SECTION 113(c) OF THIS TITLE A DESCRIPTION OF THE OPERATIONS TEMPO AND PERSONNEL TEMPO OF THE ARMED FORCES.

COMMENTS:

10 USC 520c(b) **RECRUITING** FUNCTIONS: USE OF **FUNDS** 1999/02/12 P&R 1064

NN NN N 40 x

DESCRIPTION: UNDER REGULATIONS PRESCRIBED BY THE SECRETARY CONCERNED, FUNDS APPROPRIATED TO THE DEPARTMENT OF DEFENSE FOR RECRUITMENT OF **MILITARY** PERSONNEL MAY BE EXPENDED FOR SMALL MEALS AND REFRESHMENTS DURING **RECRUITING** FUNCTIONS FOR THE FOLLOWING PERSONS: (1) PERSONS WHO HAVE ENLISTED UNDER THE DELAYED ENTRY PROGRAM AUTHORIZED BY SECTION 513 OF **TITLE** 10 U.S. **CODE.(2)** PERSONS WHO ARE OBJECTS OF ARMED FORCES RECRUITING EFFORTS. (3) PERSONS WHOSE ASSISTANCE **IN RECRUITING** EFFORTS OF THE MILITARY DEPARTMENTS IS DETERMINED TO BE INFLUENTIAL BY THE SECRETARY CONCERNED. (4) MEMBERS OF THE ARMED FORCES AND FEDERAL EMPLOYEES WHEN ATTENDING RECRUITING EVENTS IN ACCORDANCE WITH A REQUIREMENT TO DO SO. (5) OTHER PERSONS WHOSE PRESENCE AT RECRUITING EFFORTS WILL CONTRIBUTE TO **RECRUITING** EFFORTS. **(b)** NOT LATER THAN FEBRUARY 1 OF EACH OF THE YEARS 1998 THROUGH 2002, THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT ON THE EXTENT TO WHICH AUTHORITY UNDER **SUBSECTION** (a) WAS EXERCISED DURING THE FISCAL YEAR ENDING **IN** THE PRECEDING YEAR.

COMMENTS:

10 USC 662(b) PROMOTION POLICY OBJECTIVES FOR JOINT OFFICERS 1999/02/12 P&R 440

Y Y Y N Y 0

DESCRIPTION: NOT LATER THAN JANUARY 1 OF EACH YEAR THE SECRETARY OF DEFENSE SHALL **SUBMIT** TO CONGRESS A REPORT ON THE PROMOTION RATES DURING THE PRECEDING FISCAL YEAR OF OFFICERS WHO ARE SERVING IN JOINT DUTY ASSIGNMENTS, **ESPECIALLY** WITH RESPECT **TO** THE RECORD OF **OFFICER** SELECTION BOARDS **IN** MEETING THE OBJECTIVES OF PARAGRAPH (1), **(2)**, AND (3) OF SUBSECTION (a). IF SUCH PROMOTION RATES FAIL TO MEET SUCH OBJECTIVES FOR ANY FISCAL YEAR, THE SECRETARY SHALL INCLUDE **IN** THE REPORT FOR THAT FISCAL YEAR INFORMATION ON SUCH FAILURE AND ON WHAT ACTION THE SECRETARY HAS TAKEN OR PLANS TO TAKE TO PREVENT FURTHER FAILURES.

COMMENTS:

11-L-0559/OSD/3031

10 USC 6 6 7	JOINT DUTY ASSIGNMENTS - ANNUAL REPORT TO CONGRESS	1999/02/12	P&R	259
		Y Y Y N Y 0		

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL INCLUDE IN THE ANNUAL **REPORT** TO CONGRESS UNDER SECTION 113(c) OF TITLE 10. FOR THE PERIOD COVERED BY THE REPORT, THE FOLLOWING INFORMATION (SHOWN FOR THE **DoD** AS A WHOLE AND THE MILITARY SERVICES SEPARATELY): (1) THE NUMBER OF OFFICERS SELECTED FOR **JOINT** SPECIALTY, EDUCATION AND EXPERIENCE, (2) MILITARY OCCUPATIONAL SPECIALTIES WITHIN EACH SERVICE DESIGNATED AS **CRITICAL** OCCUPATIONAL SPECIALTIES (COS), (3) ELIGIBILITY AND ASSIGNMENT DATA ON THE NUMBER OF OFFICERS HOLDING **COSs**, (4) FOR EACH FISCAL YEAR, DATA ON NOMINATIONS AND SELECTIONS. (5) . **(6), (7)**, (8) AND (9) SPECIFIC INFORMATION ON PROMOTION RATES. (10) AN ANALYSIS OF ASSIGNMENTS, (11) AVERAGE TOUR LENGTH INFORMATION, (12) EXCLUSIONS BY CATEGORY, (13) ACTIONS TAKEN TO CORRECT ASSIGNMENT **IMBALANCE** (14) ANALYSIS OF EACH SERVICES RESPONSIBILITY TO SHARE ASSIGNMENT OF OFFICERS TO JOINT DUTY ASSIGNMENTS, (15) NUMBER OF WAIVERS BY TYPE, (16) INFORMATION ON COS NOT FILLED BY **QUALIFIED JSOs** (17) INFORMATION ON **ATTENDANCE** AND COMPLETION OF **PME/PJE** COURSES AT ARMED FORCES STAFF COLLEGE, AND (18) OTHER SUCH INFORMATION CONSIDERED APPROPRIATE BY THE SECRETARY

COMMENTS:

10 USC 721(d)(2)	LIMITATION ON NUMBER OF GENERAL AND FLAG OFFICERS WHO MAY SERVE IN POSITIONS OUTSIDE THEIR OWN SERVICE	1999/02/12	P&R	832
		YY YY Y 0		

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL **SUBMIT** TO CONGRESS AN ANNUAL **REPORT** ON THE NUMBER OF OFFICERS TO WHOM PARAGRAPH (1) WAS APPLICABLE DURING THE YEAR COVERED BY THE REPORT. THE REPORT SHALL SET FORTH THE DETERMINATION MADE BY THE SECRETARY UNDER THAT PARAGRAPH **IN** EACH SUCH CASE.

COMMENTS:

10 USC **946(c)**	UNIFORM CODE OF MILITARY JUSTICE - ARTICLE 146 CODE COMMITTEE	1999/02/12	ALLDO D	431
		Y Y Y Y Y 0		

DESCRIPTION: **COMMITTEE** SHALL MEET AT LEAST ANNUALLY AND SHALL MAKE AN ANNUAL COMPREHENSIVE SURVEY OF THE OPERATION OF THE UNIFORM CODE OF MILITARY JUSTICE. **AFTER** EACH SUCH SURVEY, THE **COMMITTEE** SHALL **SUBMIT** A **REPORT** TO THE COMMITTEES ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES; AND **TO** THE SECRETARY OF DEFENSE, THE SECRETARIES OF THE MILITARY DEPARTMENTS, AND THE SECRETARY OF TRANSPORTATION. EACH **REPORT** SHALL INCLUDE THE **FOLLOWING**: (A) INFORMATION ON THE NUMBER AND STATUS OF PENDING CASES AND (B) ANY RECOMMENDATION OF THE **COMMITTEE** RELATING TO--(i) UNIFORMITY OF POLICIES AS TO SENTENCES; (ii) AMENDMENTS TO THE CHAPTER 47,10 USC 946; AND (iii) ANY OTHER MATTER THE **COMMITTEE** CONSIDERS APPROPRIATE.

COMMENTS: RESPONDENTS = DISA(YYYYYO), AF(YYYNYO), **MC(YYYYY0)**

10 USC 1071 note	ACTIVITIES OF THE MEDICAL INFORMATICS ADVISORY **COMMITTEE**	2000/03/15	HA	1526
			0	

DESCRIPTION: (d)(5) THE SECRETARY OF DEFENSE SHALL SUBMIT **TO** CONGRESS AN ANNUAL REPORT ON THE ACTIVITIES OF THE COMMITTEE AND ON THE COORDINATION OF DEVELOPMENT, DEPLOYMENT, AND MAINTENANCE OF HEALTH CARE INFORMATICS SYSTEMS **WITHIN** THE FEDERAL GOVERNMENT, AND BETWEEN THE FEDERAL GOVERNMENT AND THE PRIVATE SECTOR.

COMMENTS:

10 USC 1071 note	**QUALITY** OF HEALTH CARE	2000/03/16	HA	1527
			0	

DESCRIPTION: THE **ASSISTANT** SECRETARY OF DEFENSE FOR HEALTH AFFAIRS SHALL SUBMIT TO CONGRESS ON AN ANNUAL BASIS A REPORT ON THE **QUALITY** OF HEALTH CARE FURNISHED UNDER THE HEALTH CARE PROGRAMS OF THE DEPARTMENT OF DEFENSE. THE REPORT SHALL COVER THE MOST RECENT FISCAL YEAR ENDING BEFORE THE DATE THE REPORT IS **SUBMITTED** AND SHALL CONTAIN A DISCUSSION OF THE QUALITY OF THE HEALTH CARE MEASURED ON THE BASIS OF EACH STATISTICAL AND CUSTOMER SATISFACTION FACTOR THAT THE ASSISTANT SECRETARY DETERMINES APPROPRIATE, INCLUDING AT A MINIMUM, A DISCUSSION ON THE FOLLOWING: (1) HEALTH OUTCOMES, (2) THE EXTENT OF USE OF HEALTH REPORT CARDS; (3) THE EXTENT OF USE OF STANDARD CINICAL PATHWAYS; (4) THE EXTENT OF USE OF INNOVATIVE PROCESSES FOR SURVEILLANCE.

COMMENTS:

10 USC **1095(g)**	COLLECTION OF HEALTH CARE COSTS FROM THIRD-PARTY PAYERS	2000/05/15	HA	1214
		N N N N	0	

DESCRIPTION: NOT LATER THAN FEBRUARY 15 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL **SUBMIT** TO CONGRESS REPORT **SPECIFYING** FOR EACH FACILITY OF THE UNIFORMED SERVICES **THE** AMOUNT **CREDITED TO** THE FACILITY UNDER THIS **SUBSECTION** DURING THE PREVIOUS FISCAL YEAR.

COMMENTS:

10 USC 1095(g)(2)	HEALTH CARE SERVICES INCURRED ON BEHALF OF COVERED BENEFICIARIES: COLLECTION FROM THIRD-PARTY PAYERS	1999/03/22	HA	1171

N Y NN Y 0

DESCRIPTION: AMOUNTS COLLECTED UNDER THIS SECTION FROM A THIRD-PARTY PAYER OR UNDER ANY OTHER PROVISION OF LAW FROM ANY OTHER PAYER FOR THE COSTS OF HEALTH CARE SERVICES PROVIDED AT OR THROUGH A FACILITY OF THE UNIFORMED SERVICES SHALL BE CREDITED TO THE APPROPRIATION SUPPORTING THE MAINTENANCE AND OPERATION OF THE FACILITY AND SHALL NOT BE TAKEN INTO CONSIDERATION IN ESTABLISHING THE OPERATING BUDGET OF THE FACILITY NOT LATER THAN FEBRUARY 15 OF EACH YEAR. THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT SPECIFYING FOR EACH FACILITY OF THE UNIFORMED SERVICES THE AMOUNT CREDITED TO THE FACILITY UNDER THIS SUBSECTION DURING THE PRECEDING FISCAL YEAR.

COMMENTS:

10 USC 1491(e)	HONOR GUARD DETAILS AT FUNERALS OF VETERANS	1999/06/09	P&R	1486

YY YN Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES A REPORT NOT LATER THAN JANUARY 31 OF EACH YEAR BEGINNING WITH 2001 AND ENDING WITH 2005 ON THE EXPERIENCE OF THE DEPARTMENT OF DEFENSE UNDER THIS SECTION. EACH SUCH REPORT SHALL PROVIDE DATA ON THE NUMBER OF FUNERALS SUPPORTED UNDER THIS SECTION, THE COST FOR THAT SUPPORT, SHOWN BY MANPOWER AND OTHER COST FACTORS, AND THE NUMBER AND COSTS OF FUNERALS SUPPORTED BY EACH PARTICIPATING ORGANIZATION. THE DATA IN THE REPORT SHALL BE PRESENTED IN A STANDARD FORMAT, REGARDLESS OF MILITARY DEPARTMENT OR OTHER ORGANIZATION.

COMMENTS:

10 USC 1557(e)	TIMELINESS STANDARDS FOR DISPOSITION OF APPLICATIONS BEFORE CORRECTION BOARDS	1999/06/09	ALLDO D	1487

Y Y Y N Y 0

DESCRIPTION: THE SECRETARY OF THE MILITARY DEPARTMENT CONCERNED SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES A REPORT NOT LATER THAN JUNE 1 FOLLOWING ANY FISCAL YEAR DURING WHICH THE CORRECTIONS BOARD OF THAT SECRETARY'S MILITARY DEPARTMENT WAS UNABLE TO THE APPLICABLE TIMELINESS STANDARD FOR THAT FISCAL YEAR UNDER SUBSECTIONS (a) AND (b). THE REPORT SHALL SPECIFY THE REASONS WHY THE STANDARD COULD NOT BE MET AND THE CORRECTIVE ACTIONS INITIATED TO ENSURE COMPLIANCE IN THE FUTURE. THE REPORT SHALL ALSO SPECIFY THE NUMBER OF WAIVERS GRANTED UNDER SUBSECTION (c) DURING THE FISCAL YEAR.

COMMENTS:

11-L-0559/OSD/3034

10 USC 1562 note | DEFENSE TASK FORCE ON DOMESTIC VIOLENCE - ANNUAL **REPORT** | 2000/03/15 | P&R | 1522

0

DESCRIPTION: (a) THE SECRETARY OF DEFENSE SHALL ESTABLISH A DEPARTMENT OF DEFENSE TASK FORCE TO BE KNOWN AS THE DEFENSE TASK FORCE ON DOMESTIC VIOLENCE...(e) THE TASK FORCE SHALL SUBMIT TO THE SECRETARY AN ANNUAL REPORT ON ITS ACTIVITIES AND ON THE ACTIVITIES OF THE MILITARY DEPARTMENTS TO RESPOND TO DOMESTIC VIOLENCE IN THE MILITARY. (4) WITHIN 90 DAYS OF RECEIPT OF A REPORT UNDER PARAGRAPH (2) OR (3), THE SECRETARY SHALL SUBMIT THE REPORT AND THE SECRETARY'S EVALUATION OF THE REPORT TO THE COMMITTEES ON ARMED SERVICES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES. THE SECRETARY SHALL INCLUDE WITH THE REPORT THE INFORMATION COLLECTED PURSUANT TO SECTION 1562(b) OF TITLE 10, AS ADDED BY SECTION 594 OF PL 106-65.

COMMENTS:

10 USC 1597(c) | **CIVILIAN** EMPLOYMENT MASTER PLAN | 1999/03/23 | P&R | 261

N N Y N 0 TR

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL INCLUDE FOR EACH FISCAL YEAR A CIVILIAN EMPLOYMENT MASTER PLAN FOR THE DEPARTMENT OF DEFENSE AS A WHOLE AND FOR EACH MILITARY DEPARTMENT, DEFENSE AGENCY AND OTHER PRINCIPAL COMPONENT OFTI-IE DEPARTMENT OF DEFENSE. THE MASTER PLAN SHALL INCLUDE A PROFILE OF THE LEVELS OF CIVILIAN POSITIONS SUFFICIENT TO ESTABLISH AND MAINTAIN A BASELINE FOR TRACKING ANNUAL ACCESSIONS AND LOSSES OF CIVILIAN POSITIONS AND TO PROVIDE FOR THE ANALYSIS OF TRENDS IN THE LEVELS OF CIVILIAN POSITIONS WITHIN THE DOD AS A WHOLE AND FOR EACH MILITARY DEPARTMENT, MAJOR SUBORDINATE COMMAND OF EACH MILITARY DEPARTMENT, DEFENSE AGENCY, AND OTHER PRINCIPAL COMPONENT OF THE DEPARTMENT OF DEFENSE AND OTHER INFORMATION.

COMMENTS: TITLE 10 REQUIRES THAT THE DEPARTMENT OF DEFENSE SUBMIT A REPORT ON CIVILIAN EMPLOYMENT ANNUALLY ALONG WITH BUDGET MATERIALS THE REPORT IS TO COVER THE BUDGET YEAR, THE PRIOR TWO YEARS AND THE TWO YEARS FOLLOWING THE BUDGET YEAR (FIVE YEAR PLAN). THE REQUIREMENTS OFT-HE REPORT, AS SPECIFIED IN 10 USC, EXCEED THE LEVEL OF DETAIL USED IN DOD PLANNING. THE CIVILIAN WORK FORCE IS AN OPEN PERSONNEL SYSTEM AND NOT RIGIDLY STRUCTURED LIKE THE MILITARY PERSONNEL SYSTEM. ALSO, CIVILIANS ARE A VALUED "RESOURCE" USED TO SUPPORT ESSENTIAL DOD MISSIONS, BUT CIVILIANS ARE NOT A STRUCTURED "PROGRAM" MANAGED IN DIVISIONS, CARRIER GROUPS AND WINGS. OVERALL PROJECTED LEVELS OF EMPLOYMENT, AND OTHER BROAD BRUSH INFORMATION, ARE PROVIDED TO CONGRESS THROUGH OTHER MEANS (O&M JUSTIFICATION MATERIALS AND THE DEFENSE MANPOWER REQUIREMENTS REPORT).

11-L-0559/OSD/3035

10 USC 1611(c) **POSTEMPLOYMENT** ASSISTANCE: CERTAIN TERMINATED INTELLIGENCE EMPLOYEES 1999/03/28 P&R 1185

N N N N Y 0

DESCRIPTION: SUBJECT TO SUBSECTION (c), THE SECRETARY OF DEFENSE MAY, IN THE CASE OF ANY INDIVIDUAL WHO IS A QUALIFIED FORMER INTELLIGENCE EMPLOYEE, USE APPROPRIATED FUNDS--(1) TO ASSIST THAT INDIVIDUAL IN FINDING AND QUALIFYING FOR EMPLOYMENT OTHER THAN IN AN INTELLIGENCE COMPONENT OF THE DEPARTMENT OF DEFENSE; (2) TO ASSIST THAT INDIVIDUAL IN MEETING THE EXPENSES OF TREATMENT OF MEDICAL OR PSYCHOLOGICAL DISABILITIES OF THAT INDIVIDUAL; AND (3) TO PROVIDE FINANCIAL SUPPORT TO THAT INDIVIDUAL DURING PERIODS OF UNEMPLOYMENT THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE CONGRESSIONAL COMMITTEE ON ARMED SERVICES, THE COMMITTEE ON APPROPRIATIONS AND THE SELECT COMMITTEE ON INTELLIGENCE OF THE SENATE AND TO THE COMMITTEE ON NATIONAL SECURITY, THE COMMITTEE ON APPROPRIATIONS, AND THE SELECT COMMITTEE ON INTELLIGENCE OF THE SENATE, AN ANNUAL REPORT WITH RESPECT TO ANY EXPENDITURE MADE UNDER THIS SECTION.

COMMENTS:

10 USC 2006(e)(3) STATUS OF DOD EDUCATION BENEFITS FUND 1999/02/19 P&R 1393

NY YN Y 0

DESCRIPTION: THE BOARD SHALL REPORT TO THE SECRETARY OF DEFENSE ANNUALLY ON THE ACTUARIAL STATUS OF THE FUND AND SHALL FURNISH ITS ADVICE AND OPINION ON MATTERS REFERRED TO IT BY THE SECRETARY. THE BOARD SHALL REVIEW VALUATIONS OF THE FUND UNDER SUBSECTION (f) AND SHALL RECOMMEND TO THE PRESIDENT AND CONGRESS SUCH CHANGES AS IN THE BOARDS JUDGMENT ARE NECESSARY TO PROTECT THE PUBLIC INTEREST AND MAINTAIN THE FUND ON A SOUND ACTUARIAL BASIS.

COMMENTS:

10 USC **2010(b)** PARTICIPATION OF DEVELOPING COUNTRIES IN COMBINED EXERCISES: PAYMENT OF INCREMENTAL EXPENSES 1999/04/13 COMP 308

YN YN Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT EACH YEAR, NOT LATER THAN MARCH 1, CONTAINING (1) A LIST OF THE DEVELOPING COUNTRIES FOR WHICH EXPENSES HAVE BEEN PAID BY THE UNITED STATES DURING THE PRECEDING YEAR; AND (2) THE AMOUNTS EXPENDED ON BEHALF OF EACH GOVERNMENT.

COMMENTS:

10 USC 2011(e) SPECIAL OPERATIONS FORCES: **TRAINING** WITH FRIENDLY FOREIGN FORCES 1999/02/23 COMP 310

NN NN N 0 TR

DESCRIPTION: NOT LATER THAN APRIL 1 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT REGARDING TRAINING DURING THE PRECEDING FISCAL YEAR FOR WHICH EXPENSES WERE PAID BY THE U.S. EACH REPORT SHALL SPECIFY--(1) ALL COUNTRIES IN WHICH THAT TRAINING WAS CONDUCTED (2) THE TYPE OF TRAINING CONDUCTED, INCLUDING WHETHER SUCH TRAINING WAS RELATED TO COUNTER-NARCOTICS OR COUNTER-TERRORISM ACTIVITIES, THE DURATION OF THAT TRAINING, THE NUMBER OF THE ARMED FORCES INVOLVED, AND EXPENSES PAID; (3) THE EXTENT OF PARTICIPATION BY FOREIGN MILITARY FORCES, INCLUDING THE NUMBER AND SERVICE AFFILIATION OF FOREIGN MILITARY PERSONNEL INVOLVED AND PHYSICAL AND FINANCIAL CONTRIBUTION OF EACH HOST NATION TO THE TRAINING EFFORT; (4) THE RELATIONSHIP OF THAT TRAINING TO OTHER OVERSEAS TRAINING PROGRAMS CONDUCTED BY THE ARMED FORCES, (5) A SUMMARY OF THE EXPENDITURES UNDER THIS SECTION RESULTING FROM THE TRAINING FOR WHICH EXPENSES WERE PAID UNDER THIS SECTION AND, (6) A DISCUSSION OF THE UNIQUE MILITARY TRAINING BENEFIT TO UNITED STATES SPECIAL OPERATIONS FORCES DERIVED FROM THE TRAINING ACTIVITIES FOR WHICH EXPENSES WERE PAID UNDER THIS SECTION.

COMMENTS: THIS REPORT HAS BEEN SUBMITTED AS REQUIRED FOR THE PAST FOUR FISCAL YEARS. THE REPORT IS DIFFICULT, TIME-CONSUMING, AND TOO DETAILED TO PREPARE ACCURATELY. THE PREPARATION OF THIS REPORT PLACES A SIGNIFICANT ADMINISTRATIVE BURDEN ON THE UNITED STATES SPECIAL OPERATIONS COMMAND AND ITS COMPONENT COMMANDS. IT IS ESTIMATED THAT A TOTAL OF TWO MAN-YEARS ARE EXPENDED IN THE COLLECTION AND VERIFICATION OF THE DATA CONTAINED IN THE REPORT. THE PREPONDERANCE OF THIS COLLECTION EFFORT OCCURS AT THE LOWEST ORGANIZATIONAL LEVEL AND REPRESENTS AN UNDUE ADMINISTRATIVE BURDEN. THE EXPENSES OF FOREIGN COUNTRIES PARTICIPATING IN TRAINING, ESPECIALLY DEVELOPING COUNTRIES, ARE EXTREMELY DIFFICULT TO IDENTIFY ACCURATELY. AS A RESULT, THE REPORT CONTAINS ESTIMATES WHICH CANNOT BE VERIFIED AND ARE OF LIMITED USEFULNESS. THE DEPARTMENT HAS RECEIVED NO QUERIES FROM THE CONGRESS CONCERNING THE CONTENTS OF THE REPORTS SUBMITTED TO DATE.

10 USC 2203 DEPARTMENT OF DEFENSE BUDGET ESTIMATES 1999/02/23 COMP 314

Y Y Y N Y 0

DESCRIPTION: TO ACCOUNT FOR, AND REPORT, THE COST OF PERFORMANCE OF READILY IDENTIFIABLE FUNCTIONAL PROGRAMS AND ACTIVITIES, WITH SEGREGATION OF OPERATING AND CAPITAL PROGRAMS, BUDGET ESTIMATES OF DOD SHALL BE PREPARED, PRESENTED, AND JUSTIFIED, WHERE PRACTICABLE, AND AUTHORED PROGRAMS SHALL BE ADMINISTERED, IN SUCH FORM AND MANNER AS THE SECRETARY OF DEFENSE, SUBJECT TO THE AUTHORITY AND DIRECTION OF THE PRESIDENT, MAY PRESCRIBE. AS FAR AS PRACTICABLE, BUDGET ESTIMATES AND AUTHORIZED PROGRAMS OF THE MILITARY DEPARTMENTS SHALL BE UNIFORM AND IN READILY COMPARABLE FORM. THE BUDGET FOR DOD SUBMITTED TO CONGRESS FOR EACH FISCAL YEAR SHALL INCLUDE DATA PROJECTING THE EFFECT OF THE APPROPRIATIONS REQUESTED FOR MATERIAL READINESS REQUIREMENTS. THE SECRETARY OF DEFENSE SHALL PROVIDE THAT THE BUDGET JUSTIFICATION DOCUMENTS FOR SUCH BUDGET INCLUDE INFORMATION ON THE NUMBER OF EMPLOYEES OF CONTRACTORS ESTIMATED TO BE WORKING ON CONTRACTS OF DOD DURING THE FISCAL YEAR FOR WHICH THE BUDGET IS SUBMITTED.

COMMENTS:

11-L-0559/OSD/3037

10 USC **2208(q)**	**WORKING-CAPITAL** FUNDS: ANNUAL REPORTS AND BUDGET	1999/06/10	**ALLDO** D		1488
		YY	YN	Y	0

DESCRIPTION: THE SECRETARY OF DEFENSE, WITH RESPECT TO EACH WORKING-CAPITAL FUND OF A DEFENSE AGENCY, AND THE SECRETARY OF EACH MILITARY DEPARTMENT, WITH RESPECT TO EACH WORKING-CAPITAL FUND OF A MILITARY DEPARTMENT, SHALL ANNUALLY SUBMIT TO CONGRESS, AT THE SAME TIME THAT THE PRESIDENT SUBMITS THE BUDGET UNDER SECTION 1105 OF TITLE 31, THE FOLLOWING: (1) A DETAILED REPORT THAT CONTAINS A STATEMENT OF ALL RECEIPTS AND DISBURSEMENTS OF THE FUND (INCLUDING SUCH A STATEMENT FOR EACH SUBACCOUNT OF THE FUND) FOR THE FISCAL YEAR ENDING IN THE YEAR PRECEDING THE YEAR IN WHICH THE BUDGET IS SUBMITTED. (2) A DETAILED PROPOSED BUDGET FOR THE OPERATION OF THE FUND FOR THE FISCAL YEAR FOR WHICH THE BUDGET IS SUBMITTED. (3) A COMPARISON OF THE AMOUNTS ACTUALLY EXPENDED FOR THE OPERATION OF THE FUND FOR THE FISCAL YEAR REFERRED TO IN PARAGRAPH (1) WITH THE AMOUNT PROPOSED FOR THE OPERATION OF THE FUND FOR THAT FISCAL YEAR IN THE PRESIDENTS BUDGET. (4) A REPORT ON THE CAPITAL ASSET SUBACCOUNT OF THE FUND THAT CONTAINS.,

COMMENTS:

10 USC 2212(d)	OBLIGATIONS FOR CONTRACT SERVICES: REPORTING IN **BUDGET** OBJECT CLASSES	1999/06/10	COMP		1489
		YY	**YN**	**Y**	**0**

DESCRIPTION: THE SECRETARY SHALL SUBMIT TO CONGRESS EACH YEAR, NOT LATER THAN 30 DAYS AFTER THE DATE ON WHICH THE BUDGET FOR THE NEXT FISCAL YEAR IS SUBMITTED PURSUANT TO SECTION 1105 OF TITLE 31, A REPORT CONTAINING THE INFORMATION DERIVED FROM THE REVIEW UNDER SUBSECTION (c) (PROPER CLASSIFICATION OF ADVISORY AND ASSISTANCE SERVICES).

COMMENTS:

10 USC 2218(h)	NATIONAL DEFENSE **SEALIFT FUND** - BUDGET REQUESTS	1999/02/23	COMP	506

Y Y Y N Y 0

DESCRIPTION: FUNDS IN THE NATIONAL DEFENSE SEALIFT FUND SHALL BE AVAILABLE FOR OBLIGATION AND EXPENDFURE ONLY FOR--(A) CONSTRUCTION (INCLUDING DESIGN OF VESSELS), PURCHASE, ALTERATION, AND CONVERSION OF DOD SEALIFT VESSELS; (B) OPERATION, MAINTENANCE, AND LEASE OR CHARTER OF DOD VESSELS FOR NATIONAL DEFENSE PURPOSES; (C) INSTALLATION AND MAINTENANCE OF DEFENSE FEATURES FOR NATIONAL DEFENSE PURPOSES ON PRIVATELY OWNED AND OPERATED VESSELS THAT ARE CONSTRUCTED IN THE U.S. AND DOCUMENTED UNDER THE LAWS OF THE U.S.; AND (D) RESEARCH AND DEVELOPMENT RELATING TO NATIONAL DEFENSE SEALIFT AND (E) EXPENSES FOR MAINTAINING THE NATIONAL DEFENSE SEALIFT FUND. BUDGET REQUESTS SUBMITTED TO CONGRESS FOR THE NATIONAL DEFENSE SEALIFT FUND SHALL SEPARATELY IDENTIFY--1) THE AMOUNT REQUESTED FOR PROGRAMS, PROJECTS AND ACTIVITIES FOR CONSTRUCTION (INCLUDING DESIGN OF VESSELS), PURCHASE, ALTERATION, AND CONVERSION OF NATIONAL DEFENSE SEALIFT VESSELS; 2) THE AMOUNT REQUESTED FOR PROGRAMS, PROJECTS, AND ACTIVITIES FOR OPERATION, MAINTENANCE, AND LEASE OR CHARTER OF NATIONAL DEFENSE SEALIFT VESSELS; 3) THE AMOUNT REQUESTED FOR PROGRAMS, PROJECTS, AND ACTIVITIES FOR INSTALLATION AND MAINTENANCE OF DEFENSE FEATURES FOR NATIONAL DEFENSE PURPOSES ON PRIVATELY OWNED AND OPERATED VESSELS THAT ARE CONSTRUCTED IN THE U.S. AND DOCUMENTED UNDER THE LAWS OF THE U.S.; AND 4) THE AMOUNT REQUESTED FOR PROGRAMS, PROJECTS, AND ACTIVITIES FOR RESEARCH AND DEVELOPMENT RELATING TO NATIONAL DEFENSE SEALIFT.

COMMENTS:

10 USC **2220(b)**	PERFORMANCE BASED MANAGEMENT: ACQUISITION PROGRAMS	1999/06/10	COMP	1490

0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL INCLUDE IN THE ANNUAL REPORT SUBMITTED TO CONGRESS PURSUANT TO SECTION 1130 OF THIS TITLE AN ASSESSMENT OF WHETHER MAJOR ACQUISITION PROGRAMS OF THE DEPARTMENT OF DEFENSE ARE ACHIEVING ON AVERAGE, 90 PERCENT OF COST, PERFORMANCE, AND SCHEDULE GOALS ESTABLISHED PURSUANT TO SUBSECTION (a) AND WHETHER THE AVERAGE PERIOD FOR CONVERTING EMERGING TECHNOLOGY INTO OPERATIONAL CAPABILITY HAS DECREASED BY MORE THAN 50 PERCENT OR MORE FROM THE AVERAGE PERIOD REQUIRED FOR SUCH CONVERSION AS OF OCTOBER 13, 1994. THE SECRETARY SHALL USE DATA FROM EXISTING MANAGEMENT SYSTEMS IN MAKING THE ASSESSMENT.

COMMENTS:

10 USC 2302 note	**MENTOR-PROTÉGÉ** PROGRAM IMPROVEMENTS	2000/03/20	P&R	1528

0

DESCRIPTION: (3) NOT LATER THAN 6 MONTHS AFTER THE END OF EACH OF FISCAL YEARS 2000 THROUGH 2004, THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS AN ANNUAL REPORT ON THE MENTOR-PROTEGE PROGRAM FOR THAT FISCAL YEAR.

COMMENTS:

10 USC 2323(i)(l)	CONTRACT GOAL FOR SMALL AND DISADVANTAGED BUSINESSES AND CERTAIN INSTITUTIONS OF HIGHER EDUCATION - ANNUAL REPORT	2000/12/20	AT&L	324

Y Y Y N Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL ESTABLISH A SPECIFIC GOAL WITHIN THE OVERALL 5 PERCENT GOAL FOR THE AWARD OF PRIME CONTRACTS AND SUBCONTRACTS TO HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY INSTITUTIONS IN ORDER TO INCREASE THE PARTICIPATION OF SUCH COLLEGES AND UNIVERSITIES IN THE PROGRAM. THE SECRETARY OF DEFENSE SHALL PRESCRIBE REGULATIONS THAT PROVIDE PROCEDURES OR GUIDELINES FOR CONTRACTING OFFICERS TO SET GOALS WHICH DOD PRIME CONTRACTORS ARE REQUIRED TO SUBMIT THEIR SUBCONTRACTING PLANS IN FURTHERANCE OF THE DEPARTMENTS PROGRAM TO MEET THE 5 PERCENT GOAL. NOT LATER THAN DECEMBER 15 OF EACH YEAR, THE HEAD OF THE AGENCY SHALL SUBMIT TO CONGRESS A REPORT ON THE PROGRESS OF THE AGENCY TOWARD ATTAINING THE GOAL OF SUBSECTION (a) DURING THE PRECEDING FISCAL YEAR. THE REPORT SHALL INCLUDE: (A) A FULL EXPLANATION OF ANY PROGRESS TOWARD ATTAINING THE GOAL; (B) A PLAN TO ACHIEVE THE GOAL AND OTHER INFORMATION SPECIFIED IN THIS SUBSECTION.

COMMENTS:

10 USC 2325(b)	LIMITATION AND REPORT ON PAYMENT OF RESTRUCTURING COSTS UNDER DEFENSE CONTRACTS	1999/02/22	AT&L	1460

Y N Y N Y 0 TR

DESCRIPTION: (A)(1) THE SECRETARY OF DEFENSE MAY NOT PAY, UNDER SECTION 2324 OF THIS TITLE, A DEFENSE CONTRACTOR FOR RESTRUCTURING COSTS ASSOCIATED WITH A BUSINESS COMBINATION OF THE CONTRACTOR UNLESS THE SECRETARY DETERMINES IN WRITING EITHER -- (A) THAT THE AMOUNT OF PROJECTED SAVINGS FOR THE DEPARTMENT OF DEFENSE ASSOCIATED WITH THE RESTRUCTURING WILL BE AT LEAST TWICE THE AMOUNT OF THE COSTS ALLOWED OR (B) THAT THE AMOUNT OF PROJECTED SAVINGS FOR THE DEPARTMENT OF DEFENSE ASSOCIATED WITH THE RESTRUCTURING WILL EXCEED THE AMOUNT OF THE COSTS ALLOWED AND THAT THE BUSINESS COMBINATION WILL RESULT IN THE PRESERVATION OF A CRITICAL CAPABILITY THAT OTHERWISE MIGHT BE LOST TO THE DEPARTMENT. (b) NOT LATER THAN MARCH 1 IN EACH OF 1998, 1999, 2000, 2001 AND 2002, THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT THAT CONTAINS, WITH RESPECT TO BUSINESS COMBINATIONS OCCURRING ON OR AFTER AUGUST 15, 1994...

COMMENTS: RECOMMEND TERMINATION OF 10 USC 2325(b)(1)(A), THE PORTION OF THE REPORT DEALING WITH THE AMOUNT OF RESTRUCTURING SAVINGS REALIZED AS OF THE END OF THE PRECEDING CALENDAR YEAR. "SAVINGS" ARE NOT RECORDED WITHIN A DEFENSE CONTRACTORS BOOKS OF ACCOUNT AND THEREFORE MUST BE ESTIMATED. IN ADDITION, IT IS NOT FEASIBLE TO ISOLATE COMPLETELY THE EFFECT OF RESTRUCTURING FROM OTHER FACTORS THAT IMPACT ACTUAL COSTS, SUCH AS INFLATION, BUSINESS BASE FLUCTUATIONS, ACCOUNTING SYSTEM CHANGES, AND COST REDUCTION PROGRAMS. CONSEQUENTLY, CONTRACTOR PERSONNEL AND DoD AUDITORS SPEND INORDINATE TIME AND EFFORT ESTIMATING AND VALIDATING, RESPECTIVELY THE ACTUAL AMOUNT OF RESTRUCTURING SAVINGS REALIZED. THIS INFORMATION IS NOT NEEDED BY DoD TO IMPLEMENT THE LIMITATION OF PAYMENT PROVISIONS OF 10 USC 2325(a)(1), AND THERE IS NO EVIDENCE THAT THIS INFORMATION IS USED BY CONGRESS.

11-L-0559/OSD/3040

10 USC **2350a(f)(1)**	COOPERATIVE RESEARCH AND DEVELOPMENT PROJECTS	1999/02/12	AT&L	330
		Y Y Y N Y 0		

DESCRIPTION: NOT LATER THAN MARCH 1 OF EACH YEAR, THE UNDER SECRETARY OF DEFENSE **FOR ACQUISITION** AND TECHNOLOGY SHALL **SUBMIT** TO THE SPEARER **OF THE** HOUSE OF REPRESENTATIVES AND THE **COMMITTEES** ON ARMED SERVICES AND APPROPRIATIONS OF THE SENATE A REPORT ON COOPERATIVE RESEARCH AND DEVELOPMENT PROJECTS. EACH REPORT SHALL INCLUDE: A. A **DESCRIPTION** OF THE STATUS, FUNDING, AND SCHEDULE OF EXISTING PROJECTS CARRIED OUT FOR WHICH MEMORANDA OF UNDERSTANDING (OR OTHER FORMAL AGREEMENTS) HAVE BEEN ENTERED INTO: AND B. A **DESCRIPTION** OF THE PURPOSE. FUNDING, AND SCHEDULE OF ANY NEW PROJECTS PROPOSED TO BE CARRIED OUT (INCLUDING THOSE PROJECTS **FOR** WHICH MEMORANDA OF UNDERSTANDING (OR OTHER FORMAL AGREEMENTS) HAVE NOT YET BEEN ENTERED **INTO)** FOR WHICH FUNDS HAVE BEEN INCLUDED **IN** THE BUDGET **SUBMITTED** TO CONGRESS PURSUANT TO **SECTION** 1105 OF TITLE 3 1 FOR THE FISCAL YEAR FOLLOWING THE FISCAL YEAR IN WHICH THE REPORT IS **SUBMITTED**.

COMMENTS:

10 USC **2350a(g)(4)**	COOPERATIVE RESEARCH & DEVELOPMENT PROJECTS-EQUIPMENT. MUNITIONS. **&** TECHNOLOGIES MANUFACTURED BY MAJOR ALLIES OF THE US		AT&L	332
		N N N N 0		

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL **SUBMIT TO** CONGRESS EACH YEAR, NO LATER THAN MARCH 1, A REPORT CONTAINING INFORMATION ON (A) THE EQUIPMENT, MUNITIONS AND TECHNOLOGIES MANUFACTURED AND DEVELOPED BY MAJOR ALLIES OF THE UNITED STATES AND OTHER FRIENDLY FOREIGN COUNTRIES THAT WERE EVALUATED DURING THE PREVIOUS FISCAL YEAR; (B) THE OBLIGATION OF ANY FUNDS DURING THE PREVIOUS FISCAL YEAR: AND (C) THE EQUIPMENT, **MUNITIONS,** AND TECHNOLOGIES THAT WERE TESTED AND PROCURED DURING THE PREVIOUS FISCAL YEAR.

COMMENTS:

10 USC **2350j(f)**	BURDEN SHARING CONTRIBUTIONS BY DESIGNATED COUNTRIES AND REGIONAL ORGANIZATIONS	1999/02/23	COMP	90

NN NN Y 0 **TR**

DESCRIPTION: NOT LATER THAN 30 DAYS AFTER THE END OF EACH FISCAL YEAR. THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT SPECIFYING SEPARATELY FOR EACH COUNTRY AND REGIONAL ORGANIZATION FROM WHICH CONTRIBUTIONS HAVE BEEN ACCEPTED BY THE SECRETARY UNDER SUBSECTION (a)--(1) THE AMOUNT OF THE CONTRIBUTIONS ACCEPTED AND THE PURPOSES AND (2) THE AMOUNT OF THE CONTRIBUTIONS EXPENDED BY THE SECRETARY DURING THE PRECEDING FISCAL YEAR AND THE PURPOSES.

COMMENTS: CONGRESS REQUIRES REPORTS ON NUMEROUS ASPECTS OF ALLIED BURDENSHARING. THESE REQUIREMENTS WERE ESTABLISHED AT THE HEIGHT OF THE COLD WAR (1984-85) AND HAVE BEEN THE CONTROLLING AUTHORITY FOR ANNUAL DOD REPORTS SUBSEQUENTTO THIS REQUIREMENT, CONGRESS LEVIED ADDITIONAL REPORTING REQUIREMENTS EVERY YEAR BETWEEN 1992 - 1995. THE RESULT IS A WIDE RANGING LIST OF BURDENSHARING AND COST SHARING REPORTING REQUIREMENTS WHICH ARE OFTEN REDUNDANT, OVER-LAPPING OR BEYOND DoD'S CAPABILITY TO ACCURATELY MEASURE THE REQUIREMENTS STILL MUST BE ADDRESSED EVERY YEAR IN A FORMALLY-PREPARED AND COORDINATED REPORT TO CONGRESS. AND REQUIRE THAT DOD EXPEND ABOUT $1 25,000 A YEAR IN CONTRACTOR SUPPORT TO PRODUCE THE REPORT AND ASSOCIATED REQUIREMENTS. THE DEPARTMENT STRONGLY URGES THAT THE FY 1997 REPORTING REQUIREMENTS BE MADE TO FORMALLY SUPERSEDE THOSE OF ALL PRIOR-YEAR LEGISLATION. THUS REDUCING THE COMPLEXITY OF THE REPORTING REQUIREMENTS, AND UPDATING THEM TO REFLECT NEW BURDENSHARING REALITIES.

10 USC **2350k(d)**	RELOCATION WITHIN HOST NATION OF ELEMENTS OF ARMED FORCES OVERSEAS	1999/02/22	COMP	1437

YN NN N 1

DESCRIPTION: NOT LATER THAN 30 DAYS AFTER THE END OF EACH FISCAL YEAR. THE SECRETARY SHALL SUBMF TO CONGRESS A REPORT SPECIFYING-(1) THE AMOUNT OF THE CONTRIBUTIONS ACCEPTED BY THE SECRETARY DURING THE PRECEDING FISCAL YEAR UNDER SUBSECTION (a) AND THE PURPOSES FOR WHICH THE CONTRIBUTIONS WERE MADE: AND (2) THE AMOUNT OF THE CONTRIBUTIONS EXPENDED BY THE SECRETARY DURING THE PRECEDING FISCAL YEAR AND THE PURPOSES FOR WHICH THE CONTRIBUTIONS WERE EXPENDED.

COMMENTS:

10 USC 2367(d)(2)	USE OF FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTERS - OBLIGATIONS AND MAN HOURS AT EACH	1999/02/16	AT&L	364
		YY YN	Y	0

DESCRIPTION: (1) IN THE DOCUMENTS PROVIDED TO CONGRESS BY THE SECRETARY OF DEFENSE IN SUPPORT OF THE BUDGET SUBMITTED BY THE PRESIDENT UNDER SECTION 1105 OF TITLE 31 FOR ANY FISCAL YEAR, THE SECRETARY SHALL SET FORTH THE PROPOSED AMOUNT OF MAN-YEARS OF EFFORT TO BE FUNDED BY THE DOD FOR EACH FFRDC FOR THE FISCAL YEAR COVERED BY THAT BUDGET.(2) AFTER THE CLOSE OF A FISCAL YEAR, AND NOT LATER THAN JANUARY 1 OF THE NEXT YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON APPROPRIATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES A REPORT SETTING FORTH THE ACTUAL OBLIGATIONS AND THE ACTUAL MAN-YEARS OF EFFORT EXPENDED AT EACH FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER DURING THAT FISCAL YEAR. IT IS A REQUIREMENT FOR MAN-HOURS IN THE BUDGET YEAR. (SEE PARAGRAPH (d)(1) FROM TITLE 10 2367(d)(1)).

COMMENTS:

10 USC 2371(h)	RESEARCH PROJECTS: TRANSACTIONS OTHER THAN CONTRACTS AND GRANTS	2000/12/15	AT&L	548
		YY YN	Y	0

DESCRIPTION: NOT LATER THAN 90 DAYS AFTER THE END OF EACH FISCAL YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES A REPORT ON THE USE BY THE DEPARTMENT OF DEFENSE DURING SUCH FISCAL YEAR OF - (A) COOPERATIVE AGREEMENTS AUTHORIZED UNDER SECTION 23.58 OF THIS TITLE THAT CONTAIN A CLAUSE UNDER SUBSECTION (d); AND (B) TRANSACTIONS AUTHORIZED BY SUBSECTION (a) ENTERED INTO UNDER THIS SECTION DURING SUCH FISCAL YEAR. THE REPORT SHALL INCLUDE, WITH RESPECT TO THE COOPERATIVE AGREEMENTS AND OTHER TRANSACTIONS, THE FOLLOWING: (A) THE TECHNOLOGY AREAS IN WHICH RESEARCH PROJECTS WERE CONDUCTED UNDER SUCH AGREEMENTS OR OTHER TRANSACTIONS. (B) THE EXTENT OF THE COST-SHARING AMONG FEDERAL GOVERNMENT AND NON-FEDERAL SOURCES. (C) THE EXTENT TO WHICH THE USE OF THE COOPERATIVE AGREEMENTS AND OTHER TRANSACTIONS- (i) HAS CONTRIBUTED TO A BROADENING OF THE TECHNOLOGY AND INDUSTRIAL BASE AVAILABLE FOR MEETING DEPARTMENT OF DEFENSE NEEDS; AND (ii) HAS FOSTERED WITHIN THE TECHNOLOGY AND INDUSTRIAL BASE NEW RELATIONSHIPS AND PRACTICES THAT SUPPORT THE NATIONAL SECURITY OF THE UNITED STATES. (D) THE TOTAL NUMBER OF PAYMENTS, IF ANY, THAT WERE RECEIVED BY THE FEDERAL GOVERNMENT DURING THE FISCAL YEAR COVERED BY THE REPORT PURSUANT TO A CLAUSE DESCRIBED IN SUBSECTION (d) THAT WAS INCLUDED IN THE COOPERATIVE AGREEMENTS AND OTHER TRANSACTIONS, AND THE AMOUNT OF SUCH PAYMENTS, IF ANY, THAT WERE CREDITED TO EACH ACCOUNT UNDER SUBSECTION (f).

COMMENTS:

10 USC 2374a	PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS	2000/03/14	AT&L	1515
			0	

DESCRIPTION: (c) PROMPTLY AFTER THE END OF EACH FISCAL YEAR, THE SECRETARY SHALL SUBMIT TO THE COMMITTEES ON ARMED SERVICES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES A REPORT ON THE ADMINISTRATION OF THE PROGRAM FOR THAT FISCAL YEAR. THE REPORT SHALL INCLUDE THE FOLLOWING: (1) THE MILITARY APPLICATIONS OF THE RESEARCH, TECHNOLOGY OR PROTOTYPES FOR WHICH PRIZES WERE AWARDED; (2) THE TOTAL AMOUNT OF PRIZES AWARDED; (3) THE METHODS USED FOR SOLICITATION AND EVALUATION OF SUBMISSIONS, TOGETHER WITH AN ASSESSMENT OF THE EFFECTIVENESS OF THOSE METHODS. (f) THE AUTHORITY TO AWARD PRIZES UNDER SUBSECTION (a) SHALL TERMINATE AT THE END OF SEPTEMBER 30, 2003.

COMMENTS:

10 USC 2391(c)	MILITARY BASE REUSE STUDIES AND COMMUNITY PLANNING ASSISTANCE	1999/02/23	AT&L	346
		NN NN Y 0 TR		

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT A REPORT NOT LATER THAN DECEMBER 1 OF EACH YEAR TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES CONCERNING THE OPERATION OF THE ADJUSTMENT AND ECONOMIC DIVERSIFICATION PROGRAM DURING THE PRECEDING FISCAL YEAR (FY). EACH REPORT SHALL IDENTIFY EACH STATE, UNIT OF LOCAL GOVERNMENT, AND REGIONAL ORGANIZATION THAT RECEIVED A GRANT DURING SUCH FY AND THE TOTAL AMOUNT GRANTED DURING SUCH YEAR TO EACH STATE, UNIT OF LOCAL GOVERNMENT, AND REGIONAL ORGANIZATION.

COMMENTS: THERE IS NO NEED FOR ANOTHER REPORT AS INFORMATION CAN READILY BE OBTAINED THROUGH THE BASE CLOSURE AND REUTILIZATION PROCESS. IN ADDITION, THE BASE CLOSURES COMMISSION HAS COMPLETED ITS FUNCTION AND WILL CEASE TO EXIST IN THE NEAR FUTURE.

10 USC **2399(g)**	OPERATIONAL TEST AND EVALUATION: DIRECTOR'S ANNUAL REPORT	1999/02/01	OT&E	1328
		Y Y Y Y	0	

DESCRIPTION: AS PART OF THE ANNUAL REPORT OF THE DIRECTOR UNDER SECTION 139 OF TITLE 10, THE DIRECTOR SHALL DESCRIBE FOR EACH PROGRAM COVERED IN THE REPORT THE STATUS OF TEST AND EVALUATION ACTIVITIES IN COMPARISON WITH THE TEST AND EVALUATION MASTER PLAN FOR THAT PROGRAM, AS APPROVED BY THE DIRECTOR. THE DIRECTOR SHALL INCLUDE IN SUCH ANNUAL REPORT A DESCRIPTION OF EACH WAIVER GRANTED UNDER SUBSECTION (c)(2) SINCE THE LAST SUCH REPORT.

COMMENTS

10 USC **2410i(c)**	WAIVER ON **PROHIBITION** ON CONTRACTING WITH ENTITIES **THAT** COMPLY **WITH** THE SECONDARY ARAB BOYCOTT OF ISRAEL	1999/02/22	AT&L	386

Y Y YN Y 0 TR

DESCRIPTION: IT IS THE POLICY OF THE **UNITED** STATES TO OPPOSE RESTRICTIVE TRADE PRACTICES OR BOYCOTTS FOSTERED OR IMPOSED BY FOREIGN COUNTRIES AGAINST OTHER COUNTRIES FRIENDLY TO THE **UNITED** STATES OR AGAINST ANY OTHER **UNITED** STATES PERSON. CONSISTENT WITH THE POLICY, DOD MAY NOT AWARD A CONTRACT FOR AN AMOUNT **IN** EXCESS **OF THE** SMALL PURCHASE THRESHOLD TO A FOREIGN ENTITY UNLESS THAT **ENTITY** CERTIFIES TO THE SECRETARY OF DEFENSE THAT **IT** DOES NOT COMPLY WITH THE SECONDARY ARAB BOYCOTT OF ISRAEL. THE SECRETARY OF DEFENSE MAY WAIVE THE **PROHIBITION IN** SPECIFIC INSTANCES WHEN THE SECRETARY OF DEFENSE DETERMINES THAT THE WAIVER IS NECESSARY **IN** THE NATIONAL SECURITY INTERESTS OF THE UNITED STATES. **WITHIN** 15 DAYS AFTER THE END OF EACH FISCAL YEAR. THE SECRETARY OF DEFENSE SHALL **SUBMIT TO** CONGRESS A REPORT IDENTIFYING EACH CONTRACT **FOR** WHICH A WAIVER WAS GRANTED **DURING** THAT FISCAL YEAR.

COMMENTS: THE REPORTS THAT THE DEPARTMENT HAS **SUBMITTED** TO CONGRESS HAVE ONLY INCLUDED WAIVERS FOR CONTRACTS FUNDED BY OTHER NATIONS UNDER THE FOREIGN **MILITARY** SALES PROGRAM. THE **BENEFITS** THESE REPORTS PROVIDE, IF ANY, ARE OUTWEIGHED BY THE BURDEN AND COSTS OF PREPARING THE REPORTS. WAIVERS TO THIS LAW BECOME PART OF THE PERMANENT CONTRACT FILE AND ARE AVAILABLE UPON REQUEST. RESPONDING **TO** A SPECIFIC CONGRESSIONAL REQUEST FOR INFORMATION WOULD BE MORE RESPONSIVE AND COST EFFECTIVE THAN AUTOMATICALLY **SUBMITTING** STANDARD ANNUAL REPORTS TO CONGRESS. **2/22/99:** NO WAIVERS PROCESSED **IN** THE LAST 3 1/2 YEARS. THE LAST REPORT WAS **IN** 1995.

10 USC **2410m(c)**	RETENTION OF AMOUNTS COLLECTED FROM CONTRACTORS DURING THE PENDENCY OF CONTRACT DISPUTE	1999/04/13	COMP	1463

YY YY Y 0

DESCRIPTION: (c) EACH YEAR, THE UNDER SECRETARY OF DEFENSE (COMPTROLLER) SHALL **SUBMIT TO** CONGRESS A REPORT ON THE AMOUNTS, IF ANY, THAT ARE AVAILABLE FOR OBLIGATION PURSUANT TO THIS SECTION. THE REPORT SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING: (1) THE TOTAL AMOUNT AVAILABLE FOR OBLIGATION. (2) THE TOTAL AMOUNT COLLECTED FROM CONTRACTORS DURING THE YEAR PRECEDING THE YEAR IN WHICH THE REPORT IS **SUBMITTED.** (3) THE TOTAL AMOUNT DISBURSED **IN** SUCH PRECEDING YEAR AND A DESCRIPTION OF THE PURPOSE FOR EACH DISBURSEMENT. (4) THE TOTAL AMOUNT RETURNED **TO THE** TREASURY IN SUCH PRECEDING YEAR.

COMMENTS:

10 USC **2431(a)**	WEAPONS DEVELOPMENT AND PROCUREMENT SCHEDULES	1999/03/22	AT&L	1163

Y Y Y N 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT **TO** CONGRESS EACH CALENDAR YEAR. NOT LATER THAN 45 DAYS **AFTER** THE PRESIDENT **SUBMITS** THE BUDGET TO CONGRESS UNDER SECTION 1105 OF **TITLE** 3 1, BUDGET JUSTIFICATION DOCUMENTS REGARDING DEVELOPMENT AND PROCUREMENT SCHEDULES FOR EACH WEAPONS SYSTEM **FOR** WHICH FUND AUTHORIZATION IS REQUIRED BY SECTION 114(a) **OF THIS TITLE,** AND **FOR** WHICH ANY FUNDS ARE REQUESTED **IN** THE BUDGET.

COMMENTS:

10 USC 2432(b)(3)(B)	WAIVER OF THE REQUIREMENT TO SUBMIT SELECTED ACQUISITION REPORTS FOR A PARTICULAR DOD PROGRAM	1999/02/22	AT&L	424

Y Y Y Y Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE MAY WANE THE REQUIREMENT FOR SUBMISSION OF SELECTED ACQUISITION REPORTS FOR A PROGRAM FOR A FISCAL YEAR IF THE PROGRAM HAS NOT ENTERED FULL SCALE DEVELOPMENT OR ENGINEERING AND MANUFACTURING DEVELOPMENT; A REASONABLE COST ESTIMATE HAS NOT BEEN ESTABLISHED FOR SUCH PROGRAM; AND THE SYSTEM CONFIGURATION FOR SUCH PROGRAM IS NOT WELL DEFINED. THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES A WRITTEN NOTIFICATION OF EACH WAIVER FOR A PROGRAM FOR A FISCAL YEAR NOT LATER THAN 60 DAYS BEFORE THE PRESIDENT SUBMITS THE BUDGET TO CONGRESS PURSUANT TO SECTION 1105 OF TITLE 3 1 IN THAT FISCAL YEAR.

COMMENTS:

10 USC 2432(f)	COMPREHENSIVE SELECTED ACQUISITION REPORTS	1999/02/22	AT&L	425

Y Y Y Y Y 0

DESCRIPTION: EACH COMPREHENSIVE SELECTED ACQUISITION REPORT SHALL BE SUBMITTED WITHIN 60 DAYS AFTER THE DATE ON WHICH THE PRESIDENT TRANSMITS THE BUDGET TO CONGRESS FOR THE FOLLOWING FISCAL YEAR, AND EACH QUARTERLY SELECTED ACQUISITION REPORT SHALL BE SUBMITTED WITHIN 45 DAYS AFTER THE END

COMMENTS:

10 USC 2461(g)	COMMERCIAL OR INDUSTRIAL TYPE FUNCTIONS - ANNUAL REPORT	1999/03/23	AT&L	1009

N Y Y N 0

DESCRIPTION: NOT LATER THAN FEBRUARY 1 OF EACH FISCAL YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A WRITTEN REPORT DESCRIBING THE EXTENT TO WHICH COMMERCIAL AND INDUSTRIAL TYPE FUNCTIONS WERE PERFORMED BY DEPARTMENT OF DEFENSE CONTRACTORS DURING THE PRECEDING FISCAL YEAR. THE SECRETARY SHALL INCLUDE IN EACH SUCH REPORT AN ESTIMATE OF THE PERCENTAGE OF COMMERCIAL AND INDUSTRIAL TYPE FUNCTIONS OF THE DEPARTMENT OF DEFENSE THAT WILL BE PERFORMED BY DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES, AND THE PERCENTAGE OF SUCH FUNCTIONS THAT WILL BE PERFORMED BY PRIVATE CONTRACTORS, DURING THE FISCAL YEAR DURING WHICH THE REPORT IS SUBMITTED.

COMMENTS:

11-L-0559/OSD/3046

10 USC 2466(c)	ANNUAL REPORT ON DEPOT-LEVEL MAINTENANCE AND REPAIR	1999/02/18	AT&L	100
		Y N Y Y N 700		

DESCRIPTION: NOT LATER THAN FEBRUARY 1 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT IDENTIFYING, FOR EACH MILITARY DEPARTMENT AND DEFENSE AGENCY, THE PERCENTAGE OF THE FUNDS REFERRED TO IN SUBSECTION (a) THAT WERE EXPENDED DURING THE PRECEDING FISCAL YEAR FOR PERFORMANCE OF DEPOT-LEVEL MAINTENANCE AND REPAIR WORKLOADS BY THE PUBLIC AND PRIVATE SECTORS AS REQUIRED BY SECTION 2466 OF THIS TITLE.

COMMENTS:

10 USC 2464(e)(1)	EXPENDITURES FOR PERFORMANCE OF DEPOT-LEVEL MAINTENANCE AND REPAIR WORKLOADS BY PUBLIC AND PRIVATE SECTORS	2000/03/14	AT&L	1518
			0	

DESCRIPTION: NOT LATER THAN FEBRUARY 1 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT IDENTIFYING, FOR EACH OF THE ARMED FORCES (OTHER THAN THE COAST GUARD) AND EACH DEFENSE AGENCY, THE PERCENTAGE OF THE FUNDS REFERRED TO IN SUBSECTION (a) THAT WERE EXPENDED DURING THE PRECEDING TWO FISCAL YEARS FOR PERFORMANCE OF DEPOT-LEVEL MAINTENANCE AND REPAIR WORKLOADS BY THE PUBLIC AND PRIVATE SECTORS, AS REQUIRED BY THIS SECTION.

COMMENTS:

10 USC 2472(b)	MANAGEMENT OF DEPOT EMPLOYEES - ANNUAL REPORT	1999/03/23	AT&L	1439
		YN NN Y 0		

DESCRIPTION: NOT LATER THAN DECEMBER 1 OF EACH FISCAL YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES A REPORT ON THE NUMBER OF EMPLOYEES EMPLOYED AND EXPECTED TO BE EMPLOYED BY THE DEPARTMENT OF DEFENSE DURING THE NEXT FISCAL YEAR TO PERFORM DEPOT-LEVEL MAINTENANCE AND REPAIR OF MATERIEL. THE REPORT SHALL INDICATE WHETHER THAT NUMBER IS SUFFICIENT TO PERFORM THE DEPOT-LEVEL MAINTENANCE AND REPAIR FUNCTIONS FOR WHICH FUNDS ARE EXPECTED TO BE PROVIDED FOR THAT FISCAL YEAR FOR PERFORMANCE BY DOD EMPLOYEES.

COMMENTS:

10 USC 2486(b) AUTHORIZED COMMISSARY MERCHANDISE CATEGORIES 1999/02/12 P&R 1426

YN NN N 25

DESCRIPTION: (11) SUCH OTHER MERCHANDISE CATEGORIES AS THE SECRETARY OF DEFENSE MAY PRESCRIBE, EXCEPT THAT THE SECRETARY SHALL SUBMIT TO CONGRESS, NOT LATER THAN MARCH 1 OF EACH YEAR, A REPORT DESCRIBING -- (A) ANY ADDITION OF, OR CHANGE IN, A MERCHANDISE CATEGORY PROPOSED TO BE MADE UNDER THIS PARAGRAPH DURING THE ONE-YEAR PERIOD BEGINNING ON THAT DATE; AND (B) THOSE ADDITIONS AND CHANGES IN MERCHANDISE CATEGORIES ACTUALLY MADE DURING THE PRECEDING ONE-YEAR PERIOD.

COMMENTS:

10 USC 2492(c) OVERSEAS COMMISSARY STORES: ACCESS AND PURCHASE RESTRICTIONS 1999/06/11 P&R 1493

NY YN Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS AN ANNUAL REPORT DESCRIBING THE HOST NATION LAWS AND THE TREATY OBLIGATIONS OF THE UNITED STATES, AND THE CONDITIONS WITHM HOST NATIONS. THAT NECESSITATE THE USE OF QUANTITY OR OTHER RESTRICTIONS ON PURCHASES IN COMMBSARY AND EXCHANGE STORES LOCATED OUTSIDE THE UNITED STATES.

COMMENTS:

10 USC 2493(f) FISHER HOUSE: ADMINISTRATION AS NONAPPROPRIATED FUND INSTRUMENTALITY 1999/06/11 P&R 1494

NY YN Y 0

DESCRIPTION: NOT LATER THAN JANUARY 15 OF EACH YEAR THE SECRETARY OF EACH MILITARY DEPARTMENT SHALL SUBMIT TO CONGRESS A REPORT DESCRIBING THE OPERATION OF FISHER HOUSES AND FISHER SUITES ASSOCIATED WITH HEALTH CARE FACILITIES OF THAT MILITARY DEPARTMENT. THE REPORT SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING: (1) THE AMOUNT IN THE FUND ESTABLISHED BY THAT SECRETARY UNDER SUBSECTION (d) AS OF OCTOBER 1 OF THE PREVIOUS YEAR. (2) THE OPERATION OF THE FUND DURING THE PRECEDING FISCAL YEAR, INCLUDING-- (A) ALL GIFTS, FEES, AND INTEREST CREDITED TO THE FUND; AND (B) ALL DISBURSEMENTS FROM THE FUND. (3) THE BUDGET FOR THE OPERATION OF THE FISHER HOUSE AND FISHER SUITES FOR THE FISCAL YEAR IN WHICH THE REPORT IS SUBMITTED.

COMMENTS:

10 USC 2504	**DEPARTMENT** OF DEFENSE TECHNOLOGY AND INDUSTRIAL BASE POLICY GUIDANCE: ANNUAL REPORT TO CONGRESS	1999/03/28	AT&L	1167

NN NN Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL TRANSMIT TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES BY MARCH 1 OF EACH YEAR A REPORT WHICH SHALL INCLUDE: (1) A DESCRIPTION OF THE DEPARTMENTAL GUIDANCE PREPARED PURSUANT TO SECTION 2506 OF THIS TITLE. (2) A DESCRIPTION OF THE METHODS AND ANALYSES BEING UNDERTAKEN BY THE DEPARTMENT OF DEFENSE ALONE OR IN COOPERATION WITH OTHER FEDERAL AGENCIES. TO IDENTIFY AND ADDRESS CONCERNS REGARDING TECHNOLOGICAL AND INDUSTRIAL TECHNOLOGIES OF THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE. (3) A DESCRIPTION OF THE ASSESSMENTS PREPARED PURSUANT TO SECTION 2505 OF THIS TITLE AND OTHER ANALYSES USED IN DEVELOPING THE BUDGET SUBMISSION OF THE DEPARTMENT OF DEFENSE FOR THE NEXT FISCAL. YEAR (4) IDENTIFICATION OF EACH PROGRAM DESIGNED TO SUSTAIN SPECIFIC ESSENTIAL TECHNOLOGICAL AND INDUSTRIAL CAPABILITIES AND PROCESSES OF THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

COMMENTS:

10 USC 2511 note	DUAL-USE SCIENCE AND TECHNOLOGY PROGRAM	1999/06/11	AT&L	1495

0

DESCRIPTION: (f) NOT LATER THAN MARCH 1 OF 1998, 1999, AND 2000, THE SECRETARY OF DEFENSE SHALL SUBMIT A REPORT TO THE CONGRESSIONAL DEFENSE COMMITTEES ON THE PROGRESS MADE BY THE DEPARTMENT OF DEFENSE IN MEETING THE OBJECTIVES SET FORTH IN SUBSECTION (b) DURING THE PREVIOUS FISCAL YEAR.

COMMENTS:

10 USC 2515(d)	ACTIVITIES OF **THE** DEFENSE OFFICE OF TECHNOLOGY TRANSITION	2000/04/26	AT&L	1428

Y Y Y Y Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON APPROPRIATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY AND THE COMMITTEE ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES AN ANNUAL REPORT ON THE ACTIVITIES OF THE OFFICE OF TECHNOLOGY TRANSITION. THE REPORT SHALL BE SUBMITTED EACH YEAR AT THE SAME TIME THAT THE BUDGET IS SUBMITTED TO CONGRESS BY THE PRESIDENT PURSUANT TO SECTION 1105 OF TITLE 31. THE REPORT SHALL CONTAIN A DISCUSSION OF THE ACCOMPLISHMENTS OF THE OFFICE DURING THE FISCAL YEAR PRECEDING THE FISCAL YEAR IN WHICH THE REPORT IS SUBMITTED.

COMMENTS:

10 USC 2537(b) IMPROVED NATIONAL DEFENSE CONTROL OF TECHNOLOGY DIVERSIONS OVERSEAS 1999/03/28 AT&L 448

N N N N Y 0 TR

DESCRIPTION: THE SECRETARY OF DEFENSE, THE SECRETARY OF ENERGY AND THE SECRETARY OF COMMERCE SHALL EACH COLLECT AND MAINTAIN A DATA BASE CONTAINING A LIST OF, AND OTHER PERTINENT INFORMATION ON, ALL CONTRACTORS WITH THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF ENERGY, RESPECTIVELY, THAT ARE CONTROLLED BY FOREIGN PERSONS. THE DATA BASE SHALL CONTAIN INFORMATION ON SUCH CONTRACTORS FOR 1988 AND THEREAFTER IN ALL CASES WHERE THEY ARE AWARDED CONTRACTS EXCEEDING $100,000 IN ANY SINGLE YEAR BY DOD OR THE DEPARTMENT OF ENERGY. THE SECRETARY OF DEFENSE, THE SECRETARY OF ENERGY, AND THE SECRETARY OF COMMERCE SHALL SUBMIT TO THE CONGRESS, BY MARCH 31 OF EACH YEAR, BEGINNING IN 1994, A REPORT CONTAINING A SUMMARY AND ANALYSIS OF THE INFORMATION COLLECTED FOR THE YEAR COVERED BY THE REPORT. THE REPORT SHALL INCLUDE AN ANALYSIS OF ACCUMULATED FOREIGN OWNERSHIP OF U.S. FIRMS ENGAGED IN THE DEVELOPMENT OF DEFENSE CRITICAL TECHNOLOGIES.

COMMENTS: RECOMMEND TERMINATION. THERE ARE NO EXISTING DATA BASES TO IDENTIFY WHICH CONTRACTORS ARE FOREIGN CONTROLLED. WILL PLACE ADDITIONAL BURDENS ON CONTRACTORS AND DOD.

10 USC 2551(c) HUMANITARIAN ASSISTANCE: STATUS REPORTS 1999/03/04 POL 834

YN YN Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON FOREIGN RELATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY AND THE COMMITTEE ON INTERNATIONAL RELATIONS OF THE HOUSE OF REPRESENTATIVES AN ANNUAL REPORT ON THE PROVISION OF HUMANITARIAN ASSISTANCE PURSUANT TO THIS SECTION FOR THE PRIOR FISCAL YEAR. THE REPORT SHALL BE SUBMITTED EACH YEAR AT THE TIME OF THE BUDGET SUBMISSION BY THE PRESIDENT FOR THE NEXT FISCAL YEAR.

COMMENTS:

10 USC 2554(e) PROVISION OF SUPPORT FOR CERTAIN SPORTING EVENTS: ANNUAL REPORT 1999/03/28 P&R 1442

NN NN Y 0

DESCRIPTION: NOT LATER THAN JANUARY 30 OF EACH YEAR FOLLOWING A YEAR IN WHICH THE SECRETARY OF DEFENSE PROVIDES ASSISTANCE UNDER THIS SECTION, THE SECRETARY SHALL SUBMIT TO CONGRESS A REPORT ON THE ASSISTANCE PROVIDED. THE REPORT SHALL SET FORTH (1) A DESCRIPTION OF THE ASSISTANCE PROVIDED; (2) THE AMOUNT EXPENDED BY THE DEPARTMENT IN PROVIDING THE ASSISTANCE; (3) IF THE ASSISTANCE WAS PROVIDED UNDER SUBSECTION (a), THE CERTIFICATION OF THE ATTORNEY GENERAL WITH RESPECT TO THE ASSISTANCE UNDER THAT SUBSECTION; AND (4) IF THE ASSISTANCE WAS PROVIDED UNDER SUBSECTION (b)- (A) AN EXPLANATION WHY THE ASSISTANCE COULD NOT REASONABLY BE MET BY A SOURCE OTHER THAN THE DEPARTMENT; AND (B) THE AMOUNT THE DEPARTMENT WAS REIMBURSED UNDER THAT SUBSECTION.

COMMENTS:

10 USC 2645(g)	ANNUAL REPORT ON CONTINGENT LIABILITIES (VESSEL)	1999/03/28	COMP		1446
		NN NN	Y	0	

DESCRIPTION: NOT LATER THAN MARCH 1 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT SETTING FORTH THE CURRENT AMOUNT OF THE CONTINGENT OUTSTANDING LIABILITY OF THE UNITED STATES UNDER THE VESSEL WAR RISK INSURANCE PROGRAM UNDER TITLE XII OF THE MERCHANT MARINE ACT, 1936.

COMMENTS:

10 USC 2662(b)	REAL PROPERTY TRANSACTIONS: REPORTS TO CONGRESSIONAL COMMITTEES	1999/02/18	ALLDO D		528
		NN NN	N	50	TR

DESCRIPTION: THE SECRETARY OF EACH MILITARY DEPARTMENT SHALL SUBMIT ANNUALLY TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES A REPORT ON TRANSACTIONS DESCRIBED IN SUBSECTION (a) THAT INVOLVE AN ESTIMATED VALUE OF MORE THAN THE SMALL PURCHASE THRESHOLD UNDER SECTION 2304(g) OF THIS TITLE BUT NOT MORE THAN $200,000.

COMMENTS: THIS ANNUAL COMPILATION OF LAND ACTIONS IS INCOMPATIBLE WITH EFFICIENT MANAGEMENT (REPORTS ARMY: ACTIONS LESS THAN $200,000 OR .00001% OF PROPOSED FY 95 BUDGET) AND UNNECESSARY. THIS SECTION IS NOT AN AUTHORITY FOR THE TRANSACTION SO, ANY ACTION MUST MEET ANOTHER STATUTES' REQUIREMENTS. NAVY: SINCE THE DOLLAR AMOUNT IS SO SMALL AND THE REPORT IS AFTER THE FACT THIS REPORT HAS LIMITED VALUE TO ANYONE. DELETE. RESPONDENTS = A(NNNNN-), AF(NNNNN46), N(NNNNN4)

10 USC 2667(d)(3)	LEASES: NON-EXCESS PROPERTY OF MILITARY DEPARTMENTS	1999/02/23	AT&L		44
		NN NN	Y	0	TR

DESCRIPTION: AS PART OF THE REQUEST FOR AUTHORIZATIONS OF APPROPRIATIONS SUBMITTED TO THE COMMIT-TEE ON ARMED SERVICES OF THE SENATE AND COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES FOR EACH FISCAL YEAR, THE SECRETARY OF DEFENSE SHALL, INCLUDE - (A) AN ACCOUNTING OF THE RECEIPT AND USE OF ALL MONEY RENTALS THAT WERE DEPOSITED AND EXPENDED DURING THE FISCAL YEAR PRECEDING THE FISCAL YEAR IN WHICH THE REQUEST IS MADE; AND (B) A DETAILED EXPLANATION OF EACH LEASE ENTERED INTO, AND OF EACH AMENDMENT MADE TO EXISTING LEASES, DURING SUCH PRECEDING YEAR.

COMMENTS: NOW THAT THE DEPARTMENT OF DEFENSE HAS HAD SEVERAL YEARS OF EXPERIENCE WITH THIS PROGRAM, THE ORIGINAL PURPOSE OF THE REPORT HAS BEEN AMPLY FULFILLED AND IT SHOULD BE ELIMINATED. OVERALL PROGRAM LEVELS, WHICH WILL CONTINUE TO BE REPORTED IN THE BUDGET, REMAIN VERY STABLE FROM YEAR TO YEAR. BECAUSE THE PROGRAM CONSISTS OF HUNDREDS OF RELATIVELY SMALL LEASES ALL OF WHICH ARE AT FAIR MARKET VALUE. THEY ARE INDIVIDUALLY NOT LIKELY TO BE OF HIGH CONGRESSIONAL INTEREST, BUT DO CONSTITUTE CONSIDERABLE ADMINISTRATIVE EXPENSE TO COMPILE. THE REPORT DOES NOT HAVE SUFFICIENT VALUE TO JUSTIFY THE CONTINUING EXPENSE TO PREPARE.

10 USC 2674(a)(2)	OPERATION AND CONTROL OF PENTAGON RESERVATION AND DEFENSE FACILITIES IN NATIONAL CAPITAL REGION	1999/02/22	PNTRE N	152
		YN NN	N	30

DESCRIPTION: BEFORE MARCH 1 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL TRANSMIT TO THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY AND THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE OF THE HOUSE OF REPRESENTATIVES A REPORT ON THE STATE OF THE RENOVATION OF THE PENTAGON RESERVATION AND A PLAN FOR THE RENOVATION WORK TO BE CONDUCTED IN THE FISCAL YEAR BEGINNING IN THE YEAR IN WHICH THE REPORT IS TRANSMITTED.

COMMENTS:

10 USC 2680(e)	LEASES: LAND FOR SPECIAL OPERATIONS ACTIVITIES	1999/03/28	AT&L	1414
		NN NN	Y	0

DESCRIPTION: NOT LATER THAN MARCH 1 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES A REPORT THAT - (1) IDENTIFIES EACH LEASEHOLD INTEREST ACQUIRED DURING THE PREVIOUS FISCAL YEAR UNDER SUBSECTION(a); AND (2) CONTAINS A DISCUSSION OF EACH PROJECT FOR THE CONSTRUCTION OR MODIFICATION OF FACILITIES CARRIED OUT PURSUANT TO SUBSECTION (c) DURING SUCH FISCAL YEAR.

COMMENTS:

10 USC 2706(a)	REPORT ON ENVIRONMENTAL RESTORATION ACTIVITIES AT MILITARY INSTALLATIONS	1999/10/28	AT&L	522
		YY YY	Y	477

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMF TO THE CONGRESS EACH YEAR, NO LATER THAN 45 DAYS AFTER THE DATE ON WHICH THE PRESIDENT SUBMITS TO THE CONGRESS THE BUDGET FOR A FISCAL YEAR, A REPORT ON THE PROGRESS MADE BY THE SECRETARY IN CARRYING OUT ENVIRONMENTAL RESTORATION ACTIVITIES AT MILITARY INSTALLATIONS. EACH SUCH REPORT SHALL INCLUDE. WITH RESPECT TO ENVIRONMENTAL RESTORATION ACTIVITIES FOR EACH MILITARY INSTALLATION, THE FOLLOWING: (A) A STATEMEN6T OF THE NUMBER OF SITES AT WHICH A HAZARDOUS SUBSTANCE HAS BEEN IDENTIFIED. (B) A STATEMENT OF THE STATUS OF RESPONSE ACTIONS PROPOSED FOR OR INITIATED AT THE MILITARY INSTALLATION. (C) A STATEMENT OF THE TOTAL COST ESTIMATED FOR SUCH RESPONSE ACTIONS. (D) A STATEMENT OF THE AMOUNT OF FUNDS OBLIGATED BY THE SECRETARY FOR SUCH RESPONSE ACTIONS. AND THE PROGRESS MADE IN IMPLEMENTING THE RESPONSE ACTIONS DURING THE FISCAL YEAR IN WHICH THE REPORT IS SUBMITTED.

COMMENTS:

10 USC 2706(b) REPORT ON ENVIRONMENTAL COMPLIANCE ACTIVITIES AT MILITARY INSTALLATIONS 1999/03/28 AT&L 523

NN N N Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE CONGRESS EACH YEAR, NOT LATER THAN 45 DAYS AFTER THE DATE ON WHICH THE PRESIDENT SUBMITS TO THE CONGRESS THE BUDGET FOR A FISCAL YEAR, A REPORT ON THE PROGRESS MADE BY THE SECRETARY IN CARRYING OUT ENVIRONMENTAL COMPLIANCE ACTIVITIES AT MILITARY INSTALLATIONS.

COMMENTS:

10 USC 2706(c) REPORT ON CONTRACTOR REIMBURSEMENT COSTS 1999/02/22 AT&L 1192

N N N N N 100 X

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE CONGRESS EACH YEAR, NOT LATER THAN 45 DAYS AFTER THE DATE ON WHICH THE PRESIDENT SUBMITS TO THE CONGRESS THE BUDGET FOR A FISCAL YEAR A REPORT ON PAYMENTS MADE BY THE SECRETARY TO DEFENSE CONTRACTORS FOR THE COSTS OF ENVIRONMENTAL RESPONSE ACTIONS,

COMMENTS: THIS SECTION, 10 USC 2706, INCLUDES THREE REPORTING REQUIREMENTS UNDER THE TITLE "ANNUAL REPORTS TO CONGRESS." (A) REPORT ON ENVIRONMENTAL RESTORATION ACTIVITIES (B) REPORT ON ENVIRONMENTAL COMPLIANCE ACTIVITIES AND (C) REPORT ON CONTRACTOR REIMBURSEMENT COSTS. THE DATA COLLECTED TO PREPARE THE REPORT REQUIRED BY 10 USC 2706(c) ARE NOT NECESSARY OR USEFUL IN DETERMINING ALLOWABILITY OF ENVIRONMENTAL RESPONSE ACTION COSTS ON GOVERNMENT CONTRACTS. THE GOVERNMENT DOES NOT ROUTINELY COLLECT DATA ON ANY OTHER CATEGORIES OF CONTRACTOR OVERHEAD COSTS. THIS REPORTING REQUIREMENT IS VERY BURDENSOME ON BOTH THE DEPARTMENT AND CONTRACTORS, DIVERTING LIMITED RESOURCES FOR DATA COLLECTION EFFORTS THAT DO NOT BENEFIT THE PROCUREMENT PROCESS. IF TOTAL REPEAL IS NOT POSSIBLE, RECOMMEND CHANGING THE LAW TO REPORT ON THE TOP 20 DEFENSE CONTRACTORS, WHICH WOULD CAPTURE MOST OF THE REIMBURSEMENT ASSOCIATED WITH ENVIRONMENTAL RESPONSE ACTION. REPORTS (A) AND (B) SHOULD BE RETAINED. 2/21/99: THIS REPORT SHOULD BE TERMINATED. WE ARE CURRENTLY WORKING WITH GENERAL COUNSEL TO VERIFY THAT THIS BURDENSOME REPORTING REQUIREMENT ENDS THIS YEAR. PURSUANT TO SECTION 3003 OF THE "FEDERAL REPORTS ELIMINATION ACT OF 1995 (P.L.104-66).

10 USC 2706(d) REPORT ON ENVIRONMENTAL ACTIVITIES OVERSEAS 2000/03/20 AT&L 1454

NY YN Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE CONGRESS EACH YEAR, NOT LATER THAN 45 DAYS AFTER THE DATE ON WHICH THE PRESIDENT SUBMITS TO CONGRESS THE BUDGET FOR A FISCAL YEAR. A REPORT ON THE ENVIRONMENTAL ACTIVITIES OF THE DEPARTMENT OF DEFENSE OVERSEAS..

COMMENTS:

10 USC 2721(b)(3)	PROPERTY RECORDS: **MAINTENANCE** ON QUANTITATIVE AND MONETARY BASIS	1999/02/18	AT&L	525
		YY YY	Y 0	

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL HAVE THE RECORDS OF THE FIXED PROPERTY, INSTALLATIONS, MAJOR EQUIPMENT ITEMS, AND STORED SUPPLIES OF THE MILITARY DEPARTMENTS MAINTAINED ON BOTH A QUANTITATIVE AND A MONETARY BASIS, SO FAR AS PRACTICABLE. THE SECRETARY OF DEFENSE SHALL INCLUDE IN THE BUDGET SUBMITTED TO CONGRESS EACH YEAR UNDER SECTION 1105 OF TITLE 31 INFORMATION RELATING TO: A) THE AMOUNTS PROPOSED FOR EACH APPROPRIATION ACCOUNT IN THE BUDGET FOR INVENTORY PURCHASES OF DOD; AND B) THE AMOUNTS OBLIGATED FOR INVENTORY PURCHASES OUT OF THE CORRESPONDING APPROPRIATIONS ACCOUNT FOR THE PRECEDING FISCAL YEAR.

COMMENTS:

10 USC 2723	DEFENSE INFORMATION ASSURANCE PROGRAM - ANNUAL **REPORT**	2000/03/20	C3I	1540
			0	

DESCRIPTION: EACH YEAR, AT OR ABOUT THE TIME THE PRESIDENT SUBMITS THE ANNUAL BUDGET FOR THE NEXT FISCAL YEAR PURSUANT TO SECTION 1105 OF TITLE 31, THE SECRETARY SHALL SUBMIT TO CONGRESS A REPORT ON THE DEFENSE INFORMATION ASSURANCE PROGRAM.

COMMENTS:

10 USC **2802(a)** note	MILITARY **CONSTRUCTION** PROJECTS	1999/03/01	ALLDO D	1331
		N N N N N	2.5 x	

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS WITH THE BUDGET SUBMITTED UNDER SECTION 1105 OF TITLE 31, UNITED STATES CODE, FOR THE FISCAL YEAR IN WHICH THE FIRST CONSTRUCTION OF A FACILITY FOR THE PERMANENT BASING OF A NEW WEAPON SYSTEM IS TO BE AUTHORIZED A REPORT DESCRIBING -- (1) THE SITE OR SITES SELECTED OR PLANNED FOR PERMANENT BASING OF THE PLANNED FORCE OF THAT WEAPON SYSTEM; (2) THE RATIONALE FOR SELECTING SUCH SITE OR SITES; AND (3) THE MILITARY CONSTRUCTION ACTIVITIES PROPOSED FOR EACH SUCH SITE.

COMMENTS: NAVY: A REPORT FOR EACH NEW WEAPON BASING SYSTEM WHICH HAD NOT BEEN ANNOUNCED BEFORE DEC 5, 1991, CONGRESS SHOULD BE AWARE OF ANY NEW WEAPON BASING SYSTEM THROUGH THE BUDGET PROCESS. THIS SECTION IS OF LIMITED VALUE AND SHOULD BE DELETED. DELETE. AF: THIS REPORT SHOULD BE TERMINATED. ARMY: NEVER COMPLETED ONE. RESPONDENTS = N(NNNNN0), AF(NNNNN25), A(YNNNN0)

10 USC 2836(b)(2)	MILITARY HOUSING RENTAL GUARANTEE PROGRAM	1999/02/18	ALLDO D	159
		Y N Y N N 30		

DESCRIPTION: (b)(1) THE SECRETARY OF A MILITARY DEPARTMENT, OR THE SECRETARY OF TRANSPORTATION WITH RESPECT TO THE COAST GUARD, MAY ENTER INTO AGREEMENTS PURSUANT TO SUBSECTION (a) FOR SUCH MILITARY HOUSING RENTAL GUARANTY PROJECTS AS ARE AUTHORIZED BY LAW. (2) THE BUDGET MATERIAL SUBMITTED TO CONGRESS BY THE SECRETARY OF DEFENSE SHALL INCLUDE MATERIALS THAT IDENTIFY THE MILITARY HOUSING RENTAL GUARANTEE PROJECTS FOR WHICH AGREEMENTS ARE PROPOSED TO BE ENTERED IN THAT FISCAL YEAR CONTENT OF THE AGREEMENT IS SPECIFIED AT SUBSECTION (c).

COMMENTS: THE AIR FORCE HAS NOT USED THIS LAW TO PROVIDE HOUSING FOR USE BY MILITARY MEMBERS. RECOMMEND CANCELLATION OF THIS REPORT. NAVY: THE MILITARY DEPARTMENTS HAVE NOT USED THIS AUTHORITY SINCE IT WAS AMENDED IN 1991. DELETE. RESPONDENTS = ARMY(YNYNN30), AF(NNNNN0), N(NNNNN0)

10 USC 2859	TRANSMISSION OF ANNUAL MILITARY CONSTRUCTION REQUEST	1999/06/11	ALLDO D	1500
			0	

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL TRANSMIT TO CONGRESS THE ANNUAL REQUEST FOR MILITARY CONSTRUCTION AUTHORIZATION FOR A FISCAL YEAR DURING THE FIRST IO DAYS AFTER THE PRESIDENT TRANSMITS TO CONGRESS THE BUDGET FOR THAT FISCAL YEAR PURSUANT TO SECTION 1105 OF TITLE 3 1.

COMMENTS:

10 USC 2861(a)	ANNUAL REPORT TO CONGRESS - MILITARY CONSTRUCTION AND MILITARY FAMILY HOUSING ACTIVITIES	2000/02/25	AT&L	532
		Y Y Y N Y 3 0		

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT A REPORT TO THE APPROPRIATE COMMITTEES OF CONGRESS EACH YEAR WITH RESPECT TO MILITARY CONSTRUCTION AND MILITARY FAMILY HOUSING ACTIVITIES. EACH REPORT SHALL BE SUBMITTED AT THE SAME TIME THAT THE ANNUAL REQUEST FOR MILITARY CONSTRUCTION AUTHORIZATION IS SUBMITTED FOR THAT YEAR. EXCEPT WHERE OTHERWISE PROVIDED IN THIS SECTION, INFORMATION REQUIRED BY THIS SECTION TO BE PROVIDED IN THE REPORT SHALL BE PROVIDED FOR THE TWO MOST RECENT FISCAL YEARS AND FOR THE FISCAL YEAR FOR WHICH THE BUDGET REQUEST IS MADE.

COMMENTS:

10 USC 2865(f)	ENERGY **SAVINGS** AT MILITARY INSTALLATIONS - ANNUAL REPORT	1999/02/22	AT&L			533
		NN	NN	Y	0	TR

DESCRIPTION: NOT LATER THAN DECEMBER 31 OF EACH YEAR THE SECRETARY OF DEFENSE SHALL TRANSMIT AN ANNUAL REPORT TO THE CONGRESS CONTAINING A DESCRIPTION OF THE ACTIONS TAKEN TO CARRY OUT THIS SECTION, AND THE SAVINGS REALIZED FROM SUCH ACTIONS, DURING THE FISCAL YEAR ENDING IN THE YEAR IN WHICH THE REPORT IS MADE. THE SECRETARY SHALL ALSO INCLUDE IN EACH REPORT THE TYPES AND AMOUNT OF FINANCIAL INCENTIVES RECEIVED UNDER SUBSECTION (d)(2) AND SECTION 2866(a)(2) OF THIS TITLE DURING THE PERIOD COVERED BY THE REPORT AND THE APPROPRIATION ACCOUNT OR ACCOUNTS TO WHICH INCENTIVES WERE CREDITED.

COMMENTS: THIS REPORTING REQUIREMENT HAS BEEN SUPERSEDED BY THE ENERGY POLICY ACT OF 1992 WHICH ESTABLISHED CONSERVATION GOALS FOR THE YEAR 2005 AND REQUIRES ANNUAL AGENCY REPORTS TO CONGRESS THROUGH THE DEPARTMENT OF EDUCATION.

10 USC **2884(b)**	DEPARTMENT OF DEFENSE HOUSING FUNDS - ANNUAL REPORT	1999/03/28	AT&L			1378
		NN	YN	Y	0	

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL INCLUDE EACH YEAR IN THE MATERIALS THAT THE SECRETARY SUBMITS TO CONGRESS IN SUPPORT OF THE BUDGET SUBMITTED BY THE PRESIDENT PURSUANT TO SECTION 1105 OF TITLE 31 THE FOLLOWING: (1) A REPORT ON THE EXPENDITURES AND RECEIPTS DURING THE PRECEDING YEAR COVERING THE FUNDS ESTABLISHED UNDER SECTION 2883 OF THIS TITLE. (2) A METHODOLOGY FOR EVALUATING THE EXTENT AND EFFECTIVENESS OF THE USE OF AUTHORITIES UNDER THIS SUBCHAPTER DURING SUCH PRECEDING FISCAL YEAR. (3) A DESCRIPTION OF THE OBJECTIVES OF THE DEPARTMENT OF DEFENSE FOR PROVIDING MILITARY UNACCOMPANIED HOUSING FOR MEMBERS OF THE ARMED FORCES.

COMMENTS:

10 USC **2902(g)(2)**	STRATEGIC **ENVIRONMENTAL** RESEARCH AND DEVELOPMENT PROGRAM	1999/02/16	AT&L			998
		YY	YY	Y	0	

DESCRIPTION: NOT LATER THAN MARCH 15 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT SUCH ANNUAL REPORT (SUBMITTED BY THE SERDP COUNCIL TO THE SECRETARY OF DEFENSE PURSUANT TO SUBSECTIONS (g)(1) AND (d)(3)) TO CONGRESS, ALONG WITH SUCH COMMENTS AS THE SECRETARY CONSIDERS APPROPRIATE.

COMMENTS:

10 USC 3038(f)	OFFICE OF CHIEF ARMY RESERVE: ANNUAL REPORT	1999/06/14	A	1503

0

DESCRIPTION: (1) THE CHIEF OF ARMY RESERVE SHALL SUBMIT TO THE SECRETARY OF DEFENSE, THROUGH THE SECRETARY OF THE ARMY, AN ANNUAL REPORT ON THE STATE OF THE ARMY RESERVE AND THE ABILITY OF THE ARMY RESERVE TO MEET ITS MISSION. THE REPORT SHALL BE PREPARED IN CONJUNCTION WITH THE CHIEF OF STAFF OF THE ARMY AND MAY BE SUBMITTED IN CLASSIFIED AND UNCLASSIFIED VERSIONS. (2) THE SECRETARY OF DEFENSE SHALL TRANSMIT THE ANNUAL REPORT OF THE CHIEF OF ARMY RESERVE UNDER PARAGRAPH (1) TO CONGRESS, TOGETHER WITH SUCH COMMENTS ON THE REPORT AS THE SECRETARY CONSIDERS APPROPRIATE. THE REPORT SHALL BE TRANSMITTED AT THE SAME TIME EACH YEAR THAT THE ANNUAL REPORT OF THE SECRETARY UNDER SECTION 113 OF THIS TITLE IS SUBMITTED TO CONGRESS.

COMMENTS:

10 USC 4416(f)	ACADEMY OF HEALTH SCIENCES: ADMISSION OF CIVILIANS IN PHYSICIAN ASSISTANT TRAINING PROGRAM	1999/03/23	A	1458

N N N N 0

DESCRIPTION: (1) EACH YEAR, THE SECRETARY (OF THE ARMY) SHALL SUBMIT TO CONGRESS A REPORT ON THE EXCHANGE OF SERVICES UNDER THIS SECTION DURING THE YEAR. THE REPORT SHALL CONTAIN THE FOLLOWING: (A) THE NUMBER OF CIVILIAN STUDENTS WHO RECEIVE INSTRUCTION AT THE ACADEMY UNDER THIS SECTION. (B) AN ASSESSMENT OF THE BENEFITS DERIVED BY THE UNITED STATES. (2) REPORTS ARE REQUIRED UNDER PARAGRAPH (1) ONLY FOR YEARS DURING WHICH AN AGREEMENT IS IN EFFECT UNDER THIS SECTION.

COMMENTS:

10 USC 4687	SALE OF EXCESS, OBSOLETE, OR UNSERVICEABLE AMMUNITION AND AMMUNITION COMPONENTS	1999/03/28	A	1474

N N Y N Y 0

DESCRIPTION: THE SECRETARY OF THE ARMY MAY SELL TO AN ELIGIBLE PURCHASER DESCRIBED IN SUBSECTION (c) AMMUNITION OR AMMUNITION COMPONENTS THAT ARE EXCESS, OBSOLETE, OR UNSERVICEABLE AND HAVE NOT BEEN DEMILITARIZED IF-- (1) THE PURCHASER ENTERS INTO AN AGREEMENT, IN ADVANCE, WITH THE SECRETARY--(A) TO DEMILITARIZE THE AMMUNITION OR COMPONENTS; AND (B) TO RECLAIM, RECYCLE, OR REUSE THE COMPONENT PARTS OR MATERIALS; OR (2) THE SECRETARY, OR AN OFFICIAL OF THE DEPARTMENT OF THE ARMY DESIGNATED BY THE SECRETARY, APPROVES THE USE OF AMMUNITION OR COMPONENTS PROPOSED BY THE PURCHASER AS BEING CONSISTENT WITH THE PUBLIC INTEREST...Note 1 ..(a) FOR EACH OF THE FIRST THREE FISCAL YEARS DURING WHICH THE SECRETARY OF THE ARMY SELLS AMMUNITION COMPONENTS UNDER THE AUTHORITY OF SECTION 4687 OF TITLE 10 USC, THE DIRECTOR ARMY AUDIT AGENCY SHALL CONDUCT A REVIEW OF SALES UNDER SUCH SECTION... (b)(2) NOT LATER THAN 180 DAYS AFTER THE END OF EACH FISCAL YEAR IN WHICH THE REVIEW IS CONDUCTED, THE SECRETARY OF THE ARMY SHALL SUBMIT TO CONGRESS A REPORT CONTAINING THE RESULTS OF THE REVIEW FOR THE FISCAL YEAR COVERED BY THE REPORT.

COMMENTS:

10 USC **5143(e)** ANNUAL **REPORT** OF THE **CHIEF:** OFFICE OF NAVAL RESERVE 1999/02/18 N 1172

Y Y Y Y Y 0

DESCRIPTION: (1) THE CHIEF OF NAVAL RESERVE SHALL SUBMIT TO THE SECRETARY OF DEFENSE, THROUGH THE SECRETARY OF THE NAVY, AN ANNUAL REPORT ON THE STATE OF THE NAVAL RESERVE AND THE ABILITY OF THE NAVAL RESERVE TO MEET ITS MISSIONS. THE REPORT SHALL BE PREPARED IN CONJUNCTION WITH THE CHIEF OF NAVAL OPERATIONS AND MAY BE SUBMITTED IN CLASSIFIED AND UNCLASSIFIED VERSIONS. (2) THE SECRETARY OF DEFENSE SHALL TRANSMIT THE ANNUAL REPORT OF THE CHIEF OF NAVAL RESERVE UNDER PARAGRAPH (1) TO CONGRESS, TOGETHER WITH SUCH COMMENTS ON THE REPORT AS THE SECRETARY CONSIDERS APPROPRIATE THE REPORT SHALL BE TRANSMITTED AT THE SAME TIME EACH YEAR THAT THE ANNUAL REPORT OF THE SECRETARY UNDER SECTION 113 OF THIS TITLE IS SUBMITTED TO CONGRESS.

COMMENTS:

10 **USC 5144(d)** ANNUAL REPORT OF THE COMMANDER, **MARINE** FORCES RESERVE 1999/02/18 N 1245

Y Y Y Y Y 0

DESCRIPTION: (1) THE COMMANDER, MARINE FORCES RESERVE, SHALL SUBMIT TO THE SECRETARY OF DEFENSE, THROUGH THE SECRETARY OF THE NAVY, AN ANNUAL REPORT ON THE STATE OF THE MARINE CORPS RESERVE, AND THE ABILITY OF THE MARINE CORPS RESERVE TO MEET ITS MISSIONS. THE REPORT SHALL BE PREPARED IN CONJUNCTION WITH THE COMMANDANT OF THE MARINE CORPS AND MAY BE SUBMITTED IN CLASSIFIED AND UNCLASSIFIED VERSIONS.(2) THE SECRETARY OF DEFENSE SHALL TRANSMIT THE ANNUAL REPORT OF THE COMMANDER, MARINE FORCES RESERVE, UNDER PARAGRAPH (1) TO CONGRESS, TOGETHER WITH SUCH COMMENTS AS THE SECRETARY CONSIDERS APPROPRIATE. THE REPORT SHALL BE TRANSMITTED AT THE SAME TIME EACH YEAR THAT THE ANNUAL REPORT OF THE SECRETARY UNDER SECTION 113 OF THIS TITLE IS SUBMITTED TO CONGRESS.

COMMENTS:

10 USC 7424(b) PROTECTION OF OIL RESERVES; CONTRACTS FOR CONSERVATION 1999/02/25 N 551

YN YN Y 0

DESCRIPTION: TO CONSOLIDATE AND PROTECT THE OIL LANDS OWNED BY THE UNITED STATES, THE SECRETARY MAY-- (1) CONTRACT WITH OWNERS AND LESSEES OF LAND INSIDE OR ADJOINING NAVAL PETROLEUM RESERVES FOR--(A) CONSERVATION OF OIL AND GAS; AND (B) COMPENSATION FOR ESTIMATED DRAINAGE IN LIEU OF DRILLING OR OPERATING OFFSET WELLS; AND (2) ACQUIRE PRIVATELY OWNED LANDS OR LEASES INSIDE NAVAL PETROLEUM RESERVE NUMBERED 1 BY EXCHANGE OF (A) LANDS OF THE UNITED STATES INSIDE NAVAL PETROLEUM RESERVE NUMBERED 1; (B) THE RIGHT TO ROYALTY PRODUCTION FROM ANY OF THE NAVAL PETROLEUM RESERVES; AND (C)THE RIGHT TO ANY MONEY DUE THE UNITED STATES AS A RESULT OF THE WRONGFUL EXTRACTION OF PETROLEUM PRODUCTS FROM LANDS INSIDE NAVAL PETROLEUM RESERVE NUMBERED 1. (b) THE SECRETARY SHALL REPORT ANNUALLY TO CONGRESS ALL AGREEMENTS UNDER THIS SECTION.

COMMENTS:

10 USC 7425(b)	ACQUISITION BY CONDEMNATION AND PURCHASE	1999102125	N	1344
		YN YN Y 0 TR		

DESCRIPTION: (a) WHENEVER THE SECRETARY IS UNABLE TO MAKE ARRANGEMENTS HE CONSIDERS SATISFACTORY FOR -- (1) EXCHANGES OF LAND OR AGREEMENTS FOR CONSERVATION AUTHORIZED BY SECTION 7424 OF THIS TITLE; OR (2) CONTRACTS FOR JOINT, UNIT, OR OTHER COOPERATIVE PLANS WITH RESPECT TO LANDS OR LEASES AUTHORIZED BY SECTION 7426 OF THIS TITLE; HE MAY ACQUIRE, WITH THE APPROVAL OF THE PRESIDENT, SUCH PRIVATELY OWNED LANDS AND LEASES-- (1) BY PURCHASE, INSIDE THE NAVAL PETROLEUM RESERVES, OR OUTSIDE THOSE RESERVES ON THE SAME GEOMGIC STRUCTURE; AND (2) BY CONDEMNATION, INSIDE NAVAL PETROLEUM RESERVE NUMBERED 1, OR, IF THERE IS SUBSTANTIAL DRAINAGE, OUTSIDE THAT RESERVE ON THE SAME GEOLOGIC STRUCTURE. (b) THE SECRETARY SHALL REPORT ANNUALLY TO CONGRESS ALL PROCEEDINGS FOR PURCHASE AND CONDEMNATION UNDER THIS SECTION.

COMMENTS: NAVY: CONGRESS WILL PROBABLY WANT TO RETAIN OVERSIGHT OF LAND ACQUISITION. MOST YEARS, THERE IS PROBABLY NOTHING TO REPORT. OIL RESERVE RESPONSIBILITY TRANSFERRED TO DOI. DELETE

10 USC 7431(c)	CONSULTATION AND APPROVAL OF THE STEPS INVOLVED IN THE PRODUCTION OF NAVAL PETROLEUM RESERVES	1999/02/25	N	163
		Y Y Y N Y 0		

DESCRIPTION: THE SECRETARY SHALL SUBMIT ANNUAL REPORTS AS OF THE FIRST DAY OF THE FISCAL YEAR TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES, AND SUCH COMMITTEES SHALL CAUSE SUCH REPORTS TO BE PRINTED AS A SENATE OR HOUSE DOCUMENT, AS APPROPRIATE. THE SECRETARY SHALL INCLUDE IN SUCH REPORTS, WITH RESPECT TO EACH NAVAL PETROLEUM RESERVE, AN EXPLANATION IN DETAIL OF THE FOLLOWING: (1) THE STATUS OF THE EXPLORATION, DEVELOPMENT, AND PRODUCTION PROGRAMS; (2) THE PRODUCTION THAT HAS BEEN ACHIEVED, INCLUDING THE DISPOSITION OF SUCH PRODUCTION AND THE PROCEEDS REALIZED THEREFROM; (3) THE STATUS OF PIPELINE CONSTRUCTION AND PROCUREMENT AND PROBLEMS RELATED TO THE AVAILABILITY OF TRANSPORTATION FACILITIES; (4) A SUMMARY OF FUTURE PLANS FOR EXPLORATION, DEVELOPMENT, PRODUCTION, DISPOSAL, AND TRANSPORTATION OF THE PRODUCTION FROM THE NAVAL PETROLEUM RESERVES; AND (5) SUCH OTHER INFORMATION REGARDING THE RESERVE AS THE SECRETARY DEEMS APPROPRIATE.

COMMENTS:

11-L-0559/OSD/3059

10 USC 7902(e)	NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM	1999/02/18	N	1309
		Y N Y N N	10	

DESCRIPTION: (FROM 7901) THE SECRETARY OF THE NAVY SHALL ESTABLISH A PROGRAM TO BE KNOWN AS THE "NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM." THE PURPOSES OF THE PROGRAM ARE AS FOLLOWS: (1) TO PROMOTE THE NATIONAL GOALS OF ASSURING NATIONAL SECURITY, ADVANCING ECONOMIC DEVELOPMENT, PROTECTING QUALITY OF LIFE, AND STRENGTHENING SCIENCE EDUCATION AND COMMUNICATION THROUGH IMPROVED KNOWLEDGE OF THE OCEAN. (2) TO COORDINATE AND STRENGTHEN OCEANOGRAPHIC EFFORTS IN SUPPORT OF THOSE GOALS BY -- (A) IDENTIFYING AND CARRYING OUT PARTNERSHIPS AMONG FEDERAL AGENCIES, ACADEMIA, INDUSTRY, AND OTHER MEMBERS OF THE OCEANOGRAPHIC SCIENTIFIC COMMUNITY IN THE AREAS OF DATA, RESOURCES, EDUCATION, AND COMMUNICATION; AND (B) REPORTING ANNUALLY TO CONGRESS ON THE PROGRAM. (e) NOT LATER THAN MARCH 1 OF EACH YEAR, THE COUNCIL (SECRETARY OF THE NAVY IS THE FIRST CHAIRMAN) SHALL SUBMIT TO CONGRESS A REPORT ON THE NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM.

COMMENTS:

10 USC 8038(f)(1)	THE CHIEF OFFICE OF THE AIR FORCE RESERVE - ANNUAL REPORT	1999/02/18	AF	1329
		Y Y Y Y Y	0	

DESCRIPTION: (I) THE CHIEF OF AIR FORCE RESERVE SHALL SUBMIT TO THE SECRETARY OF DEFENSE, THROUGH THE SECRETARY OF THE AIR FORCE, AN ANNUAL REPORT ON THE STATE OF THE AIR FORCE RESERVE AND THE ABILITY OF THE AIR FORCE RESERVE TO MEET ITS MISSIONS. THE REPORT SHALL BE PREPARED IN CONJUNCTION WITH THE CHIEF OF STAFF OF THE AIR FORCE AND MAY BE SUBMITTED IN CLASSIFIED AND UNCLASSIFIED VERSIONS. (2) THE SECRETARY OF DEFENSE SHALL TRANSMIT THE ANNUAL REPORT OF THE CHIEF OF AIR FORCE RESERVE UNDER PARAGRAPH (1) TO CONGRESS, TOGETHER WITH SUCH COMMENTS ON THE REPORT AS THE SECRETARY CONSIDERS APPROPRIATE. THE REPORT SHALL BE TRANSMITTED AT THE SAME TIME EACH YEAR THAT THE ANNUAL REPORT OF THE SECRETARY (OF DEFENSE) UNDER SECTION 113 OF THIS TITLE IS SUBMITTED TO CONGRESS.

COMMENTS:

10 USC 9514(f)	ANNUAL REPORT ON CONTINGENT LIABILITIES (AIRCRAFT)	1999/03/28	COMP	1280
		NN NN Y	0	

DESCRIPTION: NOT LATER THAN MARCH 1 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT SETTING FORTH THE CURRENT AMOUNT OF THE CONTINGENT OUTSTANDING LIABILITY OF THE UNITED STATES UNDER THE INSURANCE PROGRAM UNDER CHAPTER 443 OF TITLE 49.

COMMENTS:

10 USC **10216(c)**	ANNUAL END STRENGTH FOR **MILITARY** TECHNICIANS	1999/02/16	RA		1429
		YY	YN	Y	0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL INCLUDE AS PART OF THE BUDGET JUSTIFICATION DOCUMENTS SUBMITTED TO CONGRESS WITH THE BUDGET OF THE DEPARTMENT OF DEFENSE FOR ANY FISCAL YEAR THE FOLLOWING INFORMATION WITH RESPECT TO THE END STRENGTHS FOR MILITARY TECHNICIANS REQUESTED IN THAT BUDGET PURSUANT TO SECTION 115(G) OF THIS TITLE, SHOWN SEPARATELY FOR EACH OF THE ARMY AND AIR FORCE RESERVE COMPONENTS.

COMMENTS:

10 USC **10504(b)**	CHIEF OF NATIONAL GUARD BUREAU: ANNUAL REPORT	1999/02/12	NGB		1272
		YY	YN	Y	0

DESCRIPTION: (a) THE CHIEF OF THE NATIONAL GUARD BUREAU SHALL SUBMIT TO THE SECRETARY OF DEFENSE, THROUGH THE SECRETARIES OF THE ARMY AND THE AIR FORCE, AN ANNUAL REPORT ON THE STATE OF THE NATIONAL GUARD AND THE ABILITY OF THE NATIONAL GUARD TO MEET ITS MISSIONS. THE REPORT SHALL BE PREPARED IN CONJUNCTION WITH THE SECRETARY OF THE ARMY AND THE SECRETARY OF THE AIR FORCE AND MAY BE SUBMITTED IN CLASSIFIED AND UNCLASSIFIED VERSIONS. (b) THE SECRETARY OF DEFENSE SHALL TRANSMF THE ANNUAL REPORT OF THE CHIEF OF THE NATIONAL GUARD BUREAU TO CONGRESS, TOGETHER WITH SUCH COMMENTS ON THE REPORT AS THE SECRETARY CONSIDERS APPROPRIATE THE REPORT SHALL BE TRANSMITTED AT THE SAME TIME EACH YEAR THAT THE ANNUAL REPORT OF THE SECRETARY UNDER SECTION 113(c) OF THIS TITLE IS SUBMITTED TO CONGRESS.

COMMENTS:

10 USC **10541(a)**	ANNUAL REPORT ON NATIONAL GUARD AND RESERVE COMPONENT EQUIPMENT	1999/02/16	RA		435
		Y Y	Y Y	Y	0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE CONGRESS NOT LATER THAN FEBRUARY 15, A WRITTEN REPORT CONCERNING THE EQUIPMENT OF THE NATIONAL GUARD AND THE RESERVE COMPONENTS OF THE ARMED FORCES FOR EACH OF THE THREE SUCCEEDING FISCAL YEARS. EACH REPORT SHALL INCLUDE (1) RECOMMENDATIONS AS TO THE TYPE AND QUANTITY OF EACH MAJOR ITEM OF EQUIPMENT WHICH SHOULD BE IN THE INVENTORY; (2) A STATEMENT OF THE QUANTITY AND AGE OF EACH TYPE OF EQUIPMENT WHICH IS EXPECTED TO BE IN THE PHYSICAL INVENTORY, (3) A STATEMENT OF QUANTITY OF EACH TYPE OF EQUIPMENT WHICH IS EXPECTED TO BE RETIRED, DECOMMISSIONED, TRANSFERRED, OR OTHERWISE REMOVED FROM THE PHYSICAL INVENTORY; (4) A STATEMENT OF THE QUANTITY AND TYPE OF EQUIPMENT WHICH IS EXPECTED TO BE PROCURED; (5) A LISTING OF EACH MAJOR ITEM OF EQUIPMENT REQUIRED BY THE SELECTED RESERVE OF THE READY RESERVE, (6) A NARRATIVE EXPLANATION OF THE PLAN TO PROVIDE EQUIPMENT NEEDED TO FILL THE WAR-TIME REQUIREMENT; (7) FOR EACH ITEM OF EQUIPMENT EXPECTED TO BE PROCURED TO REPLACE AN ITEM REPORTED UNDER (3) ABOVE; AND, (8) A STATEMENT OF THE CURRENT STATUS OF THE COMPATIBILITY OF EQUIPMENT BETWEEN THE ARMY RESERVE COMPONENTS AND ACTIVE ARMY, THE EFFECT OF THAT LEVEL OF INCOMPATIBILITY ON COMBAT EFFECTIVENESS, AND A PLAN TO ACHIEVE FULL EQUIPMENT COMPATIBILITY.

COMMENTS:

10 USC 10542(a)	ARMY NATIONAL GUARD COMBAT READINESS: ANNUAL REPORT	1999/02/12	NGB	814
		Y Y Y Y Y 0		

DESCRIPTION: THE SECRETARY OF THE ARMY SHALL INCLUDE IN THE ANNUAL REPORT OF THE SECRETARY (OF DEFENSE) TO CONGRESS KNOWN AS THE ARMY POSTURE STATEMENT A DETAILED PRESENTATION CONCERNING THE ARMY NATIONAL GUARD, INCLUDING PARTICULARLY INFORMATION RELATING TO THE IMPLEMENTATION OF THE ARMY NATIONAL GUARD COMBAT READINESS REFORM ACT OF 1992 (PL 102-484).

COMMENTS:

10 USC 10543	NATIONAL GUARD AND RESERVE COMPONENT EQUIPMENT PROCUREMENT AND MILITARY CONSTRUCTION FUNDING	1999/02/16	RA	648
		YY YY Y 0		

DESCRIPTION: (a) IN GENERAL. THE SECRETARY OF DEFENSE SHALL SPECIFY IN EACH FUTURE-YEARS DEFENSE PROGRAM SUBMITTED TO CONGRESS UNDER SECTION 221 OF THIS TITLE THE ESTIMATED EXPENDITURES AND THE PROPOSED APPROPRIATIONS, FOR EACH FISCAL YEAR OF THE PERIOD COVERED BY THAT PROGRAM, FOR THE PROCUREMENT OF EQUIPMENT AND FOR MILITARY CONSTRUCTION FOR EACH OF THE RESERVE COMPONENTS OF THE ARMED FORCES. (b) THE ASSOCIATED ANNEXES OF THE FUTURE YEARS DEFENSE PROGRAM SHALL SPECIFY, AT THE SAME LEVEL OF DETAIL AS SET FORTH IN THE ANNEXES FOR THE ACTIVE COMPONENTS, THE AMOUNT REQUESTED FOR -- (1) PROCUREMENT OF EACH ITEM OF EQUIPMENT TO BE PROCURED FOR EACH RESERVE COMPONENT; AND (2) EACH MILITARY CONSTRUCTION PROJECT TO BE CARRIED OUT FOR EACH RESERVE COMPONENT, TOGETHER WITH THE LOCATION OF THE PROJECT (c) (1) IF THE AGGREGATE OF THE AMOUNTS SPECIFIED IN PARAGRAPHS (1) AND (2) OF SUBSECTION (b) FOR A FISCAL YEAR IS LESS THAN THE AMOUNT EQUAL TO 90 PERCENT OF THE AVERAGE AUTHORIZED AMOUNT APPLICABLE FOR THAT FISCAL YEAR UNDER PARAGRAPH (2), THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT SPECIFYING FOR EACH RESERVE COMPONENT THE ADDITIONAL ITEMS OF EQUIPMENT THAT WOULD BE PROCURED, AND THE ADDITIONAL MILITARY CONSTRUCTION PROJECTS THAT WOULD BE CARRIED OUT, IF THAT AGGREGATE AMOUNT WERE AN AMOUNT EQUAL TO SUCH AVERAGE AUTHORIZED AMOUNT.

COMMENTS:

10 USC 12302(b)	READY RESERVE ORDER TO ACTIVE DUTY IN TIME OF NATIONAL EMERGENCY	1999/02/16	RA		280
		NN	NN	N	I TR

DESCRIPTION: IN TIME OF NATIONAL EMERGENCY DECLARED BY THE PRESIDENT AFTER JANUARY 1, 1953, OR WHEN OTHERWISE AUTHORIZED BY LAW, THE SECRETARY CONCERNED MAY, WITHOUT THE CONSENT OF THE PERSONS CONCERNED, ORDER ANY UNIT, AND ANY MEMBER NOT ASSIGNED TO A UNIT ORGANIZED TO SERVE AS A UNIT, IN THE READY RESERVE UNDER THE JURISDICTION OF THAT SECRETARY TO ACTIVE DUTY (OTHER THAN FOR TRAINING) FOR NOT MORE THAN 24 CONSECUTIVE MONTHS... THE SECRETARY OF DEFENSE SHALL PRESCRIBE POLICIES AND PROCEDURES AS HE CONSIDERS NECESSARY TO CARRY OUT THIS PROVISION. HE SHALL REPORT ON THOSE POLICIES AND PROCEDURES AT LEAST ONCE A YEAR TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES.

COMMENTS: THIS REPORT SEEMS UNNECESSARY. THE AUTHORITY FOR THE PRESIDENT, IN TIME OF NATIONAL EMERGENCY, TO ORDER THE READY RESERVE TO ACTIVE DUTY IS COVERED IN 10 USC 12302(a). THE NEED FOR THE SECRETARY OF DEFENSE TO REPORT ONCE A YEAR TO THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES ON POLICIES AND PROCEDURES NECESSARY TO CARRY OUT THIS PROVISION ARE UNNECESSARY. RESERVE FORCES ARE INTEGRATED IN WAR AND CONTINGENCY PLANS AND UPON ACTIVATION THE DESIGNATION BETWEEN THE ACTIVE AND RESERVE FORCES IS TRANSPARENT. CURRENT POLICIES AND PROCEDURES USED TO MOBILIZE THE ACTIVE COMPONENTS ARE SIMILAR TO THOSE USED FOR THE RESERVE COMPONENTS. ADDITIONALLY, THE OFFICE OF THE SECRETARY OF DEFENSE FOR RESERVE AFFAIRS, OSD GENERAL COUNSEL, OSD LEGISLATIVE AFFAIRS, AND THE JOINT STAFF HAVE NO CURRENT RECORDS OF THIS REPORT BEING SENT TO CONGRESS. THERE APPEARS TO BE NO INTEREST IN CONGRESS CONCERNING THIS REPORT, SINCE NO CONGRESSIONAL REQUEST HAS BEEN FORTHCOMING.

14usc 475	LEASING AND HIRING OF QUARTERS: RENTAL OF INADEQUATE HOUSING	1999/03/05	N		115
		NN	NN	N	0 TR

DESCRIPTION: THE HIRE OF QUARTERS FOR THE COAST GUARD PERSONNEL IS COMPARABLE TO THE QUARTERS ASSIGNABLE ON A CAPITAL SHIP OF THE NAVY, AS AUTHORIZED BY THE SECRETARY OF THE NAVY TO MEET EMERGENCY CONDITIONS, INCLUDING OFFICERS AND MEN ON SEA DUTY AT SUCH TIMES AS THEY MAY BE DEPRIVED OF THEIR QUARTERS ON BOARD SHIP DUE TO REPAIRS OR OTHER CONDITIONS WHICH MAY RENDER THEM UNINHABITABLE PROVIDED THAT UNDER THIS AUTHORIZATION NO FUNDS MAY BE EXPENDED FOR THE HIRE OF QUARTERS FOR OCCUPANCY BY THE DEPENDENTS OF OFFICERS OR ENLISTED PERSONNEL. IT IS THEN DETERMINED THAT THE SECRETARY OF THE NAVY SHALL ANNUALLY, NOT LATER THAN APRIL 1, FILE WITH THE SPEARER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE A COMPLETE REPORT OF THE UTILIZATION OF AUTHORITY AS GRANTED DURING THE PRECEDING CALENDAR YEAR.

COMMENTS: NAVY: PROBABLY OF LITTLE INTEREST TO CONGRESS. NO VALUE TO DoD, OTHER AGENCIES OR THE JUDICIARY. EFFORT EXCEEDS VALUE. DELETE.

11-L-0559/OSD/3063

15USC 4603	ADVISORY COUNCIL ON FEDERAL PARTICIPATION IN **SEMATECH**	2000/04/10	AT&L	598
				0

DESCRIPTION: (3) THE COUNCIL SHALL REVIEW THE RESEARCH ACTIVITIES OF SEMATECH AND SHALL SUBMIT TO THE SECRETARY OF DEFENSE AND THE **COMMITTEES** ON ARMED SERVICES OF THE SENATE AND THE HOUSE OF **REPRESENTATIVES** AN ANNUAL REPORT CONTAINING A DESCRIPTION OF THE EXTENT TO WHICH SEMATECH IS ACHIEVING **ITS** RESEARCH AND DEVELOPMENT GOALS

COMMENTS:

16 USC **670a(f)**	INTEGRATED NATURAL **RESOURCES** MANAGEMENT PLANS ANNUAL REPORT	1999/02/23	AT&L	1480
		Y Y Y Y Y		0

DESCRIPTION: (f)(1) NOT LATER THAN MARCH 1 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL REVIEW THE EXTENT TO WHICH INTEGRATED NATURAL RESOURCES MANAGEMENT PLANS WERE **PREPARED** OR WERE IN EFFECT AND IMPLEMENTED IN ACCORDANCE **WITH THIS TITLE IN** THE PRECEDING YEAR, AND SUBMIT A REPORT ON THE FINDINGS OF THE REVIEW TO THE **COMMITTEES**. EACH SUCH REPORT SHALL INCLUDE--(A) THE NUMBER OF INTEGRATED NATURAL RESOURCES MANAGEMENT PLANS **IN** EFFECT **IN** THE YEAR COVERED BY THE REPORT, INCLUDING THE DATE ON WHICH EACH PLAN WAS ISSUED IN FINAL FORM OR MOST RECENTLY REVISED; (B) THE AMOUNTS EXPENDED ON CONSERVATION ACTIVITIES CONDUCTED PURSUANT **TO** THE PLANS IN THE YEAR COVERED BY THE REPORT; AND (C) AN ASSESSMENT OF THE EXTENT TO WHICH THE PLANS COMPLY **WITH** THIS TITLE

COMMENTS:

18 USC 1512	ANNUAL VICTIMS AND WITNESS ASSISTANCE REPORT	1999/02/12	P&R	1117
		YY YY Y 0		

DESCRIPTION: THIS ANNUAL REPORTING REQUIREMENT WILL BE USED IN THE TRACKING OF VICTIMS AND WITNESS ASSISTANCE IN THE DIBRS SYSTEM. THIS REPORT SUMMARIZES DELIVERY OF SERVICES TO VICTIMS AND WITNESSES AS PRESCRIBED IN THE VICTIM AND WITNESS PROTECTION ACT OF 1982 (18 USC 1512) AND THE VICTIM'S RIGHTS AND RESTITUTION ACT OF 1990 (42 USC 10601-10607) AND IS USED BY LAW ENFORCEMENT, SPECIAL INVESTIGATIONS, TRIAL COUNSEL, AND RELATED OFFICES. THE DD FORM 2706, "ANNUAL REPORT ON VICTIM AND WITNESS ASSISTANCE" WILL BE USED TO REPORT THIS INFORMATION TO THE USD(P&R)(R&R)(LEGAL POLICY). THE REPORT SHALL BE SUBMITTED BY JANUARY 15, FOR THE PRECEDING CALENDAR YEAR AND SHALL ADDRESS THE ASSISTANCE PROVIDED VICTIMS AND WITNESSES OF CRIME. IT WILL BE DERIVED FROM DATA COLLECTED FROM OTHER FORMS ASSOCIATED WITH THIS PROGRAM.
IT IS THE SENSE OF CONGRESS THAT THE STATES AND THE HEAD OF EACH FEDERAL AGENCY SHOULD MAKE EVERY EFFORT TO ADOPT THE FOLLOWING GOALS OF THE VICTIMS OF CRIME BILL OF RIGHTS: (1) VICTIMS OF CRIME SHOULD BE TREATED WITH COMPASSION, RESPECT, AND DIGNITY THROUGHOUT THE CRIMINAL JUSTICE PROCESS; (2) VICTIMS OF CRIME SHOULD BE REASONABLY PROTECTED FROM THE ACCUSED THROUGHOUT THE CRIMINAL JUSTICE PROCESS; (3) VICTIMS OF CRIME SHOULD HAVE A STATUTORILY DESIGNATED ADVISORY ROLE IN DECISIONS INVOLVING PROSECUTORIAL DISCRETION, SUCH AS THE DECISION TO PLEA-BARGAIN; (4) VICTIMS OF CRIME SHOULD HAVE THE RIGHT TO A REASONABLE ASSURANCE THAT THE ACCUSED WILL BE TRIED IN AN EXPEDITIOUS MANNER; (5) A VICTIM OF CRIME SHOULD HAVE THE RIGHT TO BE PRESENT AT ALL PROCEEDINGS RELATED TO THE OFFENSE AGAINST HIM, UNLESS THE VICTIM IS TO TESTIFY AND THE COURT DETERMINES THAT THE VICTIM'S TESTIMONY WOULD BE MATERIALLY PREJUDICED BY HEARING OTHER TESTIMONY AT THE TRIAL; (6) VICTIMS OF CRIME SHOULD HAVE THE RIGHT TO INFORMATION ABOUT THE CONVICTION, SENTENCING AND IMPRISONMENT OF THE PERSON WHO COMMITTED THE CRIME AGAINST THEM; (7) VICTIMS OF CRIME SHOULD BE COMPENSATED FOR THE DAMAGE RESULTING FROM THE CRIME TO THE FULLEST EXTENT POSSIBLE BY THE PERSON CONVICTED OF THE CRIME; (8) VICTIMS OF CRIME SHOULD HAVE A STATUTORILY DESIGNATED ADVISORY ROLE IN DECIDING THE EARLY RELEASE STATUS OF THE PERSON CONVICTED OF THE CRIME AGAINST THEM; AND (9) A VICTIM OF CRIME SHOULD NEVER BE FORCED TO ENDURE AGAIN THE EMOTIONAL AND PHYSICAL CONSEQUENCES OF THE ORIGINAL CRIME.

COMMENTS

20usc 924	DODDS EDUCATIONAL ASSESSMENT	1999/02/18	P&R	791
		Y Y Y Y Y 0		

DESCRIPTION: ANNUAL REPORT ON DODDS STANDARDIZED TEST SCORES, ETC.

COMMENTS:

22 USC 2344	CONSIDERATION OF **DIVERSION** OF RESOURCES FOR ECONOMIC AND AGRICULTURAL DEVELOPMENT TO **MILITARY** PURPOSES	1999/02/23	AT&L	290
		Y N Y Y Y 0		

DESCRIPTION: BY DELEGATION TO THE SECRETARY OF DEFENSE FROM THE PRESIDENT: REPORT TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE COMMITTEE ON FOREIGN RELATIONS OF THE SENATE: THE PERCENTAGE OF A RECIPIENT COUNTRYS BUDGET WHICH IS DEVOTED TO MILITARY PURPOSES; THE DEGREE TO WHICH THE RECIPIENT COUNTRY IS USING ITS **FOREIGN** EXCHANGE RESOURCES TO ACQUIRE MILITARY EQUIPMENT: AND THE AMOUNT SPENT BY THE RECIPIENT OR PURCHASING COUNTRY **FOR** THE PURCHASE OF SOPHISTICATED WEAPONS SYSTEMS, SUCH AS MISSILE SYSTEMS AND JET AIRCRAFT FOR **MILITARY** PURPOSES. FROM ANY COUNTRY.

COMMENTS:

22 USC 2751 note	STUDIES RELATING TO UNITED STATES COUNTERPROLIFERATION PROGRAM	2000/03/20	POL	1134
		N N N N Y 0		

DESCRIPTION: (d) NOT LATER THAN FEBRUARY 1 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE APPROPRIATE CONGRESSIONAL **COMMITTEES** A REPORT ON THE **ACTIVITIES** CARRIED OUT UNDER SUBSECTION (a). EACH REPORT SHALL SET FORTH FOR THE TWELVE-MONTH PERIOD ENDING ON THE LAST DAY OF THE MONTH PRECEDING THE MONTH IN WHICH THE REPORT IS DUE THE FOLLOWING: (1) A DESCRIPTION **OF THE** STUDIES AND ANALYSIS CARRIED OUT (2) THE AMOUNTS SPENT **FOR** SUCH STUDIES AND ANALYSIS. (3) THE ORGANIZATIONS THAT CONDUCTED THE STUDIES AND ANALYSIS. (4) AN EXPLANATION OF THE EXTENT TO WHICH SUCH STUDIES AND ANALYSIS CONTRIBUTE **TO** THE COUNTERPROLIFERATION POLICY OF THE UNITED STATES AND **UNITED** STATES **MILITARY CAPABILITIES TO** DETER AND RESPOND TO TERRORISM, THEFT, AND PROLIFERATION INVOLVING WEAPONS OF MASS DESTRUCTION. (5) A DESCRIPTION OF THE MEASURES BEING TAKEN TO ENSURE THAT SUCH STUDIES AND ANALYSIS WITHIN THE DEPARTMENT OF DEFENSE ARE MANAGED **EFFECTIVELY** AND COORDINATED COMPREHENSIVELY.

COMMENTS:

22 USC 2765(a)	ANNUAL ESTIMATE & JUSTIFICATION FOR SALES PROGRAM	1999/03/04	POL	210
		YN YN Y 0		

DESCRIPTION: (a) **EXCEPT** AS PROVIDED IN SUBSECTION (d) **OF THIS** SECTION, NO LATER THAN FEBRUARY 1 OF EACH YEAR. THE PRESIDENT SHALL TRANSMIT TO THE APPROPRIATE CONGRESSIONAL **COMMITTEES,** AS A PART OFTHE ANNUAL PRESENTATION MATERIALS FOR SECURITY ASSISTANCE PROGRAMS PROPOSED **FOR** THE NEXT FISCAL YEAR. A REPORT WHICH SETS FORTH (1) AN ARMS SALES PROPOSAL COVERING ALL SALES AND LICENSED COMMERCIAL EXPORTS UNDER THIS ACT OF MAJOR WEAPONS OR WEAPONS-RELATED DEFENSE EQUIPMENT FOR **$7,000,000** OR MORE. OR OF ANY OTHER WEAPONS OR WEAPONS-RELATED DEFENSE EQUIPMENT **FOR $25,000,000** OR MORE. WHICH ARE **CONSIDERED** ELIGIBLE FOR APPROVAL DURING THE CURRENT CALENDAR YEAR. TOGETHBR **WITH** AN INDICATION OF WHICH SALES AND LICENSED COMMERCIAL EXPORTS ARE DEEMED MOST LIKELY ACTUALLY TO RESULT **IN** THE ISSUANCE OF A LETTER OF OFFER OF AN EXPORT LICENSE DURING SUCH YEAR...

COMMENTS:

22 USC 2770a(d)	UNIT EXCHANGE OF TRAINING AND RELATED SUPPORT BETWEEN U.S. AND FOREIGN COUNTRIES	1999/02/01	COMP	1173

NN NN N 24 x

DESCRIPTION: MILITARY UNITS ARE REQUIRED TO ESTIMATE THE COST OF EACH RECIPROCAL UNIT EXCHANGE OF TRAINING AND RELATED SUPPORT THAT IS PROVIDED BETWEEN THE UNITED STATES AND FRIENDLY FOREIGN COUNTRIES. BE COMPUTED AND RECORDED BY MILITARY DEPARTMENTS PROVIDING THE SERVICE. THE MILITARY SERVICES SHALL SUBMIT A REPORT FOR EACH RECIPROCAL EXCHANGE OR REIMBURSEMENT ON AN ANNUAL BASIS TO THE DIRECTOR. DEFENSE FINANCE AND ACCOUNTING SERVICE (DFAS). DFAS CONSOLIDATES DATA FROM THE MILITARY DEPARTMENTS AND SUBMITS A REPORT TO CONGRESS NOT LATER THAN FEBRUARY 1 OF EACH YEAR

COMMENTS: DoD INSTRUCTION 2010.11 WAS CANCELED 12/1/97. NO CONGRESSIONAL USE IS EVIDENT. SEE EO 13055. JULY 15. 1997

22 USC 2778 note	TRANSFERS OF MILITARILY SENSITIVE TECHNOLOGY TO COUNTRIES AND ENTITIES OF CONCERN	2000/03/20	DTRA	1548

0

DESCRIPTION: NOT LATER THAN MARCH 30 OF EACH YEAR BEGINNING IN THE YEAR 2000 AND ENDING IN THE YEAR 2007, THE PRESIDENT SHALL TRANSMIT TO CONGRESS A REPORT ON TRANSFERS TO COUNTRIES AND ENTITIES OF CONCERN DURING THE PRECEDING CALENDAR YEAR OF THE MOST SIGNIFICANT CATEGORIES OF UNITED STATES TECHNOLOGIES AND TECHNICAL INFORMATION WITH POTENTIAL MILITARY APPLICATIONS. INCLUDING (2) AN ASSESSMENT BY THE SECRETARY OF DEFENSE IN CONSULTATION WITH THE JOINT CHIEFS OF STAFF AND THE DIRECTOR CIA. OF THE CUMULATIVE IMPACT OF LICENSES GRANTED BY THE UNITED STATES FOR EXPORTS OF TECHNOLOGIES AND TECHNICAL INFORMATION TO COUNTRIES AND ENTITIES OF CONCERN DURING THE PRECEDING 5-CALENDAR YEAR PERIOD.

COMMENTS:

22 USC 2778 note	ENHANCEMENT OF ACTIVITIES OF DEFENSE THREAT REDUCTION AGENCY	2000/03/20	DTRA	1554

0

DESCRIPTION: (b) REPORT ON IMPLEMENTATION OF SATELLITE TECHNOLOGY SAFEGUARDS. THE SECRETARY OF DEFENSE AND THE SECRETARY OF STATE SHALL EACH SUBMIT TO CONGRESS EACH YEAR, AS PART OF THE ANNUAL REPORT FOR THAT YEAR UNDER SECTION 1514(a)(8) OF THE STROM THURMOND NATIONAL DEFENSE AUTHORIZATION ACT FOR FY 2000, THE FOLLOWING: (A) A SUMMARY OF THE SATELLITE LAUNCH CAMPAIGNS AND RELATED ACTIVITIES MONITORED BY THE DEFENSE THREAT REDUCTION AGENCY DURING THE PRECEDING FISCAL YEAR. (B) A DESCRIPTION OF ANY LICENSE INFRACTIONS OR VIOLATIONS THAT MAY HAVE OCCURRED DURING THE SUCH CAMPAIGNS OR ACTIVITIES (C) A DESCRIPTION OF THE PERSONNEL, FUNDS, AND OTHER RESOURCES DEDICATED TO THE SATELLITE LAUNCH MONITORING PROGRAM OF THE AGENCY DURING THAT FISCAL YEAR. (D) AN ASSESSMENT OF THE RECORD OF UNITED STATES SATELLITE MAKERS IN COOPERATING WITH AGENCY MONITORS, AND IN COMPLYING WITH UNITED STATES EXPORT CONTROL LAWS. DURING THAT FISCAL YEAR.

COMMENTS:

22 USC 5955 note	RUSSIAN NONSTRATEGIC NUCLEAR ARMS	2000/03/20	DSCA	1,546
			0	

DESCRIPTION: (b)(1) EACH ANNUAL REPORT ON ACCOUNTING FOR UNITED STATES ASSISTANCE UNDER COOPERATIVE THREAT REDUCTION PROGRAMS THAT IS SUBMITTED TO CONGRESS UNDER SECTION 1206 OF PL 104-106 AFTER FISCAL YEAR 1999 SHALL INCLUDE, REGARDING RUSSIA'S ARSENAL OF TACTICAL NUCLEAR WARHEADS.

COMMENTS:

24USC 418	ARMED FORCES RETIREMENT HOME - INSPECTION	1999/03/28	IG	312
		NY NN Y	0	

DESCRIPTION: THE DOD INSPECTOR GENERAL WILL CONDUCT AT 6-YEAR INTERVALS AN INSPECTION OF THE ARMED FORCES RETIREMENT HOME AND ITS RECORDS, AND THE INSPECTORS GENERAL OF THE MILITARY DEPARTMENTS TO CONDUCT AN INSPECTION OF THE RETIREMENT HOME AND ITS RECORDS AT 6-YEAR INTERVALS ALTERNATING WITH THE INSPECTIONS BY THE DOD, IG SO THAT EACH HOME IS INSPECTED EVERY 3 YEARS; AND SUBMIT TO THE RETIREMENT BOARD, THE SECRETARY OF DEFENSE AND TO CONGRESS THE RESULTS OF THE INSPECTION CONTAINING RECOMMENDATIONS AS APPROPRIATE.

COMMENTS:

31 usc 95	MILITARY RETIREMENT SYSTEM - ACTUARY	1999/02/12	P&R	983
		Y Y Y Y Y	0	

DESCRIPTION: ANNUAL VALUATION OF MILITARY RETIREMENT SYSTEM; REQUIRED OF ALL FEDERAL RETIREMENT SYSTEMS TO ENSURE STANDARD ACCOUNTING PRACTICES.

COMMENTS:

31 USC 1105(a) note	ANNUAL AUTHORIZATION OF APPROPRIATIONS	1999/04/13	COMP	433
		YY YN Y	0	

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL REPORT THE AMOUNTS OF THE ESTIMATED EXPENDITURES AND PROPOSED APPROPRIATIONS NECESSARY TO SUPPORT PROGRAMS, PROJECTS, AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE INCLUDED PURSUANT TO PARAGRAPH (5) OF SECTION 1105(a) OF TITLE 31 IN THE BUDGET SUBMITTED TO CONGRESS BY THE PRESIDENT UNDER SUCH SECTION FOR ANY FISCAL YEAR OR YEARS AND THE AMOUNTS SPECIFIED IN ALL PROGRAM AND BUDGET INFORMATION SUBMITTED TO CONGRESS BY THE DEPARTMENT OF DEFENSE IN SUPPORT OF SUCH ESTIMATES AND PROPOSED APPROPRIATIONS SHALL BE MUTUALLY CONSISTENT UNLESS, IN THE CASE OF EACH INCONSISTENCY, THERE IS INCLUDED DETAILED REASONS FOR THE INCONSISTENCY THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS NOT LATER THAN APRIL 1 OF EACH YEAR, THE FIVE-YEAR DEFENSE PROGRAM (INCLUDING ASSOCIATED ANNEXES) USED BY THE SECRETARY IN FORMULATING THE ESTIMATED EXPENDITURES AND PROPOSED APPROPRIATIONS INCLUDED IN SUCH BUDGET TO SUPPORT PROGRAMS, PROJECTS, AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

COMMENTS:

31 USC 1352	LIMITATION ON USE OF APPROPRIATED FUNDS - ANNUAL COMPLIANCE	1999/02/23	COMP	325
		Y Y Y N Y 0		

DESCRIPTION: ALL ALLEGED VIOLATIONS OF THE AGENCY REQUIREMENT TO REPORT ANY EVENT THAT MATERIALLY AFFECTS THE ACCURACY OF THE INFORMATION CONTAINED IN ANY DECLARATION PREVIOUSLY FILED BY SUCH PERSON IN CONNECTION WITH SUCH FEDERAL CONTRACT, GRANT, MAN. COOPERATIVE AGREEMENT, LOAN INSURANCE COMMITMENT, OR LOAN GUARANTY COMMITMENT AND ACTIONS TAKEN BY THE HEAD OF THE AGENCY IN SUCH YEAR WITH RESPECT TO THOSE ALLEGED VIOLATIONS AND ANY ALLEGED VIOLATIONS THAT OCCURRED BEFORE SUCH YEAR, INCLUDING THE AMOUNTS OF CIVIL PENALTIES IMPOSED, IF ANY.

COMMENTS:

31 USC 3512(c)(3)	INTERNAL MANAGEMENT CONTROL PROGRAM	1999/07/09	COMP	809
		YY YN N 0		

DESCRIPTION: (c) THE HEAD OF EACH EXECUTIVE AGENCY SHALL SIGN THE STATEMENT AND REPORTS REQUIRED BY THIS SUBSECTION AND SUBMIT THEM TO THE PRESIDENT AND CONGRESS.

COMMENTS:

32 USC 112(e)	DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES: EXCLUSION FROM END-STRENGTH COMPUTATION	1999/02/12	NGB	328
		Y N YN Y 0		

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES AN ANNUAL REPORT SPECIFYING THE PERIOD COVERED BY THE REPORT THE NUMBER OF MEMBERS OF THE NATIONAL GUARD EXCLUDED UNDER PARAGRAPH (1) FROM THE COMPUTATION OF END STRENGTHS.

COMMENTS:

32 USC 112(g)	USE OF NATIONAL GUARD FOR STATE DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES	1999/03/04	NGB	1471
		YN YN Y 0		

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS AN ANNUAL REPORT REGARDING ASSISTANCE PROVIDED AND ACTIVITIES CARRIED OUT UNDER THIS SECTION DURING THE PRECEDING FISCAL YEAR THE REPORT SHALL INCLUDE THE FOLLOWING: (1) THE NUMBER OF MEMBERS OF THE NATIONAL GUARD EXCLUDED UNDER SUBSECTION (e) FROM THE COMPUTATION OF END STRENGTHS, (2) A DESCRIPTION OF THE DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES CONDUCTED UNDER STATE DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES PLANS REFERRED TO IN SUBSECTION (c) WITH FUNDS PROVIDED UNDER THIS SECTION. (3) AN ACCOUNTING OF THE AMOUNT OF FUNDS PROVIDED TO EACH STATE. (4) A DESCRIPTION OF THE EFFECT ON MILITARY TRAINING AND READINESS OF USING UNITS AND PERSONNEL OF THE NATIONAL GUARD TO PERFORM ACTIVITIES UNDER STATE DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES PLANS.

COMMENTS:

32 USC 509(k)	NATIONAL GUARD CHALLENGE PROGRAM TO CREATE OPPORTUNITIES FOR CIVILIAN YOUTH	1999/02/16	RA	1476
		YY YY Y 0		

DESCRIPTION: THE SECRETARY OF DEFENSE, ACTING THROUGH THE CHIEF OF THE NATIONAL GUARD BUREAU, MAY CONDUCT A NATIONAL GUARD CIVILIAN YOUTH OPPORTUNITIES PROGRAM (TO BE KNOWN AS THE NATIONAL GUARD CHALLENGE PROGRAM) TO USE THE NATIONAL GUARD TO PROVIDE MILITARY-BASED TRAINING, INCLUDING SUPERVISED WORK EXPERIENCE IN COMMUNITY SERVICE AND CONSERVATION PROJECTS, TO CIVILIAN YOUTH WHO CEASE TO ATTEND SECONDARY SCHOOL BEFORE GRADUATING SO AS TO IMPROVE THE LIFE SKILLS AND EMPLOYMENT POTENTIAL OF SUCH YOUTH. (k) WITHIN 90 DAYS AFTER THE END OF EACH FISCAL YEAR THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT ON THE DESIGN, CONDUCT, AND EFFECTIVENESS OF THE NATIONAL GUARD

COMMENTS:

33 USC 701	FLOOD CONTROL - EXAMINATIONS AND SURVEYS	1999/02/09	A	175
		Y N Y N Y 0		

DESCRIPTION: EXAMINATIONS AND SURVEYS; DETAILS FROM GOVERNMENT DEPARTMENTS; REPORTS. ALL EXAMINATIONS AND SURVEYS OF PROJECTS RELATING TO FLOOD CONTROL SHALL INCLUDE A COMPREHENSIVE STUDY OF THE WATERSHED OR WATERSHEDS, AND THE REPORT THEREON IN ADDITION TO ANY OTHER MATTER UPON WHICH A REPORT IS REQUIRED SHALL GIVE SUCH DATA AS IT MAY BE PRACTICABLE TO SECURE IN REGARD TO (a) THE EXTENT AND CHARACTER OF THE AREA TO BE AFFECTED BY THE PROPOSED IMPROVEMENT; (b) THE PROBABLE EFFECT UPON ANY NAVIGABLE WATER OR WATERWAY; (c)THE POSSIBLE ECONOMICAL DEVELOPMENT AND UTILIZATION OF WATER POWER; AND (d) SUCH OTHER USES AS MAY BE PROPERLY RELATED TO OR COORDINATED WITH THE PROJECT. THIS SHALL THEN BE TRANSMITTED BY THE SECRETARY OF THE ARMY TO THE HOUSE OF REPRESENTATIVES.

COMMENTS: REPORTS SUBMITTED TO CONGRESS ARE PROJECT-SPECIFIC AND ARE PROVIDED WHEN CONGRESSIONAL ACTION IS NEEDED.

33 USC 2301	ELECTRICITY GENERATED, **REVENUES** RECEIVED, AND COSTS OF CONSTRUCTION FOR EACH WATER RESOURCE PROJECT	1999/02/12	A	78
		N Y Y Y Y 0		

DESCRIPTION:

COMMENTS:

36USC 1058	NAVAL SEA CADET CORPS	1999/02/18	N	1384
		Y Y YN Y 0		

DESCRIPTION: THE NAVAL SEA CADET CORPS SHALL SUBMIT AN ANNUAL REPORT TO THE SECRETARY OF THE NAVY ON THE ACTIVITIES OF THE CORPORATION DURING THE PRIOR CALENDAR YEAR. THE SECRETARY SHALL COMMUNICATE TO CONGRESS ANY PART OF THE REPORT THAT THE SECRETARY CONSIDERS APPROPRIATE

COMMENTS:

36 USC 300110	AMERICAN NATIONAL RED CROSS ACCOUNT AUDIT BY THE DEPARTMENT OF DEFENSE	1999/03/22	IG	333
		N N N N Y 0		

DESCRIPTION: THE AMERICAN NATIONAL RED CROSS SHALL AS SOON AS PRACTICABLE AFTER THE FIRST DAY OF JULY EACH YEAR MAKE AND TRANSMIT TO THE SECRETARY OF DEFENSE A REPORT OF ITS PROCEEDINGS FOR THE FISCAL YEAR ENDING JUNE 30 NEXT PRECEDING, INCLUDING A FULL, COMPLETE, AND ITEMIZED REPORT OF RECEIPTS AND EXPENDITURES OF WHATEVER KIND, WHICH REPORT SHALL BE DULY AUDITED BY THE DEPARTMENT OF DEFENSE. AND A COPY OF SAID REPORT SHALL BE TRANSMITTED TO CONGRESS BY THE DEPARTMENT OF DEFENSE. (FORMERLY 36 USC 6)

COMMENTS:

37 USC 301a(a)(1)(f)	INCENTIVE **PAY:** AVIATION CAREER PERTAINING TO THE UNIFORMED SERVICES	2000/10/10	P&R	558
		NN NN N 42		

DESCRIPTION: AVIATION CAREER INCENTIVE PAY SHALL BE RESTRICTED TO REGULAR AND RESERVE OFFICERS WHO HOLD, OR ARE IN TRAINING LEADING TO, AN AERONAUTICAL RATING OR DESIGNATION AND WHO ENGAGE AND REMAIN IN AVIATION SERVICE ON A CAREER BASIS. THE SECRETARY OF DEFENSE SHALL SUBMIT ANNUALLY TO CONGRESS A REPORT SPECIFYING FOR THE YEAR COVERED BY REPORTING ACTIVITY THE FOLLOWING: THE TOTAL NUMBER OF OFFICERS DETERMINED TO HAVE FAILED TO PERFORM THE MINIMUM PRESCRIBED OPERATIONAL FLYING DUTY REQUIREMENTS; THE NUMBER OF THOSE OFFICERS WHO CONTINUED TO RECEIVE CONTINUOUS MONTHLY INCENTIVE PAY DESPITE THEIR FAILURE TO PERFORM THE MINIMUM PRESCRIBED OPERATIONAL FLYING DUTY REQUIREMENTS AND THE EXTENT TO WHICH THEY FAILED TO PERFORM THOSE REQUIREMENTS; AND THE REASONS FOR THE EXERCISE OF THE AUTHORITY TO ACCOMPLISH THE ABOVE IN THE CASE OF EACH OFFICER IN THE AVIATION FIELD.

COMMENTS: COMBINE WITH CMR 37 USC 301b(i)(2)

37 USC 301b(i)(2) SPECIAL PAY: AVIATION CAREER OFFICERS EXTENDING PERIOD OF ACTIVE DUTY 1999/02/12 P&R 559

N N N N N 42 X

DESCRIPTION: (i)(1)NOT LATER THAN FEBRUARY 15 OF EACH YEAR. THE SECRETARIES CONCERNED SHALL SUBMF TO THE SECRETARY OF DEFENSE A REPORT ANALYZING THE EFFECT OF THE PROVISION OF RETENTION BONUSES TO AVIATION OFFICERS DURING THE PRECEDING FISCAL YEAR ON THE RETENTION OF QUALIFIED AVIATORS. EACH REPORT SHALL INCLUDE--(A) A COMPARISON OF THE COST OF PAYING BONUSES TO OFFICERS WHO ENTER INTO AN AGREEMENT FOR THE PERIOD REFERRED TO IN SUBSECTION (c)(1) WITH THE COST OF PAYING BONUSES TO OFFICERS WHO ENTER AN AGREEMENT FOR A PERIOD REFERRED TO IN SUBSECTION (c)(2); (B) A DESCRIPTION OF THE INCREASE IN THE RETENTION OF QUALIFIED AVIATORS AS A RESULT OF THE PROGRAM; AND (C) AN EXAMINATION OF THE DESIRABILITY OF TARGETING THE RETENTION BONUS PROGRAM TOWARD OFFICERS IN A CRITICAL AVIATION SPECIALTY RATHER THAN ON THE BASIS OF EXPERIENCE OR OTHER CRITERIA. (2) NOT LATER THAN MARCH 15 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL SUBMF TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES COPIES OF THE REPORTS SUBMITTED TO THE SECRETARY UNDER PARAGRAPH (I) WITH REGARD TO THE PRECEDING FISCAL YEAR. TOGETHER WITH SUCH COMMENTS AND RECOMMENDATIONS AS THE SECRETARY CONSIDERS APPROPRIATE.

COMMENTS: COMBINE WITH 37 USC 301a(a)(1)(f)

37USC 302c SPECIAL PAY: NURSE ANESTHETISTS 1999/02/23 P&R 560

Y Y Y N Y 0

DESCRIPTION: NOT LATER THAN MARCH 15 OF EACH YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEES ON ARMED SERVICES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES COPIES OF REPORTS ANALYZING THE EFFECT OF THE PROVISION OF RETENTION BONUSES TO MEDICAL OFFICERS SERVING AS ANESTHETISTS DURING THE PRECEDING FISCAL YEAR ON THE RETENTION OF QUALIFIED ANESTHETISTS. EACH REPORT SHALL INCLUDE THE FOLLOWING: A COMPARISON OF THE COST OF PAYING BONUSES TO OFFICERS WHO ENTER INTO AN AGREEMENT; A DESCRIPTION OF THE INCREASE IN THE RETENTION OF QUALIFIED ANESTHETISTS AS A RESULT OF THE PROGRAM; AND AN EXAMINATION OF THE DESIRABILITY OF TARGETING THE RETENTION BONUS PROGRAM TOWARD OFFICERS IN A CRITICAL MEDICAL SPECIALTY RATHER THAN ON THE BASIS OF EXPERIENCE OR OTHER CRITERIA.

COMMENTS:

37usc 1015 EFFECTS OF RECRUITMENT AND RETENTION INITIATIVES 2000/03/15 P&R 1523

0

DESCRIPTION: NOT LATER THAN DECEMBER 1 OF EACH YEAR. THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT THAT SETS FORTH THE SECRETARY'S ASSESSMENT OF THE EFFECTS THAT THE IMPROVEMENTS TO COMPENSATION AND OTHER PERSONNEL BENEFITS MADE BY TITLE VI OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000 ARE HAVING ON RECRUITMENT OF PERSONS TO JOIN THE ARMED FORCES AND THE RETENTION OF MEMBERS OF THE ARMED FORCES.

COMMENTS:

40 USC 786	TRANSFER OF GOVERNMENT OWNED LONG-LINES COMMUNICATION **FACILITIES** IN AND TO ALASKA	1999/04/23	C31	344
		Y N N N Y 0		
DESCRIPTION:	THE SECRETARY OF DEFENSE OR HIS DESIGNEE SHALL REPORT TO THE PRESIDENT AND CONGRESS (1) IN JANUARY OF EACH YEAR. THE ACTIONS TAKEN UNDER THIS TITLE DURING THE PRECEDING 12 MONTHS: AND (2) NOT LATER THAN 90 DAYS AFTER COMPLETION OF EACH TRANSFER UNDER THIS TITLE, FULL ACCOUNT OFTHAT TRANSFER.			
COMMENTS:	RESPONDENT BELIEVES REQUIREMENT IS OBE. 40 USC 786 FROM LEXIS ON 3/4/99 SHOWS THE REQUIREMENT **IS** STILL ACTIVE.			
41 USC **10b-3**	ANNUAL REPORT **RELATING** TO BUY AMERICAN ACT	1999/02/22	AT&L	1464
		YY YN Y 0		
DESCRIPTION:	AMENDED BY STRIKING OUT 120 DAYS AND INSERTING IN LIEU THEREOF 60 DAYS.			
COMMENTS:				
42usc 12632	STUDY OF **THE EFFECT** OF THE PROGRAMS CARRIED OUT UNDER 42 USC 12632 ON RECRUITMENT	2000/05/15	P&R	1138
		N N N N 0		
DESCRIPTION:	PERTAINS TO THE STUDY OF THE EFFECT OF PROGRAMS CARRIED OUT UNDER 42 U.S.C. 12632 ON THE RECRUITMENT OF PERSONS FOR THE ARMED FORCES.			
COMMENTS:				
42 USC 2123	CRITICAL TECHNOLOGIES PLAN - ATOMIC ENERGY, DUAL USE TECHNOLOGIES	1999/02/23	AT&L	360
		Y Y Y N y 0		
DESCRIPTION:	PARTNERSHIP ATOMIC ENERGY DEFENSE **ACTIVITIES** RESEARCH ON, AND DEVELOPMENT OF, ANY DUAL USE CRITICAL TECHNOLOGY THAT HAS **MILITARY** AND **NON-MILITARY** APPLICATIONS CONDUCTED THROUGH COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS, OR OTHER ARRANGEMENTS, THAT INVOLVE LABORATORIES OF THE **DEPT** OF ENERGY.			
COMMENTS:				

50 USC 98h-6(c)	PROPOSED TRANSACTIONS INCLUDED IN ANNUAL MATERIALS PLAN: AVAILABILITY OF FUNDS	1999/03/22	AT&L	1190
		NN YN Y 0		

DESCRIPTION: DESCRIPTIONS OF PROPOSED TRANSACTIONS UNDER SUBSECTION (a) OF THIS SECTION SHALL BE INCLUDED IN THE APPROPRIATE ANNUAL MATERIALS PLAN SUBMITTED TO CONGRESS UNDER SECTION 98h-2(b) OF THIS TITLE. CHANGES TO ANY SUCH TRANSACTION OR THE ADDITION OF A TRANSACTION NOT INCLUDED IN SUCH PLAN, SHALL BE MADE IN THE MANNER PROVIDED BY SECTION 98d(a)(2) OF THIS TITLE.

COMMENTS:

50 USC 1523	ANNUAL REPORT TO CONGRESS ON DoD NUCLEAR, BIOLOGICAL, AND CHEMICAL WARFARE DEFENSE	1999/02/18	AT&L	1149
		NN NN N 0 TR		

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL INCLUDE IN THE ANNUAL REPORT OF THE SECRETARY UNDER SECTION 113(c) OF TITLE 10 A REPORT ON CHEMICAL AND BIOLOGICAL WARFARE DEFENSE. THE REPORT SHALL ASSESS (1) THE OVERALL READINESS OF THE ARMED FORCES TO FIGHT IN A CHEMICAL-BIOLOGICAL WARFARE ENVIRONMENT AND SHALL DESCRIBE STEPS TAKEN TO IMPROVE SUCH READINESS; AND (2) REQUIREMENTS FOR THE CHEMICAL AND BIOLOGICAL WARFARE DEFENSE PROGRAM, INCLUDING REQUIREMENTS FOR TRAINING, DETECTION, AND PROTECTIVE EQUIPMENT, FOR MEDICAL PROPHYLAXIS, AND FOR TREATMENT OF CASUALTIES RESULTING FROM USE OF CHEMICAL OR BIOLOGICAL WEAPONS.

COMMENTS: THERE ARE TWO DUPLICATIVE REPORTS THAT SHOULD BE CONSOLIDATED INTO ONE REQUIREMENT THE TWO REPORTS ARE THE "ANNUAL REPORT TO CONGRESS ON NBC WARFARE DEFENSE" (50 USC 1523), THIS REPORT, AND THE "ENHANCEMENTS TO ROBUST CHEMICAL AND BIOLOGICAL DEFENSES (SENATE RESOLUTION 75)." BOTH REPORTS REQUIRE BASICALLY THE SAME INFORMATION REGARDING THE DOD CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM; HOWEVER, THE ANNUAL REPORT TO CONGRESS IS MUCH MORE COMPREHENSIVE. THE ANNUAL REPORT IS DUE TO CONGRESS EACH FEBRUARY FOLLOWING THE RELEASE OF THE PRESIDENT'S BUDGET. CURRENTLY, WE MUST TARE EXCERPTS FROM THE ANNUAL REPORT, REFORMAT IT, AND SUBMIT IT AS THE SENATE RESOLUTION 75 REPORT WITH OUTDATED BUDGET INFORMATION. BOTH REQUIREMENTS COULD BE MET IF WE WERE ALLOWED TO USE THE ANNUAL REPORT TO CONGRESS ON DOD NBC WARFARE AND DEFENSE TO ANSWER BOTH COMMITTEES.

50 USC 1906(a)	NATIONAL SECURITY EDUCATION PROGRAM	1999/03/04	A	1427
		N Y Y N 0		

DESCRIPTION: THE SECRETARY SHALL SUBMIT TO THE PRESIDENT AND TO THE CONGRESS AN ANNUAL REPORT OF THE CONDUCT OF THE PROGRAM REQUIRED BY THIS TITLE. THE REPORT SHALL BE SUBMITTED EACH YEAR AT THE TIME THE PRESIDENT'S BUDGET FOR THE NEXT FISCAL YEAR IS SUBMITTED TO THE CONGRESS PURSUANT TO SECTION 1105 OF TITLE 3 1, UNITED STATES CODE. THE SECRETARY OF DEFENSE SHALL ALSO SUBMF A REPORT SIX MONTHS AFTER THE IMPLEMENTATION OF THE PROGRAM TO INCLUDE AN ASSESSMENT OF THE CONTRIBUTION OF THE PROGRAM, AS SO IMPROVED, IN MEETING THE NATIONAL SECURITY OBJECTIVES OF THE UNITED STATES.

COMMENTS:

Number of Reports with This Frequency = 158

Report Frequency =AR

	PROPOSED CHANGES IN COMBAT ASSIGNMENTS TO WHICH FEMALE MEMBERS MAY BE ASSIGNED		1999/02/12			P&R			1145
		NN		NN		Y	0		
DESCRIPTION:									
COMMENTS:									
	GENDER-NEUTRAL OCCUPATIONAL PERFORMANCE STANDARDS		1999/02/12			P&R			1146
		N	N	N	N		0		
DESCRIPTION:									
COMMENTS:									
5 USC **8(b)(3)**	ADDITIONAL PROVISIONS WITH RESPECT TO THE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE		1999/02/01			IG			379
		Y	Y	Y	N	Y	0		
DESCRIPTION:	THE SECRETARY OF DEFENSE MAY **PROHIBIT** THE INSPECTOR GENERAL FROM INITIATING, CARRYING OUT, OR COMPLETING ANY AUDIT OR INVESTIGATION, OR FROM ISSUING ANY SUBPOENA, **AFTER** THE INSPECTOR GENERAL HAS DECIDED **TO INITIATE**, CARRY OUT OR COMPLETE SUCH **AUDIT** OR INVESTIGATION OR TO ISSUE A SUBPOENA, IF THE SECRETARY DETERMINES THAT SUCH PROHIBITION IS NECESSARY TO PRESERVE THE NATIONAL **SECURITY** INTERESTS OF THE **UNITED** STATES. THE SECRETARY OF DEFENSE SHALL **SUBMIT** A STATEMENT CONCERNING SUCH EXERCISE **WITHIN** THIRTY DAYS TO THE **COMMITTEES** ON ARMED SERVICES AND GOVERNMENTAL AFFAIRS OF THE SENATE AND **COMMITTEES** ON ARMED SERVICES AND GOVERNMENT OPERATIONS OF THE HOUSE OF REPRESENTATIVES AND TO OTHER APPROPRIATE **COMMITTEES** OR **SUBCOMMITTEES** OF CONGRESS.								
COMMENTS:									

10 USC 113 note	LIMITATION ON SUPPORT FOR UNITED STATES CONTRACTORS SELLING ARMS OVERSEAS	2000/05/05	POL	878

N N N N 0

DESCRIPTION: IN THE EVENT THAT A UNITED STATES DEFENSE CONTRACTOR OR INDUSTRIAL ASSOCIATION REQUESTS THE DEPARTMENT OF DEFENSE OR A MILITARY DEPARTMENT TO PROVIDE SUPPORT IN THE FORM OF MILITARY EQUIPMENT FOR ANY AIRSHOW OR TRADE EXHIBITION TO BE HELD OUTSIDE THE UNITED STATES. SUCH EQUIPMENT MAY NOT BE SUPPLIED UNLESS THE CONTRACTOR OR ASSOCIATION AGREES TO REIMBURSE THE TREASURY OF THE UNITED STATES(b) A MILITARY DEPARTMENT MAY NOT PARTICIPATE DIRECTLY IN ANY AIRSHOW OR TRADE EXHIBITION HELD OUTSIDE THE UNITED STATES UNLESS THE SECRETARY OF DEFENSE-(A) DETERMINES THAT IT IS IN THE NATIONAL SECURITY INTERESTS OF THE MILITARY DEPARTMENT TO DO SO; AND (b) PROVIDES TO THE CONGRESSIONAL DEFENSE COMMITTEES AT LEAST 45 DAYS BEFORE THE OPENING OF THE AIRSHOW OR TRADE EXHIBITION A REPORT..

COMMENTS:

10 USC 113 note	CLOSURE OF MILITARY CHILD DEVELOPMENT CENTERS FOR UNCORRECTED INSPECTION VIOLATIONS	1994/04/30	P&R	414

N N N N 0 TR

DESCRIPTION: THE SECDEF REQUIRES THAT EACH MILITARY CHILD DEVELOPMENT CENTER BE INSPECTED NOT LESS THAN FOUR TIMES A YEAR. EACH SUCH INSPECTION WILL BE UNANNOUNCED. AT LEAST ONE INSPECTION SHALL BE CARRIED OUT BY AN INSTALLATION REPRESENTATIVE AND ONE INSPECTION A YEAR BY A REPRESENTATIVE OF THE MAJOR COMMAND. IF A VIOLATION OCCURS AND IS NOT CORRECTED WITHIN 90 DAYS THE MILITARY CHILD DEVEMPMENT CENTER SHALL BE CLOSED UNTIL THE VIOLATION HAS BEEN CORRECTED. IF A MILITARY CHILD DEVELOPMENT CENTER IS CLOSED THE SECRETARY OF THE MILITARY DEPARTMENT CONCERNED SHALL PROMPTLY SUBMIT TO THE COMMITTEES OF THE ARMED SERVICES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES A REPORT NOTIFYING THOSE COMMITTEES OF THE CLOSING. THE REPORT SHALL INCLUDE -- (A) NOTICE OF THE VIOLATION THAT RESULTED IN THE CLOSING AND THE COST OF REMEDYING THE VIOLATION; AND. (B) A STATEMENT OF THE REASONS WHY THE VIOLATION HAD NOT BEEN REMEDIED AS OF THE TIME OF THE REPORT.

COMMENTS: OSD AND THE MILITARY DEPARTMENTS HAVE IMPLEMENTED A RIGOROUS UNANNOUNCED INSPECTION PROCESS THAT INCLUDES A CHECKS AND BALANCE SYSTEM WITH INSPECTIONS CONDUCTED AT THE INSTALLATION. MAJOR COMMAND, SERVICE AND DOD LEVELS. EACH CHILD DEVELOPMENT CENTER RECEIVES COMPREHENSIVE INSPECTIONS AT LEAST FOUR TIMES EACH YEAR. THESE ARE IN ADDITION TO THE LOCAL FIRE, HEALTH AND SAFETY (HAS) INSPECTIONS. EACH INSTALLATION IS INSPECTED ANNUALLY BY SERVICE HAS EXPERTS IN CHILD DEVELOPMENT. ADDITIONALLY, A DOD MULTI-DISCIPLINARY TEAM INSPECTS RANDOM INSTALLATIONS EACH YEAR TO CHECK THE MILITARY SERVICES INSPECTION PROCEDURES. ALTHOUGH SEVERAL CENTERS WERE CLOSED DURING THE IMPLEMENTATION PHASE OF THE INSPECTIONS. EXTENSIVE EFFORTS TO CORRECT DEFICIENCIES HAVE REDUCED THE NUMBER OF SERIOUS VIOLATIONS DRAMATICALLY. THE DOD INSPECTION PROCEDURES ARE AGGRESSIVE AND A MODEL FOR THE COUNTRY. THESE PROCEDURES ADDRESS SERIOUS DEFICIENCIES, AND THE REPORT REQUIREMENT IS NO LONGER NECESSARY.

10 USC 119(c)(1)	SPECIAL ACCESS PROGRAMS - CLASSIFICATION CHANGES	1997/09/29	AT&L	461
		N N N N	0	

DESCRIPTION: WHENEVER A CHANGE IN THE CLASSIFICATION OF A SPECIAL ACCESS PROGRAM OF DOD IS PLANNED TO BE MADE OR WHENEVER CLASSIFIED INFORMATION CONCERNING A SPECIAL ACCESS PROGRAM OF DOD IS TO BE DECLASSIFIED AND MADE PUBLIC, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE DEFENSE COMMITTEES A REPORT CONTAINING A DESCRIPTION OF THE PROPOSED CHANGE, THE REASONS FOR THE PROPOSED CHANGE, AND A NOTICE OF ANY PUBLIC ANNOUNCEMENT PLANNED TO BE MADE WITH RESPECT TO THE PROPOSED CHANGE.

COMMENTS:

10 USC 119(d)	SPECIAL ACCESS PROGRAMS - MODIFICATION OR TERMINATION OF POLICY AND CRITERIA USED FOR DESIGNATING A PROGRAM	1997/09/29	AT&L	462
		N N N N	0	

DESCRIPTION: WHENEVER THERE IS A MODIFICATION OR TERMINATION OF THE POLICY AND CRITERIA USED FOR DESIGNATING A PROGRAM OF DOD AS A SPECIAL ACCESS PROGRAM, THE SECRETARY OF DEFENSE SHALL PROMPTLY NOTIFY THE COMMITTEES ON ARMED SERVICES AND APPROPRIATIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES AND THE DEFENSE SUBCOMMITTEES OF THE COMMITTEES ON APPROPRIATIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES OF SUCH MODIFICATION OR TERMINATION AND, IN THE CASE OF A MODIFICATION, THE PROVISIONS OF THE POLICY AS MODIFIED.

COMMENTS:

10 USC 119(e)(2)	SPECIAL ACCESS PROGRAMS - JUSTIFICATION FOR A WAIVER	1997/09/29	AT&L	463
		N N N N	0	

DESCRIPTION: (1) THE SECRETARY OF DEFENSE MAY WAIVE ANY REQUIREMENT UNDER SUBSECTION (a), (b), OR (c) THAT CERTAIN INFORMATION BE INCLUDED IN A REPORT IF THE SECRETARY DETERMINES THAT INCLUSION OF THAT INFORMATION IN THE REPORT WOULD ADVERSELY AFFECT THE NATIONAL SECURITY. ANY SUCH WAIVER SHALL BE MADE ON A CASE-BY-CASE BASIS. (2) IF THE SECRETARY OF DEFENSE EXERCISES THE AUTHORITY, THE SECRETARY OF DEFENSE SHALL PROVIDE THE INFORMATION DESCRIBED, WITH RESPECT TO THE SPECIAL ACCESS PROGRAM CONCERNED, AND THE JUSTIFICATION FOR THE WAIVER, JOINTLY TO THE CHAIRMAN AND RANKING MINORITY MEMBER OF EACH OF THE DEFENSE COMMITTEES.

COMMENTS:

10 USC 127(c)(1) EMERGENCY AND EXTRAORDINARY EXPENSES: NOTIFICATION TO CONGRESS 1997/09/29 AT&L 1122

N N N N 0

DESCRIPTION: FUNDS MAY NOT BE OBLIGATED OR EXPENDED IN AN AMOUNT IN EXCESS OF $500,000 UNDER THE AUTHORITY OF SUBSECTION (a) OR (b) UNTIL THE SECRETARY OF DEFENSE HAS NOTIFIED THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON APPROPRIATIONS OF THE SENATE AND COMMITTEE ON NATIONAL SECURITY AND THE COMMITTEE ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES OF THE INTENT TO SO OBLIGATE OR EXPEND THE FUNDS.

COMMENTS:

10 USC **127a(c)** FINANCIAL PLAN FOR CONTINGENCY OPERATIONS 2000/05/15 COMP 1131

N N N N 0

DESCRIPTION: (1) WITHIN TWO MONTHS OF THE BEGINNING OF ANY NATIONAL CONTINGENCY OPERATIONS, THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A FINANCIAL PLAN FOR THE OPERATION THAT SETS FORTH THE MANNER BY WHICH THE SECRETARY PROPOSES TO OBTAIN FUNDS FOR THE FULL COST OF THE UNITED STATES |PORTION| OF THE OPERATION.

COMMENTS:

10 USC **127a(d)** REPORT UPON DESIGNATION OF AN OPERATION FOR WHICH FUNDS ARE NOT PROVIDED IN ADVANCE: FUNDING MECHANISMS 1999/02/22 COMP 1411

NN NN N 20 x

DESCRIPTION: WITHIN 45 DAYS AFTER THE SECRETARY OF DEFENSE IDENTIFIES AN OPERATION PURSUANT TO SUBSECTION (a)(2), OF THIS SECTION, THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT THAT SETS FORTH (1) THE MANNER BY WHICH THE SECRETARY PROPOSES TO OBTAIN FUNDS FOR THE COST TO THE UNITED STATES OF THE OPERATION, (2) A JUSTIFICATION WHY THE BUDGETARY RESOURCES OF ANOTHER DEPARTMENT OR AGENCY OF THE FEDERAL GOVERNMENT, INSTEAD OF RESOURCES OF THE DEPARTMENT OF DEFENSE, ARE NOT BEING USED FOR CARRYING OUT THE OPERATION, (3) THE OBJECTIVES OF THE OPERATION, (4) THE ESTIMATED DURATION OF THE OPERATION, (5) THE ESTIMATED INCREMENTAL COST OF THE OPERATION TO THE U.S., AND (6) THE EXIT CRITERIA FOR THE OPERATION. . .

COMMENTS:

10 USC **129c(c)** MEDICAL PERSONNEL: LIMITATIONS ON REDUCTIONS - CERTIFICATION 1999/03/22 ALLDO D 1262

NN YN Y 0

DESCRIPTION: A CERTIFICATION WITH RESPECT TO REDUCTIONS IN MILITARY PERSONNEL OF THE DEPARTMENT OF DEFENSE FOR ANY FISCAL YEAR THAT - (1) THE NUMBER OF MEDICAL PERSONNEL BEING REDUCED IS EXCESS TO THE CURRENT AND PROJECTED NEEDS OF THE DEPARTMENT OF DEFENSE; AND (2) SUCH REDUCTION WILL NOT RESULT IN AN INCREASE IN THE COST OF HEALTH CARE SERVICES PROVIDED UNDER THE CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES UNDER CHARTER 55 OF TITLE 10.

COMMENTS:

10 USC **130a(g)**	REDUCTION IN PERSONNEL ASSIGNED TO MANAGEMENT HEADQUARTERS AND HEADQUARTERS SUPPORT **ACTIVITIES-CERTIFICATION** TO CONGRESS	2000/03/20	P&R	1468

Y Y Y N N 3 0

DESCRIPTION: (A) EFFECTIS'E OCTOBER 1, 2002, THE NUMBER OF MANAGEMENT HEADQUARTERS AND HEADQUARTERS SUPPORT ACTIVITIES PERSONNEL IN THE DEPARTMENT OF DEFENSE MAY NOT EXCEED 85% OF THE BASELINE NUMBER. (1) AS OF OCTOBER 1, 2000, MAY NOT EXCEED 95% OF THE BASELINE NUMBER, AND (2) AS OF OCTOBER 1, 2001, MAY NOT EXCEED 90% OF THE BASELINE NUMBER.. (c) BASELINE NUMBER MEANS THE NUMBER OF MANAGEMENT HEADQUARTERS AND HEADQUARTERS SUPPORT ACTIVITIES PERSONNEL IN THE DEPARTMENT OF DEFENSE AS OF OCTOBER 1, 1999. (d) IN CARRYING OUT REDUCTIONS IN THE NUMBER OF PERSONNEL ASSIGNED TO, EMPLOYED IN, MANAGEMENT HEADQUARTERS AND HEADQUARTERS SUPPORT ACTIVITIES IN ORDER TO COMPLY WITH THIS SECTION, THE SECRETARY OF DEFENSE AND THE SECRETARIES OF THE MILITARY DEPARTMENTS MAY NOT REASSIGN FUNCTIONS IN ORDER TO EVADE THE REQUIREMENTS OF THIS SECTION. (g) IF THE SECRETARY OF DEFENSE DETERMINES, AND CERTIFIES TO CONGRESS, THAT THE LIMITATION IN SUBSECTION (b) WITH RESPECT TO ANY FISCAL YEAR WOULD ADVERSELY AFFECT THE UNITED STATES NATIONAL SECURITY, THE SECRETARY MAY WANE THE LIMITATION UNDER THAT SUBSECTION WITH RESPECT TO THAT FISCAL YEAR. IF THE SECRETARY OF DEFENSE DETERMINES AND CERTIFIES TO CONGRESS, THAT THE LIMITATION IN SUBSECTION (a) DURING FISCAL YEAR 2001 WOULD ADVERSELY AFFECT THE UNITED STATES NATIONAL SECURITY, THE SECRETARY MAY WANE THE LIMITATION UNDER THAT SUBSECTION WITH RESPECT TO THAT FISCAL YEAR. THE AUTHORITY UNDER THIS SUBSECTION MAY BE USED ONLY ONCE, WITH RESPECT TO A FISCAL YEAR.

COMMENTS:

10 USC **382** note	MILITARY ASSISTANCE TO CIVIL AUTHORITIES TO RESPOND TO ACT OR THREAT OF TERRORISM	2000/03/20	POL	1534

0

DESCRIPTION: IN EXTRAORDINARY CIRCUMSTANCES, THE SECRETARY OF DEFENSE MAY WANE THE REQUIREMENT FOR REIMBURSEMENT IF THE SECRETARY DETERMINES THAT SUCH A WAIVER IS IN THE NATIONAL INTERESTS OF THE UNITED STATES AND SUBMITS TO CONGRESS A NOTIFICATION OF THE DETERMINATION.

COMMENTS:

10 USC 421(c)	FUNDS FOR FOREIGN CRYPTOLOGIC SUPPORT	1999/03/28	DIA	361
		NY NN Y 0		

DESCRIPTION: (a) THE SECRETARY OF DEFENSE MAY USE APPROPRIATED FUNDS AVAILABLE TO DOD FOR INTELLIGENCE AND COMMUNICATIONS PURPOSES TO PAY FOR THE EXPENSES OF ARRANGEMENTS WITH FOREIGN COUNTRIES FOR CRYPTOLOGIC SUPPORT. (b) *THE* SECRETARY OF DEFENSE MAY USE APPROPRIATED FUNDS AVAILABLE TO DOD FOR INTELLIGENCE AND COMMUNICATIONS PURPOSES TO PAY FOR THE EXPENSES OF ARRANGEMENTS WITH FOREIGN COUNTRIES FOR CRYPTOLOGIC SUPPORT WITHOUT REGARD FOR THE PROVISIONS OF LAW RELATING TO THE EXPENDITURES OF UNITED STATES GOVERNMENT FUNDS EXCEPT THAT -- (1) NO SUCH FUNDS MAY BE EXPENDED, IN WHOLE OR IN PART, BY OR FOR THE BENEFIT OF THE DEPARTMENT OF DEFENSE FOR A PURPOSE FOR WHICH CONGRESS HAD PREVIOUSLY DENIED FUNDS; (2) PROCEEDS FROM THE SALE OF CRYPTOLOGIC ITEMS MAY BE USED ONLY TO PURCHASE REPLACEMENT ITEMS SIMILAR TO THE ITEMS THAT ARE SOLD; AND (3) *THE* AUTHORITY PROVIDED BY THIS SUBSECTION MAY NOT BE USED TO ACQUIRE ITEMS OR SERVICES BY THE PRINCIPAL BENEFIT OF THE UNITED STATES. (c) ANY FUNDS EXPENDED UNDER THE AUTHORITY OF SUBSECTION (a) SHALL BE REPORTED TO THE SELECT COMMITTEE ON INTELLIGENCE OF THE SENATE AND THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE OF THE HOUSE OF REPRESENTATIVES PURSUANT TO THE PROVISIONS OF THE NATIONAL SECURITY ACT OF 1947 (50 USC 413 ET SEQ.).FUNDS EXPENDED UNDER THE AUTHORITY OF SUBSECTION (b) SHALL BE REPORTED PURSUANT TO PROCEDURES JOINTLY AGREED UPON BY SUCH COMMITTEES AND THE SECRETARY OF DEFENSE.

COMMENTS:

10 USC 437(b)	CONGRESSIONAL OVERSIGHT OF COMMERCIAL ACTIVITIES - CURRENT INFORMATION	1999/03/23	AT&L	444
		Y N Y N Y 0		

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL ENSURE THAT THE INTELLIGENCE COMMITTEES ARE KEPT FULLY AND CURRENTLY INFORMED OF ACTIONS TAKEN, INCLUDING ANY SIGNIFICANT ANTICIPATED ACTIVITY TO BE AUTHORIZED. THE SECRETARY OF DEFENSE SHALL PROMPTLY NOTIFY THE APPROPRIATE COMMITTEES OF CONGRESS WHENEVER A CORPORATION, PARTNERSHIP, OR OTHER LEGAL ENTITY IS ESTABLISHED.

COMMENTS:

10 U S C 526(c)	AUTHORIZED STRENGTH: GENERAL AND FLAG OFFICERS ON ACTIVE DUTY	1999/06/09	P&R	1485
		YY YN Y 0		

DESCRIPTION: (c)(1) NOT LATER THAN 60 DAYS BEFORE AN ACTION SPECIFIED IN PARAGRAPH (2) MAY BECOME EFFECTIVE, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES A REPORT PROVIDING NOTICE OF THE INTENDED ACTION.

COMMENTS:

10 USC 983(b)	**INSTITUTIONS OF HIGHER EDUCATION THAT PREVENT ROTC ACCESS / MILITARY RECRUITING ON CAMPUS DENIAL OF GRANTS AND CONTRACTS**	2000/03/14	P&R	1112

Y Y ЧA A 0

DESCRIPTION: (e) WHENEVER THE SECRETARY op DEFENSE MAKES ^ DETERMINATION UNDER SUBSECTION (a), (b), OR (c), THE SECRETARY (1) SHALL TRANSMIT A NOTICE OF THE DETERMINATION TO THE SECRETARY OF EDUCATION AND TO CONGRESS; AND (2) SHALL PUBLISH IN THE FEDERAL REGISTER ONCE EVERY SIX MONTHS A LIST OF EACH INSTITUTION O∩ HIGHER EDUCATION THAT IS CURRENTLY INELIGIBLE FOR CONTRACTS OR GRANTS BY REASON OF DETERMINATION OF THE SECRETARY UNDER SUBSECTION (a) OR (b).

COMMENTS:

10 USC 1060(d)	**MILITARY SERVICE OF RETIRED MEMBERS WITH NEWLY DEMOCRATIC NATIONS: CONSENT OF CONGRESS**	1999/02/12	ALLDO e	1143

Y Y Y Y Y 0

DESCRIPTION CONGRESS CONSENTS TO A RETIRED MEMBER OF THE UNIFORMED SERVICES--(1) ACCEPTING EMPLOYMENT BY , OR HOLDING AN OFFICE OR POSITION IN, THE MILITARY FORCES op A NEWLY DEMOCRATIC NATION; AND (2) ACCEPTING COMPENSATION ASSOCIATED WOH SUCH EMPLOYMENT, OFFICE, OR POSITION. THE SECRETARY CONCERNED AND THE SECRETARY OF STATE SHALL JOINTLY DETERMINE WHETHER A NATION IS A NEWLY DEMOCRATIC NATION FOR THE PURPOSE OF THIS SECTION. THE SECRETARY CONCERNED AND THE SECRETARY O∩ STATE SHALL NOTIFY THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON FOREIGN RELATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY AND THE COMMITTEE ON INTERNATIONAL RELATIONS OF THE HOUSE OF REPRESENTATIVES OF EACH APPROVAL UNDER SUBSECTION(c).

COMMENTS: Respondents = Navy (YYYYY0), AF (YYYNY0)

10 USC 1073 note	**MILITARY HEALTH CARE FOR PERSONS RELIANT ON HEALTH CARE FACILITIES AT BASES BEING CLOSED OR REALIGNED**	2000/05/05	HA	897

N N N N 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL ESTABLISH A JOINT SERVICES WORKING GROUP ON THE PROVISION OF MILITARY HEALTH CARE TO PERSONS WHO RELY FOR HEALTH CARE ON HEALTH CARE FACILITIES AT MILITARY INSTALLATION BEING CLOSED OR REALIGNED. (d) WOH RESPECT TO EACH CLOSURE AND REALIGNMENT OF A MILITARY INSTALLATION REFERRED TO IN SUBSECTION (c), THE WORKING GROUP SHALL SUBMIT TO CONGRESS AND THE SECRETARY OF DEFENSE THE WORKING GROUPS RECOMMENDATIONS REGARDING THE ALTERNATIVE MEANS FOR CONTINUING TO PROVIDE HEALTH CARE UNDER CHAPTER 55 OF TITLE 10, UNITED STATES CODE, TO PERSONS REFERRED TO IN THAT SUBSECTION.

COMMENTS:

10 USC 1076a(j)	LIMITATION ON REDUCTION OF BENEFITS	2000/03/15	P&R	1525
				0

DESCRIPTION: THE SECRETARY OF DEFENSE MAY NOT REDUCE BENEFITS PROVIDED UNDER A PLAN ESTABLISHED UNDER THIS SECTION UNTIL -(1) THE SECRETARY PROVIDES NOTICE OF THE SECRETARY'S INTENT TO REDUCE SUCH BENEFITS TO THE COMMITTEES ON ARMED SERVICES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES; AND (2) ONE YEAR HAS ELAPSED FOLLOWING THE DATE OF SUCH NOTICE.

COMMENTS:

10 USC 1098(b)(2)	INCENTIVES FOR PARTICIPATION IN COST-EFFECTIVE HEALTH CARE PLANS	1999/03/22	HA	501
		Y N Y N Y		0

DESCRIPTION: THE SECRETARY OF DEFENSE MAY WAIVE A LIMITATION OR REQUIREMENT IF THE SECRETARY DETERMINES THAT DURING THE PERIOD OF THE WAIVER SUCH A PLAN WILL-(A) BE LESS COSTLY TO THE GOVERNMENT THAN A PLAN SUBJECT TO SUCH LIMITATIONS OR PAYMENT REQUIREMENTS; OR (B) PROVIDE BETTER SERVICES THAN THOSE PROVIDED BY A PLAN SUBJECT TO SUCH LIMITATIONS OR PAYMENT REQUIREMENTS AT NO ADDITIONAL COST TO THE GOVERNMENT. THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES A REPORT WITH RESPECT TO A WAIVER, INCLUDING A COMPARISON OF COSTS OF AND BENEFITS AVAILABLE UNDER--(A) A PLAN WITH RESPECT TO WHICH THE LIMITATIONS AND PAYMENT REQUIREMENTS ARE WAIVED; AND (B) A PLAN WITH RESPECT TO WHICH THERE IS NO SUCH WAIVER.

COMMENTS:

10 USC 1107	NOTICE OF USE OF AN INVESTIGATIONAL NEW DRUG OR A DRUG UNAPPROVED FOR ITS APPLIED USE	1999/03/22	HA	1451
		YY YY Y		0

DESCRIPTION: (a) WHENEVER THE SECRETARY OF DEFENSE REQUESTS OR REQUIRES A MEMBER OF THE ARMED FORCES TO RECEIVE AN INVESTIGATIONAL NEW DRUG OR A DRUG UNAPPROVED FOR ITS APPLIED USE, THE SECRETARY SHALL PROVIDE THE MEMBER WITH NOTICE CONTAINING THE INFORMATION IN SUBSECTION (d). (c) IF THE SECRETARY PROVIDES NOTICE UNDER SUBSECTION (a)(1) IN A FORM OTHER THAN IN WRITING, THE SECRETARY SHALL SUBMIT TO CONGRESS A REPORT DESCRIBING THE NOTIFICATION METHOD USED AND THE REASONS FOR THE USE OF THE ALTERNATIVE METHOD.

COMMENTS:

10 USC 1597(d)	EXCEPTIONS TO GUIDELINES FOR REDUCTIONS IN CIVILIAN POSITIONS	1999/03/28	P&R	557

NN NN Y 0 TR

DESCRIPTION: THE SECRETARY OF DEFENSE MAY PERMIT A VARIATION FROM THE GUIDELINES ESTABLISHED OR A MASTER PLAN PREPARED IF THE SECRETARY DETERMINES THAT SUCH VARIATION IS CRITICAL TO THE NATIONAL SECURITY. THE SECRETARY SHALL NOTIFY CONGRESS OF ANY SUCH VARIATION AND THE REASONS FOR SUCH VARIATION.

COMMENTS: TITLE 10 REQUIRES THAT THE DEPARTMENT OF DEFENSE SUBMIT A REPORT ON CIVILIAN EMPLOYMENT ANNUALLY ALONG WITH BUDGET MATERIALS. THE REPORT IS TO COVER THE BUDGET YEAR, THE PRIOR TWO YEARS AND THE TWO YEARS FOLLOWING THE BUDGET YEAR (FIVE YEAR PLAN). THE REQUIREMENTS OF THE REPORT, AS SPECIFIED IN 10 USC, EXCEED THE LEVEL OF DETAIL USED IN DOD PLANNING. THE CIVILIAN WORK FORCE IS AN OPEN PERSONNEL SYSTEM AND NOT RIGIDLY STRUCTURED LIKE THE MILITARY PERSONNEL SYSTEM. ALSO, CIVILIANS ARE A VALUED "RESOURCE" USED TO SUPPORT ESSENTIAL DOD MISSIONS, BUT CIVILIANS ARE NOT A STRUCTURED "PROGRAM" MANAGED IN DIVISIONS - CARRIER GROUPS AND WINGS. OVERALL PROJECTED LEVELS OFEMPLOYMENT, AND OTHER BROAD BRUSH INFORMATION, ARE PROVIDED TO CONGRESS THROUGH OTHER MEANS (O&M JUSTIFICATION MATERIALS AND THE DEFENSE MANPOWER REQUIREMENTS REPORT).

10 USC 1597(e)	INVOLUNTARY REDUCTIONS OF CIVILIAN POSITIONS	1999/03/28	P&R	561

N N N N Y 0 TR

DESCRIPTION: THE SECRETARY OF DEFENSE MAY NOT IMPLEMENT ANY INVOLUNTARY REDUCTION OR FURLOUGH OF CIVILIAN POSITIONS IN A MILITARY DEPARTMENT, DEFENSE AGENCY, OR OTHER COMPONENT OF DOD UNTIL THE EXPIRATION OF THE 45-DAY PERIOD BEGINNING ON THE DATE ON WHICH THE SECRETARY SUBMITS TO CONGRESS A REPORT SETTING FORTH THE REASONS WHY SUCH REDUCTIONS OR FURLOUGHS ARE REQUIRED AND A DESCRIPTION OF ANY CHANGE IN WORKLOAD OR POSITION REQUIREMENTS THAT WILL RESULT FROM SUCH REDUCTIONS OR FURLOUGHS.

COMMENTS: DOD ALREADY HAS IN PLACE (DODD 5410.10) PROCEDURES TO NOTIFY CONGRESS OF INVOLUNTARY REDUCTIONS AFFECTING 50 OR MORE FEDERAL CIVILIAN EMPLOYEES OR 100 OR MORE CONTRACTOR EMPLOYEES. THIS REQUIREMENT TO NOTIFY CONGRESS, NO MATTER HOW FEW EMPLOYEES ARE AFFECTED, COULD IMPOSE AN ADMINISTRATIVE BURDEN THAT WOULD HAVE A HARSH IMPACT ON EACH OF THE SERVICES.

10 USC 1609(c)	TERMINATION OF DEFENSE INTELLIGENCE EMPLOYEES IN THE INTEREST OF U.S. AND NATIONAL SECURITY	1997/09/29	DIA	584

N N N N 0

DESCRIPTION: NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE SECRETARY OF DEFENSE MAY TERMINATE THE EMPLOYMENT OF ANY EMPLOYEE OF THE DEFENSE INTELLIGENCE AGENCY WHENEVER HE CONSIDERS THAT ACTION TO BE IN THE BEST INTERESTS OF THE UNITED STATES AND HE DETERMINES THAT THE PROCEDURES PRESCRIBED IN OTHER PROVISIONS OF LAW THAT AUTHORIZE THE TERMINATION OF SUCH CIVILIAN OFFICER OR EMPLOYEE CANNOT BE INVOKED IN A MANNER CONSISTENT WITH THE NATIONAL SECURITY. THE SECRETARY OF DEFENSE SHALL PROMPTLY NOTIFY THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE OF THE HOUSE OF REPRESENTATIVES AND THE SELECT COMMITTEE ON INTELLIGENCE OF THE SENATE WHENEVER THIS TERMINATION AUTHORITY IS EXERCISED.

COMMENTS:

10 USC 1613	CIVILIAN DEFENSE INTELLIGENCE EMPLOYEES: MISCELLANEOUS PROVISIONS: NOTICE OF REGULATIONS	1999/06/15	DIA	1507
			0	

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL NOTIFY CONGRESS OF ANY REGULATIONS PRESCRIBED TO CARRY OUT THIS SUBCHAPTER (OTHER THAN SECTIONS 1605 AND 1611). SUCH NOTICE SHALL BE PROVIDED BY SUBMITTING A COPY OF THE REGULATIONS TO THE CONGRESSIONAL OVERSIGHT COMMITTEES NOT LESS THAN 60 DAYS BEFORE SUCH REGULATIONS TAKE EFFECT.

COMMENTS:

10 USC 2201(d)(l)	APPORTIONMENT OF FUNDS: AUTHORITY FOR EXEMPTIONS, EXCEPTED EXPENSES	1999/04/13	COMP	1228
		Y N Y N Y	0	

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL IMMEDIATELY NOTIFY CONGRESS OF THE USE OF ANY AUTHORITY UNDER THIS SECTION.

COMMENTS:

10 USC **2208(j)(2)**	SALES OF ARTICLES AND SERVICES OF DEFENSE INDUSTRIAL **FACILITIES** TO PURCHASERS OUTSIDE THE DEPARTMENT OF DEFENSE	2000/03/14	AT&L	1517
			0	

DESCRIPTION: (2) THE SECRETARY OF DEFENSE MAY WAIVE THE CONDITIONS IN PARAGRAPH (1) IN THE CASE OF A PARTICULAR SALE IF THE SECRETARY DETERMINES THAT THE WAIVER IS NECESSARY FOR REASONS OF NATIONAL SECURITY AND NOTIFIES CONGRESS REGARDING THE REASONS FOR THE WAIVER.

COMMENTS:

10 USC **2208(l)**	CONTRACTING FOR CAPITAL ASSETS PROCUREMENT **IN** ADVANCE FUNDS	1999/02/16	ALLDOD	1470
		Y Y Y N N	22	

DESCRIPTION: (l)(1) AN ADVANCE BILLING OF A CUSTOMER OF A WORKING-CAPITAL FUND MAY BE MADE IF THE SECRETARY OF THE MILITARY DEPARTMENT CONCERNED SUBMITS TO CONGRESS WRITTEN NOTIFICATION OF THE ADVANCED BILLING WITHIN 30 DAYS AFTER THE END OF THE MONTH IN WHICH THE ADVANCED BILLING WAS MADE.

COMMENTS: RESPONDENTS = NAVY=(YNYNN2), AF(NYNNN20)

10 USC 2214 note | TRANSFER OF WORKING CAPITAL FUNDS | 1999/02/23 | COMP | 505

Y Y Y N Y 0

DESCRIPTION: UPON DETERMINATION BY THE SECRETARY OF DEFENSE THAT SUCH ACTION IS NECESSARY IN THE NATIONAL INTEREST, HE MAY, WITH THE APPROVAL OF THE OFFICE OF MANAGEMENT AND BUDGET, TRANSFER NOT TO EXCEED $1,650,000,000 OF WORKING CAPITAL FUNDS OF DOD OR FUNDS MADE AVAILABLE IN THIS ACT TO DOD FOR MILITARY FUNCTIONS (EXCEPT MILITARY CONSTRUCTION) BETWEEN SUCH APPROPRIATIONS OR FUNDS OR ANY SUBDIVISION THEREOF, TO BE MERGED WITH AND TO BE AVAILABLE FOR THE SAME PURPOSES, AND FOR THE SAME TIME PERIOD, AS THE APPROPRIATION OR FUND TO WHICH TRANSFERRED. PROVIDED, THAT SUCH AUTHORITY TO TRANSFER MAY NOT BE USED UNLESS FOR HIGHER PRIORITY ITEMS, BASED ON UNFORESEEN MILITARY REQUIREMENTS, THAN THOSE FOR WHICH ORIGINALLY APPROPRIATED AND IN NO CASE WHERE THE ITEM FOR WHICH FUNDS ARE REQUESTED HAS BEEN DENIED BY CONGRESS. PROVIDED FURTHER, THAT THE SECRETARY OF DEFENSE SHALL NOTIFY CONGRESS PROMPTLY OF ALL TRANSFERS MADE PURSUANT TO THIS AUTHORITY OR ANY OTHER AUTHORITY IN THIS ACT.

COMMENTS:

10 USC 2214(c) | TRANSFER OF FUNDS: PROCEDURE AND LIMITATIONS; NOTICE TO CONGRESS | 1999/02/23 | COMP | 504

Y Y Y N Y 0

DESCRIPTION: WHENEVER AUTHORITY IS PROVIDED IN AN APPROPRIATION ACT TO TRANSFER AMOUNTS IN WORKING CAPITAL FUNDS OR TO TRANSFER AMOUNTS PROVIDED IN APPROPRIATION ACTS FOR MILITARY FUNCTIONS OF DOD (OTHER THAN MILITARY CONSTRUCTION) BETWEEN SUCH FUNDS OR APPROPRIATIONS (OR ANY SUBDIVISION THEREOF). AMOUNTS TRANSFERRED UNDER SUCH AUTHORITY SHALL BE MERGED WITH AND BE AVAILABLE FOR THE SAME PURPOSES AND FOR THE SAME TIME PERIOD AS THE FUND OR APPROPRIATIONS TO WHICH TRANSFERRED. THE SECRETARY OF DEFENSE SHALL PROMPTLY NOTIFY CONGRESS OF EACH TRANSFER MADE UNDER SUCH AUTHORITY TO TRANSFER AMOUNTS.

COMMENTS:

10 USC 2215(a) | TRANSFER OF FUNDS TO OTHER DEPARTMENTS AND AGENCIES: LIMITATION: CERTIFICATION REQUIRED | 1999/02/23 | COMP | 1188

YY YY Y 0

DESCRIPTION: FUNDS AVAILABLE FOR MILITARY FUNCTIONS OF THE DEPARTMENT OF DEFENSE MAY NOT BE MADE AVAILABLE TO ANY OTHER DEPARTMENT OR AGENCY OF THE FEDERAL GOVERNMENT PURSUANTM A PROVISION OF LAW ENACTED AFTER NOVEMBER 29, 1989, UNLESS, NOT LESS THAN 30 DAYS BEFORE SUCH FUNDS ARE MADE AVAILABLE TO SUCH OTHER DEPARTMENT OR AGENCY, THE SECETARY OF DEFENSE SUBMITS TO THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON APPROPRIATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY AND THE COMMITTEE ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES, A CERTIFICATION THAT MAKING THOSE FUNDS AVAILABLE TO SUCH OTHER DEPARTMENT OR AGENCY IS IN THE NATIONAL SECURITY INTEREST OF THE UNITED STATES.

COMMENTS:

10 USC **2255(b)(2)**	AIRCRAFT ACCIDENT INVESTIGATION BOARDS: COMPOSITION REQUIREMENTS - **WAIVER**	1999/02/18	ALLDO D	1434
		YY YN	Y	2

DESCRIPTION: THE SECRETARY OF THE MILITARY DEPARTMENT CONCERNED MAY WAIVE THE MEMBERSHIP OF BOARDS REQUIREMENT OF SUBSECTION (a)(I) IN THE CASE OF AN AIRCRAFT ACCIDENT IF THE SECRETARY DETERMINES THAT (A) IT IS NOT PRACTICABLE TO MEET THE REQUIREMENT BECAUSE OF - (I) THE REMOTE LOCATION OF THE AIRCRAFT ACCIDENT; (II) AN URGENT NEED TO PROMPTLY BEGIN THE INVESTIGATION; OR (III) A LACK OF AVAILABLE PERSONS OUTSIDE THE MISHAP UNIT WHO HAVE ADEQUATE KNOWLEDGE AND EXPERTISE REGARDING THE TYPE OF AIRCRAFT INVOLVED IN THE ACCIDENT; AND (B) THE OBJECTIVITY AND INDEPENDENCE OF THE AIRCRAFT ACCIDENT INVESTIGATION BOARD WILL NOT BE COMPROMISED. (2) THE SECRETARY SHALL NOTIFY CONGRESS OF A WAIVER EXERCISED UNDER THIS SUBSECTION AND THE REASONS THEREFOR.

COMMENTS: AIR FORCE THIS REPORT IS ONLY REQUIRED IF THE AIR FORCE GRANTS A WAIVER TO THE MEMBERSHIP REQUIREMENTS OF THEIR AIRCRAFT ACCIDENT INVESTIGATION BOARDS. TO DATE. AIR FORCE HAS NOT GRANTED SUCH A WAIVER AND THUS HAVE NEVER SUBMITTED SUCH A REPORT. A WAIVER WOULD BE A RARE AND UNUSUAL OCCURRENCE. ARMY: ARMY HAS NEVER HAD TO ASK FOR SUCH A WAIVER, BUT MIGHT IN SOME COMBAT SITUATION WHERE OTHER UNITS CANNOT BE BROUGHT IN IN A TIMELY FASHION RESPONDENTS = ARMY (YYYNYO) NAVY (YNYNN1), AF(NNNNN1)

10 USC **2302d(c)(3)**	MAJOR SYSTEM: DEFINITIONAL THRESHOLD AMOUNTS: ADJUSTMENT **AUTHORITY**	1997/09/30	AT&L	143.5
		N N N N		0

DESCRIPTION: THE SECRETARY OF DEFENSE MAY ADJUST THE AMOUNTS AND THE BASE FISCAL YEAR PROVIDED IN SUBSECTION (a) ON THE BASIS OF DEPARTMENT OF DEFENSE ESCALATION RATES. AN ADJUSTMENT UNDER THIS SUBSECTION SHALL BE EFFECTIVE AFTER THE SECRETARY TRANSMITS TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES A WRITTEN NOTIFICATION OF THE ADJUSTMENT.

COMMENTS:

10 USC **2304(c)(7)(B)**	DETERMINATION THAT **IT** IS **IN** THE PUBLIC INTEREST TO USE OTHER THAN COMPETITIVE PROCEDURES FOR A SPECIFIC PROCUREMENT	1999/02/22	AT&L	**1240**
		YN YN	Y	0

DESCRIPTION: PROVIDES A DETERMINATION THAT IT IS IN THE PUBLIC INTEREST TO USE OTHER THAN COMPETITIVE PROCEDURES FOR A SPECIFIC PROCUREMENT. REPORT IS EXPECTED TO BE MADE 30 DAYS BEFORE THE AWARD OF A CONTRACT.

COMMENTS

10 USC 2306b TRANSFERS OF **FUNDS** - ECONOMIC ORDER QUANTITY PROCUREMENT 2000/10/17 AT&L 1555

0

DESCRIPTION: NONE OF THE FUNDS PROVIDED IN THIS ACT SHALL BE AVAILABLE TO INITIATE: (1) A MULTIYEAR CONTRACT THAT EMPLOYS ECONOMIC ORDER QUANTITY PROCUREMENT IN EXCESS OF $20,000,000 IN ANY 1 YEAR OF THE CONTRACT OR THAT INCLUDES AN UNFUNDED CONTINGENT LIABILITY IN EXCESS OF $20,000,000; OR (2) A CONTRACT FOR ADVANCE PROCUREMENT LEADING TO A MULTIYEAR CONTRACT THAT EMPLOYS ECONOMIC ORDER QUANTITY PROCUREMENT IN EXCESS OF $20,000,000 IN ANY 1 YEAR, UNLESS THE CONGRESSIONAL DEFENSE COMMITTEES HAVE BEEN NOTIFIED AT LEAST 30 DAYS IN ADVANCE OF THE PROPOSED CONTRACT AWARD. PROVIDED FURTHER THAT NO MULTIYEAR PROCUREMENT CONTRACT CAN BE TERMINATED WITHOUT 10-DAY PRIOR NOTIFICATION TO THE CONGRESSIONAL DEFENSE COMMITTEES

COMMENTS:

10 USC 2306b(g) CONTRACT CANCELLATION CEILINGS EXCEEDING **$100,000,000** 1999/03/28 AT&L 1230

Y N Y N Y 0

DESCRIPTION: BEFORE ANY CONTRACT DESCRIBED IN SUBSECTION (a) THAT CONTAINS A CLAUSE SETTING FORTH A CANCELLATION CEILING IN EXCESS OF $1 00,000,000 MAY BE AWARDED, THE HEAD OF THE AGENCY CONCERNED SHALL GIVE WRITTEN NOTIFICATION OF THE PROPOSED CONTRACT AND OF THE PROPOSED CANCELLATION CEILING OF THAT CONTRACT TO THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON APPROPRIATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY AND THE COMMITTEE ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES, AND SUCH CONTRACT MAY NOT BE AWARDED UNTIL THE END OF A PERIOD OF 30 DAYS BEGINNING ON THE DATE OF SUCH NOTIFICATION.

COMMENTS:

10 USC **2306b(i)** DEFENSE ACQUISITIONS SPECIFICALLY AUTHORIZED BY LAW 2000/03/20 AT&L 1436

N N N N 0

DESCRIPTION: THE HEAD OF AN AGENCY MAY NOT ENTER INTO A MULTIYEAR CONTRACT (OR EXTEND AN EXISTING MULTIYEAR CONTRACT) UNTIL THE SECRETARY OF DEFENSE SUBMITS TO THE CONGRESSIONAL DEFENSE COMMITTEES A REPORT WITH RESPECT TO THAT CONTRACT (OR CONTRACT EXTENSION) THAT PROVIDES THE FOLLOWING INFORMATION, SHOWN FOR EACH YEAR IN THE CURRENT FUTURE-YEARS DEFENSE PROGRAM: (See the section for specifics.)

COMMENTS:

10 USC **2306b(l)(1)(A)**	**MULTIYEAR** PROCUREMENT CONTRACTS - NOTICE OF INTENT TO INITIATE	1999/03/28	AT&L	1461

Y N Y N Y 0

DESCRIPTION: (3) IN THE CASE OF THE DEPARTMENT OF DEFENSE, A **MULTIYEAR** CONTRACT IN AN AMOUNT EQUAL TO OR GREATER THAN $500,000,000 MAY NOT BE ENTERED INTO FOR ANY FISCAL YEAR UNDER THIS SECTION UNLESS THE CONTRACT IS SPECIFICALLY AUTHORIZED BY LAW IN AN ACT OTHER THAN AN APPROPRIATIONS ACT. THE HEAD OF AN AGENCY MAY NOT INITIATE A CONTRACT DESCRIBED IN SUBPARAGRAPH (B) UNLESS THE CONGRESSIONAL DEFENSE COMMITTEES ARE NOTIFIED OF THE PROPOSED CONTRACT AT LEAST 30 DAYS IN ADVANCE OF THE AWARD OF THE PROPOSED CONTRACT

COMMENTS:

10 USC **2306b(l)(1)(A)**	**MULTIYEAR** PROCUREMENT CONTRACTS - NOTICE OF INTENT TO TERMINATE	1999/03/28	AT&L	1462

Y N Y N Y 0

DESCRIPTION: (4) THE HEAD OF AN AGENCY MAY NOT TERMINATE A MULTIYEAR PROCUREMENT CONTRACT UNTIL 10 DAYS AFTER THE DATE ON WHICH NOTICE OF THE PROPOSED TERMINATION IS PROVIDED TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE SUBCOMMITTEE ON DEFENSE OF THE COMMITTEE ON APPROPRIATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES AND THE SUBCOMMITTEE ON NATIONAL SECURITY OF THE COMMITTEE ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES.

COMMENTS:

10 USC 2307(i)(7)	CONTRACT FINANCING: ADVANCE PAYMENTS TO CONTRACTORS: ACTION IN CASE OF FRAUD	1999/02/22	AT&L	319

N Y Y Y Y 0

DESCRIPTION THE HEAD OF AN AGENCY SHALL PREPARE FOR EACH YEAR A REPORT CONTAINING THE RECOMMENDATIONS MADE BY THE REMEDY COORDINATION OFFICIAL OF THAT AGENCY TO REDUCE OR SUSPEND PAYMENTS, THE ACTIONS TAKEN ON THE RECOMMENDATIONS AND THE REASONS FOR SUCH ACTIONS, AND AN ASSESSMENT OF THE EFFECTS OF SUCH ACTIONS ON THE FEDERAL GOVERNMENT. THE SECRETARY OF EACH MILITARY DEPARTMENT SHALL TRANSMIT THE ANNUAL REPORT OF SUCH DEPARTMENT TO THE SECRETARY OF DEFENSE. EACH SUCH REPORT SHALL BE MADE AVAILABLE TO ANY MEMBER OF CONGRESS UPON REQUEST.

COMMENTS: THIS REPORT IS PREPARED ONLY WHEN A FRAUD CASE ARISES. NONE HAVE BEEN FILED IN THE LAST SEVERAL YEARS

10 USC 2323(d)	CONTRACT GOAL FOR SMALL DISADVANTAGED BUSINESSES AND CERTAIN INSTITUTIONS OF HIGHER EDUCATION • APPLICABILITY	1999/03/28	AT&L	306

NN NN Y 0

DESCRIPTION: (a) EXCEPT AS PROVIDED IN SUBSECTION (d), A GOAL OF 5 PERCENT OF THE AMOUNT DESCRIBED IN SUBSECTION (b) SHALL BE THE OBJECTIVE OF THE DEPARTMENT OF DEFENSE...IN EACH FISCAL YEAR FOR THE TOTAL COMBINED AMOUNT OBLIGATED FOR CONTRACTS AND SUBCONTRACTS ENTERED INTO WITH...(C)(4) THE HEAD OF THE AGENCY SHALL, TO THE MAXIMUM EXTENT PRACTICAL, CARRY OUT PROGRAMS UNDER THIS SECTION AT COLLEGES, UNIVERSFIES, AND INSTITUTIONS THAT AGREE TO BEAR A SUBSTANTIAL PORTION OF THE COST ASSOCIATED WITH THE PROGRAMS. (d) SUBSECTION (a) DOES NOT APPLY TO THE DEPARTMENT OF DEFENSE -- (1) TO THE EXTENT TO WHICH THE SECRETARY OF DEFENSE DETERMINES THAT COMPELLING NATIONAL SECURITY CONSIDERATIONS REQUIRE OTHERWISE; AND (2) IFTI-IE SECRETARY NOTIFIES CONGRESS OF SUCH DETERMINATION AND THE REASONS FOR SUCH DETERMINATION.

COMMENTS:

10 USC 2326 note	MANAGEMENT OF UNDEFINITIZED CONTRACTUAL ACTIONS	1999/02/01	IG	1397

N Y Y N N 268

DESCRIPTION: THE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE SHALL - (1) PERIODICALLY CONDUCT AN AUDIT OF CONTRACTUAL ACTIONS UNDER THE JURISDICTION OF THE SECRETARY OF DEFENSE (WITH RESPECT TO THE DEFENSE LOGISTICS AGENCY) AND THE SECRETARIES OF-I-HE MILITARY DEPARTMENTS; AND AFTER EACH SUCH AUDIT, SUBMIT TO CONGRESS A REPORT ON THE MANAGEMENT OF UNDEFINFIZED CONTRACTUAL ACTIONS BY EACH SECRETARY, INCLUDING THE AMOUNT OF CONTRACTUAL ACTIONS UNDER THE JURISDICTION OF EACH SECRETARY THAT IS REPRESENTED BY UNDEFINITIZED CONTRACTUAL ACTIONS.

COMMENTS: THE LAST AUDIT DONE IN COMPLIANCE WITH THIS REQUIREMENT TOOK 803 STAFF DAYS. IF DONE EVERY THREE YEARS, THE ANNUALIZED NUMBER OF 268 DAYS RESULTS.

10 USC 2327(c)(1)(A) CONTRACTS: CONSIDERATION OF NATIONAL SECURITY **OBJECTIVES** 1999/02/22 AT&L 98

Y Y Y N Y 0 TR

DESCRIPTION: IF THE SECRETARY OF DEFENSE DETERMINES THAT ENTERING INTO A CONTRACT WITH A FIRM OR A SUBSIDIARY OF A FIRM IS NOT INCONSISTENT WITH THE NATIONAL SECURITY OBJECTIVES OF THE U.S., THE HEAD OF AN AGENCY MAY ENTER INTO A CONTRACT WITH SUCH FIRM OR SUBSIDIARY AFTER THE DATE ON WHICH SUCH HEAD OF AN AGENCY SUBMITS TO CONGRESS A REPORT ON THE CONTRACT. THE REPORT SHALL INCLUDE THE FOLLOWING: (i) THE IDENTITY OF THE FOREIGN GOVERNMENT CONCERNED; (ii) THE NATURE OF THE CONTRACT; (iii) THE EXTENT OF OWNERSHIP OR CONTROL OF THE FIRM OR SUBSIDIARY CONCERNED OR, IF APPROPRIATE IN THE CASE OF A SUBSIDIARY, BY THE FOREIGN GOVERNMENT CONCERNED OR THE AGENCY OR INSTRUMENTALITY OF SUCH FOREIGN GOVERNMENT; AND (iv) THE REASONS FOR ENTERING INTO THE CONTRACT.

COMMENTS : THE BENEFIT OF SUBMITTING THIS REPORT PRIOR TO CONTRACT AWARD, IF ANY, IS OUTWEIGHED BY THE BURDEN AND COSTS OF PREPARING THE REPORT AND DELAYING CONTRACT AWARD. ALSO, SHOULD A PROCUREMENT ARISE WHERE THE SECRETARY OF DEFENSE DETERMINES THAT ENTERING INTO A CONTRACT WITH A FIRM OWNED OR CONTROLLED BY A FOREIGN GOVERNMENT THAT SUPPORTS INTERNATIONAL TERRORISM IS CONSISTENT WITH THE NATIONAL SECURITY OBJECTIVES OF THE UNITED STATES, THE DELAY CAUSED BY SUBMITTING A REPORT TO CONGRESS BEFORE CONTRACT AWARD MAY ADVERSELY IMPACT DEFENSE OPERATIONS. NO WAIVERS HAVE BEEN PROCESSED IN THE PAST 3 YEARS.

10 USC 2342 (b)(2) DESIGNATION OF NON-NATO MEMBER FOR CROSS-SERVICING **AGREEMENT** TO **ACQUIRE** LOGISTICS SUPPORT... 1999/02/18 AT&L 285

YN YN Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE MAY NOT DESIGNATE A COUNTRY FOR AN AGREEMENT -- (1) UNLESS THE SECRETARY, AFTER CONSULTATION WITH THE SECRETARY OF STATE, DETERMINES THAT THE DESIGNATION OF SUCH COUNTRY FOR SUCH PURPOSE IS IN THE INTEREST OF THE NATIONAL SECURITY OF THE UNITED STATES; AND (2) IN THE CASE OF A COUNTRY WHICH IS NOT A MEMBER OF THE NORTH ATLANTIC TREATY ORGANIZATION, NOTIFIES THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON FOREIGN RELATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY AND THE COMMITTEE ON INTERNATIONAL RELATIONS OF THE HOUSE OF REPRESENTATIVES AT LEAST 30 DAYS BEFORE THE DATE ON WHICH SUCH COUNTRY IS DESIGNATED BY THE SECRETARY.

COMMENTS:

10 USC **2350a(f)(2)** **COOPERATIVE** RESEARCH AND DEVELOPMENT PROJECTS • ADDITION/DELETION OF COUNTRIES DESIGNATED AS MAJOR NON-NATO ALLIES 1999/02/12 AT&L 331

Y Y Y Y Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE AND THE SECRETARY OF STATE, WHENEVER THEY CONSIDER SUCH ACTION TO BE WARRANTED, SHALL JOINTLY SUBMIT TO THE COMMITTEES ON ARMED SERVICES AND FOREIGN RELATIONS OF THE SENATE AND TO THE COMMITTEES ON ARMED SERVICES AND FOREIGN AFFAIRS OF THE HOUSE OF REPRESENTATIVES A REPORT (A) ENUMERATING THOSE COUNTRIES TO BE ADDED TO OR DELETED FROM THE EXISTING DESIGNATION OF COUNTRIES DESIGNATED AS MAJOR NON-NATO ALLIES AND (B) SPECIFYING THE CRITERIA USED IN DETERMINING THE ELIGIBILITY OF A COUNTRY TO BE DESIGNATED AS A MAJOR NON-NATO ALLY.

COMMENTS:

11-L-0559/OSD/3090

10 USC **2350a(g)(3)**	**COOPERATIVE** RESEARCH AND DEVELOPMENT PROJECTS - OBLIGATION OF FUNDS BY DDR&E		AT&L	282
		N N N N	0	

DESCRIPTION: THE DEPUTY DIRECTOR, DEFENSE RESEARCH AND ENGINEERING (TEST AND EVALUATION) SHALL NOTIFY THE SPEARER OF THE HOUSE OF **REPRESENTATIVES** AND THE **COMMITTEES** ON ARMED SERVICES AND ON APPROPRIATIONS OF THE SENATE OF THE DEPUTY DIRECTOR'S INTENT TO OBLIGATE FUNDS MADE AVAILABLE TO CARRY OUT THIS PROVISION NOT LESS THAN 30 DAYS BEFORE SUCH FUNDS ARE OBLIGATED.

COMMENTS:

10 USC **2350b(d)(1)**	NOTIFICATION OF PRIME CONTRACT AWARDS TO COMPLY WITH COOPERATIVE AGREEMENTS	1999/02/22	AT&L	346
		N N N N Y	0 TR	

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL **NOTIFY** CONGRESS EACH TIME HE REQUIRES THAT A PRIME CONTRACT BE AWARDED TO A PARTICULAR PRIME CONTRACTOR OR THAT A SUBCONTRACT TO BE AWARDED TO A PARTICULAR SUBCONTRACTOR TO COMPLY WITH A COOPERATIVE AGREEMENT THE SECRETARY OF DEFENSE SHALL INCLUDE IN EACH SUCH **NOTICE** THE REASON FOR EXERCISING HIS **AUTHORITY** TO DESIGNATE A PARTICULAR CONTRACTOR OR **SUBCONTRACTOR**, AS THE CASE MAY BE.

COMMENTS: OVER THE LAST **SIX** YEARS ONLY FOUR DIRECTED AWARDS WERE MADE AND ONLY ONE WAS THE SUBJECT OF A SEPARATE REPORT UNDER 10 U.S.C. **2350B(d)(1)**. THE OTHER THREE WERE ROUTINELY REPORTED IN CONJUNCTION **WITH** THE REPORT BY THE PRESIDENT UNDER SECTION 27(e) **OF THE** ARMS EXPORT CONTROL ACT (27 U.S.C. 2767(e) AND HENCE, AS PROVIDED IN 10 U.S.C. **2350(d)(3)**, A SEPARATE REPORT UNDER 10 U.S.C. **2350(d)(1)** WAS NOT REQUIRED. USE OF THIS AUTHORITY TO DIRECT AWARDS IS NOT BEING USED **EXCESSIVELY**. EACH PROPOSED USE OF THIS AUTHORITY AND THE JUSTIFICATION THEREFORE IS REVIEWED BY THE **DIRECTOR** OF DEFENSE PROCUREMENT. **IN** VIEW OF THE SEPARATE REPORTING REQUIREMENT OF 27 U.S.C. 2767(e), THE LOW VOLUME OF ACTIONS, AND THE HIGH LEVEL OF REVIEW **WITHIN** OSD, THE REPORTING REQUIREMENT SHOULD BE TERMINATED.

10 USC **2350b(d)(2)**	NOTIFICATION OF WAIVERS GRANTED TO PRIME CONTRACTORS IN CONJUNCTION WITH **COOPERATIVE** AGREEMENTS	1999/02/22	AT&L	347
		Y N Y N Y	0	

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL NOTIFY THE CONGRESS EACH **TIME** HE EXERCISES A WAIVER UNDER SUBSECTION **(c)** AND SHALL INCLUDE IN SUCH NOTICE THE PARTICULAR PROVISION OR PROVISIONS OF LAW THAT WERE WAIVED.

COMMENTS: **TO** DATE, NO REPORT HAS BEEN REQUIRED.

10 USC **2350f(c)** **PROCUREMENT** OF **COMMUNI**CATIONS SUPPORT AND RELATED SUPPLIES AND SERVICES 1999/03/04 C31 861

Y Y Y Y Y 0

DESCRIPTION: (a) AS AN ALTERNATIVE MEANS OF OBTAINING COMMUNICATIONS SUPPORT AND RELATED SUPPLIES AND SERVICES, THE SECRETARY OF DEFENSE, SUBJECT TO APPROVAL BY THE SECRETARY OF STATE, MAY ENTER INTO A BILATERAL ARRANGEMENT WITH ANY ALLIED COUNTRY OR ALLIED INTERNATIONAL ORGANIZATION OR MAY ENTER INTO A MULTILATERAL ARRANGEMENT WITH ALLIED COUNTRIES AND ALLIED INTERNATIONAL ORGANIZATIONS, UNDER WHICH, IN RETURN FOR BEING PROVIDED COMMUNICATION SUPPORT AND RELATED SUPPLIES AND SERVICES, THE UNITED STATES WOULD AGREE TO PROVIDE TO THE ALLIED COUNTRY OR COUNTRIES OR ALLIED ORGANIZATION OR ORGANIZATIONS, AS THE CASE MAY BE, AN EQUIVALENT VALUE OF COMMUNICATIONS SUPPORT AND RELATED SUPPLIES AND SERVICES. THE TERM OF THE ARRANGEMENT MAY NOT EXCEED FIVE YEARS. (c)THE SECRETARY OF DEFENSE SHALL SUBMF TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES COPIES OF ALL DOCUMENTS EVIDENCING AN ARRANGEMENT ENTERED INTO NOT LATER THAN 45 DAYS AFTER ENTERING INTO THE ARRANGEMENT.

COMMENTS:

10 USC **2350j(e)(1)** BURDEN SHARING CONTRIBUTIONS BY DESIGNATED COUNTRIES AND REGIONAL ORGANIZATIONS: NOTICE AND WAIT REQUIREMENTS 1999/02/23 COMP 1438

YY YN Y 0

DESCRIPTION: WHEN A DECISION IS MADE TO CARRY OUT A MILITARY CONSTRUCTION PROJECT UNDER SUBSECTION (d), THE SECRETARY SHALL SUBMF TO THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON APPROPRIATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY AND THE COMMITTEE ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES A REPORT CONTAINING - (A) AN EXPLANATION OF THE NEED FOR THE PROJECT; (B) THE THEN CURRENT ESTIMATE OF THE COST OF THE PROJECT; AND (C) A JUSTIFICATION FOR CARRYING OUT THE PROJECT UNDER THAT SUBSECTION. THE SECRETARY OR THE SECRETARY OF A MILITARY DEPARTMENT MAY NOT COMMENCE A MILITARY CONSTRUCTION PROJECT UNDER SUBSECTION (d) UNTIL THE END OF THE 21-DAY PERIOD BEGINNING ON THE DATE ON WHICH THE SECRETARY OF DEFENSE SUBMITS THE REPORT REGARDING THE PROJECT.

COMMENTS:

10 USC 2361(b)(2) AWARDS OF GRANTS AND CONTRACTS TO COLLEGES AND UNIVERSITIES - NOTIFICATION 1999/02/16 AT&L 117

Y Y YN Y 0

DESCRIPTION: A GRANT MAY NOT BE MADE, OR A CONTRACT AWARDED, PURSUANT TO A PROVISION OF LAW THAT AUTHORIZES OR REQUIRES THE MAKING OF THE GRANT, OR THE AWARDING OF THE CONTRACT, IN A MANNER THAT IS INCONSISTENT WITH SUBSECTION (a) UNTIL--(A) THE SECRETARY OF DEFENSE SUBMITS TO CONGRESS A NOTICE IN WRITING OF THE INTENT TO MAKE THE GRANT OR AWARD THE CONTRACT; AND (3) A PERIOD OF 180 DAYS HAS ELAPSED AFTER THE DATE ON WHICH THE NOTICE IS RECEIVED BY CONGRESS. REQUIREMENT IS BEING IMPLEMENTED BY SECTION 206.302-5(c) OF THE DFARS FOR CONTRACTS AND DoD 3210.6-R OF INTERIM GUIDANCE DRAFT DOD GRANTS AND AGREEMENT REGULATION APPLYING TO GRANTS.

COMMENTS:

10 USC 2366(c)(1)	SURVIVABILITY TESTING AND LETHALITY TESTING REQUIRED BEFORE FULL-SCALE PRODUCTION: **WAIVER**	2000/04/10	OT&E	686

N N Y N 0

DESCRIPTION: THE SECRETARY OF DEFENSE MAY WAIVE THE APPLICATION OF **SURVIVABILITY** AND **LETHALITY** TESTS **OF THIS** SECTION TO A COVERED SYSTEM, **MUNITIONS** PROGRAM, MISSILE PROGRAM, OR COVERED PRODUCT IMPROVEMENT PROGRAM **IF THE** SECRETARY, BEFORE THE SYSTEM OR PROGRAM ENTERS ENGINEERING AND MANUFACTURING DEVELOPMENT, CERTIFIES **TO** THE COMMITTEE ON ARMED SERVICES AND THE **COMMITTEE** ON APPROPRIATIONS OF THE SENATE AND THE **COMMITTEE** ON NATIONAL **SECURITY** AND THE COMMHTEE ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES THAT LIVE-FIRE TESTING OF SUCH SYSTEM OR PROGRAM WOULD BE UNREASONABLY EXPENSIVE AND IMPRACTICAL. THE SECRETARY SHALL INCLUDE **WITH** ANY CERTIFICATION A REPORT EXPLAINING HOW THE SECRETARY PLANS TO EVALUATE **SURVIVABILITY** OR THE **LETHALITY** OF THE SYSTEM OR PROGRAM AND ASSESSING POSSIBLE ALTERNATIVES TO REALISTIC **SURVIVABILITY** TESTING OF THE SYSTEM OR PROGRAM.

COMMENTS

10 USC 2366(d)	SURVIVABILITY TESTING AND **LETHALITY** TESTING REQUIRED BEFORE FULL-SCALE PRODUCTION, RESULTS	1999/03/23	OT&E	363

YN YN Y 0

DESCRIPTION: AT THE CONCLUSION OF SURVIVABILITY OR LETHALITY TESTING UNDER SUBSECTION(a), THE SECRETARY OF DEFENSE SHALL SUBMF A REPORT ON THE TESTING **TO** THE DEFENSE **COMMITTEES** OF CONGRESS DESCRIBING THE RESULTS OF THE SURVIVABILITY OR LETHALITY TESTING AND SHALL GIVE THE SECRETARY'S OVERALL ASSESSMENT **OF THE** TESTING.

COMMENTS:

10 USC **2367(c)(A)**	LIMITATION ON CREATION OF NEW FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTERS	1999/02/16	AT&L	130

YY YN Y 0

DESCRIPTION: THE HEAD OF AN AGENCY MAY NOT OBLIGATE OR EXPEND AMOUNTS APPROPRIATED **TO** DOD FOR PURPOSES OF OPERATING A FEDERALLY FUNDED RESEARCH CENTER THAT WAS NOT IN EXISTENCE BEFORE JUNE **2, 1986,** UNTIL--(A) THE HEAD OF THE AGENCY SUBMITS TO CONGRESS A REPORT **WITH** RESPECT TO SUCH CENTER THAT DESCRIBES THE PURPOSE, MISSION, AND GENERAL SCOPE OF EFFORT **OF THE** CENTER; AND (B) A PERIOD OF 60 DAYS BEGINNING ON THE DATE SUCH REPORT IS RECEIVED BY CONGRESS HAS ELAPSED.

COMMENTS:

10 USC 2399(b)	OPERATIONAL TEST AND EVALUATION OF DEFENSE ACQUISITION PROGRAMS	1999/02/01	OT&E	376
		Y Y Y Y	0	

DESCRIPTION: THE DIRECTOR, OPERATIONAL TEST AND EVALUATION (OT&E) OF DOD SHALL ANALYZE THE RESULTS OF THE OT&E CONDUCTED FOR EACH MAJOR DEFENSE ACQUISITION PROGRAM. AT THE CONCLUSION OF SUCH TESTING, THE DIRECTOR SHALL PREPARE A REPORT STATING THE OPINION OF THE DIRECTOR AS TO WHETHER THE TEST AND EVALUATION PERFORMED WERE ADEQUATE; AND WHETHER THE RESULTS OF SUCH TEST AND EVALUATION CONFIRM THAT THE ITEMS OR COMPONENTS ACTUALLY TESTED ARE EFFECTIVE AND SUITABLE FOR COMBAT. THE DIRECTOR SHALL SUBMIT EACH REPORT TO THE SECRETARY OF DEFENSE, THE UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND TECHNOLOGY AND THE CONGRESSIONAL DEFENSE COMMITTEES. EACH REPORT SHALL BE SUBMITTED TO THOSE COMMITTEES IN PRECISELY THE SAME FORM AND WITH PRECISELY THE SAME CONTENT AS THE REPORT WAS ORIGINALLY SUBMITTED TO THE SECRETARY OF DEFENSE AND UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND TECHNOMGY AND SHALL BE ACCOMPANIED BY SUCH COMMENTS AS THE SECRETARY MAY WISH TO MAKE ON THE REPORT.

COMMENTS:

10 USC **2401(a)(2)**	REQUIREMENT FOR AUTHORIZATION BY LAW OF CERTAIN CONTRACTS RELATING TO VESSELS AND AIRCRAFT	1999/02/18	ALLDO D	284
		N N N N N	5	TR

DESCRIPTION: THE SECRETARY OF A MILITARY DEPARTMENT MAY MAKE A CONTRACT THAT IS AN AGREEMENT TO LEASE OR CHARTER OR AN AGREEMENT TO PROVIDE SERVICES AND THAT IS (OR WILL BE) ACCOMPANIED BY A CONTRACT FOR THE ACTUAL LEASE, CHARTER, OR PROVISION OF SERVICES ONLY AS PROVIDED IN SUBSECTION (b) IF THE CONTRACT FOR THE ACTUAL LEASE, CHARTER, OR PROVISION OF SERVICES IS (OR WILL BE) A CONTRACT WHICH WILL BE (a)(1) A LONG-TERM LEASE OR CHARTER; OR THE TERMS OF THE CONTRACT PROVIDE FOR A SUBSTANTIAL TERMINATION LIABILFY ON THE PART OF THE U.S. THE SECRETARY HAS BEEN SPECIFICALLY AUTHORIZED BY LAW TO MAKE THE CONTRACT; BEFORE A SOLICITATION FOR PROPOSALS FOR THE CONTRACT WAS ISSUED THE SECRETARY NOTIFIED THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON APPROPRIATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY AND THE COMMITTEE ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES OF THE SECRETARY'S INTENTION TO ISSUE SUCH A SOLICITATION; AND THE SECRETARY HAS NOTIFIED THOSE COMMITTEES OF THE PROPOSED CONTRACT AND PROVIDED A DETAILED DESCRIPTION OF THE TERMS OF THE PROPOSED CONTRACT AND A JUSTIFICATION FOR ENTERING INTO THE PROPOSED CONTRACT RATHER THAN PROVIDING FOR THE LEASE, CHARTER, OR SERVICES INVOLVED THROUGH PURCHASE OF THE VESSEL OR AIRCRAFT TO BE USED UNDER THE CONTRACT, AND A PERIOD OF 30 DAYS OF CONTINUOUS SESSION OF CONGRESS HAS EXPIRED FOLLOWING THE DATE ON WHICH NOTICE WAS RECEIVED BY SUCH COMMITTEES.

COMMENTS: AIR FORCE: SINCE PRIOR LEGISLATION IS ALREADY REQUIRED (BY OTHER PARAGRAPHS OF SECTION 2401) TO ENTER INTO A "LONG TERM" LEASE AGREEMENT, A 30-DAY NOTIFICATION/REPORT TO CONGRESS BEFORE ADVERTISING THE SOLICITATION SHOULD NOT BE NECESSARY. WE HAVE NO EXPERIENCE CREATING AND STAFFING THIS PARTICULAR NOTIFICATION, BUT THE TIME REQUIRED SHOULD BE SIMILAR TO OTHER "NEW START" NOTIFICATIONS. NAVY: RFP GENERATION CAN TAKE ONE MONTH, PROPOSED CONTRACT LEASE/PURCHASE CAN TAKE AN EXTENSIVE PERIOD OF TIME, AT LEAST ONE MONTH. THIS IS AN ITERATIVE/ONGOING PROCESS PLUS STAFFING FROM ALL DOD COMPONENTS. RESPONDENTS = AF(NNNNN5), N(YYYYY-)

10 USC **2430(b)**	**ADJUST** THE AMOUNTS (AND THE BASE FISCAL YEAR) ON THE BASIS OF DEPARTMENT OF DEFENSE ESCALATION RATES	1999/03/01	AT&L			22
		NN	NN	Y	0	TR

DESCRIPTION: THE SECRETARY OF DEFENSE MAY ADJUST THE AMOUNTS (AND THE BASE FISCAL YEAR) ON THE BASIS OF DEPARTMENT OF DEFENSE ESCALATION RATES. AN ADJUSTMENT UNDER THIS **SUBSECTION** SHALL BE EFFECTIVE AFTER THE SECRETARY TRANSMITS A **WRITTEN** NOTIFICATION OF THE ADJUSTMENT **TO** THE **COMMITTEES** ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES.

COMMENTS: THIS PROVISION WAS UTILIZED IN THE MOST RECENT UPDATE OF DOD **5000**.1 AND DOD 5000.2. THESE DIRECTIVES ARE (1) AVAILABLE TO THE PUBLIC (2) PUBLISHED IN FEDERAL REGISTER. ANNUAL REPORTS ARE UNNECESSARY.

10 USC 2432(h)	DECISION TO PROCEED TO ENGINEERING AND MANUFACTURING	1999/06/10	AT&L			1492
					0	

DESCRIPTION: TOTAL PROGRAM REPORTING UNDER THIS SECTION SHALL **APPLY** TO A MAJOR DEFENSE **ACQUISITION** PROGRAM WHEN FUNDS HAVE BEEN APPROPRIATED FOR SUCH AND THE SECRETARY OF DEFENSE HAS DECIDED TO PROCEED TO ENGINEERING AND MANUFACTURING DEVELOPMENT OF SUCH PROGRAM. REPORTING MAY BE **LIMITED** TO THE DEVELOPMENT PROGRAM AS PROVIDED **IN** PARAGRAPH (2) BEFORE A DECISION IS MADE BY THE SECRETARY OF DEFENSE TO PROCEED **TO** ENGINEERING AND MANUFACTURING DEVELOPMENT IF THE SECRETARY NOTIFIES THE **COMMITTEE** ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES OF THE INTENTION TO **SUBMIT** A LIMITED REPORT UNDER THIS SUBSECTION NOT LESS THAN **15** DAYS BEFORE A **REPORT** IS DUE UNDER THIS SECTION.

COMMENTS:

10 USC 2433(d)(3)	UNIT COST REPORTS	1999/02/22	AT&L			429
		YY	YY	Y	0	

DESCRIPTION: WHEN A UNIT COST REPORT IS SUBMITTED TO THE SERVICE **ACQUISITION** EXECUTIVE DESIGNATED BY THE SECRETARY CONCERNED WITH RESPECT TO A MAJOR DEFENSE **ACQUISITION** PROGRAM THE SERVICE **ACQUISITION** EXECUTIVE SHALL DETERMINE WHETHER THE CURRENT PROGRAM **ACQUISITION UNIT** COST FOR THE PROGRAM HAS INCREASED BY AT LEAST **15%**, OR BY **25%**, OVER THE PROGRAM **ACQUISITION** UNIT COST SHOWN **IN** THE BASELINE REPORT. IF, BASED UPON THE SERVICE **ACQUISITION** EXECUTIVES DETERMINATION, THE SECRETARY CONCERNED DETERMINES (**FOR** THE FIRST **TIME** SINCE THE BEGINNING OF THE CURRENT FISCAL YEAR) THAT THE CURRENT PROGRAM **ACQUISITION UNIT** COST HAS INCREASED BY AT LEAST **15%**, OR BY AT LEAST **25%**, THE SECRETARY SHALL NOTIFY CONGRESS IN **WRITING** OF SUCH **DETERMINATION** AND OF THE INCREASE **WITH** RESPECT TO SUCH PROGRAM THE SECRETARY SHALL INCLUDE IN THE NOTIFICATION THE DATE ON WHICH THE DETERMINATION WAS MADE.

COMMENTS:

10 USC 2433(e)(1)(A)	UNIT COST REPORTS - PERCENTAGE INCREASE IN THE PROGRAM ACQUISITION UNIT COST EXCEEDS 15 PERCENT	1999/02/22	AT&L	1253
		YY YY Y 0		

DESCRIPTION: EXCEPT AS PROVIDED IN SUBPARAGRAPH (B) WHENEVER THE SECRETARY CONCERNED DETERMINES UNDER SUBSECTION (d) THAT THE PROGRAM ACQUISITION UNIT COST OR THE PROCUREMENT UNIT COST OF A MAJOR DEFENSE ACQUISITION PROGRAM HAS INCREASED BY AT LEAST 15%, A SELECTED ACQUISITION REPORT SHALL BE SUBMIT-I-ED TO CONGRESS FOR THE FIRST FISCAL YEAR QUARTER ENDING ON OR AFTER THE DATE OF THE DETERMINATION OR FOR THE FISCAL YEAR QUARTER WHICH IMMEDIATELY PRECEDES THE FIRST FISCAL YEAR QUARTER ENDING ON OR AFTER THAT DATE. THE REPORT SHALL INCLUDE THE INFORMATION DESCRIBED IN SECTION 2432(e) OF THIS TITLE AND SHALL BE SUBMITTEDIN ACCORDANCE WITH SECTION 2432(f) OF THIS TITLE.

COMMENTS:

10 USC 2433(e)(2)	UNIT COST REPORTS - PERCENTAGE INCREASE IN THE PROGRAM ACQUISITION UNIT COST EXCEEDS 25 PERCENT - CERTIFICATION	1999/02/22	AT&L	430
		YY YY Y 0		

DESCRIPTION: IF THE PERCENTAGE INCREASE IN THE PROGRAM ACQUISITION UNIT COST OR CURRENT PROCUREMENT UNIT COST OF A MAJOR DEFENSE ACQUISITION PROGRAM (AS DETERMINED BY THE SECRETARY) EXCEEDS 25%, THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS, BEFORE THE END OF THE 30-DAY PERIOD BEGINNING ON THE DAY THE SELECTED ACQUISITION REPORT (SAR) CONTAINING THE INFORMATION REQUIRED TO BE SUBMITTED UNDER SECTION 2432(f) OF THIS TITLE--A WRITTEN CERTIFICATION, STATING THAT SUCH ACQUISITION PROGRAM IS ESSENTIAL TO THE NATIONAL SECURITY; THERE ARE NO ALTERNATIVES TO SUCH ACQUISITION PROGRAM WHICH WILL PROVIDE EQUAL OR GREATER MILITARY CAPABILITY AT LESS COST; THE NEW ESTIMATES OF THE PROGRAM ACQUISITION UNIT COST OR PROCUREMENT UNIT COST ARE REASONABLE; AND THE MANAGEMENT STRUCTURE FOR THE ACQUISITION PROGRAM IS ADEQUATE TO MANAGE AND CONTROL PROGRAM ACQUISITION UNIT COST OR PROCUREMENT UNIT COST. THIS REPORT PERTAINS TO THE WAIVER OF PROHIBITION FOR ADDITIONAL OBLIGATION OF FUNDS FOR A MAJOR DEFENSE ACQUISITION PROGRAM THAT HAS INCREASED BY MORE THAN 25% IF THE INCREASE WAS DUE TO TERMINATION OR CANCELLATION OF A PROGRAM.

COMMENTS:

10 USC 2461(b)	COMMERICAL OR INDUSTRIAL TYPE FUNCTIONS - DETAILED SUMMARY	1999/03/28	AT&L	1007
		NN Y N Y 0		

DESCRIPTION: A COMMERCIAL OR INDUSTRIAL TYPE FUNCTION OF THE DEPARTMENT OF DEFENSE THAT ON OCTOBER 1, 1980, WAS BEING PERFORMED BY DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES MAY NOT BE CONVERTED TO PERFORMANCE BY A PRIVATE CONTRACTOR UNTIL THE SECRETARY OF DEFENSE FULLY COMPLIES WITH THE REPORTING AND ANALYSIS REQUIREMENTS SPECIFIED IN SUBSECTIONS (b) AND (c).

COMMENTS:

10 USC 2461(c) COMMERCIAL OR INDUSTRIAL TYPE FUNCTIONS - NOTIFICATION ON DECISION TO CONVERT 1999/03/23 AT&L 1076

N N Y N Y 0

DESCRIPTION: IF, AFTER COMPLETION OF THE STUDIES REQUIRED FOR COMPLETION OF THE CERTIFICATION AND REPORT REQUIRED BY PARAGRAPHS (3) AND (4) OF SUBSECTION (a), A DECISION IS MADE TO CONVERT THE FUNCTION TO CONTRACTOR PERFORMANCE, THE SECRETARY OF DEFENSE SHALL NOTIFY CONGRESS OF SUCH DECISION. THE NOTIFICATION SHALL INCLUDE THE TIMETABLE FOR COMPLETING CONVERSION OF THE FUNCTION TO CONTRACTOR PERFORMANCE.

COMMENTS:

10 USC 2461(f) note COMMERCIAL OR INDUSTRIAL TYPE FUNCTIONS - REQUIRED NOTICE TO CONGRESS 1999/03/23 AT&L 50

YN Y N Y 0

DESCRIPTION: NONE OF THE FUNDS APPROPRIATED BY THE DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1999, SHALL BE AVAILABLE TO CONVERT TO CONTRACTOR PERFORMANCE AN ACTIVITY OR FUNCTION OF THE DEPARTMENT OF DEFENSE THAT, ON OR AFTER THE DATE OF THE ENACTMENT OF THIS ACT, IS PERFORMED BY MORE THAN TEN DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES UNTIL A MOST EFFICIENT AND COST-EFFECTIVE ORGANIZATION ANALYSIS IS COMPLETED ON SUCH ACTIVITY OR FUNCTION AND CERTIFICATION OF THE ANALYSIS IS MADE TO THE COMMITTEES ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE

COMMENTS:

10 USC 2464(b)(3)(A) CORE LOGISTICS FUNCTIONS - WAIVER 1999/02/18 AT&L 453

NN NN N 1 TR

DESCRIPTION: (2) THE SECRETARY OF DEFENSE MAY WANE IN THE CASE OF SUCH LOGISTICS ACTIVITY OR FUNCTION AND PROVIDE THAT PERFORMANCE OF SUCH ACTIVITY OR FUNCTION SHALL BE CONSIDERED FOR CONVERSION TO CONTRACTOR PERFORMANCE IN ACCORDANCE WITH OMB CIRCULAR A-76. ANY SUCH WAIVER SHALL BE MADE UNDER REGULATIONS PRESCRIBED BY THE SECRETARY AND SHALL BE BASED ON A DETERMINATION BY THE SECRETARY THAT GOVERNMENT PERFORMANCE OF THE ACTIVITY OR FUNCTION IS NO LONGER REQUIRED FOR NATIONAL DEFENSE REASONS. SUCH REGULATIONS SHALL INCLUDE CRITERIA FOR DETERMINING WHETHER GOVERNMENT PERFORMANCE OF ANY SUCH ACTIVITY OR FUNCTION IS NO LONGER REQUIRED FOR NATIONAL DEFENSE REASONS. (3) A WAIVER UNDER PARAGRAPH (2) MAY NOT TARE EFFECT UNTIL THE EXPIRATION OF THE FIRST PERIOD OF 30 DAYS OF CONTINUOUS SESSION OF CONGRESS THAT BEGINS ON OR AFTER THE DATE ON WHICH THE SECRETARY SUBMITS A REPORT ON THE WAIVER TO THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON APPROPRIATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURFY AND THE COMMITTEE ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES.

COMMENTS: THIS REPORTING REQUIREMENT IS EIGHT YEARS OLD - IS NO LUNGER REQUIRED AND SHOULD BE DELETED. PL 100-320, OMB CIRCULAR A-76 PROVIDES PROPER SAFEGUARDS FOR CONTRACT CONVERSIONS.

10 USC 2466(c)	WAIVER OF LIMITATIONS ON THE PERFORMANCE OF DEPOT LEVEL MAINTENANCE OF MATERIEL	1999/02/18	ALLDOD	821

Y Y Y N Y 0 TR

DESCRIPTION: THE SECRETARY OF THE MILITARY DEPARTMENT CONCERNED AND, WITH RESPECT TO A DEFENSE AGENCY, THE SECRETARY OF DEFENSE, MAY WANE THE APPLICABILITY LIMITATIONS ON THE PERFORMANCE OF DEPOT-LEVEL MAINTENANCE OF MATERIEL FOR A FISCAL YEAR, TO A PARTICULAR WORKLOAD, OR TO A PARTICULAR DEPOT-LEVEL ACTIVITY IF THE SECRETARY DETERMINES THAT THE WAIVER IS NECESSARY FOR REASONS OF NATIONAL SECURITY AND NOTIFIES CONGRESS REGARDING THE REASONS FOR THE WAIVER.

COMMENTS: ARMY: THE REQUIREMENT FOR THE OP-3 1 DLR DISPLAY IS FOUND IN THE DOD FINANCIAL MANAGEMENT REGULATION 7000.14-R. H.R. 2521 DoD APPROPRIATION BILL, 1992. SENATE APPROPRIATIONS REQUIRED THE ARMY BUDGET TO IDENTIFY THESE OPERATING COSTS. THERE IS NO INTERNAL ARMY REQUIREMENT FOR THIS DATA. THIS DATA DOES NOT ASSIST THE ARMY IN THE INTERNAL BUDGET PROCESS. THEREFORE, HAVING REVIEWED THIS EXHIBIT AND THE REQUIREMENT TO SUBMIT THE DATA, THE REQUIREMENT IS UNNECESSARY. IF THIS WAS A ONE-TIME REQUIREMENT OR NO LONGER NEEDED AT OSD, OMB, CBO, OR THE CONGRESS, THEN THE ARMY RECOMMENDS TERMINATION. A&T = THIS APPLIES TO SECTION 2466 IN TOTAL. IT IS THE DEPARTMENT'S BELIEF THAT THE 50 PERCENT LIMIT ON CONTRACTING FOR DEPOT-LEVEL MAINTENANCE AND REPAIR IS ARBITRARY AND LIMITS OUR ABILITY TO OBTAIN BEST VALUE WITH THE FUNDS MADE AVAILABLE FOR SUPPORT. NO WAIVER HAS EVER BEEN MADE AND NO REPORT HAS EVER BEEN PROVIDED UNDER THIS PROVISION. A=(YYNYY0), AF(YYYNY0), N(YYYNY0)

10 USC **2467(c)**	CONGRESSIONAL NOTIFICATION OF COST COMPARISON WAIVER	2000/03/14	AT&L	1519

0

DESCRIPTION: (1) NOT LATER THAN 10 DAYS AFTER THE DECISION IS MADE TO WAIVE THE COST COMPARISON STUDY OTHERWISE REQUIRED UNDER OFFICE OF MANAGEMENT AND BUDGET CIRCULAR A-76 AS PART OF THE PROCESS TO CONVERT TO CONTRACTOR PERFORMANCE ANY COMMERCIAL ACTIVITY OF THE DEPARTMENT OF DEFENSE. THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT DESCRIBING THE COMMERCIAL ACTIVITY SUBJECT TO THE WAIVER AND THE RATIONALE FOR THE WAIVER. (2) THE REPORT SHALL ALSO INCLUDE THE FOLLOWING - (A) THE TOTAL NUMBER OF CIVILIAN EMPLOYEES OR MILITARY PERSONNEL CURRENTLY PERFORMING THE FUNCTION TO BE CONVERTED TO CONTRACTOR PERFORMANCE. (B) A DESCRIPTION OF THE COMPETITIVE PROCEDURE USED TO AWARD A CONTRACT FOR CONTRACTOR PERFORMANCE OF A COMMERCIAL ACTIVITY (C) THE ANTICIPATED SAVINGS TO RESULT FROM THE WAIVER AND RESULTING CONVERSION TO CONTRACTOR PERFORMANCE.

COMMENTS

10 USC **2469a(e)(1)(B)**	CONTRACTS FOR MULTIPLE DEPOT-LEVEL MAINTENANCE AND REPAIR WORKLOADS	1999/02/18	AT&L	323

Y N Y N N 100 TR

DESCRIPTION: A SOLICITATION MAY BE ISSUED FOR A SINGLE CONTRACT FOR THE PERFORMANCE OF MULTIPLE DEPOT-LEVEL MAINTENANCE AND REPAIR WORKLOADS DESCRIBED IN SUBSECTION (b) ONLY IF -- (A) THE SECRETARY OF DEFENSE DETERMINES IN WRITING THAT THE INDIVIDUAL WORKLOADS CANNOT AS LOGICALLY AND ECONOMICALLY BE PERFORMED WITHOUT COMBINATION BY SOURCES THAT ARE POTENTIALLY QUALIFIED TO SUBMIT AN OFFER AND TO BE AWARDED A CONTRACT TO PERFORM THOSE INDIVIDUAL WORKLOADS; (B) THE SECRETARY SUBMITS TO CONGRESS A REPORT SETTING FORTH THE DETERMINATION TOGETHER WITH THE REASONS FOR THE DETERMINATION; AND (C) THE SOLICITATION OF OFFERS FOR THE CONTRACT IS ISSUED MORE THAN 60 DAYS AFTER THE DATE ON WHICH THE SECRETARY SUBMITS THE REPORT.

COMMENTS: BECAUSE OF THE WAY 10 USC 2469a WAS CONSTRUCTED, THIS REPORTING REQUIREMENT, FOR PRACTICAL PURPOSES, WILL ONLY APPLY TO THE COMPETITIONS FOR WORKLOADS AT SACRAMENTO AIR LOGISTICS CENTER AND SAN ANTONIO AIR LOGISTICS CENTER. THE REQUIRED REPORTS UNDER THIS PROVISION WERE DEVELOPED AND SUBMITTED. THIS REPORTING REQUIREMENT IS NOW OBSOLETE. THE CONDITIONS SPECIFIED UNDER THIS PROVISION CANNOT REOCCUR AGAIN SINCE THE CURRENT BRAC AUTHORITY EXPIRES WITH THE COMPLETION OF THE 1995 ROUND.

10 USC 2486(d)	ESTABLISHMENT OF SALE PRICE: CONGRESSIONAL NOTIFICATION	1999/02/12	P&R	778

Y N N N N 25

DESCRIPTION: (1) THE SECRETARY OF DEFENSE SHALL ESTABLISH THE SALES PRICE OF EACH ITEM OF MERCHANDISE SOLD IN, AT, OR BY COMMISSARY STORES AT THE LEVEL THAT WILL RECOUP THE ACTUAL PRODUCT COST OF THE ITEM (CONSISTENT WITH THIS SECTION AND SECTIONS 2484 AND 2685 OF THIS TITLE). (2) ANY CHANGE IN THE PRICING POLICIES FOR MERCHANDISE SOLD IN, AT OR BY COMMISSARY STORES SHALL NOT TAKE EFFECT UNTIL THE SECRETARY OF DEFENSE SUBMITS WRITTEN NOTICE OF THE PROPOSED CHANGE TO CONGRESS AND A PERIOD OF 90 DAYS OF CONTINUOUS SESSION OF CONGRESS EXPIRES FOLLOWING THE DATE ON WHICH NOTICE WAS RECEIVED.

COMMENTS:

10 USC **2536(b)(2)**	AWARD OF CERTAIN CONTRACTS TO ENTITIES CONTROLLED BY A FOREIGN GOVERNMENT: **PROHIBITION** : WAIVER	1999/02/22	AT&L	1441

Y Y Y N Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL NOTIFY CONGRESS OF ANY DECISION TO GRANT A WAIVER UNDER PARAGRAPH(1)(B) WITH RESPECT TO A CONTRACT. THE CONTRACT MAY BE AWARDED ONLY AFTER THE END OF THE 45-DAY PERIOD BEGINNING ON THE DATE THE NOTIFICATION IS RECEIVED BY THE COMMITTEES.

COMMENTS: NO WAIVERS PROCESSED IN THE LAST 3 1/2 YEARS.

10 USC 2551(d)	HUMANITARIAN ASSISTANCE - RELIEF FOR UNAUTHORIZED COUNTRIES	1999/03/28	POL	838
		NN NN	Y	0

DESCRIPTION: IN ANY CASE IN WHICH THE SECRETARY OF DEFENSE PROVIDES FOR THE TRANSPORTATION OF HUMANITARIAN RELIEF TO A COUNTRY TO WHICH THE TRANSPORTATION OF HUMANITARIAN RELIEF HAS NOT BEEN SPECIFICALLY AUTHORIZED BY LAW, THE SECRETARY SHALL NOTIFY THE COMMITTEE ON ARMED SERVICES, THE COMMITTEE ON APPROPRIATIONS AND THE COMMITTEE ON FOREIGN RELATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY, THE COMMITTEE ON APPROPRIATIONS AND THE COMMITTEE ON INTERNATIONAL RELATIONS OF THE HOUSE OF REPRESENTATIVES OF THE SECRETARY'S INTENTION TO PROVIDE SUCH TRANSPORTATION. THE NOTIFICATION SHALL BE SUBMITTED NOT LESS THAN 15 DAYS BEFORE THE COMMENCEMENT OF SUCH TRANSPORTATION.

COMMENTS:

10 USC 2553(c)	SALES OF ARTICLES AND SERVICES OF DEFENSE INDUSTRIAL FACILITIES TO PURCHASERS OUTSIDE THE DEPARTMENT OF DEFENSE	2000/03/14	AT&L	1516
				0

DESCRIPTION: THE SECRETARY OF DEFENSE MAY WAIVE THE CONDITION IN PARAGRAPH (1)(A) AND SUBSECTION (a)(1) THAT AN ARTICLE OR SERVICE MUST BE NOT AVAILABLE FROM A UNITED STATES COMMERCIAL SOURCE IN THE CASE OF A PARTICULAR SALE IF THE SECRETARY DETERMINES THAT THE WAIVER IS NECESSARY FOR REASONS OF NATIONAL SECURITY AND NOTIFIES CONGRESS REGARDING THE REASONS FOR THE WAIVER.

COMMENTS:

10 USC 2611	ASIA-PACIFIC CENTER FOR SECURITY STUDIES: ACCEPTANCE OF FOREIGN GIFTS AND DONATIONS	2000/03/20	COMP	1530
				0

DESCRIPTION: (a) THE SECRETARY OF DEFENSE MAY ACCEPT, ON BEHALF OF THE ASIA-PACIFIC CENTER, FOREIGN GIFTS OR DONATIONS IN ORDER TO DEFRAY THE COSTS OF, OR ENHANCE THE OPERATION OF, THE ASIA-PACIFIC CENTER. (e) IF THE TOTAL AMOUNT OF FUNDS ACCEPTED UNDER SUBSECTION (a) IN ANY FISCAL YEAR EXCEEDS $2,000,000, FOR THAT FISCAL YEAR, THE SECRETARY SHALL NOTIFY CONGRESS OF THE AMOUNT OF THE DONATIONS FOR THAT FISCAL YEAR. ANY SUCH NOTICE SHALL LIST EACH OF THE CONTRIBUTORS OF SUCH AMOUNTS AND THE AMOUNT OF EACH CONTRIBUTION IN THAT FISCAL YEAR.

COMMENTS:

10 USC 2631(b)(3) SUPPLIES: PREFERENCE TO UNITED STATES VESSELS 1994/09/30 AT&L 1444

N N NN Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE MAY WANE THE REQUIREMENT DESCRIBED IN PARAGRAPH (I) IF THE SECRETARY DETERMINES THAT SUCH WAIVER IS CRITICAL TO THE NATIONAL SECURITY OF THE UNITED STATES. THE SECRETARY SHALL IMMEDIATELY NOTIFY THE CONGRESS OF ANY SUCH WAIVER AND THE REASONS FOR SUCH WAIVER.

COMMENTS:

10 USC 2645(d) INDEMNIFICATION OF DEPARTMENT OF TRANSPORTATION FOR LOSSES COVERED BY VESSEL WAR RISK INSURANCE 1999/02/22 COMP 1445

N N N N N 20 x

DESCRIPTION: IN THE EVENT OF A LOSS THAT IS COVERED BY VESSEL WAR RISK INSURANCE IN THE CASE OF AN INCIDENT IN WHICH THE COVERED LOSS IS (OR IS EXPECTED TO BE) IN AN AMOUNT IN EXCESS OF $1,000,000, THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS - (1) NOTIFICATION OF THE LOSS AS SOON AFTER OCCURRENCE OF THE LOSS AS POSSIBLE AND IN NO EVENT MORE THAN 30 DAYS AFTER THE DATE OF THE LOSS. AND (2) SEMI-ANNUAL REPORTS THEREAFTER UPDATING THE INFORMATION SUBMITTED IN PARAGRAPH (1) AND SHOWING WITH RESPECT TO LOSSES ARISING FROM SUCH INCIDENT THE TOTAL AMOUNT EXPENDED TO COVER SUCH LOSSES, THE SOURCE OF SUCH FUNDS. PENDING LITIGATION. AND ESTIMATED TOTAL COST TO THE GOVERNMENT

COMMENTS:

10 USC 2662(a) REAL PROPERTY TRANSACTIONS - REPORTS TO CONGRESSIONAL COMMITTEES 1999/02/18 ALLDO D 477

YN YN Y 2

DESCRIPTION: (a) THE SECRETARY OF A MILITARY DEPARTMENT, OR HIS DESIGNEE, MAY NOT ENTER INTO ANY OF THE FOLLOWING LISTED TRANSACTIONS BY OR FOR THE USE OF THAT DEPARTMENT UNTIL AFTER THE EXPIRATION OF 30 DAYS FROM THE DATE UPON WHICH A REPORT OF THE FACTS CONCERNING THE PROPOSED TRANSACTION IS SUBMITTED TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES: 1) AN ACQUISITION OF FEE TITLE TO ANY REAL PROPERTY, IF THE ESTIMATED PRICE IS MORE THAN $200,000; 2) A LEASE OF ANY REAL PROPERTY TO THE U.S., IF THE ESTIMATED ANNUAL RENTAL IS MORE THAN $200,000; 3) A LEASE OR LICENSE OF REAL PROPERTY OWNED BY THE U.S., IF THE ESTIMATED ANNUAL FAIR MARKET RENTAL VALUE OF THE PROPERTY IS MORE THAN $200,000; 4) A TRANSFER OF REAL PROPERTY OWNED BY THE U.S. TO ANOTHER FEDERAL AGENCY OR ANOTHER MILITARY DEPARTMENT OR TO A STATE, IF THE ESTIMATED VALUE IS MORE THAN $200,000: 5) A REPORT OF EXCESS REAL PROPERTY OWNED BY THE U.S. TO A DISPOSAL AGENCY, IF THE ESTIMATED VALUE IS MORE THAN $200,000; AND 6) ANY TERMINATION OR MODIFICATION BY EITHER THE GRANTOR OR GRANTEE OF AN EXISTING LICENSE OR PERMIT OF REAL PROPERTY OWNED BY THE U.S. TO A MILITARY DEPARTMENT, UNDER WHICH SUBSTANTIAL INVESTMENTS HAVE BEEN OR ARE PROPOSED TO BE MADE IN CONNECTION WFH THE USE OF THE PROPERTY BY THE MILITARY DEPARTMENT. (b) THE SECRETARY OF EACH MILITARY DEPARTMENT SHALL SUBMIT ANNUALLY TO THE CONGRESSIONAL COMMITTEES NAMED IN SUBSECTION (a) A REPORT ON TRANSACTIONS DESCRIBED IN SUBSECTION (aq) THAT INVOLVE AN ESTIMATED VALUE OF MORE THAN THE SIMPLIFIED THRESHOLD UNDER SECTION 2304(g) OFTI-HS SECTION BUT NOT MORE THAN $2000,000.

COMMENTS: AIR FORCE: $200K THRESHOLD SHOULD BE RAISED TO $500K. RESPONDENTS = AF(NNNNN2), N(YNYNY0)

10 USC 2662(c)	REAL PROPERTY TRANSACTIONS - LEASE OF RENTAL PROPERTY BY GSA FOR DOD IN EXCESS OF **$200,000**	1999/02/18	ALLDO D	492

YN NN N 2 TR

DESCRIPTION: NO ELEMENT OF DOD SHALL OCCUPY ANY GENERAL PURPOSE SPACE LEASED FOR IT BY THE GENERAL SERVICES ADMINISTRATION AT AN ANNUAL RENTAL IN EXCESS OF $200,000 (EXCLUDING THE COST OF UTILITIES AND OTHER OPERATION AND MAINTENANCE SERVICES), IF THE EFFECT OF SUCH OCCUPANCY IS TO INCREASE THE TOTAL AMOUNT OF SUCH LEASED SPACE OCCUPIED BY ALL ELEMENTS OF DOD, UNTIL THE EXPIRATION OF 30 DAYS FROM THE DATE UPON WHICH A REPORT OF THE FACTS CONCERNING THE PROPOSED OCCUPANCY IS SUBMITTED TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES.

COMMENTS: THESE REPORTS ARE INCOMPATIBLE WITH EFFICIENT MANAGEMENT (THRESHOLD OF $200,000 IS .00001% OF PROPOSED FY 95 BUDGET) AND UNNECESSARY. THIS SECTION IS NOT AN AUTHORITY FOR THE TRANSACTION SO, ANY ACTION MUST MEET ANOTHER STATUTE'S REQUIREMENTS. AF: $200K THRESHOLD SHOULD BE RAISED TO $500K. RESPONDENTS= A(NNNNN-), AF(NNNNN2), N(YYYNY0)

10 USC **2662(f)**	REAL PROPERTY TRANSACTIONS - DOD INTELLIGENCE COMPONENTS	1999/03/23	AT&L	493

YN YN Y 0

DESCRIPTION: WHENEVER A TRANSACTION IS MADE BY OR ON BEHALF OF AN INTELLIGENCE COMPONENT OF DOD OR INVOLVES REAL PROPERTY USED BY SUCH A COMPONENT, ANY REPORT WITH RESPECT TO THE TRANSACTION THAT IS SUBMITTED TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES SHALL BE SUBMITTED CONCURRENTLY TO THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE OF THE HOUSE OF REPRESENTATIVES AND THE SELECT COMMITTEE ON INTELLIGENCE OF THE SENATE.

COMMENTS:

10 USC **2667a(c)(2)**	LEASES: NON-EXCESS PROPERTY OF DEFENSE AGENCIES	1999/06/11	ALLDO D	14%

0

DESCRIPTION: (1) IF THE TERM OF A PROPOSED LEASE UNDER SUBSECTION (a) EXCEEDS ONE YEAR AND THE FAIR MARKET VALUE OF THE LEASE INTEREST EXCEEDS $100,000, AS DETERMINED BY THE SECRETARY OF DEFENSE, THE SECRETARY SHALL USE COMPETITIVE PROCEDURES TO SELECT THE LEASE. (2) NOT LATER THAN 45 DAYS BEFORE ENTERING INTO A LEASE DESCRIBED IN PARAGRAPH(1), THE SECRETARY SHALL SUBMIT TO CONGRESS A WRITTEN NOTICE DESCRIBING THE TERMS OF THE PROPOSED LEASE AND THE COMPETITIVE PROCEDURES USED TO SELECT THE LESSEE.

COMMENTS:

10 USC **2672a(b)**	**ACQUISITION:** INTERESTS IN LAND WHEN NEED IS URGENT	1999/02/18	ALLDO D				303
		NN	NN	Y	0	TR	

DESCRIPTION: THE SECRETARY OF A **MILITARY** DEPARTMENT MAY ACQUIRE ANY INTEREST IN LAND THAT - (1) HE OR HIS DESIGNEE DETERMINES IS NEEDED **IN** THE INTEREST OF NATIONAL DEFENSE, (2) IS REQUIRED TO MAINTAIN THE OPERATIONAL INTEGRITY OF A **MILITARY** INSTALLATION; AND (3) CONSIDERATIONS OF URGENCY DO NOT **PERMIT** DELAY NECESSARY **TO** INCLUDE THE REQUIRED **ACQUISITION** IN AN ANNUAL MILITARY CONSTRUCTION AUTHORIZATION ACT. **THE** SECRETARY OF A **MILITARY** DEPARTMENT CONTEMPLATING ACTION UNDER THIS SECTION SHALL PROVIDE NOTICE, IN **WRITING**, TO THE **COMMITTEE** ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES AT LEAST 30 DAYS IN ADVANCE OF ANY ACTION BEING TAKEN.

COMMENTS: "URGENT" ACTIONS NECESSARY FOR OPERATIONS DESERT **SHIELD/STORM** WERE HINDERED BY THIS SELF-CONTRADICTORY REQUIREMENT **FOR** A 30-DAY DELAY. RESPONDENTS = **AF(NNNNY0), N(YYYNY)**

10 USC **2676(d)**	ACQUISITION: LIMITATION ON REAL PROPERTY NOT OWNED BY THE UNITED STATES	1999/02/12	ALLDO D			247
		YY	YY	Y	0	

DESCRIPTION: (a) NO MILITARY DEPARTMENT MAY ACQUIRE REAL PROPERTY NOT OWNED BY THE **UNITED** STATES UNLESS THE **ACQUISITION** IS EXPRESSLY AUTHORIZED BY LAW. (d) **LIMITATIONS** ON REDUCTION IN SCOPE OR THE INCREASE IN COST OF A LAND **ACQUISITION IN** SUBSECTION (c) DO NOT APPLY **IF THE** REDUCTION IN SCOPE OR INCREASE **IN** COST, AS THE CASE MAY BE IS APPROVED BY THE SECRETARY CONCERNED AND A **WRITTEN** NOTIFICATION OFTI-IE FACTS SUBMITTED BY THE SECRETARY **TO** THE APPROPRIATE COMMITTEES OF CONGRESS. A CONTRACT FOR THE **ACQUISITION** MAY THEN BE AWARDED ONLY AFTER A PERIOD OF 21 DAYS ELAPSES FROM **THE** DATE THE NOTIFICATION IS RECEIVED BY THE **COMMITTEES**. PERTAINS TO A DETERMINATION THAT UNUSUAL VARIATIONS IN COST, WHICH COULD NOT HAVE BEEN ANTICIPATED, REQUIRE SPENDING 25% MORE THAN AUTHORIZED **FOR ACQUISITIONS** OF REAL PROPERTY

COMMENTS RESPONDENTS = **DISA(YYYYY)**, AF(YNYNY). **N(YYYNY0), A(YNNNN0)**

10 USC 2687 note	EXECUTIVE AGREEMENTS **WITH** NATO MEMBERS	2000/10/17	COMP			1558
					0	

DESCRIPTION: NOTWITHSTANDING ANY OTHER PROVISION OF LAW, DURING THE CURRENT FISCAL YEAR, THE SECRETARY OF DEFENSE MAY, BY **EXECUTIVE** AGREEMENT, ESTABLISH WITH HOST NATION GOVERNMENTS **IN** NAM MEMBER STATES A SEPARATE ACCOUNT INTO WHICH SUCH RESIDUAL VALUE AMOUNTS NEGOTIATED IN THE RETURN OF **UNITED** STATES MILITARY INSTALLATIONS IN **NATO** MEMBER STATES MAY BE DEPOSITED, **IN** THE CURRENCY OF THE HOST NATION, IN LIEU OF DIRECT MONETARY TRANSFERS TO THE UNTIED STATES TREASURY. EACH SUCH EXECUTIVE AGREEMENT **WITH** A **NATO** MEMBER HOST NATION SHALL BE REPORTED **TO** THE CONGRESSIONAL DEFENSE **COMMITTEES**, THE COMMITTEE ON INTERNATIONAL RELATIONS OF THE HOUSE OF REPRESENTATIVES AND THE **COMMITTEE** ON FOREIGN RELATIONS OF THE SENATE 30 DAYS PRIOR **TO** THE CONCLUSION AND ENDORSEMENT OF ANY SUCH AGREEMENT ESTABLISHED UNDER THIS PROVISION.

COMMENTS:

10 USC 2687(b)(1)	BASE CLOSURES AND REALIGNMENTS	1999/02/12	ALLDO D		472
		YY YY	Y	0	

DESCRIPTION: (b) NO ACTION DESCRIBED IN SUBSECTION(a) WITH RESPECT TO THE CLOSURE OF, OR A REALIGNMENT WITH RESPECT TO, ANY MILITARY INSTALLATION REFERRED TO IN SUCH SUBSECTION MAY BE TAKEN UNLESS AND UNTIL - (1) THE SECRETARY OF DEFENSE OR THE SECRETARY OF THE MILITARY DEPARTMENT CONCERNED NOTIFIES THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES, AS PART OF AN ANNUAL REPORT FOR AUTHORIZATION OF APPROPRIATIONS TO SUCH COMMITTEES, OF THE PROPOSED CLOSING OR REALIGNMENT AND SUBMITS WITH THE NOTIFICATION AN EVALUATION OF THE FISCAL, MCAL ECONOMIC, BUDGETARY, ENVIRONMENTAL, STRATEGIC, AND OPERATIONAL CONSEQUENCES OF SUCH CLOSURE OR REALIGNMENT; AND (2) A PERIOD OF 30 LEGISLATIVE DAYS OR 60 CALENDAR DAYS, EXPIRES FOLLOWING THE DAY ON WHICH THE NOTICE AND EVALUATION HAVE BEEN SUBMITTED TO SUCH COMMITTEES, DURING WHICH PERIOD NO IRREVOCABLE ACTION MAY BE TAKEN TO AFFECT OR IMPLEMENT THE DECISION.

COMMENTS: RESPONDENTS = DSS(Y), DISA(Y), AF(YYYNY0), N(YNYNY0), A(YYYNY0)

10 USC 2688(e)	UTILITY SYSTEMS: CONVEYANCE AUTHORITY: NOTICE-AND-WAIT REQUIREMENT	1999/06/11	ALLDO D		1497
				0	

DESCRIPTION THE SECRETARY CONCERNED MAY NOT MAKE A CONVEYANCE UNDER SUBSECTION (a) UNTIL--(1) THE SECRETARY SUBMITS TO THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON APPROPRIATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY AND THE COMMITTEE ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES AN ECONOMIC ANALYSIS (BASED UPON ACCEPTED LIFE-CYCLE COSTING PROCEDURES APPROVED BY THE SECRETARY OF DEFENSE) DEMONSTRATING THAT (A) THE LONG-TERM ECONOMIC BENEFIT OF THE CONVEYANCE TO THE UNITED STATES EXCEEDS THE LONG-TERM ECONOMIC COST OF THE CONVEYANCE TO THE UNITED STATES; AND (B) THE CONVEYANCE WILL REDUCE THE MNG-TERM COSTS OF THE UNITED STATES FOR UTILITY SERVICES PROVIDED BY THE UTILITY SYSTEM CONCERNED; AND (2) A PERIOD OF 21 DAYS HAS ELAPSED AFTER THE DATE ON WHICH THE ECONOMIC ANALYSIS IS RECEIVED BY THE COMMITTEES.

COMMENTS:

10 USC 2696(c&d)	SCREENING OF REAL PROPERTY FOR FURTHER FEDERAL USE BEFORE CONVEYANCE	1999/06/11	ALLDO D		1498
				0	

DESCRIPTION: IF THE ADMINISTRATOR OF GENERAL SERVICES NOTIFIES THE SECRETARY CONCERNED UNDER SUBSECTION (b) THAT FURTHER FEDERAL USE OF A PARCEL OF REAL PROPERTY AUTHORIZED OR REQUIRED TO BE CONVEYED BY ANY PROVISION OF LAW IS REQUESTED BY A FEDERAL AGENCY, THE SECRETARY CONCERNED SHALL SUBMIT A COPY OF THE NOTICE TO CONGRESS. (d) IF THE SECRETARY CONCERNED SUBMITS A NOTICE UNDER SUBSECTION (c) WITH REGARD TO A PARCEL OF REAL PROPERTY, THE SECRETARY CONCERNED MAY NOT PROCEED WITH THE CONVEYANCE OF REAL PROPERTY AS PROVIDED IN THE PROVISION OF LAW AUTHORIZING OR REQUIRING THE CONVEYANCE IF CONGRESS ENACTS A LAW RESCINDING THE CONVEYANCE AUTHORITY OR REQUIREMENT BEFORE THE END OF THE 180-DAY PERIOD BEGINNING ON THE DATE ON WHICH SUCH NOTICE WAS RECEIVED BY CONGRESS.

COMMENTS:

10USC 2723	NOTICE OF CERTAIN SECURITY AND COUNTERINTELLIGENCE FAILURES WITHIN THE DEPARTMENT OF DEFENSE	2000/03/20	C3I	1539
			0	

DESCRIPTION: (a) THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEES ON ARMED SERVICES OF THE SENATE AND HOUSE OF REPRESENTATIVES A NOTIFICATION OF EACH SECURITY OR COUNTERINTELLIGENCE FAILURE OR COMPROMISE OF CLASSIFIED INFORMATION RELATING TO ANY DEFENSE OPERATION, SYSTEM, OR TECHNOLOGY OF THE UNITED STATES THAT THE SECRETARY CONSIDERS LIKELY TO CAUSE SIGNIFICANT HARM OR DAMAGE TO THE NATIONAL SECURITY INTERESTS OF THE UNITED STATES.

COMMENTS:

10 USC 2803(b)	EMERGENCY CONSTRUCTION	1999/02/18	ALLDO D	227
		YN YN	N 10	

DESCRIPTION: THE SECRETARY CONCERNED MAY CARRY OUT A MILITARY CONSTRUCTION PROJECT NOT OTHERWISE AUTHORIZED BY LAW IF THE SECRETARY DETERMINES (1) THAT THE PROJECT IS VITAL TO THE NATIONAL SECURITY OR TO THE PROTECTION OF HEALTH, SAFETY, OR THE QUALITY OF THE ENVIRONMENT, AND (2) THAT THE REQUIREMENT FOR THE CONSTRUCTION IS SO URGENT THAT DEFERRAL OF THE PROJECT FOR INCLUSION IN THE NEXT MILITARY CONSTRUCTION ACT WOULD BE INCONSISTENT WITH NATIONAL SECURITY OR THE PROTECTION OF HEALTH, SAFETY, OR ENVIRONMENTAL QUALITY. WHEN A DECISION IS MADE TO CARRY OUT A MILITARY CONSTRUCTION PROJECT UNDER THIS SECTION, THE SECRETARY CONCERNED SHALL SUBMIT A REPORT IN WRITING TO THE APPROPRIATE COMMITTEES OF CONGRESS OF THAT DECISION. EACH SUCH REPORT SHALL INCLUDE (1) THE JUSTIFICATION FOR THE PROJECT AND THE CURRENT ESTIMATE OF THE COST OF THE PROJECT, (2) THE JUSTIFICATION FOR CARRYING OUT THE PROJECT UNDER THIS SECTION, AND (3) A STATEMENT OF THE SOURCE OF THE FUNDS TO BE USED TO CARRY OUT THE PROJECT. THE PROJECT MAY THEN BE CARRIED OUT ONLY AFTER THE END OF THE 21-DAY PERIOD BEGINNING ON THE DATE THE NOTIFICATION IS RECEIVED BY SUCH COMMITTEES.

COMMENTS: RECOMMEND THE 21-DAY NOTIFICATION PERIOD BE ELIMINATED AND THIS INFORMATION BE REPORTED AFTER THE FACT IN THE ANNUAL REPORT TO CONGRESS (10 USC 2861). RESPONDENTS = AF(YNYNN10), N(YYYNY0), A(YYYNY0)

10 USC 2804(b)	CONTINGENCY CONSTRUCTION	1999/02/22	AT&L	526
		NN YN	Y 0 TR	

DESCRIPTION: WITHIN THE AMOUNT APPROPRIATED FOR SUCH PURPOSE, THE SECRETARY OF DEFENSE MAY CARRY OUT A MILITARY CONSTRUCTION PROJECT NOT OTHERWISE AUTHORIZED BY LAW, OR MAY AUTHORIZE THE SECRETARY OF A MILITARY DEPARTMENT TO CARRY OUT A PROJECT, IF THE SECRETARY OF DEFENSE DETERMINES THAT DEFERRAL OF THE PROJECT FOR INCLUSION IN THE NEXT MILITARY CONSTRUCTION AUTHORIZATION ACT WOULD BE INCONSISTENT WITH NATIONAL SECURITY OR NATIONAL INTEREST. THE SECRETARY OF DEFENSE SHALL SUBMIT A REPORT IN WRITING TO THE APPROPRIATE COMMITTEES OF CONGRESS ON THAT DECISION. EACH REPORT SHALL INCLUDE THE JUSTIFICATION FOR THE PROJECT AND THE CURRENT ESTIMATE OF THE COST OF THE PROJECT, AND THE JUSTIFICATION FOR CARRYING OUT THE PROJECT. THE PROJECT MAY THEN BE CARRIED OUT ONLY AFTER THE END OF THE 21-DAY PERIOD BEGINNING ON THE DATE THE NOTIFICATION IS RECEIVED BY THE COMMITTEES.

COMMENTS: THIS REQUIREMENT IS REDUNDANT (SAME AS 10 USC 28 1 0(b)(1). THE ONLY DIFFERENCE IS IN JUSTIFYING CONSTRUCTION AND IN A 2 1-DAY WAIT PERIOD.

10 USC **2805(b)(1)** UNSPECIFIED MINOR CONSTRUCTION **1999/02/12** ALLDO D 244

YY YN Y 30

DESCRIPTION: AN UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECT COSTING MORE THAN $500,000 MAY NOT BE CARRIED OUT UNDER THIS SECTION UNLESS APPROVED IN ADVANCE BY THE SECRETARY CONCERNED. WHEN A DECISION IS MADE TO CARRY OUT AN UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECT THE SECRETARY CONCERNED SHALL NOTIFY IN WRITING THE APPROPRIATE COMMITTEES OF CONGRESS OF THAT DECISION. OF THE JUSTIFICATION FOR THE PROJECT, AND THE ESTIMATED COST OF THE PROJECT. THE PROJECT MAY THEN BE CARRIED OUT ONLY AFTER THE END OF THE 2 1 -DAY PERIOD BEGINNING ON THE DATE THE NOTIFICATION IS RECEIVED BY THE COMMITTEES.

COMMENTS: RECOMMEND 2 1 -DAY NOTIFICATION PERIOD BE ELIMINATED AND THE INFORMATION BE REPORTED AFTER THE FACT IN THE ANNUAL REPORT TO CONGRESS (10 USC 2861). RESPONDENTS = DISA(YYYYY0), ARMY (YNNNN20), AF(YNYNNN0), N(YYYNY0)

10 USC **2806(c)(2)** CONTRIBUTIONS FOR NORTH ATLANTIC **TREATY** ORGANIZATION INFRASTRUCTURE **1999/02/23** COMP 527

Y Y Y N Y 0

DESCRIPTION: WITHIN AMOUNTS AUTHORIZED BY LAW THE SECRETARY OF DEFENSE MAY MARE CONTRIBUTIONS FOR THE UNITED STATES SHARE OF THE COST OF MULTILATERAL PROGRAMS FOR THE ACQUISITION AND CONSTRUCTION OF MILITARY FACILITIES AND INSTALLATIONS AND FOR RELATED EXPENSES FOR THE COLLECMVE DEFENSE OF THE NORTH ATLANTIC TREATY AREA. IF THE SECRETARY DETERMINES THAT THE AMOUNT APPROPRIATED FUR CONTRIBUTION UNDER SUBSECTION (a) IN ANY FISCAL YEAR MUST BE EXCEEDED BY MORE THAN THE AMOUNT AUTHORIZED UNDER PARAGRAPH (1), BUT NOT IN EXCESS OF 125 PERCENT OF THE AMOUNT APPROPRIATED (A) AFTER SUBMITTING A REPORT IN WRITING TO THE APPROPRIATE COMMITTEES OF CONGRESS ON SUCH INCREASE, INCLUDING A STATEMENT OF THE REASONS FOR THE INCREASE, AND (B) AFTER A PERIOD OF 21 DAYS HAS ELAPSED FROM THE DATE OF RECEIPT OF THE REPORT.

COMMENTS:

10 USC 2807(b)	**ARCHITECTURAL AND ENGINEERING SERVICES AND CONSTRUCTION DESIGN**	1999/02/18	ALLDO e	486

∀ N ∀ N N 20 TR

DESCRIPTION: WITHIN AMOUNTS APPROPRIATED FOR MILITARY CONSTRUCTION AND MILITARY FAMILY HOUS ING, THE SECRETARY CONCERNED MAY OBTAIN ARCHITECTURAL AND ENGINEERING SERVICES AND MAY CARRY OUT CONSTRUCTION DESIGN W CONNECTION WITH MILITARY CONSTRUCTION PROJECTS NOT OTHERWISE AUTHORIZED BY LAW. AMOUNTS AVAILABLE FOR SUCH PURPOSES MAY BE USED FOR CONSTRUCTION MANAGEMENT OF PROJECTS THAT ARE FUNDED 8∀ FOREIGN GOVERNMENTS DIRECTLY OR THROUGH INTERNATIONAL ORGANIZATIONS AND FOR WHICH ELEMENTS op THE ARMED FORCES op THE UNITED STATES ARE THE PRIMARY USER. W THE CASE OF ARCHITECTURAL AND ENGINEERING SERVICES AND CONSTRUCTION DESIGN TO BE UNDERTAKEN FOR WHICH THE ESTIMATED COST EXCEEDS $500,000, THE SECRETARY CONCERNED SHALL NOTIFY THE APPROPRIATE COMMITTEES OF CONGRESS OF THE SCOPE OF THE PROPOSED PROJECT AND THE ESTIMATED COST OF SUCH SERVICES NOT LESS THAN 21 DAYS BEFORE THE INITIAL OBLIGATION OF FUNDS FOR SUCH SERVICES.

COMMENTS: AIR FORCE: DESIGN AND PROJECT FEES ARE UP SINCE ENACTMENT OF THIS REQUIREMENT. NOTIFICATION PROCESS DELAYS EXECUTION. RECOMMEND THE 21-DAY NOTIFICATION BE ELIMINATED AND THIS INFORMATION BE REPORTED AFTER THE FACT IN THE ANNUAL REPORT TO CONGRESS (10 USC 2861) NAVY: LIMITED VALUE TO MEMBERS OF CONGRESS. NO VALUE TO OTHER AGENCIES, THE JUDICIARY OR DoD. BURDEN PROBABLY EXCEED VALUE ADDED. RESPONDENTS = AF(YNNNN10), N(YNYNN10)

10 USC 2807(c)	**REASONS FOR INCREASE OF FUNDS FOR ARCHITECTURAL AND ENGINEERING SERVICES AND CONSTRUCTION DESIGN**	1999/02/18	ALLDO e	529

∀ N ∀ N N 121

DESCRIPTION: WMW AMOUNTS APPROPRIATED FOR MILITARY CONSTRUCTION AND MILITARY FAMILY HOUSING, THE SECRETARY CONCERNED MAY OBTAIN ARCHITECTURAL AND ENGINEERING SERVICES AND MAY CARRY OUT CONSTRUCTION DESIGN IN CONNECTION WITH MILITARY CONSTRUCTION PROJECTS, FAMILY HOUSING PROJECTS, AND PROJECTS THAT ARE NOT OTHERWISE AUTHORIZED BY LAW. (c) IF THE SECRETARY CONCERNED DETERMINES THAT THE AMOUNT AUTHORIZED FOR ACTIVITIES W ANY FISCAL YEAR MUST 8Є INCREASED THE SECRETARY MAY PROCEED WITH ACTIVITIES AT SUCH HIGHER LEVEL (1) AFTER SUBMITTING A REPORT IN WRITING TO THE APPROPRIATE COMMITTEES O∫ CONGRESS ON SUCH INCREASE, INCLUDING A STATEMENT OF THE REASONS FOR THE INCREASE AND A STATEMENT op THE SOURCE op MES TO 8Є USED FOR THE INCREASE, AND (2) AFTER A PERIOD OF 21 DAYS HAS ELAPSED FROM THE DATE OF RECEIPT OF THE REPORT.

COMMENTS: NAVY: A REPORT IF SECRETARY NEEDS TO INCREASE FUNDS FOR A/E AND DESIGN. CONGRESS MAY WANT OVERSIGHT. NO VALUE TO DoD, OTHER AGENCIES OR THE JUDICIARY. BURDEN PROBABLY EXCEEDS THE VALUE ADDED. DELETE. AIR FORCE: RECOMMEND 21-DAY NOTIFICATION PERIOD BE ELIMINATED AND THIS INFORMATION BE REPORTED AFTER THE FACT W THE ANNUAL REPORT TO CONGRESS (I 0 USC 2861). RESPONDENTS = A(YNYNN100), AF(YNYNN15), N(YNYNN6)

10 USC 2808(b) CONSTRUCTION AUTHORITY IN THE EVENT OF A DECLARATION OF WAR OR NATIONAL EMERGENCY — 1999/02/18 — ALLDOD — 148

Y Y Y N Y 10

DESCRIPTION: IN THE EVENT OF A DECLARATION OF WAR OR THE DECLARATION BY THE PRESIDENT: WHEN A DECISION IS MADE TO UNDERTAKE MILITARY CONSTRUCTION PROJECTS AUTHORIZED BY THIS SECTION, THE SECRETARY OF DEFENSE SHALL NOTIFY THE APPROPRIATE COMMITTEES OF CONGRESS OF THE DECISION. THE ESTIMATED COST OF THE CONSTRUCTION PROJECTS, INCLUDING THE COST OF ANY REAL ESTATE ACTION.

COMMENTS: AIR FORCE: RECOMMEND THIS INFORMATION BE REPORTED AFTER THE FACT IN THE ANNUAL REPORT TO CONGRESS (10 USC 2861). NAVY: CONGRESS PROBABLY WANTS TO RETAIN OVERSIGHT NO VALUE TO OTHER AGENCIES, JUDICIARY, OR DoD. CONGRESS IS LIKELY TO BELIEVE THAT VALUE EXCEEDS THE BURDEN. REPORT IS ONLY REQUIRED DURING LIMITED TIMES. RETAIN. RESPONDENTS = DISA (YYYNYO), ARMY (YYYNYO), AF(YNYNNIO), N(YNYNN0)

10 USC **2809(f)** LONG-TERM **FACILITIES** CONTRACTS FOR CERTAIN ACTIVITIES AND SERVICES — 1999/02/25 — ALLDOD — *48*

YY YY Y TR

DESCRIPTION: A CONTRACT MAY NOT BE ENTERED INTO UNDER THIS SECTION UNTIL THE SECRETARY CONCERNED SUBMITS TO THE APPROPRIATE COMMITTEES OF CONGRESS, IN WRITING, A JUSTIFICATION OF THE NEED FOR THE FACILITY FOR WHICH THE CONTRACT IS TO BE AWARDED AND AN ECONOMIC ANALYSIS (BASED UPON ACCEPTED LIFE-CYCLE COSTING PROCEDURES) WHICH DEMONSTRATES THAT THE PROPOSED CONTRACT IS COST EFFECTIVE WHEN COMPARED WITH ALTERNATIVE MEANS OF FURNISHING THE SAME FACILITY; AND A PERIOD OF 21 CALENDAR DAYS HAS EXPIRED FOLLOWING THE DATE ON WHICH THE JUSTIFICATION AND THE ECONOMIC ANALYSIS ARE RECEIVED BY THE COMMITTEES.

COMMENTS: AIR FORCE HAS HAD NO OCCASION TO SUBMIT THIS REPORT FOR SEVERAL YEARS. NAVY: SINCE THIS SECTION AUTHORIZES THE MILITARY DEPARTMENTS TO ENTER INTO 32-YEAR LEASE-CONSTRUCT (PPV) CONTRACTS FOR HOTELS, CHILD CARE CENTERS, OFFICE SPACE ETC. CONGRESS WOULD LIKELY WANT OVERSIGHT IF THERE WERE CONTRACTS. HOWEVER, NO CONTRACTS HAVE BEEN ENTERED INTO UNDER THIS SECTION SINCE THE SCORING REGULATIONS OF THE CREDIT REFORM ACT OF 1990 WENT INTO EFFECT. SINCE IT IS UNLIKELY THERE WILL BE CONTRACTS UNDER THIS SECTION, THE REPORTING REQUIREMENT IS OF NO VALUE DELETE. RESPONDENTS = DSS(YYYYY0), DISA(NNNNN0), A(NNNNNO), AF(YNYNY0), N(YNYNN0)

10 USC **2811(d)** REPAIR OF FACILITIES — 1999/06/11 — ALLDOD — *1499*

0

DESCRIPTION: (a) USING FUNDS AVAILABLE TO THE SECRETARY CONCERNED FOR OPERATIONS AND MAINTENANCE, THE SECRETARY CONCERNED MAY CARRY OUT REPAIR PROJECTS FOR AN ENTIRE SINGLE-PURPOSE FACILITY OR ONE OR MORE AREAS OF A MULTI-PURPOSE FACILITY. (d) WHEN A DECISION IS MADE TO CARRY OUT A REPAIR PROJECT UNDER THIS SECTION WITH AN ESTIMATED *COST IN* EXCESS OF $10,000,000, THE SECRETARY CONCERNED SHALL SUBMIT TO THE APPROPRIATE COMMITTEES OF CONGRESS A REPORT CONTAINING -- (1) THE JUSTIFICATION FOR THE REPAIR PROJECT; AND (2) THE JUSTIFICATION FOR CARRYING OUT THE PROJECT UNDER THIS SECTION.

COMMENTS:

11-L-0559/OSD/3108

10 USC 2812(c)(1)	LEASE-PURCHASE OF **FACILITIES**	1999/03/05	ALLDO D		49
		Y Y Y Y Y	0	TR	

DESCRIPTION: THE SECRETARY CONCERNED MAY NOT ENTER INTO A LEASE UNDER THIS SECTION UNTIL THE SECRETARY SUBMITS TO THE APPROPRIATE COMMITTEES OF CONGRESS A JUSTIFICATION OF THE NEED FOR THE FACILITY FOR WHICH THE PROPOSED LEASE IS BEING ENTERED INTO AND AN ECONOMIC ANALYSIS (BASED UPON ACCEPTED LIFE-CYCLE COSTING PROCEDURES) THAT DEMONSTRATES THE COST EFFECTIVENESS OF THE PROPOSED LEASE COMPARED WITH A MILITARY CONSTRUCTION PROJECT FOR THE SAME FACILITY; AND A PERIOD OF 21 DAYS HAS EXPIRED FOLLOWING THE DATE ON WHICH THE JUSTIFICATION AND ECONOMIC ANALYSIS ARE RECEIVED BY THE COMMITTEES.

COMMENTS: AIR FORCE: HAS HAD NO OCCASION TO SUBMIT THIS REPORT FOR SEVERAL YEARS. NAVY: SINCE SUBSECTION (c)(2) AUTHORIZED FIVE CONTRACTS IN 1992 AND HAS NOT BEEN AMENDED TO AUTHORIZE ANY CONTRACTS SINCE. THE REPORTING REQUIREMENT IS OF NO VALUE LIKE SECTION 2809. IT IS UNLIKELY THERE WILL BE ANY CONTRACTS AS LONG AS THE SCORING REGULATIONS OF THE CREDIT REFORM ACT OF 1990 ARE IN EFFECT. DELETE. NO PROJECTS BECAUSE CHANGE TO LAW MADE [IT] USELESS. RESPONDENTS = DISA(YYYYY0), A (YYYNYO), AF(YNYNYO). N(NNNNN0)

IO USC 2813(c)	ACQUISITION OF EXISTING FACILITIES IN LIEU OF AUTHORIZED CONSTRUCTION - NOTICE	1999102118	ALLDO D		47
		Y Y Y Y .Y	0		

DESCRIPTION: A CONTRACT MAY NOT BE ENTERED INTO FOR THE ACQUISITION OF A FACILITY UNDER SUBSECTION (a) UNTIL THE END OF THE 30-DAY PERIOD BEGINNING ON THE DATE THE SECRETARY CONCERNED TRANSMITS TO THE APPROPRIATE COMMITTEES OF CONGRESS A WRITTEN NOTIFICATION OF THE DETERMINATION TO ACQUIRE AN EXISTING FACILITY INSTEAD OF CARRYING OUT THE AUTHORIZED MILITARY CONSTRUCTION PROJECT. THE NOTIFICATION SHALL INCLUDE THE REASONS FOR ACQUIRING THE FACILITY.

COMMENTS: RESPONDENTS = DSS(Y), DISA(YYYYY0), ARMY(YYYNY0), AF(YNYNY0), N(YYYNY0)

10 USC 2814	SPECIAL AUTHORITY FOR DEVELOPMENT OF FORD ISLAND, HAWAII	2000/03/20	N		1549
			0		

DESCRIPTION: SUBJECT TO PARAGRAPH (2), THE SECRETARY OF THE NAVY MAY EXERCISE ANY AUTHORITY OR COMBINATION OF AUTHORITIES IN THIS SECTION FOR THE PURPOSE OF DEVELOPING OR FACILITATING THE DEVELOPMENT OF FORD ISLAND, HAWAII, TO THE EXTENT THAT THE SECRETARY DETERMINES THE DEVELOPMENT IS COMPATIBLE WITH THE MISSION OF THE NAVY. (G) THE SECRETARY OF THE NAVY MAY NOT CARRY OUT A TRANSACTION AUTHORIZED BY THIS SECTION UNTIL - (1) THE SECRETARY SUBMITS TO THE APPROPRIATE COMMITTEES OFCONGRESS A NOTIFICATION OF THE TRANSACTION, INCLUDING (A) A DETAILED DESCRIPTION OF THE TRANSACTION; AND (B) A JUSTIFICATION FOR THE TRANSACTION SPECIFYING THE MANNER IN WHICH THE TRANSACTION WILL MEET THE PURPOSES OF THIS SECTION AND (2) A PERIOD OF 30 DAYS HAS ELAPSED FOLLOWING THE DATE ON WHICH THE NOTIFICATION IS RECEIVED BY THOSE COMMITTEES.

COMMENTS:

10 USC 2825(b)(1) IMPROVEMENTS TO FAMILY HOUSING UNITS 1999/03/05 ALLDO D 60

Y Y Y N N 30 TR

DESCRIPTION: FUNDS MAY NOT BE EXPENDED FOR THE IMPROVEMENT OF ANY SINGLE FAMILY HOUSING UNIT, OR FOR THE IMPROVEMENT OF TWO OR MORE HOUSING UNITS THAT ARE TO BE CONVERTED INTO OR ARE TO BE USED AS A SINGLE FAMILY HOUSING UNIT, IF THE COST PER UNIT OF SUCH IMPROVEMENT WILL EXCEED (A) $50,000 MULTIPLIED BY THE AREA OF CONSTRUCTION COST INDEX AS DEVELOPED BY THE DOD FOR THE LOCATION CONCERNED AT THE TIME OF CONTRACT AWARD, OR (B) IN THE CASE OF IMPROVEMENTS NECESSARY TO MAKE THE UNIT SUITABLE FOR HABITATION BY A HANDICAPPED PERSON, $60,000 MULTIPLIED BY SUCH INDEX. THE SECRETARY CONCERNED MAY WAIVE THE LIMITATIONS IF SUCH SECRETARY DETERMINES THAT, CONSIDERING THE USEFUL LIFE OF THE STRUCTURE TO BE IMPROVED AND THE USEFUL LIFE OF A NEWLY CONSTRUCTED UNIT AND THE COST OF CONSTRUCTION AND OF OPERATIONS AND MAINTENANCE OF EACH KIND OF UNIT OVER ITS USEFUL LIFE, THE IMPROVEMENT WILL BE COST EFFECTIVE, AND A PERIOD OF 21 DAYS ELAPSES AFTER THE DATE ON WHICH THE APPROPRIATE COMMITTEES ON APPROPRIATIONS OF CONGRESS RECENE A NOTICE FROM SUCH SECRETARY OF THE PROPOSED WANER TOGETHER WITH THE ECONOMIC ANALYSIS DEMONSTRATING THAT THE IMPROVEMENT WILL BE COST EFFECTIVE.

COMMENTS: ARMY: THIS REPORT IS UNNECESSARY. CAN BE REPLACED BY AN INTERNAL REPORT AND IS NOT NEEDED FOR MANAGEMENT PURPOSES. NAVY: MEMBERS OF CONGRESS ARE VERY INTERESTED IN OVERSIGHT OF EXPENDITURES FOR IMPROVING FAMILY HOUSING, PARTICULARLY FLAG QUARTERS. REPORTS MAY BE OF VALUE TO DoD TO TRACK COSTS OF RENOVATION AND COSTS OF OPERATING FAMILY HOUSING TO EVALUATE ALTERNATIVES. NO VALUE TO OTHER AGENCIES OR THE JUDICIARY. RESPONDENTS = ARMY(YYNNY0), AF(YYYNY0), N(YYYNN30)

10 USC 2825(c)(1) IMPROVEMENTS TO FAMILY HOUSING UNITS - CONSTRUCTION IN LIEU OF IMPROVING 1999/02/18 ALLDO D 68

Y Y N N Y 0 TR

DESCRIPTION: SECRETARY CONCERNED MAY CONSTRUCT REPLACEMENT MILITARY FAMILY HOUSING UNITS IN LIEU OF IMPROVING EXISTING MILITARY FAMILY HOUSING UNITS IF - (A) THE IMPROVEMENT OF THE EXISTING HOUSING UNITS HAS BEEN AUTHORIZED BY LAW; (B) THE SECRETARY DETERMINES THAT THE IMPROVEMENT PROJECT IS NO LONGER COST-EFFECTIVE AFTER REVIEW OF POST-DESIGN OR BID COST ESTIMATES; (C)THE SECRETARY SUBMITS TO THE APPROPRIATE COMMITTEES OF CONGRESS A NOTICE CONTAINING (i) AN ECONOMIC ANALYSIS DEMONSTRATING THAT THE IMPROVEMENT PROJECT WOULD EXCEED 70 PERCENT OF THE COST OF CONSTRUCTING REPLACEMENT HOUSING UNITS INTENDED FOR MEMBERS OF THE ARMED FORCES IN THE SAME PAYGRADE OR GRADES AS THE MEMBERS WHO OCCUPY THE EXISTING HOUSING UNITS AND (ii) THE REPLACEMENT HOUSING UNITS ARE INTENDED FOR MEMBERS OF THE ARMED FORCES IN A DIFFERENT PAY GRADE OR GRADES, JUSTIFICATION OF THE NEED FOR THE REPLACEMENT HOUSING UNITS BASED UPON THE LONG-TERM REQUIREMENTS OF THE ARMED FORCES IN THE LOCATION CONCERNED AND (D) A PERIOD OF 21 DAYS ELAPSES AFTER THE DATE ON WHICH THE SECRETARY SUBMITS THE NOTICE REQUIRED BY SUBPARAGRAPH (c).

COMMENTS: THIS REPORT IS UNNECESSARY. CAN BE REPLACED BY AN INTERNAL REPORT. RESPONDENTS = ARMY(YYNNY0), AF(YYYNY0), N(YYYNY0)

10 USC 2827(b) RELOCATION OF MILITARY FAMILY HOUSING UNITS 1999/02/18 ALLDO D 73

Y Y Y N N 39 TR

DESCRIPTION: THE SECRETARY CONCERNED MAY RELOCATE EXISTING MILITARY FAMILY HOUSING UNITS FROM ANY LOCATION WHERE THE NUMBER OF SUCH UNITS EXCEEDS REQUIREMENTS FOR MILITARY FAMILY HOUSING TO ANY MILITARY INSTALLATION WHERE THERE IS A SHORTAGE. A CONTRACT TO CARRY OUT A REMCATION OF MILITARY FAMILY HOUSING UNITS MAY NOT BE AWARDED UNTIL (1) THE SECRETARY CONCERNED NOTIFIES CONGRESS OF THE PROPOSED NEW LOCATIONS OFTI-IE HOUSING UNITS TO BE RELOCATED AND THE ESTIMATED COST OF AND SOURCE OF FUNDS FOR THE RELOCATION, AND (2) A PERIOD OF 21 DAYS HAS ELAPSED AFTER THE NOTIFICATION HAS BEEN RECEIVED BY THOSE COMMITTEES.

COMMENTS: ARMY: THIS REPORT IS UNNECESSARY. CAN BE REPLACED BY DoD REPORT, IF NEEDED. NAVY: A REPORT BEFORE RELOCATING HOUSING UNITS FROM ONE BASE TO ANOTHER. OF LITTLE INTEREST OR VALUE TO CONGRESS, OTHER AGENCIES, JUDICIARY OR DOD GENERALLY, THE COST TO RELOCATE WOULD EXCEED THE VALUE OF THE UNITS; THEREFORE, PROBABLY A LITTLE USED SECTION. DELETE RESPONDENTS = ARMY(YNYNN30), AF(YYYNY0), N(NNNNN9)

10 USC 2828(f) LEASING OF MILITARY FAMILY HOUSING 1999/02/18 ALLDO D 208

Y Y Y N Y 0

DESCRIPTION: A LEASE FOR FAMILY HOUSING FACILITIES, OR FOR REAL PROPERTY RELATED TO FAMILY HOUSING FACILITIES, IN A FOREIGN COUNTRY FOR WHICH THE AVERAGE ESTIMATED ANNUAL RENTAL DURING THE TERM OF THE LEASE EXCEEDS $500,000 MAY NOT BE MADE UNDER THIS SECTION UNTIL (1) THE SECRETARY CONCERNED PROVIDES TO THE APPROPRIATE COMMITTEES OF CONGRESS WRITTEN NOTIFICATION OF THE FACTS CONCERNING THE PROPOSED LEASE, AND (2) A PERIOD OF 21 DAYS ELAPSES AFTER THE NOTIFICATION IS RECEIVED BY THOSE COMMITTEES.

COMMENTS: RESPONDENTS = ARMY(YNNNY0), AF(YYYNY0), N(YYYNY0)

10 USC 2835(b)(2) LONG-TERM LEASING OF MILITARY FAMILY HOUSING TO BE CONSTRUCTED 1999/02/18 ALLDO D 149

NN NN Y 0 TR

DESCRIPTION: THE SECRETARY OF A MILITARY DEPARTMENT MAY ENTER INM A CONTRACT FOR THE LEASE OF FAMILY HOUSING UNITS TO BE CONSTRUCTED OR REHABILITATED TO RESIDENTIAL USE NEAR A MILITARY INSTALLATION WITHIN THE UNITED STATES UNDER THE SECRETARY'S JURISDICTION AT WHICH THERE IS A SHORTAGE OF FAMILY HOUSING. THE BUDGET MATERIAL SUBMITTED TO CONGRESS BY THE SECRETARY OF DEFENSE SHALL INCLUDE MATERIALS THAT IDENTIFY THE MILITARY HOUSING PROJECTS FOR WHICH LEASE CONTRACTS ARE PROPOSED TO BE ENTERED IN SUCH FISCAL YEAR.

COMMENTS: THIS REPORT IS UNNECESSARY. IT CAN REPLACED BY A DOD REPORT, IF NEEDED FOR MANAGEMENT PURPOSES. THE AIR FORCE HAS NOT USED THIS LAW TO GENERATE HOUSING FOR USE BY MILITARY MEMBERS. RECOMMEND CANCELLATION OF THIS REPORT. NAVY: THE MILITARY DEPARTMENTS HAVEN'T USED THIS AUTHORITY SINCE IT WAS AMENDED IN 199 1. DELETE RESPONDENT = AF(NNNNN-), N(NNNNN0)

10 USC 2835(g)	LONG-TERM LEASING OF MILITARY FAMILY HOUSING TO BE CONSTRUCTED - NOTICE	1999/02/23	COMP	1323
		Y Y Y N Y 0		

DESCRIPTION: A CONTRACT MAY NOT BE ENTERED INTO FOR THE LEASE OF HOUSING FACILITIES UNDER THIS SECTION UNTIL - (1) THE SECRETARY OF DEFENSE, OR THE SECRETARY OF TRANSPORTATION WITH RESPECT TO THE COAST GUARD, SUBMITS TO THE APPROPRIATE COMMITTEES OF CONGRESS, IN WRITING, AN ECONOMIC ANALYSIS (BASED UPON ACCEPTED LIFE CYCLE COSTING PROCDURES) WHICH DEMONSTRATES THAT THE PROPOSED CONTRACT IS COST EFFECTIVE WHEN COMPARED WITH ALTERNATIVE MEANS OF FURNISHING THE SAME HOUSING FACILITIES; AND (2) A PERIOD OF 21 CALENDAR DAYS HAS EXPIRED FOLLOWING THE DATE ON WHICH THE ECONOMIC ANALYSIS IS RECEIVED BY THOSE COMMITTEES.

COMMENTS:

10 USC 2836(f)(1)	MILITARY HOUSING RENTAL GUARANTEE PROGRAM - NOTICE	1999/03/28	AT&L	191
		NN NN Y 0		

DESCRIPTION: AN AGREEMENT MAY NOT BE ENTERED INTO UNTIL - THE SECRETARY OF DEFENSE SUBMITS TO THE APPROPRIATE COMMITTEES OF CONGRESS, IN WRITING, AN ECONOMIC ANALYSIS (BASED UPON ACCEPTED LIFE CYCLE COSTING PROCEDURES) WHICH DEMONSTRATES THAT THE PROPOSED AGREEMENT IS COST EFFECT IVE WHEN COMPARED WITH ALTERNATIVE MEANS OF FURNISHING THE SAME HOUSING FACILITIES; AND A PERIOD OF 21 CALENDAR DAYS HAS EXPIRED FOLLOWING THE DATE ON WHICH THE ECONOMIC ANALYSIS IS RECEIVED BY THOSE COMMITTEES.

COMMENTS:

10 USC 2837(c)(2)	LIMITED PARTNERSHIPS WITH PRIVATE DEVELOPERS OF HOUSING - SELECTION OF INVESTMENT OPPORTUNITIES	1999/02/18	ALLDO D	188
		NN NN N 0 TR		

DESCRIPTION: THE SECRETARY CONCERNED SHALL USE PUBLICLY ADVERTISED, COMPETITIVELY NEGOTIATED, CONTRACTING PROCEDURES, AS PROVIDED IN CHAPTER 137 OF TITLE 10, TO ENTER INTO LIMITED PARTNERSHIPS UNDER SUBSECTION (a). (2) WHEN A DECISION IS MADE TO ENTER INTO A LIMITED PARTNERSHIP UNDER SUBSECTION (a), THE SECRETARY CONCERNED SHALL SUBMIT A REPORT IN WRITING TO THE APPROPRIATE COMMITTEES OF CONGRESS ON THAT DECISION. EACH SUCH REPORT SHALL INCLUDE THE JUSTIFICATION FOR THE LIMITED PARTNERSHIP, A PARTNERSHIP, AND A DESCRIPTION OF THE SHARE OF SUCH COSTS TO BE INCURRED BY THE SECRETARY CONCERNED. THE SECRETARY CONCERNED MAY THEN ENTER INTO THE LIMITED PARTNERSHIP ONLY AFTER THE END OF THE 21-DAY PERIOD BEGINNING ON THE DATE THE REPORT IS RECEIVED BY THOSE COMMITTEES.

COMMENTS: THE AIR FORCE HAS NOT USED THIS LAW TO SECURE HOUSING FOR ITS MEMBERS THEREFORE NO REPORTS WERE GENERATED. RECOMMEND RECISSION OF THIS REPORT. NAVY: THIS AUTHORITY EXPIRES ON 30 SEPTEMBER 2000 AND THE MILITARY DEPARTMENTS HAVE GREATER FLEXIBILITY TO ENTER INTO LIMITED PARTNERSHIPS UNDER 10 USC 2875. THEREFORE, THIS SECTION IS NO LONGER BEING USED. DELETE. RESPONDENTS = ARMY(YYYYY0), AF=(NNNNN0), N(NNNNN0)

10 USC 2837(f) **LIMITED** PARTNERSHIPS WITH PRIVATE DEVELOPERS OF **HOUSING** 1999/02/18 ALLDO D 1330

NN NN N 0 TR

DESCRIPTION: NOT LATER THAN 60 DAYS AFTER THE END OF EACH FISCAL YEAR IN WHICH ACTIVITIES ARE CARRIED OUT UNDER THIS SECTION, THE SECRETARIES CONCERNED SHALL JOINTLY TRANSMIT TO CONGRESS A REPORT SPECIFYING THE AMOUNT AND NATURE OF THE DEPOSITS INTO, AND THE EXPENDITURES FROM, THE ACCOUNT DURING SUCH FISCAL YEAR AND OF THE AMOUNT AND NATURE OF ALL OTHER EXPENDITURES MADE PURSUANT TO SUCH SECTION DURING SUCH FISCAL YEAR. AUTHORITY EXPIRES SEPTEMBER 30, 2000.

COMMENTS: THE AIR FORCE HAS NOT USED THIS LAW TO SECURE HOUSING FOR ITS MEMBERS THEREFORE NO REPORTS WERE GENERATED. RECOMMEND RECISSION OF THIS REPORT. NAVY: AS STATED ABOVE, THIS SECTION ISN'T BEING USED. DELETE RESPONDENTS = AF(NNNNN0), N(NNNNNO). A(NO Y/N RESPONSES)

10 USC 2853(c) AUTHORIZED COST VARIATIONS 1999/03/05 ALLDO D 992

YY YN N 63

DESCRIPTION: THE LIMITATION ON COST INCREASE IN SUBSECTION (a) OR THE LIMITATION ON SCOPE REDUCTION IN SUBSECTION (b) DOES NOT APPLY IF -- (1) THE INCREASE IN COST OR REDUCTION IN SCOPE IS APPROVED BY THE SECRETARY CONCERNED; (2) THE SECRETARY CONCERNED NOTIFIES THE APPROPRIATE COMMITTEES OF CONGRESS IN WRITING OF THE INCREASE OR REDUCTION AND THE REASONS THEREFOR; AND (3) A PERIOD OF 21 DAYS HAS ELAPSED AFTER THE DATE ON WHICH THE NOTIFICATION IS RECEIVED BY THE COMMITTEES.

COMMENTS: AIR FORCE: RECOMMEND THE 21-DAY NOTIFICATION PERIOD BE ELIMINATED AND THE INFORMATION BE REPORTED AFTER THE FACT IN THE ANNUAL REPORT TO CONGRESS (10 USC 2861). NAVY: CONGRESS WILL PROBABLY WANT TO RETAIN OVERSIGHT OVER COST OVERRUNS OR REDUCTIONS IN SCOPE OF AUTHORIZED CONSTRUCTION OR ACQUISITION PROJECTS, OF VALUE TO DoD FOR WASHINGTON OVERSIGHT OF COST OVERRUNS OR REDUCTIONS IN SCOPE OF PROJECT, NO VALUE TO OTHER AGENCIES OR THE JUDICIARY. DoD PROBABLY CONSIDERS THE EFFORT EXCEEDS THE VALUE ADDED, BUT CONGRESS WOULD PROBABLY DISAGREE. RETAIN RESPONDENTS = DSS(YYYYY0), ARMY(YYYNY0), AF(YNYNN15), N(YYYNN48)

10 USC 2854(b) RESTORATION OR REPLACEMENT OF DAMAGED OR DESTROYED FACILITIES 1999/02/18 ALLDO D 946

Y N Y N N 15

DESCRIPTION: THE SECRETARY CONCERNED MAY REPAIR, RESTORE, OR REPLACE A FACILITY UNDER HIS JURISDICTION, INCLUDING A FAMILY HOUSING FACILITY THAT HAS BEEN DAMAGED OR DESTROYED, WHEN A DECISION IS MADE TO CARRY OUT CONSTRUCTION AND THE COST IS GREATER THAN THE MAXIMUM AMOUNT FOR A MINOR CONSTRUCTION PROJECT, THE SECRETARY CONCERNED SHALL NOTIFY IN WRITING THE APPROPRIATE COMMITTEES OF CONGRESS OF THAT DECISION, OF THE JUSTIFICATION FOR THE PROJECT, OF THE CURRENT ESTIMATE OF THE COST OF THE PROJECT, OF THE SOURCE OF FUNDS FOR THE PROJECT. THE PROJECT MAY THEN BE CARRIED OUT ONLY AFTER THE END OF THE 21-DAY PERIOD BEGINNING ON THE DATE THE NOTIFICATION IS RECEIVED BY SUCH COMMITTEES.

COMMENTS: RECOMMEND 21-DAY NOTIFICATION PERIOD BE ELIMINATED AND THIS INFORMATION BE REPORTED AFTER THE FACT IN THE ANNUAL REPORT TO CONGRESS (10 USC 2861). RESPONDENTS = ARMY(YYYNY0), AF(YNYNN15), N(YYYNY-)

10 USC 2854a(c)	CONVEYANCE OF DAMAGED OR DETERIORATED MILITARY FAMILY HOUSING: USE OF PROCEEDS	1999/02/18	ALLDO D	1259

Y Y Y N N 0

DESCRIPTION: (a)(1)THE SECRETARY CONCERNED MAY CONVEY ANY FAMILY HOUSING FACILITY THAT, DUE TO DAMAGE OR DETERIORATION, IS IN A CONDITION THAT IS UNECONOMICAL TO REPAIR. ANY CONVEYANCE OF A FAMILY HOUSING FACILITY UNDER THIS SECTION MAY INCLUDE A CONVEYANCE OF THE REAL PROPERTY ASSOCIATED WITH THE FACILITY CONVEYED. (c) THE SECRETARY CONCERNED MAY NOT ENTER INTO ANY AGREEMENT TO CONVEY A FAMILY HOUSING FACILITY UNDER THIS SECTION UNTIL (1) THE SECRETARY SUBMITS TO THE APPROPRIATE COMMITTEES OF CONGRESS, IN WRITING, A JUSTIFICATION FOR THE CONVEYANCE UNDER THE AGREEMENT, INCLUDING -- (A) AN ESTIMATE OF THE CONSIDERATION TO BE PROVIDED THE UNITED STATES UNDER THE AGREEMENT; (B) AN ESTIMATE OF THE COST OF REPAIRING THE FAMILY HOUSING FACILITY TO BE CONVEYED; AND (C) AN ESTIMATE OF THE COST OF REPLACING THE FAMILY HOUSING FACILITY TO BE CONVEYED; AND (2) A PERIOD OF 21 CALENDAR DAYS HAS ELAPSED AFTER THE DATE ON WHICH THE JUSTIFICATION IS RECEIVED BY THE COMMITTEES.

COMMENTS: AIR FORCE: ALTHOUGH NO CONGRESSIONAL USE IS EVIDENT, THIS REPORT HAS POTENTIAL TO BE USED TO MANAGE THE FAMILY HOUSING PROGRAM. NAVY: CONGRESS PROBABLY INTERESTED IN OVERSIGHT LITTLE VALUE TO DoD BECAUSE OF LIMITED APPLICABILITY. THE COST OF REPAIR MUST EXCEED 70 PERCENT THE COST OF REPLACEMENT AND A $5M PER YEAR LIMIT ON DISPOSALS. NO VALUE TO OTHER AGENCIES OR THE JUDICIARY. THE JUSTIFICATION REQUIRES APPRAISALS AND COST ESTIMATES; THEREFORE, THE VALUE ADDED MAY NOT EXCEED THE EFFORT AND EXPENSE. DELETE RESPONDENTS = ARMY(NNNNN0), AF(NYNNY0), N(YYYNN0)

10 USC 2865	PROMOTION OF ENERGY SAVINGS AT MILITARY INSTALLATIONS	2000/05/05	AT&L	981

N N N N 0 TR

DESCRIPTION: (D)(1) THE SECRETARY OF DEFENSE SHALL PERMIT AND ENCOURAGE EACH MILITARY DEPARTMENT, DEFENSE AGENCY AND OTHER INSTRUMENTALITY OF THE DEPARTMENT OF DEFENSE TO PARTICIPATE IN PROGRAMS CONDUCTED BY ANY GAS OR ELECTRICITY UTILITY FOR THE MANAGEMENT OF ELECTRICITY DEMAND OR FOR ENERGY CONSERVATION. (E) (1) THE SECRETARY OF DEFENSE MAY CARRY OUT A MILITARY CONSTRUCTION PROJECT FOR ENERGY CONSERVATION, NOT PREVIOUSLY AUTHORIZED, USING FUNDS APPROPRIATED OR OTHERWISE MADE AVAILABLE FOR THAT PURPOSE.

COMMENTS: THIS IS A NOTIFICATION REQUIREMENT ONLY AND SHOULD BE ELIMINATED. ALL NEW MILITARY CONSTRUCTION PROJECT PLANS INCORPORATE, AS A MATTER OF ROUTINE, PROGRAMS TO REDUCE ENERGY USAGE AND PROCEDURES TO PROTECT OUR ENVIRONMENT.

10 USC 2865(e)(2)	ENERGY CONSERVATION CONSTRUCTION PROJECTS	1999/03/28	AT&L	534

NN NN Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE MAY CARRY OUT A MILITARY CONSTRUCTION PROJECT FOR ENERGY CONSERVATION, NOT PREVIOUSLY AUTHORIZED, USING FUNDS APPROPRIATED OR OTHERWISE MADE AVAILABLE FOR THAT PURPOSE. WHEN A DECISION IS MADE TO CARRY OUT A MILITARY CONSTRUCTION PROJECT FOR ENERGY CONSERVATION, THE SECRETARY OF DEFENSE SHALL NOTIFY, IN WRITING, THE APPROPRIATE COMMITTEES OF CONGRESS OF THAT DECISION. SUCH PROJECT MAY THEN BE CARRIED OUT ONLY AFTER THE END OF THE 2 1 -DAY PERIOD BEGINNING ON THE DATE THE NOTIFICATION IS RECENED BY SUCH COMMITTEES.

COMMENTS:

10 USC 2866(c)(2)	WATER CONSERVATION CONSTRUCTION PROJECTS	1999/03/28	AT&L	1257
		N N N N Y	0	

DESCRIPTION: (1) THE SECRETARY OF DEFENSE MAY CARRY OUT A MILITARY CONSTRUCTION PROJECT FOR WATER CONSERVATION, NOT PREVIOUSLY AUTHORIZED, USING FUNDS APPROPRIATED OR OTHERWISE MADE AVAILABLE TO THE SECRETARY FOR WATER CONSERVATION (2) WHEN A DECISION IS MADE TO CARRY OUT A PROJECT UNDER PARAGRAPH (1), THE SECRETARY OF DEFENSE SHALL NOTIFY THE APPROPRIATE COMMITTEES OF CONGRESS OF THAT DECISION, SUCH PROJECTS MAY BE CARRIED OUT ONLY AFTER THE END OF THE 2 1 -DAY PERIOD BEGINNING ON THE DATE THE NOTIFICATION IS RECEIVED BY SUCH COMMITTEES.

COMMENTS:

10 USC 2867(c)	SALE OF ELECTRICITY FROM ALTERNATE ENERGY AND COGENERATION PRODUCTION FACILITIES	1999/06/10	ALLDO D	1440
		Y N Y N	0	

DESCRIPTION: BEFORE CARRYING OUT A MILITARY CONSTRUCTION PROJECT DESCRIBED IN SUBSECTION (b) USING PROCEEDS FROM SALES UNDER SUBSECTION (a), THE SECRETARY CONCERNED SHALL NOTIFY CONGRESS IN WRITING OF THE PROJECT, THE JUSTIFICATION FOR THE PROJECT, AND THE ESTIMATED COST OF THE PROJECT. THE PROJECT MAY BE CARRIED OUT ONLY AFTER THE END OF THE 21 -DAY PERIOD BEGINNING ON THE DATE THE NOTIFICATION IS RECEIVED BY CONGRESS.

COMMENTS:

10 USC 2872 note	GENERAL AUTHORITY-ACQUISITION OR CONSTRUCTION OF MILITARY FAMILY HOUSING	1999/06/11	ALLDO D	1501
			0	

DESCRIPTION: NOT LATER THAN 60 DAYS BEFORE ISSUING ANY SOLICITATION FOR A CONTRACT WITH THE PRIVATE SECTOR FOR MILITARY FAMILY HOUSING THE SECRETARY OF A MILITARY DEPARTMENT CONCERNED SHALL SUBMIT TO THE CONGRESSIONAL DEFENSE COMMITTEES THE NOTICE DESCRIBED IN SUBSECTION (b). A NOTICE REFERRED TO IN SUBSECTION (a) IS A NOTICE OF ANY GUARANTEE PROPOSED TO BE MADE BY THE SECRETARY TO THE PRIVATE PARTY UNDER THE CONTRACT INVOLVED IN THE EVENT OF (A) THE CLOSURE OR REALIGNMENT OF THE INSTALLATION FOR WHICH HOUSING IS PROVIDED UNDER THE CONTRACT: (B) A REDUCTION IN FORCE OF UNITS STATIONED AT SUCH INSTALLATIONS: OR (C) THE EXTENDED DEPLOYMENT OVERSEAS OF UNITS STATIONED AT SUCH INSTALLATION.

COMMENTS:

10 USC 2883(f)	DEPARTMENT OF DEFENSE HOUSING FUNDS: NOTIFICATION REQUIRED FOR TRANSFERS	1999/03/28	AT&L	1336
		NN NN Y	0	

DESCRIPTION: A TRANSFER OF APPROPRIATED AMOUNTS TO A FUND UNDER PARAGRAPH (1)(B) OR (2)(B) OF SUBSECTION (c) MAY BE MADE ONLY AFTER THE END OF THE 30-DAY PERIOD BEGINNING ON THE DATE THE SECRETARY OF DEFENSE SUBMITS WRITTEN NOTICE OF, AND JUSTIFICATION FOR, THE TRANSFER TO THE APPROPRIATE COMMITTEES OF CONGRESS.

COMMENTS:

10 USC **2884(a)**	FAMILY HOUSING CONSTRUCTION CONTRACTS AND CONVEYANCE OR LEASE OF EXISTING PROPERTY AND FACILITIES	1999/03/28	AT&L		1394
		NN	NN	Y	0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL TRANSMIT TO THE APPROPRIATE COMMITTEES OF CONGRESS A REPORT DESCRIBING -- (A) EACH CONTRACT FOR THE ACQUISITION OR CONSTRUCTION OF FAMILY HOUSING UNITS OR UNACCOMPANIED HOUSING UNITS THAT THE SECRETARY PROPOSES TO SOLICIT UNDER THIS SUBCHAPTER; AND (B) EACH CONVEYANCE OR LEASE PROPOSED UNDER SECTION 2878 OF THIS TITLE. (2) THE REPORT SHALL DESCRIBE THE PROPOSED CONTRACT, CONVEYANCE OR LEASE AND THE INTENDED METHOD OF PARTICIPATION OF THE UNITED STATES IN THE CONTRACT, CONVEYANCE, OR LEASE AND PROVIDE A JUSTIFICATION OF SUCH METHOD OF PARTICIPATION. THE REPORT SHALL BE SUBMITTED NO LATER THAN 30 DAYS BEFORE THE DATE ON WHICH THE SECRETARY ISSUES THE CONTRACT SOLICITATION OR OFFERS THE CONVEYANCE OR LEASE.

COMMENTS:

10 USC 4342(h)	CADETS: APPOINTMENT: NUMBERS, TERRITORIAL **DISTRIBUTION**	1999/02/12	A		1169
		YN	YN	Y	0

DESCRIPTION: THE SECRETARY OF THE ARMY SHALL FURNISH TO ANY MEMBER OF CONGRESS, UPON THE WRITTEN REQUEST OF SUCH MEMBER, THE NAME OF THE CONGRESSMAN OR OTHER NOMINATING AUTHORITY RESPONSIBLE FOR THE NOMINATION OF ANY NAMED OR IDENTIFIED PERSON FOR APPOINTMENT TO THE ACADEMY.

COMMENTS:

10 USC 4357	ACCEPTANCE OF GUARANTEES **IN** CONNECTION WITH **GIFTS** TO MILITARY SERVICE ACADEMIES (ARMY)	2000/03/20	A		1550
					0

DESCRIPTION: (c) THE SECRETARY OF THE ARMY MAY NOT ACCEPT A QUALIFIED GUARANTEE UNDER THIS SECTION FOR THE COMPLETION OF A MAJOR PROJECT UNTIL AFTER THE EXPIRATION OF 30 DAYS FOLLOWING THE DATE UPON WHICH A REPORT OF THE FACTS CONCERNING THE PROPOSED GUARANTEE IS SUBMITTED TO CONGRESS.

COMMENTS:

10 USC **4542(g)(1)**	TECHNICAL DATA PACKAGES FOR LARGE-CALIBER CANNON: NOTICE	1999/03/23	A		1343
		NN	NN	Y	0

DESCRIPTION: THE SECRETARY OF THE ARMY SHALL SUBMIT TO CONGRESS A NOTICE OF EACH AGREEMENT ENTERED INTO UNDER THIS SECTION.

COMMENTS:

10 USC **5721(f)**	TEMPORARY PROMOTIONS OF CERTAIN NAVY **LIEUTENANTS:** LIMITATION ON **NUMBER** OF ELIGIBLE POSITIONS	1999/02/16	N	1186
		Y Y Y N Y	0	
DESCRIPTION:	(1) AN APPOINTMENT UNDER THIS SECTION MAY ONLY BE MADE FOR SERVICE **IN** A POSITION DESIGNATED BY THE SECRETARY OF NAVY **FOR** PURPOSES OF THIS SECTION. THE NUMBER OF POSITIONS SO DESIGNATED MAY NOT EXCEED 325. (2) WHENEVER THE SECRETARY MAKES A CHANGE TO THE POSITIONS DESIGNATED UNDER PARAGRAPH (1), THE SECRETARY SHALL **SUBMIT** NOTICE OF THE CHANGE IN WRITING TO CONGRESS.			
COMMENTS:				
10 USC 6951 note	PROHIBITION ON IMPOSITION OF ADDITIONAL CHARGES OR FEES FOR **ATTENDANCE** AT CERTAIN ACADEMIES	1999/06/14	N	1504
			0	
DESCRIPTION:	(a) EXCEPT AS PROVIDED IN SUBSECTION (b), NO CHARGE OR FEE FOR **TUITION**, ROOM, OR BOARD FOR ATTENDANCE AT AN ACADEMY NAMED IN SUBSECTION (c) MAY BE IMPOSED UNLESS THE CHARGE OR FEE IS SPECIFICALLY AUTHORIZED BY A LAW ENACTED AFTER THE DATE OF THE ENACTMENT **OF THIS** ACT (OCT 5, 1994). (b) THE **PROHIBITION** SPECIFIED **IN** SUBSECTION (a) SHALL NOT APPLY **WITH** RESPECT TO ANY ITEM OR SERVICE PROVIDED TO CADETS OR MIDSHIPMEN AT AN ACADEMY NAMED IN SUBSECTION (c) FOR WHICH A CHARGE OR FEE IS IMPOSED. THE SECRETARY OF DEFENSE SHALL NOTIFY CONGRESS OF ANY CHANGE MADE BY AN ACADEMY **IN** THE AMOUNT OF A CHARGE OR FEE AUTHORIZED **UNDER** THIS SUBSECTION. (c)(2) THE **UNITED** STATES NAVAL ACADEMY			
COMMENTS:				
10 USC **6954(f)**	NOMINATION OF PERSONS FOR APPOINTMENT TO THE ACADEMY: NOTICE TO **CONGRESS**	1999/02/16	N	194
		Y Y Y N Y	0	
DESCRIPTION:	THE SECRETARY OF THE NAVY SHALL FURNISH TO ANY MEMBER OF CONGRESS, UPON WRITTEN REQUEST OF SUCH MEMBER, THE NAME OF THE CONGRESSMAN OR OTHER NOMINATING AUTHORITY **RESPONSIBLE** FOR THE NOMINATION OF ANY NAMED OR IDENTIFIED PERSON FOR APPOINTMENT TO THE ACADEMY.			
COMMENTS:				
10 USC 6975	ACCEPTANCE OF GUARANTEES **IN** CONNECTION **WITH** GIFTS TO MILITARY SERVICE ACADEMIES (NAVY)	2000/03/20	N	1551
			0	
DESCRIPTION:	(c) THE SECRETARY OF THE NAVY MAY NOT ACCEPT A QUALIFIED GUARANTEE UNDER THIS **SECTION** FOR THE COMPLETION OF A MAJOR PROJECT **UNTIL** AFTER THE EXPIRATION OF 30 DAYS FOLLOWING THE DATE UPON WHICH A REPORT OF THE FACTS CONCERNING THE PROPOSED GUARANTEE IS **SUBMITTED** TO CONGRESS.			
COMMENTS:				

10 USC 7306(d)	VESSELS STRICKEN FROM NAVAL VESSEL REGISTER; CAPTURED VESSELS: TRANSFER BY GIFT OR OTHERWISE	1999/02/19	N	543

YN YN N 3

DESCRIPTION: (a) SUBJECT TO SUBSECTIONS (c) AND (d) OF SECTION 602 OF THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949 (40 USC 474), THE SECRETARY OF THE NAVY MAY TRANSFER, BY GIFT OR OTHERWISE, ANY VESSEL STRICKEN FROM THE NAVAL VESSEL REGISTER, OR ANY CAPTURED VESSEL, TO--(1) ANY STATE OR MUNICIPAL CORPORATION OR POLITICAL SUBDIVISION THEREOF; (2) THE DISTRICT OF COLUMBIA, OR (3) ANY NOT-FOR-PROFIT OR NONPROFIT ENTITY. (d) NO TRANSFER UNDER THIS SECTION TARES EFFECT UNLESS--(A) NOTICE OF THE PROPOSAL TO MARE THE TRANSFER IS SENT TO CONGRESS; AND (B) 30 DAYS OF CONTINUOUS SESSION OF CONGRESS HAVE EXPIRED FOLLOWING THE DATE ON WHICH SUCH NOTICE IS SENT TO CONGRESS.

COMMENTS:

10 USC 7307(b)	NAVAL VESSELS: DISPOSAL TO FOREIGN NATIONS	1999/02/19	N	213

Y N Y N Y 0 TR

DESCRIPTION: A NAVAL VESSEL NOT SUBJECT TO SUBSECTION (a) MAY BE DISPOSED OF TO ANOTHER NATION (WHETHER BY SALE, LEASE, GRANT, LOAN, BARTER, TRANSFER, OR OTHERWISE) IN ACCORDANCE WITH APPLICABLE PROVISIONS OF LAW, BUT ONLY AFTER--(A) THE SECRETARY OF THE NAVY NOTIFIES THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES IN WRITING OF THE PROPOSED DISPOSFION; AND (B) 30 DAYS OF CONTINUOUS SESSION OF CONGRESS HAVE EXPIRED FOLLOWING THE DATE ON WHICH SUCH NOTICE IS SENT TO THOSE COMMITTEES.

COMMENTS: REPORT MAY BE WORTHWHILE BUT THE LEGISLATION THAT ALLOWS THE TRANSFER IS REDUNDANT AND A BURDEN TO THE TRANSFER PROCESS. ONE OF THE TWO SHOULD BE ELIMINATED MOST LIKELY THE LEGISLATION SINCE NOTIFICATION ENCOMPASSES ALL PLATFORMS AND GIVES FULL VISIBILITY TO CONGRESS AND THE LEGISLATION DOES NOT.

10 USC 7313(a)(2)	SHIP OVERHAUL WORK: UNUSUAL COST OVERRUNS FOR CHANGES IN SCOPE OF WORK	1999102123	COMP	240

Y N Y N Y 0

DESCRIPTION: (1) APPROPRIATIONS AVAILABLE TO THE DEPARTMENT OF DEFENSE FOR A FISCAL YEAR MAY BE USED FOR PAYMENT OF UNUSUAL COST OVERRUNS INCIDENT TO SHIP OVERHAUL, MAINTENANCE, AND REPAIR FOR A VESSEL INDUCTED INTO INDUSTRIAL-FUND ACTIVITY OR CONTRACTED FOR DURING A PRIOR FISCAL YEAR. (2) THE SECRETARY OF DEFENSE SHALL NOTIFY CONGRESS PROMPTLY BEFORE ANY OBLIGATION IS INCURRED FOR ANY PAYMENT UNDER PARAGRAPH (I).

COMMENTS:

10 USC 7622(b)	ADMIRALTY CLAIMS AGAINST THE UNITED STATES	1999/06/14	N	1505
			0	

DESCRIPTION: IF A CLAIM UNDER THIS SECTION IS SETTLED OR COMPROMISED FOR MORE THAN $1,000,000, THE SECRETARY (OF THE NAVY) SHALL CERTIFY IT TO CONGRESS.

COMMENTS:

10 USC 9356	ACCEPTANCE OF GUARANTEES IN CONNECTION WITH GIFTS TO MILITARY SERVICE ACADEMIES (AIR FORCE)	2000/03/20	AF	1553
			0	

DESCRIPTION: (c)THE SECRETARY OF THE AIR FORCE MAY NOT ACCEPT A QUALIFIED GUARANTEE UNDER THIS SECTION FOR THE COMPLETION OF A MAJOR PROJECT UNTIL AFTER THE EXPIRATION OF 30 DAYS FOLLOWING THE DATE UPON WHICH A REPORT OF THE FACTS CONCERNING THE PROPOSED GUARANTEE IS SUBMITTED TO CONGRESS.

COMMENTS:

10 USC 9514(c)	INDEMNIFICATION OF DEPARTMENT OF TRANSPORTATION FOR LOSSES COVERED BY DEFENSE-RELATED AVIATION INSURANCE - NOTICE	1999/02/22	COMP	1408
		N N N N N	20	x

DESCRIPTION: IN THE EVENT OF A LOSS THAT IS COVERED BY DEFENSE-RELATED AVIATION INSURANCE IN THE CASE OF AN ACCIDENT IN WHICH THE COVERED LOSS IS (OR IS EXPECTED TO BE) IN AN AMOUNT IN EXCESS OF $1,000,000, THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS--(NOTIFICATION OF THE LOSS AS SOON AFTER THE OCCURRENCE OF THE LOSS AS POSSIBLE AND IN NO EVENT MORE THAN 30 DAYS AFTER THE DATE OF THE LOSS, AND (2) SEMIANNUAL REPORTS THEREAFTER UPDATING THE INFORMATION SUBMITTED UNDER PARAGRAPH (1) AND SHOWING WITH RESPECT TO LOSSES ARISING FROM SUCH INCIDENT THE TOTAL AMOUNT EXPENDED TO COVER SUCH LOSSES, THE SOURCE OF FUNDS, PENDING LITIGATION, AND ESTIMATED TOTAL COST TO THE GOVERNMENT.

COMMENTS:

10 USC 12304(f)	SELECTED RESERVE; ORDER TO ACTIVE DUTY OTHER THAN DURING WAR OR NATIONAL EMERGENCY	1999/02/16	RA	1166
		YY YN Y	0	

DESCRIPTION: WHENEVER THE PRESIDENT AUTHORIZES THE SECRETARY OF DEFENSE TO ORDER ANY UNIT OR MEMBER OF THE SELECTED RESERVE TO ACTIVE DUTY, UNDER THE AUTHORITY OF SUBSECTION (a), HE SHALL WITHIN 24 HOURS AFTER EXERCISING SUCH AUTHORITY, SUBMIT TO CONGRESS A REPORT IN WRITING, SETTING FORTH THE CIRCUMSTANCES NECESSITATING THE ACTION TAKEN UNDER THIS SECTION AND DESCRIBING THE ANTICIPATED USE OF THESE UNITS OR MEMBERS.

COMMENTS:

10 USC **18233a(a)(1)**	LIMITATION ON CERTAIN PROJECTS: AUTHORITY TO CARRY OUT SMALL PROJECTS WITH OPERATIONS & MAINTENANCE FUNDS	1999/03/19	AT&L	843
		YN YN	Y	0

DESCRIPTION: AN EXPENDITURE OR CONTRIBUTION IN AN AMOUNT IN EXCESS OF $1,500,000 MAY NOT BE MADE UNDER SECTION 18233 OF THIS TITLE FOR ANY FACILITY UNTIL THE SECRETARY OF DEFENSE HAS NOTIFIED THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON APPROPRIATIONS OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY AND THE COMMITTEE ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES OF THE LOCATION, NATURE, AND ESTIMATED COST OF THE FACILITY AND A PERIOD OF 2 1 DAYS HAS PASSED AFTER RECEIPT OF SUCH NOTIFICATION.

COMMENTS:

20 USC 238	ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF **MEMBERS** OF THE ARMED FORCES **&** DOD CIVILIAN EMPLOYEES	1999/02/18	P&R	275
		YY YY	Y	0

DESCRIPTION: EACH REPORT SHALL CONTAIN THE FOLLOWING: (A) THE NUMBER OF DEPENDENT CHILDREN OF MEMBERS OF THE ARMED FORCES OR CIVILIAN EMPLOYEES OF DOD WHO ENTERED THE SCHOOLS OF THE LOCAL EDUCATIONAL AGENCIES DURING THE PRECEDING SCHOOL YEAR AS A RESULT OF CLOSURES, REALIGNMENTS, OR REDEPLOYMENTS; (B) THE NUMBER OF DEPENDENT CHILDREN OF SUCH MEMBERS OR EMPLOYEES WHO WITHDREW FROM THE SCHOOLS OF THE LOCAL EDUCATIONAL AGENCIES DURING THE SCHOOL YEAR AS A RESULT OFCLQSURES, REALIGNMENTS, OR REDEPLOYMENTS;(C) THE AMOUNTS PAID TO THE LOCAL EDUCATIONAL AGENCIES DURING THAT YEAR UNDER THE ACT OF SEPTEMBER 30, 1950, (PL 874, 81ST CONGRESS; 10 USC 236), OR ANY OTHER PROVISION OF LAW AUTHORIZING THE PAYMENT OF FINANCIAL ASSISTANCE TO LOCAL COMMUNFIES OR LOCAL EDUCATIONAL AGENCIES ON THE BASIS OF PRESENCE OF DEPENDENT CHILDREN OF SUCH MEMBERS OR EMPLOYEES IN SUCH COMMUNITIES AND IN THE SCHOOLS OF SUCH AGENCIES; AND (D) THE PROJECTED TRANSFERS OF SUCH MEMBERS AND EMPLOYEES IN CONNECTION WITH CLOSURES, REALIGNMENTS, AND REDEPLOYMENTS DURING THE 12-MONTH PERIOD BEGINNING ON THE DATE OF THIS REPORT, INCLUDING--THE INSTALLATIONS TO BE CLOSED OR REALIGNED, THE INSTALLATIONS TO WHICH PERSONNEL WILL BE TRANSFERRED, AND THE EFFECTS OF SUCH TRANSFERS ON THE NUMBERS OF DEPENDENT CHILDREN WHO WILL BE INCLUDED IN DETERMINATIONS WITH RESPECT TO THE PAYMENT OF FUNDS TO EACH LOCAL EDUCATIONAL AGENCY.

COMMENTS:

20 USC 922(d)(Z)	OVERSEAS DEFENSE DEPENDENTS' EDUCATION	1999/02/18	P&R	276
		YY YN	Y	0

DESCRIPTION: ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS SHALL REPORT TO CONGRESS...(DESCRIBING THE ORGANIZATION OF THE OFFICE OF DEPENDENTS' EDUCATION DESCRIBING THE ASSIGNMENT OF PERSONNEL TO THE CENTRAL OFFICE OF DEPENDENTS' EDUCATION AND TO SUCH REGIONAL OFFICES AS ARE ESTABLISHED DETAILING THE PERSONNEL REQUIREMENTS OF THE DEFENSE DEPENDENTS' EDUCATION SYSTEM. WHENEVER THE OFFICE IS REORGANIZED THE SECRETARY OF DEFENSE SHALL SUBMIT AN ADDITIONAL REPORT DESCRIBING THE REORGANIZATION.

COMMENTS:

22 USC 1928 note	CERTIFICATION THAT NATO MEMBERS HAVE UNDERTAKEN SIGNIFICANT MEASURES TO IMPROVE CONVENTIONAL DEFENSE CAPACITY	1999/03/28	POL	281

YY YY Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL INCLUDE AN ASSESSMENT OF THE PERFORMANCE OF THE MEMBERS OF NATO IN THE FOLLOWING AREAS: ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE, IMPROVEMENT OF SUSTAINABILITY AND SUPPORT FOR UNITED STATES REINFORCING TACTICAL AIRCRAFT, MEETING NATO FORCE GOALS, INCREASING NATO INFRASTRUCTURE FUNDING, IMPROVEMENTS IN AIR BASE DEFENSES, INCREASING TRAINED MANPOWER LEVELS, PARTICULARLY RESERVES, INCREASING WAR RESERVE MATERIAL, IMPROVING NATO'S ABILITY TO NEUTRALIZE ENEMY FOLLOW-ON FORCES, INCLUDING USE OF EMERGING TECHNOLOGIES, IMPROVEMENTS IN MINE/COUNTER-MINE CAPABILITY, IMPROVEMENTS IN OFFENSIVE COUNTER-AIR CAPABILITY, AND OTHER SELECTED INDICATORS OF NATO CAPABILITY.

COMMENTS:

22 USC 2314	FURNISHING OF DEFENSE ARTICLES OR RELATED TRAINING OR OTHER DEFENSE SERVICE ON GRANT BASIS	1999/03/04	POL	286

Y N Y N Y 0

DESCRIPTION: BY DELEGATION OF THE PRESIDENT, THE SECRETARY OF DEFENSE SHALL REPORT VIOLATIONS WITH REGARDS TO CONDITIONS OF ELIGIBILITY. NO DEFENSE ARTICLES OR RELATED TRAINING OR OTHER DEFENSE SERVICE SHALL BE FURNISHED TO ANY OTHER COUNTRY THAT HAS BEEN PROVIDED ON A GRANT BASIS. THE COUNTRY WILL NOT PERMF THE USE OR TRANSFER OF ARTICLES AND WILL MAINTAIN THE SECURITY OF SUCH ARTICLES, RELATED TRAINING OR DEFENSE SERVICES. PERMF CONTINUOUS OBSERVATION AND REVIEW, AND RETURN ARTICLES TO THE UNITED STATES WHEN NO LONGER NEEDED.

COMMENTS:

22 USC 23213	OVERSEAS MANAGEMENT OF ASSISTANCE AND SALES PROGRAMS	1999/03/28	AT&L	287

Y N Y N Y 0

DESCRIPTION: THE NUMBER OF MEMBERS OF THE ARMED FORCES ASSIGNED TO A FOREIGN COUNTRY MAY NOT EXCEED SIX UNLESS SPECIFICALLY AUTHORIZED BY CONGRESS IN ORDER TO CARRY OUT HIS RESPONSIBILITIES FOR THE MANAGEMENT OF INTERNATIONAL SECURITY ASSISTANCE PROGRAMS. BY DELEGATION OF THE PRESIDENT TO THE SECRETARY OF DEFENSE, THE NUMBER MAY EXCEED SIX IF HE DETERMINES AND REPORTS TO THE COMMITTEE ON FOREIGN RELATIONS OF THE SENATE AND THE COMMITTEE ON FOREIGN AFFAIRS OF THE HOUSE OF REPRESENTATIVES THAT UNITED STATES NATIONAL INTERESTS REQUIRE THAT MORE THAN SIX MEMBERS BE ASSIGNED. THERE ARE SEVERAL COUNTRIES AUTHORIZED TO HAVE MILITARY STRENGTHS LARGER THAN SM. SEE THE STATUTE FOR THE COUNTRIES.

COMMENTS:

22usc 2344	INCREASES IN MILITARY ASSISTANCE PROGRAMS	1999/03/23	AT&L	288
		YN YN Y 0		

DESCRIPTION: PROVIDES THAT THE MILITARY ASSISTANCE PROGRAM FOR ANY COUNTRY SHALL NOT BE INCREASED BEYOND 20 PER CENTUM OF THE AMOUNT JUSTIFIED BY CONGRESS UNLESS THE SECRETARY OF DEFENSE, BY DELEGATION OF THE PRESIDENT, DETERMINES THAT AN INCREASE IN SUCH PROGRAM IS ESSENTIAL TO THE NATIONAL INTEREST OF THE UNITED STATES AND REPORTS SUCH DETERMINATION TO THE HOUSE OF REPRESENTATIVES AND THE SENATE WITHIN 30 DAYS AFTER SUCH DETERMINATION.

COMMENTS:

22USC 2761	FMS **TRAINING** STANDARDIZATION AGREEMENTS WITH NATO, JAPAN, AUSTRALIA, NEW ZEALAND, OR ISRAEL	1999/03/04	POL	177
		YN YN Y 0		

DESCRIPTION: UPON U.S. CONCLUSION OF ANY STANDARDIZATION AGREEMENT ON TRAINING FOR IDENTIFIED PURCHASER SUBMIT A REPORT ON FMS TRAINING STANDARDIZATION AGREEMENTS.

COMMENTS:

22USC 2761	SALES FROM STOCKS HAVING AN ADVERSE IMPACT ON THE READINESS OF U.S. ARMED FORCES	1999/03/04	POL	189
		Y N Y N Y 0		

DESCRIPTION: IN THE EVENT THAT A PROPOSED SALE FROM STOCKS COULD HAVE SIGNIFICANT ADVERSE IMPACT ON COMBAT READINESS OF U.S. FORCES.

COMMENTS:

22 USC 2761(c)(2)	REPORT ON SIGNIFICANT **HOSTILITIES** OR TERRORIST ACTS	1999/03/28	POL	141
		NN YN Y 0		

DESCRIPTION: NOTIFICATION TO CONGRESS WITHIN 48 HOURS OF CHANGE IN STATUS OF HOSTILITIES OR TERRORIST ACTS WHICH WOULD ENDANGER AMERICAN LNES OR PROPERTY.

COMMENTS:

22 USC 2761(d)	DETERMINATION THAT EMERGENCY CONDITIONS WARRANT EXTENDING TO **120** DAYS THE PAYMENT DEADLINE FOR A SALE...	1999/03/04	Pot	176
		Y N Y N Y 0		
DESCRIPTION:	UPON PRESIDENTIAL DETERMINATION AND BUDGET REQUEST FOR EMERGENCY FUNDS.			
COMMENTS:				
22USC 2762	BILLING UPON DELIVERY FROM NEW PROCUREMENT WITH **120-DAY** PAYMENT AFTER DELIVERY	1999/03/04	POL	190
		Y N Y N Y 0		
DESCRIPTION:	UPON PRESIDENTIAL DETERMINATION AND BUDGET REQUEST FOR EMERGENCY FUNDS.			
COMMENTS :				
22USC 2764	ARMS EXPORT CONTROL - GUARANTEES	1999/03/04	POL	291
		N N N N Y 0		
DESCRIPTION:	THE SECRETARY OF DEFENSE SHALL **SUBMIT TO** THE COMMITTEE ON FOREIGN AFFAIRS OF THE HOUSE OF **REPRESENTATIVES**, THE **COMMITTEE** ON FOREIGN RELATIONS OF THE SENATE, AND THE COMMITTEE ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES A JOINT REPORT (**WITH** STATE AND TREASURY) DETAILING THE UNITED STATES **FINANCIAL** AND FOREIGN **POLICY PURPOSES** SERVED BY IMPLEMENTATION **OF THIS AUTHORITY** ON A COUNTRY-BY-COUNTRY BASIS.			
COMMENTS:				
22 USC **2766(c)**	**SECURITY** ASSISTANCE SURVEYS CONDUCTED BY UNITED STATES GOVERNMENT PERSONNEL	1999/03/04	POL	239
		Y N Y N Y 0		
DESCRIPTION:	ON REQUEST OF THE CHAIRMAN HFAC OR CHAIRMAN SFRC COPIES OF THE SECURITY ASSISTANCE SURVEYS **REPORTED** DURING THE PRIOR QUARTER SHOULD BE PROVIDED.			
COMMENTS:				
22 USC 2767	PROPOSED AGREEMENTS FOR NATO COOPERATIVE PROJECTS	1999/03/04	POL	250
		Y N Y N Y 0		
DESCRIPTION:	NLT 30 DAYS PRIOR TO SIGNATURE OF AN AGREEMENT ON BEHALF OF USG **DoD** SHALL NOTIFY SHR, HASC, SASC, HFAC, AND SFRC.			
COMMENTS:				

22 USC 2776(b)	REPORT OF ENHANCEMENT OR UPGRADE OF SENSITIVITY OF TECHNOLOGY OF ITEMS PREVIOUSLY NOTIFIED UNDER SEC. **36(b)(1),AECA**	1999/03/04	POL	335
		Y N Y N Y 0		
DESCRIPTION:	NOTIFICATION WITH RESPECT TO ANY LETTER OF OFFER TO SELL ANY DEFENSE ARTICLE, SERVICES, DESIGN AND CONSTRUCTION SERVICES, OR MAJOR EQUIPMENT			
COMMENTS:				
22 USC 2776(b)(5)	NOTICE OF INTENT TO ISSUE **LETTER** OF OFFER TO SELL CERTAIN DEFENSE ARTICLES, ENHANCED OR UPGRADED...	1999/03/04	POL	337
		YN YN Y 0		
DESCRIPTION:	NOTICE OF INTENT TO ISSUE LETTER OF OFFER TO SELL CERTAIN DEFENSE ARTICLES OR SERVICES THAT HAVE BEEN ENHANCED OR UPGRADED SINCE CONGRESS WAS NOTIFIED UNDER SECTION 2776(b)(1) OF TITLE 22, USC.			
COMMENTS:				
22 USC **2796a(a)**	REPORT ON PROPOSED LEASES OF DEFENSE ARTICLES **(INCLUDING** RECIPROCAL NO-RENT LOSSES)	1999/03/04	POL	391
		YN YN Y 0		
DESCRIPTION:	DETERMINATION THAT IT IS IN THE NATIONAL SECURITY INTERESTS IN THE U.S. TO WAIVE THE REQUIREMENTS OF SECTIONS 2796a OR 2796b OF TITLE 22, USC.			
COMMENTS:				
22 USC 5952 **note**	**REPORT** ON CTR OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES	2000/03/20	DSCA	1545
			0	
DESCRIPTION:	(b) NO FISCAL YEAR 2000 COOPERATIVE THREAT REDUCTION FUNDS MAY BE OBLIGATED OR EXPENDED FOR A PURPOSE OTHER THAN A PURPOSE LISTED IN PARAGRAPHS (1) THROUGH (11) OF SUBSECTION (a) UNTIL 30 DAYS AFTER THE DATE THAT THE SECRETARY OF DEFENSE SUBMITS TO CONGRESS A REPORT ON THE PURPOSE FOR WHICH THE FUNDS WILL BE OBLIGATED OR EXPENDED AND THE AMOUNT OF THE FUNDS TO BE OBLIGATED OR EXPENDED. NOTHING IN THE PRECEDING SENTENCE SHALL BE CONSTRUED AS AUTHORIZING THE OBLIGATION OR EXPENDITURE OF FISCAL YEAR 2000 COOPERATIVE THREAT REDUCTION FUNDS FOR A PURPOSE FOR WHICH THE OBLIGATION OR EXPENDITURE OF SUCH FUNDS IS SPECIFICALLY PROHIBITED UNDER THIS TITLE.			
COMMENTS:				

30 USC 1604(d)	CRITICAL MATERIALS NEEDS RELATED TO NATIONAL SECURITY	2000/03/20	DLA	321
		Y Y Y N Y 0		

DESCRIPTION: PERIODIC REPORT, AS DEEMED NECESSARY, ASSESSING CRITICAL MATERIALS NEEDS RELATED TO NATIONAL SECURITY AND IDENTIFICATION OF STEPS NECESSARY TO MEET THOSE NEEDS. REPORT WILL ALSO INCLUDE AN ASSESSMENT OF THE DEFENSE PRODUCTION ACT OF 1950 (50 USC 2061) AND THE STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT (50 USC 98).

COMMENTS:

31 USC 1517(b)	ANTIDEFICIENCY VIOLATION REPORT	1999/02/23	COMP	212
		YY YY Y 0		

DESCRIPTION: THE FINAL REPORT OF AN ANTIDEFICIENCY INVESTIGATION AS REQUIRED BY TITLE 3 1, OMB CIRCULAR A34, AND DOD DIRECTIVE 7200.1. THIS REPORT SUMMARIZES THE CAUSES, CIRCUMSTANCES, DISCIPLINARY ACTION, AND CORRECTIVE ACTION OF ANTIDEFICIENCY ACT VIOLATIONS. THIS REPORT GOES TO THE DIRECTOR OF OMB, THE PRESIDENT OF THE UNITED STATES, THE PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

COMMENTS:

31usc 1531	TRANSFERS AND REIMBURSEMENTS OF DOD FUNDS MADE AVAILABLE FOR MILITARY FUNCTIONS	1999/03/23	COMP	326
		Y N Y N Y 0		

DESCRIPTION: FUNDS MADE AVAILABLE FOR MILITARY FUNCTIONS OF THE DoD MAY NOT BE MADE AVAILABLE TO ANY OTHER AGENCY OF THE FEDERAL GOVERNMENT UNLESS, NOT LESS THAN 30 DAYS BEFORE SUCH FUNDS ARE MADE AVAILABLE TO SUCH OTHER DEPARTMENT OR AGENCY THE SECRETARY OF DEFENSE SUBMITS TO THE CONGRESSIONAL DEFENSE COMMITTEES A REPORT DESCRIBING THE EFFECT ON MILITARY PREPAREDNESS OF MAKING SUCH FUNDS AVAILABLE TO SUCH DEPARTMENT OR AGENCY.

COMMENTS:

33 USC **701-1(a)**	WORKS OF IMPROVEMENT FOR NAVIGATION OR FLOOD CONTROL - DECLARATION OF POLICY OF **1944** ACT	1999/02/09	A	187
		YN YN Y 0		

DESCRIPTION: INVESTIGATIONS WHICH FORM THE BASIS OF ANY SUCH PLANS, PROPOSALS, OR REPORTS SHALL BE CONDUCTED IN SUCH A MANNER AS TO GIVE TO THE AFFECTED STATE OR STATES, DURING THE COURSE *OF* THE INVESTIGATIONS, INFORMATION DEVELOPED BY THE INVESTIGATIONS AND ALSO OPPORTUNITY FOR CONSULTATION REGARDING PLANS AND PROPOSALS, AND, TO THE EXTENT DEEMED PRACTICABLE BY THE CHIEF OF ENGINEERS, OPPORTUNITY TO COOPERATE IN THE INVESTIGATIONS IF SUCH INVESTIGATIONS IN WHOLE OR PART ARE CONCERNED WITH THE USE OR CONTROL OF WATERS ARISING WEST OF THE 97TH MERIDIAN, THE CHIEF OF ENGINEERS SHALL GIVE TO THE SECRETARY OF THE INTERIOR, DURING THE COURSE OF THE INVESTIGATIONS, INFORMATION DEVELOPED BY THE INVESTIGATIONS AND ALSO OPPORTUNITY FOR CONSULTATION REGARDING PLANS OR PROPOSALS, AND TO THE EXTENT DEEMED PRACTICABLE BY THE CHIEF OF ENGINEERS, OPPORTUNITY TO COOPERATE IN THE INVESTIGATIONS. EACH REPORT SUBMITTING SUCH PLANS OR PROPOSALS TO THE CONGRESS SHALL SET OUT THEREIN, AMONG OTHER THINGS THE RELATIONSHIP BETWEEN THE PLANS FOR CONSTRUCTION AND OPERATION OF THE PROPOSED WORKS AND THE PLANS, IF ANY, SUBMITTED BY THE AFFECTED STATES AND BY THE SECRETARY OF THE INTERIOR WITH SUCH COMMENTS AND RECOMMENDATIONS AS HE DEEMS APPROPRIATE

COMMENTS: REPORTS SUBMITTED TO CONGRESS ARE PROJECT-SPECIFIC AND ARE PROVIDED WHEN CONGRESSIONAL ACTION IS NEEDED.

37 USC 405	OVERSEAS HOUSING ALLOWANCE REPORT	1999/10/19	P&R	1108
		N N N N	0	

DESCRIPTION: A STATION HOUSING ALLOWANCE MAY BE PRESCRIBED UNDER 37 USC 405 FOR A MEMBER WHO IS ON DUTY OUTSIDE OF THE UNITED STATES WITHOUT REGARD TO COSTS OTHER THAN HOUSING COSTS AND MAY CONSIST OF THE DIFFERENCE BETWEEN BASIC ALLOWANCE FOR QUARTERS AND APPLICABLE HOUSING COST. A SURVEY IS NOW USED IN LIEU OF DD 376 WHICH HAS BEEN CANCELED TO ADDRESS PROBLEMS IDENTIFIED BY THE GAO REPORT NSIAD-90-46. DD FORM 2367 IS USED TO DETERMINE A RENTERS UTILITY/RECURRING MAINTENANCE ALLOWANCE ENTITLEMENT WHICH MUST BE CERTIFIED ANNUALLY. THE PER DIEM, TRAVEL, AND TRANSPORTATION ALLOWANCE COMMITTEE USES THESE FIGURES TO RECOMMEND FUTURE ENTITLEMENTS TO CONGRESS.

COMMENTS:

37 USC **1009(e)**	UNIFORMED SERVICES COMPENSATION ADJUSTMENT	1999/02/12	P&R	1068
		NN NN Y 0		

DESCRIPTION: NOTIFICATION WHEN PRESIDENT DECIDES NOT TO GIVE SAME PERCENTAGE MILITARY PAY RAISE TO ALL MEMBERS WHEN COMPENSATION IS ADJUSTED WITHIN RANKS.

COMMENTS: IT HAS BEEN YEARS AND YEARS SINCE THIS REPORT HAS BEEN REQUIRED. LAST TIME IN 1970s

37 USC **1009(f)** PAY RAISE ALLOCATIONS 1999/02/12 P&R 1067

NN NN Y 0 **TR**

DESCRIPTION: **REPORT** OWED WITH QUADRENNIAL REVIEW OF MILITARY COMPENSATION WHEN PRESIDENT DECIDES NOT TO **GIVE** EQUAL PERCENTAGE PAY RAISE TO ALL **MILITARY** MEMBERS.

COMMENTS: THIS REPORT IS DUE FROM THE QUADRENNIAL REVIEW GROUP ONLY WHEN THERE IS A REALLOCATION OF THE BASIC PAY RAISE. THIS RARELY HAPPENS: WHEN **IT** DOES, IT WOULD NOT APPEAR USEFUL TO REQUIRE THAT SUCH A FACT BE REVIEWED AND REPORTED BY A QUADRENNIAL REVIEW **GROUP** THAT MEETS EVERY FOURTH YEAR. **IT** HAS BEEN YEARS AND YEARS SINCE **THIS** REPORT HAS BEEN REQUIRED. WE HAVE PREVIOUSLY REQUESTED TERMINATION OF THIS REPORT. RATIONALE FOR TERMINATION OF THIS REPORTING REQUIREMENT STILL APPLIES.

41 USC **11** USE OF SPECIAL **AUTHORITY** 1999/02/23 COMP 1273

Y Y Y N Y 0

DESCRIPTION: PERTAINS TO THE USE OF SPECIAL AUTHORITY TO EXCEED APPROPRIATIONS FOR CLOTHING, SUBSISTENCE, FORAGE, FUEL QUARTERS, TRANSPORTATION, OR MEDICAL AND HOSPITAL SUPPLIES.

COMMENTS:

42 USC **1962d-5(a)** WATER RESOURCE DEVELOPMENT PROJECTS COSTING LESS THAN **$15,000,000** 1999/02/09 A 497

NN NN Y 0

DESCRIPTION:

COMMENTS: NO REPORT SUBMITTED IN OVER **15** YEARS. REPORTS SUBMITTED TO CONGRESS ARE PROJECT-SPECIFIC AND ARE PROVIDED WHEN CONGRESSIONAL ACTION IS NEEDED.

42 USC **1973ff** REPORT TO THE PRESIDENT AND THE CONGRESS ON THE **EFFECTIVENESS** OF A FEDERAL VOTING ASSISTANCE PROGRAM UNDER 42 USC **1973ff** 1999/02/04 WHS 359

Y Y Y Y Y 0

DESCRIPTION: SECRETARY OF DEFENSE IS DESIGNATED AS THE PRESIDENTIAL DESIGNEE. HE SHALL CONSULT STATE AND LOCAL ELECTION OFFICIALS, PRESCRIBE AN OFFICIAL POST CARD FORM (CONTAINING BOTH ABSENTEE VOTER REGISTRATION APPLICATION AND AN ABSENTEE BALLOT APPLICATION), CARRY OUT SECTION 103 (42 USC **1973ff-3**) WITH RESPECT TO THE FEDERAL WRITE-IN ABSENTEE BALLOT FOR OVERSEAS VOTERS, PRESCRIBE A SUGGESTED DESIGN FOR ABSENTEE BALLOT MAILING ENVELOPES FOR USE BY THE STATES, COMPILE AND DISTRIBUTE DESCRIPTIVE MATERIAL ON STATE ABSENTEE REGISTRATION AND FACTS RELEVANT TO ELECTIONS AND NOT LATER THAN THE END OF EACH YEAR AFTER A PRESIDENTIAL ELECTION YEAR, TRANSMIT TO THE PRESIDENT AND CONGRESS A **REPORT** ON THE EFFECTIVENESS OF ASSISTANCE UNDER THIS **TITLE**, INCLUDING A STATISTICAL ANALYSIS OF VOTER PARTICIPATION AND A DESCRIPTION OF STATE-FEDERAL COOPERATION.

COMMENTS:

42 USC 1973gg-7 | STATISTICAL ANALYSIS OF VOTER REGISTRATION ASSISTANCE | 1999/02/04 | WHS | 1107

Y Y Y Y Y 0

DESCRIPTION: THE FEDERAL VOTING ASSISTANCE PROGRAM OFFICE, DA&M, RECEIVES VOTER ASSISTANCE INFORMATION FROM THE STATE ELECTION OFFICIALS AND STATISTICAL INFORMATION FROM THE MILITARY DEPARTMENTS AND THE DEPARTMENT OF TRANSPORTATION (COAST GUARD). THE STATISTICAL INFORMATION IS GATHERED OVER TIME AND IS REPORTED BIENNIALLY TO THE FEDERAL ELECTION COMMISSION. AN INDEPENDENT AGENCY OF THE UNITED STATES GOVERNMENT ADMINISTERING THE FEDERAL-WIDE PROGRAM. THE FEDERAL ELECTION COMMISSION USES THE STATISTICAL INFORMATION IN DETERMINING THE SUCCESS OF THE IMPLEMENTATION OF THE NATIONAL VOTER REGISTRATION ACT OF 1993 WHICH MAKES VOTER REGISTRATION AVAILABLE AT A WIDE VARIETY OF LOCAL, STATE, AND FEDERAL OFFICES INCLUDING ARMED FORCES RECRUITING OFFICES.

COMMENTS:

49 USC 2614 | COMMERCIAL SPACE LAUNCH | 1999103123 | AT&L | 536

NY YY Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL TAKE SUCH ACTIONS AS MAY BE NECESSARY TO FACILITATE AND ENCOURAGE THE ACQUISITION (BY LEASE, SALE, TRANSACTION IN LIEU OF SALE, OR OTHERWISE) BY THE PRIVATE SECTOR AND STATE GOVERNMENTS OF LAUNCH PROPERTY OF THE UNTIED STATES WHICH IS EXCESS OR IS OTHERWISE UNNEEDED FOR PUBLIC USE AND OF LAUNCH SERVICES OF THE UNITED STATES WHICH ARE OTHERWISE NOT NEEDED FOR PUBLIC USE. IN TAKING SUCH ACTIONS, THE SECRETARY SHALL CONSIDER THE COMMERCIAL AVAILABILEY, ON REASONABLE TERMS AND CONDITIONS, OF SUBSTANTIALLY EQUIVALENT LAUNCH PROPERTY OR LAUNCH SERVICES FROM A DOMESTIC SOURCE. WITH THE COOPERATION OF THE SECRETARY OF TRANSPORTATION AND THE ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, THE SECRETARY OF DEFENSE SHALL TAKE STEPS TO ENSURE THAT THE LAUNCHES OF PAY LOADS ARE NOT PREEMPTED FROM ACCESS TO UNITED STATES LAUNCH SITES OR LAUNCH PROPERTY, EXCEPT IN CASES OF IMPERATIVE NEED. BASED ON THIS, THE SECRETARY OF DEFENSE OR THE ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION SHALL REPORT TO THE CONGRESS WITHIN 7 DAYS AFTER ANY DETERMINATION OF IMPERATIVE NEED, INCLUDING AN EXPLANATION OF THE CIRCUMSTANCES JUSTIFYING SUCH DETERMINATION AND A SCHEDULE FOR ENSURING THE PROMPT LAUNCHING OF A PREEMPTED PAYLOAD

COMMENTS:

50 USC 98d note | DISPOSAL OF OBSOLETE AND EXCESS MATERIALS CONTAINED IN THE NATIONAL DEFENSE STOCKPILE - CONDITIONS ON DISPOSAL | 1999/03/28 | AT&L | 61

NN YN Y 0

DESCRIPTION: THE AUTHORITY OF THE PRESIDENT UNDER SUBSECTION (a) TO DISPOSE OF MATERIALS STORED IN THE NATIONAL DEFENSE STOCKPILE MAY NOT BE USED UNLESS AND UNTIL THE SECRETARY OF DEFENSE CERTIFIES TO CONGRESS THAT THE DISPOSAL OF SUCH MATERIALS WILL NOT ADVERSELY AFFECT THE CAPABILITY OF THE UNITED STATES DURING A PERIOD OF NATIONAL EMERGENCY THAT REQUIRES A SIGNIFICANT LEVEL OF MOBILIZATION OF THE ECONOMY OF THE UNITED STATES, INCLUDING ANY RECONSTITUTION OF THE MILITARY AND INDUSTRIAL CAPABILITIES NECESSARY TO MEET THE PLANNING ASSUMPTIONS USED BY THE SECRETARY OF DEFENSE UNDER SECTION 14(b) OF-I-HE STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT (50 USC 98h-5(b)).

COMMENTS:

50 USC **98h-2(h)**	CONVERSION OF CHROMIUM ORE TO HIGH PURITY CHROMHJM METAL - INCLUSION IN ANNUAL MATERIALS PLAN	1999/03/23	AT&L	554
		NY YN	Y	0

DESCRIPTION: (a) SUBJECT TO SUBSECTION (b), THE NATIONAL DEFENSE STOCKFILE MANAGER MAY CARRY OUT A PROGRAM TO UPGRADE TO HIGH PURITY CHROMIUM METAL ANY STOCKS OF CHROMIUM ORE HELD IN THE NATIONAL DEFENSE STOCKPILE PROVIDED FOR IN SECTION 4 OF THE STRATEGIC AND CRITICAL MATERIALS STOCKPILING ACT (50 USC 98c) IF THE NATIONAL DEFENSE STOCKPILE MANAGER DETERMINES THAT ADDITIONAL QUANTITIES OF HIGH PURITY CHROMIUM METAL ARE NEEDED IN THE STOCKPILE. (b) INCLUSION IN ANNUAL MATERIALS PLAN BEFORE ENTERING INTO ANY CONTRACT IN CONNECTION WITH THE UPGRADE PROGRAM AUTHORIZED UNDER SUBSECTION (a), THE NATIONAL DEFENSE STOCKPILE MANAGER SHALL, INCLUDE A DESCRIPTION OF THE UPGRADE PROGRAM IN THE REPORT CONTAINING THE ANNUAL MATERIALS PLAN FOR THE OPERATION OF THE NATIONAL DEFENSE STOCKPILE REQUIRED TO BE SUBMITTED TO CONGRESS UNDER SECTION 11(b) OF THE STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT (50 USC 98h-2(b)) OR IN A REVISION OF THE REPORT MADE IN THE MANNER PROVIDED BY SECTION 5(a)(2) OF SUCH ACT (50 USC 98d(a)(2)).

COMMENTS:

50 USC **401(3)**	DISCLOSURE OF INFORMATION REGARDING PERSONNEL CLASSIFIED AS PRISONER OF WAR OR MISSING IN ACTION DURING VIETNAM CONFLICT	1999/03/28	POL	544
		NN YN	Y	0

DESCRIPTION: IF THE SECRETARY OF DEFENSE DETERMINES THAT THE DISCLOSURE OF ANY RECORD OR OTHER INFORMATION MADE AVAILABLE TO THE PUBLIC MAY COMPROMISE THE SAFETY OF A VIETNAM-ERA POW/MIA WHO MAY STILL BE ALIVE IN SOUTHEAST ASIA, THEN THE SECRETARY MAY WITHHOLD THAT RECORD OR OTHER INFORMATION FROM THE DISCLOSURE OTHERWISE REQUIRED. WHENEVER THE SECRETARY OF DEFENSE MAKES A DETERMINATION TO WITHHOLD SUCH INFORMATION, THE SECRETARY OF DEFENSE SHALL IMMEDIATELY NOTIFY THE PRESIDENT AND CONGRESS OF THAT DETERMINATION.

COMMENTS:

50 USC **403-2b (b)(2)**	LIMITATION ON CONSTRUCTION OF **FACILITIES** TO BE USED PRIMARILY BY INTELLIGENCE COMMUNITY	1999/02/03	NSA	1400
		KY KY	Y	0

DESCRIPTION: WHEN A DECISION IS MADE TO CARRY OUT A CONSTRUCTION PROJECT UNDER THIS SUBSECTION, THE SECRETARY OF DEFENSE AND THE DIRECTOR OF CENTRAL INTELLIGENCE JOINTLY SHALL SUBMIT A REPORT IN WRITING TO THE APPROPRIATE COMMITTEES OF CONGRESS ON THAT DECISION. EACH SUCH REPORT SHALL INCLUDE (A) THE JUSTIFICATION FOR CARRYING OUT THE PROJECT, (B) THE JUSTIFICATION FOR CARRYING OUT THE PROJECT UNDER THIS SUBSECTION, AND (C) A STATEMENT OF THE SOURCE OF FUNDS TO BE USED TO CARRY OUT THE PROJECT. THE PROJECT MAY THEN BE CARRIED OUT ONLY AFTER THE END OF THE 21-DAY PERIOD BEGINNING ON THE DATE THE NOTIFICATION IS RECEIVED BY SUCH COMMITTEES.

COMMENTS:

11-L-0559/OSD/3129

50 USC **413a(1)** INTELLIGENCE **ACTIVITIES** • INFORMING CONGRESS 1999/03/28 DIA 581

YN YN Y 0

DESCRIPTION: HEADS OF DEPARTMENTS AND AGENCIES OF THE UNITED STATES **INVOLVED** IN INTELLIGENCE ACTIVITIES SHALL: **KEEP** THE PERMANENT SELECT **COMMITTEE** ON INTELLIGENCE OF THE HOUSE OF **REPRESENTATIVES** AND THE SELECT COMMITTEE ON INTELLIGENCE OF THE SENATE FULLY AND CURRENTLY INFORMED CONCERNING INTELLIGENCE **ACTIVITIES**, INCLUDING ANY SIGNIFICANT ANTICIPATED **ACTIVITIES** WHICH ARE THE RESPONSIBILITY OF, OR ARE ENGAGED **IN**, BY SUCH DEPARTMENT OR AGENCY. PROVIDE ANY **INFORMATION** OR DOCUMENT, IN THE POSSESSION, CUSTODY, OR CONTROL **OF THE** DEPARTMENT OR AGENCY OR PERSON PAID BY SUCH DEPARTMENT OR AGENCY, WITHIN THE JURISDICTION OF THE PERMANENT SELECT **COMMITTEE** ON INTELLIGENCE OF THE HOUSE OF REPRESENTATIVES OR THE SELECT COMMITTEE ON INTELLIGENCE OF THE SENATE, UPON THE REQUEST OF SUCH **COMMITTEE**; AND REPORT **IN** A TIMELY FASHION INFORMATION RELATING TO INTELLIGENCE **ACTIVITIES** THAT ARE ILLEGAL OR IMPROPER AND **CORRECTIVE ACTIONS** THAT ARE TAKEN OR PLANNED.

COMMENTS:

50 USC **413b(b)** REPORTS TO INTELLIGENCE COMMITTEES • COVERT ACTIONS 1999/02/05 NSA 86

YY YY Y 0

DESCRIPTION: **TO** THE EXTENT CONSISTENT WFH DUE REGARD FOR THE PROTECTION OF UNAUTHORIZED DISCLOSURE OF CLASSIFIED INFORMATION RELATING **TO** SENSITIVE INTELLIGENCE SOURCES AND METHODS OR OTHER EXCEPTIONALLY **SENSITIVE** MATTERS, THE DIRECTOR OF CENTRAL INTELLIGENCE AND THE HEADS OF ALL DEPARTMENTS, AGENCIES AND ENTITLES OF THE UNITED STATES GOVERNMENT INVOLVED IN A COVERT ACTION -- (1) SHALL KEEP THE INTELLIGENCE **COMMITTEES** FULLY AND CURRENTLY INFORMED OF ALL COVERT ACTIONS WHICH ARE THE **RESPONSIBILITY** OF, ARE ENGAGED IN BY, OR CARRIED OUT FOR OR ON BEHALF OF, ANY DEPARTMENT, AGENCY OR **ENTITY** OF THE UNITED STATES GOVERNMENT, INCLUDING SIGNIFICANT FAILURES; AND (2) SHALL FURNISH TO THE INTELLIGENCE **COMMITTEES** ANY INFORMATION OR MATERIAL CONCERNING COVERT ACTIONS WHICH IS **IN** THE POSSESSION, CUSTODY, OR CONTROL OF ANY DEPARTMENT, AGENCY OR ENTITY OF THE **UNITED** STATES GOVERNMENT AND WHICH IS REQUESTED BY **EITHER OF THE** INTELLIGENCE **COMMITTEES** IN ORDER **TO** CARRY OUT ITS AUTHORIZED **RESPONSIBILITIES**.

COMMENTS:

50 USC 414(d) REPORT TO CONGRESSIONAL COMMITTEES REQUIRED FOR **EXPENDITURE** OF **NONAPPROPRIATED** FUNDS FOR INTELLIGENCE ACTMTY DIA 830

N N N N 0

DESCRIPTION: **EXCEPT** AS OTHERWISE SPECIFICALLY PROVIDED BY LAW, FUNDS AVAILABLE TO AN INTELLIGENCE AGENCY THAT ARE NOT APPROPRIATED FUNDS MAY BE OBLIGATED OR EXE'ENDED FOR AN INTELLIGENCE OR INTELLIGENCE-RELATED ACTIVITY ONLY IF THOSE FUNDS ARE USED FOR ACTIVITIES REPORTED **TO** THE APPROPRIATE CONGRESSIONAL COMMITTEES PURSUANT **TO** PROCEDURES WHICH **IDENTIFY** -- (A) THE TYPES OF **ACTIVITIES** FOR WHICH NONAPPROPRIATED FUNDS MAY BE EXPENDED; AND **(B)** THE CIRCUMSTANCES UNDER WHICH AN ACTIVITY MUST BE REPORTED AS SIGNIFICANT ANTICIPATED INTELLIGENCE ACTIVITY BEFORE SUCH FUNDS CAN BE EXPENDED. PROCEDURES FOR THE-SE PURPOSES SHALL BE JOINTLY AGREED **UPON** BY THE INTELLIGENCE **COMMITTEES**, THE DIRECTOR OF CENTRAL INTELLIGENCE OR THE SECRETARY OF DEFENSE.

COMMENTS:

11-L-0559/OSD/3130

50 USC **1431** EXTRAORDINARY CONTRACTUAL ACTIONS EXCEEDING **$25,000,000** 1999/02/22 AT&L 1386

NN NN Y 0 TR

DESCRIPTION: NOTIFICATION TO ARMED SERVICES COMMITTEES 60 LEGISLATIVE DAYS IN ADVANCE. THE AUTHORITY CONFERRED BY THIS SECTION MAY NOT BE UTILIZED TO OBLIGATE THE UNITED STATES IN ANY AMOUNT IN EXCESS OF $25,000,000 UNLESS THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES HAVE BEEN NOTIFIED IN WRITING OF SUCH PROPOSED OBLIGATION AND 60 DAYS OF CONTINUOUS SESSION OF CONGRESS HAVE EXPIRED FOLLOWING THE DATE ON WHICH SUCH NOTICE WAS TRANSMITTED TO SUCH COMMITTEES.

COMMENTS: REPORT APPEARS TO BE UNNECESSARY SINCE NO REPORTS HAVE BEEN FURNISHED TO CONGRESS IN THE PAST 15 YEARS. THE ADVANCE NOTIFICATION REQUIREMENT IS UNCONSTITUTIONAL. DoD IS ALREADY REQUIRED TO REPORT ACTIONS SUCH AS THIS TO CONGRESS ON AN ANNUAL, AFTER THE FACT, BASIS.

50 USC **1433(b)** REVIEW OF CONTRACTS - OMISSION FROM FOREIGN CONTRACTS OF THE CLAUSE CALLING FOR **REVIEW** BY THE COMPTROLLER GENERAL 1999/02/22 AT&L *508*

NN NN N 0 TR

DESCRIPTION: ALL CONTRACTS ENTERED INTO, AMENDED, OR MODIFIED PURSUANT TO THE AUTHORITY CONTAINED IN THIS CLAUSE SHALL INCLUDE A CLAUSE TO THE EFFECT THAT THE COMPTROLLER GENERAL OF THE U.S. OR ANY OF HIS DULY AUTHORIZED REPRESENTATIVES SHALL, UNTIL THE EXPIRATION OF 3 YEARS AFTER FINAL PAYMENT, HAVE ACCESS TO AND THE RIGHT TO EXAMINE ANY DIRECTLY PERTINENT BOOKS, DOCUMENTS, PAPERS, AND RECORDS OF THE CONTRACTOR OR ANY OF HIS SUBCONTRACTORS ENGAGED IN THE PERFORMANCE OF AND INVOLVING TRANSACTIONS RELATED TO SUCH CONTRACTS. CONCURRENCE IN THE OMISSION OF THE CLAUSE BY THE COMPTROLLER GENERAL IS REQUIRED EXCEPT UNDER THE FOLLOWING CONDITIONS: 1) WHERE THE CONTRACTOR OR SUBCONTRACTOR IS A FOREIGN GOVERNMENT OR AGENCY THEREOF OR IS PRECLUDED BY THE LAWS OF THE COUNTRY INVOLVED FROM MAKING ITS BOOKS, DOCUMENTS, PAPERS, OR RECORDS AVAILABLE FOR EXAMINATION; AND 2) WHERE THE AGENCY HEAD DETERMINES, AFTER TAKING INTO ACCOUNT THE PRICE AND AVAILABILITY OF THE PROPERTY OR SERVICES FROM U.S. SOURCES, THAT THE PUBLIC INTEREST WOULD BE BEST SERVED BY THE OMISSION OF THE CLAUSE. IF THE CLAUSE IS OMITTED BASED ON THE ABOVE 2 CONDITIONS, A WRITTEN REPORT SHALL BE FURNISHED TO CONGRESS.

COMMENTS: RECOMMEND TERMINATION. THIS REPORT IS SUBMITTED ON AN AS REQUIRED BASIS. IT IS REQUIRED UNDER PUBLIC LAW 85-804 AND IS GENERATED IF, AND WHEN, THE AGENCY HEAD DETERMINES THAT THE PUBLIC INTEREST WOULD BEST BE SERVED BY OMITTING THE CLAUSE PERMITTING EXAMINATION OF FINANCIAL AND OTHER RECORDS THAT IS OTHERWISE REQUIRED FOR INCLUSION IN A CONTRACT WHERE EXTRAORDINARY RELIEF HAS BEEN GRANTED. EXTRAORDINARY RELIEF UNDER P.L. 85-804 IS RARELY GRANTED AND WE ARE NOT AWARE OF AN INSTANCE WHERE EXAMINATION OF RECORDS PROVISIONS WERE WAIVED. CONSEQUENTLY, THE NEED FOR PREPARATION OF THIS REPORT IS EXTREMELY REMOTE, AND SO WE RECOMMEND THAT THIS REPORTING REQUIREMENT BE TERMINATED.

50 USC **1512(4)**	TRANSPORTATION, OPEN AIR TESTING, AND DISPOSAL	1999/03/22	AT&L	550

N N Y N Y 0

DESCRIPTION: NONE OF THE FUNDS AUTHORIZED TO BE APPROPRIATED BY THIS ACT OR ANY OTHER ACT MAY BE USED FOR THE TRANSPORTATION OF ANY LETHAL CHEMICAL OR ANY BIOMGICAL WARFARE AGENT TO OR FROM ANY MILITARY INSTALLATION IN THE UNITED STATES, THE OPEN AIR TESTING OF ANY SUCH AGENT WITHIN THE UNITED STATES, OR THE DISPOSAL OF ANY SUCH AGENT WITHIN THE UNTIED STATES. THE SECRETARY OF DEFENSE WILL PROVIDE NOTIFICATION THAT THE TRANSPORTATION, TESTING, OR DISPOSAL WILL TAKE PLACE, EXCEPT WHERE A PRESIDENTIAL DETERMINATION HAS BEEN MADE TO THE FOLLOWING: THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AT LEAST 10 DAYS BEFORE ANY SUCH TRANSPORTATION OR DISPOSAL WILL BE COMMENCED AND AT LEAST 30 DAYS BEFORE ANY SUCH TESTING WILL BE COMMENCED; AND THE GOVERNOR OF ANY STATE THROUGH WHICH SUCH AGENTS WILL BE TRANSPORTED. SUCH NOTIFICATION SHOULD BE PROVIDED APPROPRIATELY IN ADVANCE OF ANY SUCH TRANSPORTATION.

COMMENTS:

50 USC **1513(1)**	DEPLOYMENT, STORAGE, OR DISPOSAL OUTSIDE THE **UNITED STATES** OF ANY CHEMICAL OR BIOLOGICAL WARFARE AGENT	1999/03/22	AT&L	1277

N N Y N Y 0

DESCRIPTION: NONE OF THE FUNDS AUTHORIZED TO BE APPROPRIATED BY THIS ACT OR ANY OTHER ACT MAY BE USED FOR THE FUTURE DEPLOYMENT, STORAGE, OR DISPOSAL AT ANY PLACE OUTSIDE THE UNITED STATES OF -- (A) ANY LETHAL CHEMICAL OR ANY BIOMGICAL WARFARE AGENT, OR (B) ANY DELIVERY SYSTEM SPECIFICALLY DESIGNED TO DISSEMINATE ANY SUCH AGENT, UNLESS PRIOR NOTICE OF SUCH DEPLOYMENT, STORAGE, OR DISPOSAL HAS BEEN GIVEN TO THE COUNTRY EXERCISING JURISDICTION OVER SUCH PLACE. IN THE CASE OF ANY PLACE OUTSIDE THE UNITED STATES WHICH IS UNDER THE CONTROL OR JURISDICTION OF THE UNITED STATES GOVERNMENT, NO SUCH ACTION MAY BE TAKEN UNLESS THE SECRETARY GIVES PRIOR NOTICE OF SUCH ACTION TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

COMMENTS:

50 USC 1518	EMERGENCY DISPOSAL OF CHEMICAL OR BIOLOGICAL WARFARE AGENTS	1999/03/22	AT&L	1278

N N Y N Y 0

DESCRIPTION: ON AND AFTER OCTOBER 7, 1970, NO CHEMICAL OR BIOLOGICAL WARFARE AGENT SHALL BE DISPOSED OF WITHIN OR OUTSIDE OF THE UNITED STATES UNLESS SUCH AGENT HAS BEEN DETOXIFIED OR MADE HARMLESS TO MAN AND HIS ENVIRONMENT UNLESS IMMEDIATE DISPOSAL IS CLEARLY NECESSARY. IN AN EMERGENCY, TO SAFEGUARD HUMAN LIFE, AN IMMEDIATE REPORT SHOULD BE MADE TO CONGRESS IN THE EVENT OF SUCH DISPOSAL.

COMMENTS:

50 USC 1521(b)(3)(B)	DESTRUCTION OF EXISTING STOCKPILE OF LETHAL CHEMICAL AGENTS AND MUNITIONS - DEFERRAL	1999/03/22	AT&L	3%

N N Y N Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL CARRY OUT THE DESTRUCTION OF THE U.S. STOCKPILE OF LETHAL CHEMICAL AGENTS AND MUNITIONS THAT EXISTS. IN THE EVENT OF A DECLARATION OF WAR BY CONGRESS OR OF A NATIONAL EMERGENCY BY THE PRESIDENT OR CONGRESS OR IF THE SECRETARY DETERMINES THAT THERE HAS BEEN A SIGNIFICANT DELAY IN THE ACQUISITION OF AN ADEQUATE NUMBER OF BINARY CHEMICAL WEAPONS TO MEET THE REQUIREMENTS OF THE ARMED FORCES, THE SECRETARY MAY DEFER, BEYOND THE STOCKPILE ELIMINATION DEADLINE, THE DESTRUCTION OF NOT MORE THAN 10 PERCENT OF THE STOCKPILE. THE SECRETARY OF DEFENSE SHALL TRANSMIT WRITTEN NOTICE TO CONGRESS OF ANY DEFERRAL MADE NOT LATER THAN THE EARLIER OF 30 DAYS AFTER THE DATE ON WHICH THE DECISION TO DEFER IS MADE, OR 30 DAYS BEFORE THE STOCKPILE ELIMINATION DEADLINE (STOCKPILE ELIMINATION DEADLINE IS DEC 31, 2004).

COMMENTS:

50 USC 1523(b)	RESTRICTIONS ON THE USE OF HUMAN SUBJECTS FOR TESTING OF CHEMICAL OR BIOLOGICAL AGENTS: **REPORT** AND CERTIFICATION	1999/03/28	AT&L	1478

N N Y N Y 0

DESCRIPTION: (9) A DESCRIPTION OF ANY PROGRAM INVOLVING THE TESTING OF BIOLOGICAL OR CHEMICAL AGENTS ON HUMAN SUBJECTS THAT WAS CARRIED OUT BY THE DEPARTMENT OF DEFENSE DURING THE PERIOD COVERED BY THE REPORT TOGETHER WITH-- (A) A DETAILED JUSTIFICATION FOR THE TESTING; (B) A DETAILED EXPLANATION OF THE PURPOSES OF THE TESTING; (C) A DESCRIPTION OF EACH CHEMICAL OR BIOLOGICAL AGENT TESTED; AND (D) THE SECRETARY'S CERTIFICATION THAT INFORMED CONSENT TO THE TESTING WAS OBTAINED FROM EACH HUMAN SUBJECT IN ADVANCE OF THE TESTING ON THAT SUBJECT

COMMENTS:

Number of Reports with This Frequency = 178

Report Frequency =BI

10 USC **1798(d)**	CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES FOR DEPENDENTS: FINANCIAL ASSISTANCE FOR PROVIDERS	2000/03/15	P&R	1521
				0

DESCRIPTION: (1) EVERY TWO YEARS, THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT ON THE EXERCISE OF AUTHORITY UNDER THIS SECTION. THE REPORT SHALL INCLUDE AN EVALUATION OF THE EFFECTIVENESS OF THAT AUTHORITY FOR ACHIEVING THE OBJECTIVES SET OUT UNDER SUBSECTION (c). THE REPORT MAY INCLUDE ANY RECOMMENDATIONS FOR LEGISLATION THAT THE SECRETARY CONSIDERS APPROPRIATE TO ENHANCE THE CAPABILITY OF THE DEPARTMENT OF DEFENSE TO ATTAIN THOSE OBJECTIVES. (2) A BIENNIAL REPORT UNDER THIS SUBSECTION MAY BE COMBINED WITH THE BIENNIAL REPORT UNDER SECTION 1798(d) OF THIS TITLE INTO A SINGLE REPORT TO CONGRESS. THE FIRST BIENNIAL REPORTS UNDER 1798(d) AND 1799(d) SHALL BE SUBMITTED NOT LATER THAN MARCH 31, 2002, AND SHALL COVER FISCAL YEARS 2000 AND 2001.

COMMENTS:

10 USC 2222(a)	BIENNIAL FINANCIAL MANAGEMENT IMPROVEMENT PLAN	2000/03/20	COMP	1491
				0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL INCLUDE IN THE SECOND BIENNIAL FINANCIAL MANAGEMENT IMPROVEMENT PLAN SUBMITTED TO CONGRESS A BIENNIAL STRATEGIC PLAN FOR THE IMPROVEMENT OF FINANCIAL MANAGEMENT WITHIN THE DEPARTMENT OF DEFENSE. THE PLAN SHALL BE SUBMITTED NOT LATER THAN SEPTEMBER 30 OF EACH EVEN NUMBERED YEAR.

COMMENTS:

10 USC **2281(d)**	SUSTAINMENT AND OPERATION OF THE GLOBAL POSITIONING SYSTEM	1999/02/23	AT&L		1475
		YY	YN	Y	0

DESCRIPTION: (a) THE SECRETARY OF DEFENSE SHALL PROVIDE FOR THE SUSTAINMENT OF THE CAPABILITIES OF THE GLOBAL POSITIONING SYSTEM (HEREAFTER IN THIS SECTION REFERRED TO AS THE GPS) AND THE OPERATION OF BASIC GPS SERVICES, THAT ARE BENEFICIAL FOR THE NATIONAL SECURITY INTERESTS OF THE UNITED STATES...(c) THE SECRETARY OF DEFENSE AND THE SECRETARY OF TRANSPORTATION SHALL JOINTLY PREPARE THE FEDERAL RADIONAVIGATIONAL PLAN. THE PLAN SHALL BE REVISED AND UPDATED NOT LESS OFTEN THAN EVERY TWO YEARS. (d)(1) NOT LATER THAN 30 DAYS AFTER THE END OF EACH EVEN-NUMBERED FISCAL YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES A REPORT ON THE GLOBAL POSITIONING SYSTEM.

COMMENTS:

11-L-0559/OSD/3134

10 USC 2457(d)	STANDARDIZATION OF EQUIPMENT WITH NORTH ATLANTIC TREATY ORGANIZATION MEMBERS	1999/03/28	AT&L	449
		NY NN Y 0		

DESCRIPTION: IT IS THE POLICY OF THE U.S. TO STANDARDIZE EQUIPMENT, INCLUDING WEAPONS SYSTEMS, AMMUNITION, AND FUEL, PROCURED FOR THE USE OF THE ARMED FORCES OF THE U.S. STATIONED IN EUROPE UNDER THE NORTH ATLANTIC TREATY OR AT LEAST TO MAKE THAT EQUIPMENT INTEROPERABLE WITH EQUIPMENT OF OTHER MEMBERS OF NATO BEFORE FEBRUARY 1, 1989, AND BIENNIALLY THEREAFTER. THE SECRETARY OF DEFENSE SHALL SUBMIT A REPORT TO CONGRESS THAT INCLUDES (1) EACH SPECIFIC ASSESSMENT AND EVALUATION MADE AND THE RESULTS OF EACH ASSESSMENT AND EVALUATION AND THE RESULTS ACHIEVED WITH THE MEMBERS OF NATO; (2) PROCUREMENT ACTION INITIATED ON EACH NEW MAJOR SYSTEM NOT COMPLYING WITH THAT POLICY; (3) PROCUREMENT ACTION INITIATED ON EACH NEW MAJOR SYSTEM THAT IS NOT STANDARDIZED OR INTEROPERABLE WITH EQUIPMENT OF OTHER MEMBERS OF NATO, INCLUDING A DESCRIPTION OF THE SYSTEM CHOSEN AND THE REASON FOR CHOOSING THAT SYSTEM; (4) THE IDENTITY OF EACH PROGRAM OF RESEARCH AND DEVELOPMENT FOR THE ARMED FORCES OF THE U.S. STATIONED IN EUROPE; (5) ACTION OF THE ALLIANCE TOWARD COMMON NAM REQUIREMENTS IF NONE EXISTS; (6) EFFORTS TO ESTABLISH A REGULAR PROCEDURE AND MECHANISM IN NATO TO DETERMINE COMMON MILITARY REQUIREMENTS; (7) A DESCRIPTION OF EACH EXISTING AND PLANNED PROGRAM OF THE DEPARTMENT OF DEFENSE THAT SUPPORTS THE DEVELOPMENT OR PROCUREMENT OF A WEAPON SYSTEM OR OTHER MILITARY EQUIPMENT ORIGINALLY DEVELOPED OR PROCURED BY MEMBERS OF THE ORGANIZATION OTHER THAN THE UNITED STATES AND FOR WHICH FUNDS HAVE BEEN AUTHORIZED TO BE APPROPRIATED FOR THE FISCAL YEAR IN WHICH THE REPORT IS SUBMITTED, INCLUDING A SUMMARY LISTING OF THE AMOUNT OF FUNDS - (A) APPROPRIATED FOR THOSE PROGRAMS FOR THE FISCAL YEAR IN WHICH THE REPORT IS SUBMITTED, AND (B) REQUESTED, OR PROPOSED TO BE REQUESTED, FOR THOSE PROGRAMS FOR EACH OF THE 2 FISCAL YEARS FOLLOWING THE FISCAL YEAR FOR WHICH THE REPORT IS SUBMITTED; AND (8) A DESCRIPTION OF EACH WEAPON SYSTEM OR OTHER MILITARY EQUIPMENT ORIGINALLY DEVELOPED OR PROCURED IN THE UNITED STATES AND THAT IS BEING DEVELOPED OR PROCURED BY MEMBERS OF THE ORGANIZATION OTHER THAN THE UNITED STATES DURING THE FISCAL YEAR FOR WHICH THE REPORT IS SUBMITTED.

COMMENTS:

10 USC 4316	**ARMY TRAINING REPORT**	1999/03/28	A	174
		NN NN Y 0		

DESCRIPTION: THE SECRETARY OF THE ARMY SHALL BIENNIALLY SUBMIT TO THE CONGRESS A REPORT THAT SPECIFIES THE OVERALL EXPENDITURES FOR PROGRAMS AND ACTIVITIES UNDER THIS CHAPTER AND ANY PROGRESS MADE WITH RESPECT TO ACHIEVING FINANCIAL SELF-SUFFICIENCY OF THE PROGRAMS AND ACTIVITIES.

COMMENTS:

10 USC 16137	EDUCATIONAL ASSISTANCE FOR MEMBERS OF THE SELECTED RESERVE	2000/03/14	RA		295
		Y Y Y Y Y	0		

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE CONGRESS A REPORT NO LATER THAN MARCH 1 OF EACH ODD-NUMBERED YEAR CONCERNING THE OPERATION OF THE EDUCATIONAL ASSISTANCE PROGRAM ESTABLISHED BY THIS CHAPTER DURING THE PRECEDING TWO FISCAL YEARS. EACH SUCH REPORT SHALL INCLUDE THE NUMBER OF MEMBERS OF THE SELECTED RESERVE OF THE READY RESERVE OF EACH ARMED FORCE RECEIVING, AND THE NUMBER ENTITLED TO RECEIVE, EDUCATIONAL ASSISTANCE DURING THOSE FISCAL YEARS.

COMMENTS:

33 USC 579a	LIST OF AUTHORIZED BUT UNCONSTRUCTED PROJECTS OR SEPARABLE ELEMENTS OF PROJECTS...	1999/02/09	A		345
		N N N N Y	0		

DESCRIPTION: THIS REPORT IS COMPOSED OF A LIST OF AUTHORIZED BUT UNCONSTRUCTED PROJECTS OR SEPARABLE ELEMENTS OF PROJECTS NOT FUNDED DURING THE PREVIOUS 10 FULL FISCAL YEARS PRECEDING THE TRANSMITTAL OF SUCH A LIST.

COMMENTS:

33 USC 2263	STUDY OF CORPS OF ENGINEERS CAPABILITY TO CONSERVE FISH AND WILDLIFE	1999/02/09	A		1320
		N N N N Y	0		

DESCRIPTION: THIS REPORT PERTAINS TO THE STUDY OF THE CORPS OF ENGINEERS' CAPABILITY TO CONSERVE FISH AND WILDLIFE IN CONSULTATION WITH THE FISH AND WILDLIFE SERVICE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, AND THE ENVIRONMENTAL PROTECTION AGENCY.

COMMENTS: NO STUDY UNDERTAKEN OR REPORT PROVIDED, ONLY FUNDING CONGRESS HAS PROVIDED HAS BEEN TO IMPLEMENT PROJECTS AUTHORIZED IN LEGISLATION

38 USC 3036	EDUCATIONAL ASSISTANCE PROGRAM • BENEFITS ASSESSMENT	1999/02/12	P&R	342

Y Y Y Y Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE CONGRESS AT LEAST ONCE EVERY TWO YEARS A REPORT ON THE OPERATION OF THE EDUCATIONAL ASSISTANCE PROGRAM TO THE EXTENT TO WHICH THE BENEFIT LEVELS ARE ADEQUATE TO ACHIEVE THE PURPOSES OF INDUCING INDIVIDUALS TO ENTER AND REMAIN IN THE ARMED FORCES AND OF PROVIDING AN ADEQUATE LEVEL OF FINANCIAL ASSISTANCE TO HELP MEET THE COST OF PURSUING A PROGRAM OF EDUCATION, AND WHETHER IT IS NECESSARY FOR THE PURPOSES OF MAINTAINING ADEQUATE LEVELS OF WELL-QUALIFIED ACTIVE-DUTY PERSONNEL IN THE ARMED FORCES TO CONTINUE TO OFFER THE OPPORTUNITY FOR EDUCATIONAL ASSISTANCE TO INDIVIDUALS WHO HAVE NOT YET ENTERED ACTIVE-DUTY SERVICE; AND SUCH RECOMMENDATION FOR ADMINISTRATIVE AND LEGISLATIVE CHANGES REGARDING THE PROVISION OF EDUCATIONAL ASSISTANCE TO MEMBERS OF THE ARMED FORCES AND VETERANS, AND THEIR DEPENDENTS, AS THE SECRETARY OF DEFENSE CONSIDERS APPROPRIATE

(ALSO ENTITLED "MONTGOMERY GI BILL (BIENNIAL)") SEE 10 USC 16131

COMMENTS:

N N N N N 100 X

DESCRIPTION: THE SECRETARY (OF VETERANS AFFAIRS) AND THE SECRETARY OF THE ARMY, THE SECRETARY OF THE AIR FORCE, AND THE SECRETARY OF THE NAVY MAY ENTER INTO AGREEMENTS AND CONTRACTS FOR THE MUTUAL USE OR EXCHANGE OF THE USE OF HOSPITAL AND DOMICILIARY FACILITIES, AND SUCH SUPPLIES, EQUIPMENT, MATERIAL, AND OTHER RESOURCES AS MAY ENTER INTO AN AGREEMENT THAT WOULD RESULT (1) IN A PERMANENT REDUCTION IN THE TOTAL NUMBER OF AUTHORIZED DEPARTMENT HOSPITAL BEDS AND NURSING HOME BEDS TO A LEVEL BELOW THE MINIMUM NUMBER OF SUCH BEDS, OR (2) IN A PERMANENT REDUCTION IN THE TOTAL NUMBER OF SUCH BEDS OPERATED AND MAINTAINED TO A LEVEL BELOW THE MINIMUM NUMBER OF SUCH BEDS REQUIRED TO BE OPERATED AND MAINTAINED OR IN ANY WAY SUBORDINATE OR TRANSFER THE OPERATION OF THE DEPARTMENT TO ANY OTHER AGENCY OF THE GOVERNMENT. (f) AT THE TIME THE PRESIDENT'S BUDGET IS TRANSMITTED TO CONGRESS, THE SECRETARY AND THE SECRETARY OF DEFENSE SHALL SUBMIT A JOINT REPORT TO CONGRESS DURING THE FISCAL YEAR THAT ENDED DURING THE PREVIOUS CALENDAR YEAR TO INCLUDE THE FOLLOWING: SPECIFIC GUIDELINES; ASSESSMENT OF FURTHER OPPORTUNITIES; RECOMMENDATIONS FOR ACTION; A REVIEW OF SHARING AGREEMENTS AND A SUMMARY OF ACTIVITIES UNDER SUCH AGREEMENTS DURING SUCH FISCAL YEAR; A SUMMARY OF OTHER PLANNING AND ACTIVITIES INVOLVING EITHER AGENCY IN CONNECTION WITH PROMOTING THE COORDINATION AND SHARING OF FEDERAL HEALTH-CARE RESOURCES DURING THE PRECEDING FISCAL YEAR; AND SUCH RECOMMENDATIONS FOR LEGISLATION AS THE SECRETARY CONSIDERS APPROPRIATE TO FACILITATE THE SHARING OF HEALTH-CARE RESOURCES BETWEEN THE AGENCIES.
(COMBINED WITH THE REPORT ENTITLED "HEALTH-CARE SHARING AGREEMENTS BETWEEN DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE," THE SECRETARY OF DEFENSE SHALL SUBMIT A REPORT ON OPPORTUNITIES FOR GREATER SHARING OF THE HEALTH CARE RESOURCES OF THE VETERANS ADMINISTRATION AND DOD WHICH WOULD BE BENEFICIAL TO BOTH VETERANS AND MEMBERS OF THE ARMED FORCES AND COULD RESULT IN REDUCED COSTS TO THE GOVERNMENT BY MINIMIZING DUPLICATION AND USE OF HEALTH CARE RESOURCES. THE FY 1996 REPORT WILL ALSO INCLUDE -- (1) AN ASSESSMENT OF THE EFFECT OF AGREEMENTS ENTERED INTO ON THE DELIVERY OF HEALTH CARE TO ELIGIBLE VETERANS, (2) AN ASSESSMENT OF THE COST SAVINGS, IF ANY, ASSOCIATED WITH PROVISION OF SERVICES UNDER SUCH AGREEMENTS TO RETIRED MEMBERS OF THE ARMED FORCES, DEPENDENTS OF MEMBERS OR FORMER MEMBERS, AND BENEFICIARIES, AND (3) ANY PLANS FOR ADMINISTRATIVE ACTION, AND ANY RECOMMENDATIONS FOR LEGISLATION, THAT THE SECRETARY OF DEFENSE CONSIDERS APPROPRIATE).

COMMENTS: THE FOLLOWING RECOMMENDATION WAS MADE BY OASD(HA) CONCERNING COMBINING "HEALTH-CARE SHARING AGREEMENTS BETWEEN DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE" (343) WITH "SHARING OF DEPARTMENT OF DEFENSE HEALTH-CARE RESOURCES" (562):
RECOMMEND COMBINING THIS REPORT WITH #343. THE PROGRAM EXPERIENCED ACCELERATED GROWTH DURING THE FIRST DECADE AFTER ENACTMENT OF THE LAW, AND THE MAJORITY OF MTFs CURRENTLY HAVE SHARING AGREEMENTS. WE HAVE FOUND THAT INFORMATION CONTAINED IN THE REPORT CHANGES LITTLE FROM YEAR TO YEAR. THEREFORE, RECOMMEND CHANGING THE REPORTING FREQUENCY TO BJ-ANNUAL.

40 USC 484(o)

DESCRIPTION:

COMMENTS:

42 USC 6683	NATIONAL CRITICAL TECHNOLOGIES							AT&L	552
		N	N	N	N			0	

DESCRIPTION:

COMMENTS:

50 USC 98h-5	STOCKPILE REQUIREMENTS					1999/03/22		AT&L	381
		N	Y	Y	N			0	

DESCRIPTION: THIS REPORT, WITH RELATED REPORTS, SHALL SET FORTH THE NATIONAL EMERGENCY PLANNING ASSUMPTIONS USED IN DETERMINING THE STOCKPILE REQUIREMENTS RECOMMENDED BY THE SECRETARY OF DEFENSE, BASED UPON TOTAL MOBILIZATION OF THE ECONOMY OF THE UNITED STATES FOR A SUSTAINED CONVENTIONAL GLOBAL WAR FOR A PERIOD OF NOT LESS THAN THREE YEARS. ASSUMPTIONS TO BE SET FORTH INCLUDE ASSUMPTIONS RELATING TO EACH OF THE FOLLOWING: LENGTH AND INTENSITY OF THE ASSUMED EMERGENCY; THE MILITARY FORCE STRUCTURE TO BE MOBILIZED. LOSSES FROM ENEMY ACTION; MILITARY, INDUSTRIAL, AND ESSENTIAL CIVILIAN REQUIREMENTS TO SUPPORT THE NATIONAL EMERGENCY; BUDGET AUTHORITY NECESSARY TO MEET THE REQUIREMENTS OF TOTAL MOBILIZATION FOR THE MILITARY, INDUSTRIAL, AND ESSENTIAL CIVILIAN SECTORS; THE AVAILABILITY OF SUPPLIES OF STRATEGIC AND CRITICAL MATERIALS FROM FOREIGN SOURCES, TAKING INTO CONSIDERATION POSSIBLE SHIPPING LOSSES; DOMESTIC PRODUCTION OF STRATEGIC AND CRITICAL MATERIALS; AND CIVILIAN AUSTERITY MEASURES.

COMMENTS:

Number of Reports with This Frequency = 13

Report Frequency =MO

10 USC 228	MONTHLY REPORTS ON ALLOCATION OF FUNDS WITHIN O&M BUDGET **SUBACTIVITIES**	1999/03/23	COMP	1453

N Y Y N Y 0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A MONTHLY REPORT ON THE ALLOCATION OF APPROPRIATIONS TO O&M BUDGET ACTIVITIES AND THE SUBACTIVITIES OF THOSE BUDGET ACTIVITIES. EACH REPORT SHALL BE SUBMITTED NOT LATER THAN 60 DAYS AFTER THE END OFTI-IE MONTH TO WHICH THE REPORT PERTAINS. EACH SUCH REPORT SHALL SET FORTH THE FOLLOWING FOR EACH SUBACTIVITY OF THE O&M BUDGET ACTIVITIES (1) THE AMOUNT OF BUDGET AUTHORITY APPROPRIATED FOR THAT SUBACTIVITY IN THE MOST RECENT REGULAR DOD APPROPRIATIONS ACT (2) THE AMOUNT OF BUDGET AUTHORITY ACTUALLY MADE AVAILABLE FOR THAT SUBACTIVITY, TAKING INTO CONSIDERATION SUPPLEMENTAL APPROPRIATIONS, RESCISSIONS, AND OTHER ADJUSTMENTS REQUIRED BY LAW OR MADE PURSUANT TO LAW. (3) THE AMOUNT PROGRAMMED TO BE EXPENDED FROM SUCH SUBACTIVITY..

COMMENTS:

Number of Reports with This Frequency = 1

Report Frequency = QD

10 USC 1 1 8	QUADRENNIAL DEFENSE REVIEW	2000/03/20	JCS	1529

0

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL EVERY FOUR YEARS, DURING A YEAR FOLLOWING A YEAR EVENLY DIVISIBLE BY FOUR, CONDUCT A COMPREHENSIVE EXAMINATION (TO BE KNOWN AS A 'QUADRENNIAL DEFENSE REVIEW) OF THE NATIONAL DEFENSE STRATEGY, FORCE STRUCTURE, FORCE MODERNIZATION PLANS, INFRASTRUCTURE, BUDGET PLAN, AND OTHER ELEMENTS OF THE DEFENSE PROGRAM AND POLICIES OF THE UNITED STATES WITH A VIEW TOWARD DETERMINING AND EXPRESSING THE DEFENSE PROGRAM FOR THE NEXT 20 YEARS. EACH SUCH QUADRENNIAL DEFENSE REVIEW SHALL BE CONDUCTED IN CONSULTATION WITH THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF. (d) THE SECRETARY SHALL SUBMIT A REPORT ON EACH QUADRENNIAL DEFENSE REVIEW TO THE COMMITTEES ON ARMED SERVICES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES. THE REPORT SHALL BE SUBMITTED NOT LATER THAN SEPTEMBER 30 OF THE YEAR IN WHICH THE REVIEW IS CONDUCTED.

COMMENTS:

10 USC 486	QUADRENNIAL REPORT ON EMERGING OPERATIONAL CONCEPTS	2000/03/14	JCS	1513

0

DESCRIPTION: NOT LATER THAN MARCH 1 OF EACH YEAR EVENLY DIVISIBLE BY FOUR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEE ON ARMED SERVICES OF THE HOUSE OF REPRESENTATIVES A REPORT ON EMERGING OPERATIONAL CONCEPTS. EACH SUCH REPORT SHALL BE PREPARED BY THE SECRETARY IN CONSULTATION WITH THE JOINT CHIEFS OF STAFF.

COMMENTS:

11-L-0559/OSD/3140

10 USC 1444(c)	BOARD OF ACTUARIES - STATUS OF FUND	1999/02/12	P&R	502
		Y Y Y Y Y	0	

DESCRIPTION: THERE IS ESTABLISHED IN DOD A DEPARTMENT OF DEFENSE RETIREMENT BOARD OF ACTUARIES. THE BOARD SHALL CONSIST OF THREE MEMBERS. WHO SHALL BE APPOINTED BY THE PRESIDENT FROM AMONG QUALIFIED PROFESSIONAL. ACTUARIES WHO ARE MEMBERS OF THE SOCIETY OF ACTUARIES. THE MEMBERS OF THE BOARD SHALL SERVE FOR A TERM OF 15 YEARS. A MEMBER OF THE BOARD MAY BE REMOVED BY THE PRESIDENT FOR MISCONDUCT OR FAILURE TO PERFORM FUNCTIONS VESTED IN THE BOARD. AND FOR NO OTHER REASON. THE BOARD SHALL REPORT TO THE SECRETARY OF DEFENSE ANNUALLY ON THE ACTUARIAL STATUS OF THE FUND AND SHALL FURNISH ITS ADVICE AND OPINION ON MATTERS REFERRED TO IT BY THE SECRETARY OF DEFENSE. THE BOARD SHALL REVIEW VALUATIONS OF THE FUND AND SHALL REPORT PERIODICALLY, NOT LESS THAN ONCE EVERY 4 YEARS TO THE PRESIDENT AND CONGRESS ON THE STATUS OF THE FUND. THE BOARD SHALL INCLUDE IN SUCH REPORTS RECOMMENDATIONS FOR SUCH CHANGES AS IN THE BOARD'S JUDGMENT WHICH ARE NECESSARY TO PROTECT THE PUBLIC INTEREST AND MAINTAIN THE FUND ON A SOUND ACTUARIAL BASIS. NOTE: FREQUENCY "QD" IS QUADRENNIAL.

COMMENTS:

Number of Reports witb Tbis Frequency = 3

Report Frequency =QU

10 USC 127(d)	QUARTERLY REPORT OF EMERGENCY AND EXTRAORDINARY EXPENSES	1999102123	COMP	579
		Y Y Y N Y	0	

DESCRIPTION: THE SECRETARY OF DEFENSE, THE INSPECTOR GENERAL, DOD. AND THE SECRETARIES OF THE MILITARY DEPARTMENTS, MAY PROVIDE FOR ANY EMERGENCY OR EXTRAORDINARY EXPENSE WHICH CANNOT BE ANTICIPATED OR CLASSIFIED. WHEN IT IS SO PROVIDED IN SUCH AN APPROPRIATION, THE FUNDS MAY BE SPENT ON APPROVAL OR AUTHORITY OF THE SECRETARY CONCERNED FOR ANY PURPOSE HE DETERMINES TO BE PROPER, AND SUCH DETERMINATION IS FINAL AND CONCLUSIVE UPON THE ACCOUNTING OFFICERS OF THE UNITED STATES. (d) IN ANY CASE IN WHICH FUNDS ARE EXPENDED UNDER THIS AUTHORITY THE SECRETARY OF DEFENSE SHALL SUBMIT A REPORT OF SUCH EXPENDITURES ON A QUARTERLY BASIS TO THE COMMITTEES ON ARMED SERVICES AND APPROPRIATIONS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.

COMMENTS:

10 USC 482(a) PERSONNEL AND UNIT READINESS QUARTERLY REPORTS 1999/03/24 JCS 589

Y Y Y N 0

DESCRIPTION: (a) NOT LATER THAN 45 DAYS AFTER THE END OF EACH CALENDAR-Y EAR QUARTER. THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE COMMITTEE ON ARMED SERVICES OF THE SENATE AND THE COMMITTEES ON NATIONAL SECURITY OF THE HOUSE OF REPRESENTATIVES A REPORT ON MILITARY READINESS. THE REPORT FOR ANY QUARTER SHALL CONTAIN THE INFORMATION REQUIRED BY SUBSECTIONS (b), (d) AND (e)--(1) TO ANY COUNCIL, COMMITTEE, OR OTHER BODY OF THE DEPARTMENT OF DEFENSE (A) THAT HAS A RESPONSIBILITY FOR READINESS OVERSIGHT AND, (B) THE MEMBERSHIP OF WHICH INCLUDES AT LEAST ONE CIVILIAN OFFICER IN THE OFFICE OF THE SECRETARY OF DEFENSE AT THE LEVEL OF ASSISTANT SECRETARY OF DEFENSE OR HIGHER; (2) BY SENIOR CIVILIAN AND MILITARY OFFICERS OF THE MILITARY DEPARTMENTS AND THE COMMANDERS OF THE UNIFIED AND SPECIFIED COMMANDS; AND (3) AS PART OF ANY REGULARLY ESTABLISHED PROCESS OF PERIODIC READINESS REVIEWS FOR THE DEPARTMENT OF DEFENSE. (b) EACH SUCH REPORT SHALL--(1) SPECIFICALLY DESCRIBE IDENTIFIED READINESS PROBLEMS OR DEFICIENCIES AND PLANNED REMEDIAL ACTIONS; AND (2) INCLUDE KEY INDICATORS AND OTHER RELEVANT DATA RELATED TO THE IDENTIFIED PROBLEM OR DEFICIENCY. (FORMERLY 10 USC 452). EACH REPORT SHALL ALSO INCLUDE INFORMATION REGARDING EACH OF THE ACTIVE COMPONENTS OF THE ARMED FORCES (AND AN EVALUATION OF SUCH INFORMATION) WITH RESPECT TO EACH OF THE READINESS INDICATORS SPECIFIED IN SECTION 322 OF PL 105-85. AUTOMATIC SUNSET (REPEAL) OF THIS SECTION EFFECTIVE JUNE 1, 2001, BY SECTION 373(d), PL 105-261.

COMMENTS:

10 USC 2216(i) DEFENSE MODERNIZATION ACCOUNT: QUARTERLY REPORTS 1999/02/23 COMP 503

YN YN Y 0

DESCRIPTION: NOT LATER THAN 15 DAYS AFTER THE END OF EACH CALENDAR QUARTER, THE SECRETARY OF DEFENSE SHALL SUBMF TO THE COMMITTEE ON GOVERNMENTAL AFFAIRS OF THE SENATE AND THE COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT OF THE HOUSE OF REPRESENTATIVES A REPORT ON THE DEFENSE MODERNIZATION ACCOUNT. EACH SUCH REPORT SHALL SET FORTH (A) THE AMOUNT AND SOURCE OF EACH CREDIT TO THE ACCOUNT DURING THE QUARTER; (B) THE AMOUNT AND PURPOSE OF EACH TRANSFER FROM THE ACCOUNT DURING THE QUARTER; AND (C) THE BALANCE IN THE ACCOUNT AT THE END OF THE QUARTER AND, OF SUCH BALANCE, THE AMOUNT ATTRIBUTABLE TO TRANSFERS TO THE ACCOUNT FROM EACH SECRETARY CONCERNED.

COMMENTS:

IO USC 2432(b)(l)	QUARTERLY SELECTED ACQUISITION REPORTS	1999/02/22	AT&L	421
		Y Y Y Y Y 0		

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS AT THE END OF EACH FISCAL YEAR QUARTER A REPORT ON CURRENT MAJOR DEFENSE ACQUISITION PROGRAMS. EACH REPORT SHALL INCLUDE A STATUS REPORT ON EACH DEFENSE ACQUISITION PROGRAM THAT AT THE END OF THE QUARTER IS A MAJOR DEFENSE ACQUISITION PROGRAM. REPORTS SHALL BE KNOWN AS "SELECTED ACQUISITION REPORTS (SARs)." A STATUS REPORT ON A MAJOR DEFENSE ACQUISITION PROGRAM NEED NOT BE INCLUDED IN THE SAR FOR THE SECOND, THIRD, OR FOURTH QUARTERS OF A FISCAL YEAR IF SUCH A REPORT WAS INCLUDED IN A PREVIOUS SAR FOR THAT FISCAL YEAR.

COMMENTS:

10 USC 2608(e)&(h)	ACCEPTANCE OF CONTRIBUTIONS FOR DEFENSE PROGRAMS, PROJECTS, AND ACTIVITIES	1999/04/13	COMP	471
		Y Y Y Y Y 0		

DESCRIPTION: (e) THE SECRETARY OF DEFENSE MAY ACCEPT FROM ANY PERSON, FOREIGN GOVERNMENT, OR INTERNATIONAL ORGANIZATION ANY CONTRIBUTION OF MONEY OR REAL OR PERSONAL PROPERTY MADE BY SUCH PERSON, FOREIGN GOVERNMENT, OR INTERNATIONAL ORGANIZATION FOR USE BY DOD. NOT LATER THAN 30 DAYS AFTER THE END OF EACH QUARTER OF EACH FISCAL YEAR, THE SECRETARY SHALL SUBMIT TO CONGRESS A REPORT ON CONTRIBUTIONS OF PROPERTY ACCEPTED BY THE SECRETARY DURING THE PRECEDING QUARTER. THE SECRETARY SHALL INCLUDE IN EACH REPORT A DESCRIPTION OF ALL PROPERTY HAVING A VALUE OF MORE THAN $1,000,000 AND ALSO NOTIFY CONGRESS OF ANY CONDITION IMPOSED BY THE DONOR ON THE USE OF ANY CONTRIBUTION ACCEPTED. (h) THE SECRETARY OF DEFENSE SHALL NOTIFY CONGRESS OF ANY CONDITION IMPOSED BY THE DONOR ON THE USE OF ANY CONTRIBUTION ACCEPTED BY THE SECRETARY UNDER THE AUTHORITY OF THIS SECTION.

COMMENTS:

22 USC 2776(a)	COMMERCIAL AND GOVERNMENTAL MILITARY EXPORTS	1999/03/04	POL	233
		Y N Y N Y 0		

DESCRIPTION: NLT 60 DAYS AFTER THE END OF EACH QUARTER: (A) LIST OF ALL UNACCEPTED LOAs VALUED AT $1 M OR MORE FOR MDE. (B) LIST OF ALL ACCEPTED LOAs VALUED AT $1M OR MORE FOR MDE; TOTAL VALUE OF ALL DEFENSE ARTICLES AND SERVICES SOLD DURING THE FISCAL YEAR. (C) CUMULATIVE DOLLAR AMOUNTS OF FMS DIRECT CREDIT AND GUARANTY AGREEMENTS MADE DURING THE FY (D) DOLLAR AMOUNTS OF FOREIGN MILITARY & CONSTRUCTION SALES AGREEMENTS CONCLUDED DURING THE QUARTER. PROJECTIONS FOR REMAINING QUARTERS (E) FOREIGN MILITARY CONSTRUCTION SALES (F) THIRD PARTY TRANSFER OF DEFENSE ARTICLES OR SERVICES WHOSE VALUE IS $1M OR MORE (G) TRANSFERS TO NON-DOD US AGENCIES OF MUNITIONS LIST ITEMS WORTH $250K OR MORE (H) QUARTERLY REPORT OF SECURITY ASSISTANCE SURVEYS (I) LIST OF ALL ACCEPTED AND UNACCEPTED LOAs TO SELL EXCESS DEFENSE ARTICLES THROUGH FMS PROCEDURES (J) WAIVERS OF NON-RECURRING RECOUPMENT CHARGES.

COMMENTS:

41 usc 11	NO CONTRACTS OR PURCHASES UNLESS AUTHORIZED OR UNDER ADEQUATE APPROPRIATION	1999/02/23	AT&L	355

Y Y Y N Y 0

DESCRIPTION: NO CONTRACT OR PURCHASE ON BEHALF OF THE UNTIED STATES SHALL BE MADE. UNLESS THE SAME IS AUTHORIZED BY LAW OR IS UNDER AN APPROPRIATION ADEQUATE TO ITS FULFILLMENT WHICH SHALL NOT EXCEED THE NECESSITIES OF THE CURRENT YEAR. THE SECRETARY OF DEFENSE SHALL IMMEDIATELY ADVISE THE CONGRESS OF THE INTENT TO EXERCISE THE AUTHORITY AND REPORT QUARTERLY ON THE ESTIMATED OBLIGATIONS INCURRED PURSUANT TO THE AUTHORITY GRANTED.

COMMENTS

50 USC 2402(5)(A)	WAIVER IN THE INTEREST OF U.S. NATIONAL SECURITY	2000/05/05	POL	1205

N N N N 0

DESCRIPTION: IT IS THE POLICY OF THE UNITED STATES TO OPPOSE RESTRICTIVE TRADE PRACTICES OR BOYCOTTS FOSTERED OR IMPOSED BY FOREIGN COUNTRIES AGAINST OTHER COUNTRIES FRIENDLY TO THE UNITED STATES OR AGAINST ANY OTHER UNITED STATES PERSON. (b)(2) THE SECRETARY OF DEFENSE MAY WAIVE THE PROHIBITION IN PARAGRAPH (1) IN SPECIFIC INSTANCES WHEN THE SECRETARY DETERMINES THAT THE WAIVER IS NECESSARY IN THE NATIONAL SECURITY INTERESTS OF THE UNITED STATES. WITHIN 15 DAYS AFTER THE END OF EACH CALENDAR QUARTER. THE SECRETARY SHALL SUBMIT TO CONGRESS A REPORT IDENTIFYING EACH CONTRACT FOR WHICH A WAIVER WAS GRANTED UNDER THIS PARAGRAPH DURING SUCH QUARTER.

COMMENTS:

Number of Reports with This Frequency = 8

Report Frequency =SA

5 USC 8(f)(1)	DOD INSPECTOR GENERAL SEMIANNUAL REPORT ON CONTRACT AUDITS	1999/02/01	IG	387

YY YN Y 0

DESCRIPTION: EACH SEMIANNUAL REPORT PREPARED BY THE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE SHALL INCLUDE INFORMATION CONCERNING THE NUMBERS AND TYPES OF CONTRACT AUDITS CONDUCTED BY DOD DURING THE REPORTING PERIOD. EACH SUCH REPORT SHALL BE TRANSMITTED BY THE SECRETARY OF DEFENSE TO THE COMMITTEES ON ARMED SERVICES AND GOVERNMENTAL AFFAIRS OF THE SENATE AND THE COMMITTEES ON ARMED SERVICES AND GOVERNMENT OPERATIONS OF THE HOUSE OF REPRESENTATIVES AND TO OTHER APPROPRIATE COMMITTEES OR SUBCOMMITTEES OF CONGRESS.

COMMENTS:

5 USC 3341	DoD PERSONNEL DETAILED TO AGENCIES OUTSIDE THE DEPARTMENT	1999/02/16	WHS	553
		Y Y Y N Y	0	

DESCRIPTION: EACH EXECUTIVE AGENCY DETAILING ANY PERSONNEL SHALL SUBMIT A REPORT ON AN ANNUAL BASIS IN EACH FISCAL YEAR TO THE SENATE AND HOUSE COMMITTEES ON APPROPRIATIONS ON ALL EMPLOYEES OR MEMBERS OF THE ARMED SERVICES DETAILED TO EXECUTIVE AGENCIES LISTING THE GRADE, POSITION, AND OFFICES OF EACH PERSON DETAILED AND THE AGENCY TO WHICH SUCH PERSON IS DETAILED.

COMMENTS:

10 USC 229(d)	SEMIANNUAL REPORTS ON OBLIGATIONS AND EXPENDITURES ON COMBATING TERRORISM	2000/03/20	POL	1533
			0	

DESCRIPTION: THE SECRETARY SHALL SUBMIT TO THE CONGRESSIONAL DEFENSE COMMITTEES A SEMIANNUAL REPORT ON THE OBLIGATION AND EXPENDITURE OF FUNDS FOR THE DEPARTMENT OF DEFENSE COMBATING TERRORISM PROGRAM. SUCH REPORTS SHALL BE SUBMITTED NOT LATER THAN APRIL 15 OF EACH YEAR, WITH RESPECT TO THE FIRST HALF OF A FISCAL YEAR AND NOT LATER THAN NOVEMBER 15 EACH YEAR, WITH RESPECT TO THE SECOND HALF OF A FISCAL YEAR. EACH SUCH REPORT SHALL COMPARE THE AMOUNTS OF THOSE OBLIGATIONS AND EXPENDITURES TO THE AMOUNTS AUTHORIZED AND APPROPRIATED FOR THE DEPARTMENT OF DEFENSE COMBATING TERRORISM PROGRAM FOR THAT FISCAL YEAR, BY BUDGET ACTIVITY, SUB-BUDGET ACTIVITY, AND PROGRAM ELEMENT OR LINE ITEM. THE SECOND REPORT FOR A FISCAL YEAR SHALL SHOW SUCH INFORMATION FOR THE SECOND HALF OF THE FISCAL YEAR AND CUMULATIVELY FOR THE WHOLE FISCAL YEAR. THE REPORT SHALL BE SUBMITTED IN UNCLASSIFIED FORM, BUT MAY HAVE A CLASSIFIED ANNEX.

COMMENTS:

10 USC 483(b)	REPORTS ON TRANSFERS FROM HIGH-PRIORITY READINESS APPROPRIATIONS -MIDYEAR REPORTS	1999/06/07	P&R	1483
		Y Y Y N Y	0	

DESCRIPTION: NOT LATER THAN 1 JUNE OF EACH FISCAL YEAR, THE SECRETARY OF DEFENSE SHALL SUBMIT TO THE CONGRESSIONAL COMMITTEES SPECIFIED IN SUBSECTION (a) A REPORT ON TRANSFERS, DURING THE FIRST SIX MONTHS OF THAT FISCAL YEAR, FROM FUNDS AVAILABLE FOR EACH COVERED BUDGET ACTIVITY.

COMMENTS:

10 USC **1074g** note	PHARMACY AND THERAPEUTICS COMMITTEE REPORTS	2000/03/15	HA	1524
			0	

DESCRIPTION: (c) NOT LATER THAN APRIL 1 AND OCTOBER 1 OF FISCAL YEARS 2000 AND 2001, THE SECRETARY OF DEFENSE SHALL SUBMIT TO CONGRESS A REPORT ON (1) IMPLEMENTATION OF THE UNIFORM FORMULARY REQUIRED UNDER SUBSECTION (a) OF SECTION 1074g OF TITLE 10 USC. (2) THE RESULTS OF A CONFIDENTIAL SURVEY CONDUCTED BY THE SECRETARY OF PRESCRIBERS FOR MILITARY MEDICAL TREATMENT FACILITIES AND TRICARE CONTRACTORS..

COMMENTS:

10 USC **4542(g)(2)**	TECHNICAL DATA PACKAGES FOR LARGE-CALIBER CANNON: SEMIANNUAL REPORT	1999/03/28	A	489
		N N NN Y 0		

DESCRIPTION: THE SECRETARY (OF THE ARMY) SHALL SUBMIT TO CONGRESS A SEMIANNUAL REPORT ON THE OPERATION OF THIS SECTION AND OF AGREEMENTS ENTERED INTO UNDER THIS SECTION.

COMMENTS:

18 USC 3056 note	REPORT OF EXPENDITURES IN SUPPORT OF THE SECRET SERVICE	2001/01/03	WHS	556
		YY YY Y 0		

DESCRIPTION: THE SECRETARY OF DEFENSE SHALL TRANSMIT A DETAILED SEMI-ANNUAL REPORT OF EXPENDITURES MADE PURSUANT TO THIS ACT (PL 94-524, "PRESIDENTIAL PROTECTION ACT OF 1976," AS AMENDED) DURING THE 6-MONTH PERIOD IMMEDIATELY PRECEDING SUCH REPORT TO THE COMMITTEES ON APPROPRIATIONS, COMMITTEES ON THE JUDICIARY, AND COMMITTEES ON GOVERNMENT OPERATIONS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, RESPECTIVELY, ON MARCH 31 AND SEPT 30 OF EACH YEAR.

COMMENTS:

Number of Reports with This Frequency = 7

Total Number of Periodic Reporting Requirements = 368

11-L-0559/OSD/3146

snowflake

April 16, 2001 1:55 PM

TO: Steve Cambone

FROM: Donald Rumsfeld DR

SUBJECT: General RisCassi's Comments

I take it you are going to get this material from General RisCassi into the Andy Marshall paper.

Thanks.

Attach.
04/06/01 Comments by Gen. RisCassi re: Land Forces

DHR:dh
041601-37

3181

16 Apr 01

(b)(6) **CIV, OSD**

From: (b)(6) [(b)(6) com]
Sent: Wednesday, April11, 20014:13 PM
To: 'Dr. (b)(6)
Subject: Fwd On Behalf of (b)(6) General, USA(Ret) - Marshall Paper

(b)(6) DefStrat41 1.doc (b)(6) WASHOPS.vcf...

On Behalf of (b)(6)

11 April 2001

MEMORANDUM FOR: Dr. (b)(6) (e-mail: (b)(6) pentagon.mil)
(b)(6) (e-mail: (b)(6) pentagon.mil)

FROM: (b)(6) General, USA (Ret)

SUBJECT: Marshall Paper

Reference Discussion with SecDef on 6 April 2001

The following Land Force information is provided as an assist to the Marshall Panel in drafting the National Military Strategy...the assertion that drove these thoughts was that the Medium of Land was absent from the document reviewed on 6 April and 'page-holder' language should be included for balance and completeness.

<<RisCassiDefStrat411.doc>>

(b)(6)
L-3 Washington Operations
(b)(6)
(b)(6) com
<<(b)(6) vcf>>

SR—
ATTACHED IS A NOTE, FROM (b)(6) ON Andys paper.
SR
4/12

Defense Strategy of Assurance and Dissuasion... Select, Develop and sustain a Portfolio of Key Military Advantages to Hedge and Dissuade Future Challenges,

- **Land Forces Capabilities**
  (National Defense Panel)
  - **Become more expeditionary: fast, shock-exploiting forces, with greater urban operations capability;**
  - **Reduce systems that are difficult to move and support; shift to lighter, more agile automated systems;**
  - **Evolve to lighter, greater range, more lethal fire-support systems;**
  - **Develop the twenty-first century 'Icon' platform to be a unique vehicle relying on speed, agility, and hyper-velocity gun technology for operational effectiveness;**
    - **Pursue alternatives to platform solutions (systems of systems)**
  - **Synchronize the legacy forces with the objective force to insure a value added capability.**
  - **Transitional units should evolve to smaller operational elements with equivalent (or greater) lethality;**
  - **Move toward advanced vertical lift systems versus service-life extensions of current rotary-wing aircraft;**
  - **Provide insertion vehicles, incorporating the latest technologies to extend the range of the maneuver component of the naval power projection forces;**
  - **Consider sea-based mobile offshore bases to provide access in situations where forward bases are unavailable or at risk to preposition forces;**
  - **Reassess echelons of command from Foxhole to Theater (same in 2001 as WWII).**
  - **Risk Mitigation Force = Reserve Force Structure**

- **Land Force Attributes**
  - **Increase Doubt in Our Opponents**
  - **Put the Opponent at Greater Immediate Risk**
  - **Frustrate (Ancillary' Enemy Actions**
  - **Application of Ground Forces Significant Commitment**
  - **Rapid Decision Action Truncates Opponent's Ability to Make Decisions**
  - **Allows Initial Unilateral Operations Absent Alliances/Coalition Procedures**
  - **Faster/More Agile/more Adaptable/More Capable...in What Context?**
  - **Land Forces.. .Deterrent Capability**
  - **Significant Transport and Sustainment Issues**
  - **Substantial Military Powers – A Potential Liability**

- **Worth Some Thought...**
  - **. Rapid Does Not Equal Effective**
  - **. Commitment Does Not Equal Resolution**
  - **. Resolution May Not Equal Conclusion**
  - **Conflict Resolution is a Political Act, however, it may take on a New Form when Land Force is Committed.**

snowflake

April 16, 2001 5:16 PM

TO: Paul Wolfowitz
Steve Cambone

FROM: Donald Rumsfeld DR

SUBJECT: Memo from Bill Owens

Attached is a memo from Bill Owens. Please see me on it.

Thanks.

Attach.
03/21/01 Owens memo to SecDef

DHR:dh
041601-68

381

16 Apr 01

Teledesic

Broadband Center
1445 120th Avenue NE, Bellevue, WA 98005
Phone: (b)(6) *Fax:* (b)(6)

TO: Secretary of Defense – **Donald Rumsfeld**

FROM: Janis Dolacky Jacobs for Admiral William A. Owens

DATE: March 22, 2001

FAX #: (b)(6)

OF PAGES: 3 (including cover)

Please deliver the following **confidential & personal** fax directly to Secretary Rumsfel

If I may be of Further assistance, please contact me directly at (b)(6) ***Thank*** yo

Kind regards,

Janis Dolachy Jacobs
Assistant to Admiral William A. Owens
Co-Chief Executive Officer and
Vice Chairman of the Board, Teledesic LLC &
Vice Chairman, ICO-Teledesic Global Limited
Phone: (b)(6)
Fax:
E-mail: (b)(6)

Fax to (b)(6) March 21, 2001

Personal Memo for the Secretary of Defense

Don,

I'll take advantage, of your offer to provide a few thoughts. I know how profoundly complex and demanding the challenges you face are, and I'll keep this brief.

I BELIEVE THAT:

-TRANSFORMATION IS THE ONLY PATH. There is simply **too much risk in not proceeding.** Risk of not finding the money for recapitalization of platforms and systems, risk of potential enemies "skipping the present day generation of legacy systems" and being able to gain disproportionate advantage, risk of missing the potential of the "RMA", and the risk of losing the budget savings and efficiencies of reducing the redundancy of the services. You may be the only person who has the stature, perseverance, and work ethic to make it happen, but I believe it will be a lonely journey as there are many who oppose real transformation.

-THE BUDGET IS THE CORE OF TRANSFORMATION. Culture will follow. Everyone in the Pentagon ultimately responds to the budget process and allocation. Th BUDGET BECOMES THE POLICY. POLICY RARELY TRANSFORMS ITSELF INTO A CLEAR BUDGET. Your involvement in the macro allocations and some of tl particularly relevant details of the budget will deliver the strongest message of "transformation". NO one understands the "requirements process across the departmen no general or admiral and no civilian (although many will profess to understand). The system will not do justice to real change and will invent ways to avoid real change in th budget (leaving the policy articulation to you and the service secretaries., .hence "they" win and will be able to "outwait the transformation artists".

-There are measures which can be used to monitor "budget and hence, policy transformation".

-A FEW MEASURES OF EFFECTIVENESS OF TRANSFORMATION.

(1) **Balance the** accounts. Establish the right percentages (of the total budget) for various elements of the budget, and then measure where we are and whe we need to be to get the right balance, e.g. R&D, Procurement, O&M, Personnel, etc. The last 8 years of budgets have been dramatically UNBALANCED, and if not balanced the budget will simply result in one problem (for example current readiness) being replaced by another as time passes. The budget is unbalanced today in the following ways **(for exampl** procurement is not sized for the current force structure, there is too much money going to tacair (and not enough for bombers), the replacement rate fc physical inventory (buildings, etc) is sadly low, the personnel budget is for a force of 60% of our actual numbers of people, there is no measure of the

C4ISR budget that is manageable (and it is dramatically underfunded). Not You and Colin might want to have a look at the **balance** of funding betweer State and Defense, also.

(2) **C4ISR/RMA.** "If America can see tie battlefield 24 hours a day, real time, weather and deliver the information to our troops and the enemy can't, we win!" (a) Get a true measure of the platforms which perform this uniquely critical function and monitor it for the duration of your tenure. For example numbers, ages, and replacements for Guardrail *aircraft, AWACS, JSTARS, 2Cs, S-3s, Rivet Joint aircraft, U2s, P3s, various imaging satellites, sigint satellites, comms. Satellites, UAVs, etc. (All of these are underfunded, aged and programs for followons are starved). Ensure that there is enough money to provide replacements in each category (b) Have a close look at the data links (link 16, SCDL, CEC, LOCE, etc) and demand that the services BUY ENOUGH OF THEM and make them INTEROPERABLE. (you might have look at link 16 for an interesting case study) (c) have a serious look at how commercial TCP/IP/XML internet protocols and C++ and Java/Jimi softwa could revolutionize this area (d)Increase the funding for the C4ISR area by 100% and make it transparent.

(3) **"new measures of readiness"** With your (VERY IMPORTANT) strategic review define these measures (including personnel factors) to achieve the goals you've set. This will be a revolution in itself, and it translates into BILLIONS. Monitor the funding and results and ensure that 'just enough" money goes to these accounts.

(4) **Business Measures.** The supporting elements of LOGISTICS. COMMUNICATIONS, INTELLIGENCE, AND MEDICAL are VERY redundant and often not interoperable across the services. In each of the fou areas dramatic consolidation and focused outsourcing should be considered. believe there is $10B in savings here. You might monitor the budget in each of these areas and set goals (perhaps 20-25%) for reductions over 2 years. These four areas are full of possibilities for reorganization.

(5) **Procurement.** Pick a top 10 list of areas where you believe there are big redundancies and/or savings (and little impact on our capability), and personally monitor the decisions to reduce expenditures (possible areas are: tacair, submarines, strike systems, helicopters).

Don, I'm sure you are besieged with advice. I'm sure mine is no better than many others. If I can help, I'm here for you, and regardless, I'll be cheering Eor you! I have sent you a copy of a book I published last May, "Lifting the Fog of War". It has a number of other suggestions, and it may be worth having one of your staff review it for possible (more controversial) ideas.

Very **best wishes,**

Bill Owens
(b)(6)

snowflake

April 16, 2001 **1:58 PM**

TO: Paul Wolfowitz

FROM: Donald Rumsfeld DR

SUBJECT: Savings

Why don't you draft memos of instruction to people to start achieving some of the savings in this memo that you wrote me on Dov Zakheim's suggestions?

Thanks.

Attach.
04/12/01 DepSecDef memo to SecDef, re: Savings

DHR:dh
041601-38

10.01

16 Apr 01

April 12, 2001

To: Secretary Rumsfeld

CC: Deputy Secretary Wolfowitz

Subject: Savings

Dov Zakheim sent you a very good paper with 10 pages of ideas on how to save dollars in the Defense Budget. The various proposals really fall into two basic categories:

- The defense infrastructure and how to reduce it; and
- Defense business practices and how to improve them.

The success of these ideas will not rest with the worthiness of these items. The bulk of them make sense and have been thought out by Dov and other groups interested in reducing infrastructure and improving businesses practices.

Instead, their success will be based upon

- The energy and effort of senior Pentagon leaders in defining these proposals into measures that will save dollars that can be reinvested elsewhere in the Department (military quality of life and acquisition, for example);
- The support from senior military leaders in embracing these reforms internally (by making them work) and externally (by sending the right messages to the Congress); and
- Buy-in from the Congress (the message to Congress comes directly from the Rudman-Hart-Gingrich Commission on National Security, "No concern of American society is more in need of creative thinking than the future security of this country, but in no domain is such thinking more resistant to change. The very term "security" suggests caution and guardedness, not innovation).

Some specific comments on some of the "savings" ideas:

Eliminate two OSD layers and remove the "principal" deputies from the organizations. One model does not work for each organization. In Policy, for example, the Principal Deputy is essential because of the extensive demands on the Policy organization. Additionally, each of your Under Secretaries will develop their own needs based on their turf. The Comptroller has different demands than Personnel and Readiness. A better approach is to look at the number of Deputy Assistant Secretaries (DASD's) and see what can be eliminated. Again each organization has different needs.

Reduce OSD and JCS staffs each by 15 percent. Again, this initiative needs focus. The Comptroller's staff, for example, puts together a $310 billion budget. There is one person on that staff that focuses on the $18 billion medical budget. Cut the Comptroller staff and the medical analyst probably has to pick up other work. On the other hand, Acquisition, Personnel and Readiness, and C3I could be leaner. Don't forget the Service staffs and Service Secretaratiats.

A-76 and Outsourcing: A recent survey among government agencies showed that DoD just passed the 50 percent threshold in terms of having more functions contracted out than conducted in-house. This is a painful process, and the Depot Caucus in Congress has been prolific in writing provisions that restrict contracting out. The Comptroller, the Under Secretary (Acquisition), and the Under Secretary (Personnel and Readiness) should form a joint working group to keep the focus on contracting out. Three cautions. 1. Contractors often win the competition with their most skilled personnel and then turn the job over to the second team. 2. Once a function is contracted out, the military services will nickel and dime the accounts looking for additional savings. 3. Jack Welch of GE has remarked that government workers and the contractor work force are more similar than they are different. The difference, and the savings come, not by the substitution of civil servants with contractors. Rather, the savings come from the more effective organizations of the private sector.

Commissaries and Exchanges. There is the potential for savings and a better quality of life value to servicemen and women with some reforms in this area. At overseas locations, young servicemen and their families are dependent upon the commissaries and exchanges for the basics of living. At CONUS locations, the Super Wal-Mart stores are offering service members better products and cheaper costs. A major effort at improving these services by reducing bureaucracy was attempted in the 98-99 time period. Price-Waterhouse did an excellent study. The Navy went to the Hill with its objections, producing the legislation restricting consolidations. This is worth the effort.

Logistics. Dov's right on the substance. The military services will support this. The test will be with the Congress, (Not to be over-looked is a strategy that incorporates the coming retirement bulge of the civilian workforce. What impact will these retirements have on the government workforce that performs logistics?)

Consolidating Agencies: Dov presents a series of organizational changes. John Hamre made a major effort to reduce the size of these organizations. The next step is a longer-range effort to look at the structures needed for the 21st Century Military. Again, one size will not fit all. You will want a different strategy (because the functions are different) for Intel, Health, and Audit/IG's. But this needs to be done.

Using the Web. The Navy deserves great credit for its initiative to construct the "Navy-Marine Corps Internet." The Navy sees this Internet as a key investment in how it performs its business. The test will come when the Army and Air Force join in this effort. Can the Services agree on a common configuration? The new C3I should take the lead on this, but the Navy should be allowed to proceed with no micro management.

Web Based Training. The Personnel and Readiness shop has had a project for three years on how to move instructional training from the schoolhouse to individual units. Dave Chu and Charlie Abel should build this initiative into a small pilot program that can demonstrate the concept.

April **10, 2001 7:54 AM**

~~snowflake~~

TO: Rudy de Leon
CC: PAUL WOLFOWITZ
FROM: Donald Rumsfeld

SUBJECT: Savings

Would you please take a look at this memo from Dov and tell me which ones you think we ought to send to the appropriate people to get done and get started, or at least get investigated.

Thanks.

Attach.
3/8/01 Memo from Zakheim: "Point Paper on Savings"

DHR:dh
041001-22

MEMORANDUM

TO: **THE SECRETARY OF DEFENSE**
FROM: Dov S. Zakheim
SUBJECT: Point Paper on Savings
DATE: 8 March 2001
c c : The Deputy Secretary of Defense

Steve Cambone told me that you were seeking my advice/suggestions regarding savings. I attach a point paper that lays out

- several ideas for achieving economies/efficiencies
- a timetable for implementing these ideas
- an assessment of their viability
- an indication of metrics or measures for evaluating their success

I have drawn upon the materials generated by

- Bill Cohen's Task Force on Defense Reform, on which I served, and regarding which you were briefed by Arnold Punaro;
- materials sent to me by Phil Odeen; Bob Hale (former CBO colleague and Air Force ASD/FM); and Arnold Punaro
- materials generated by Rich Hearney and his BENS (Business Executives for National Security);

and other ideas that I have picked up along the way, including a few of my own.

Nevertheless, please note that since I've not been confirmed, I am a staff of one, so that any errors of commission or omission (and I know what follows is far from complete) are mine alone.

11-L-0559/OSD/3160

A BLUEPRINT FOR ACHIEIVING ECONOMIES AND EFFICIENCIES IN DOD, FY 2001-07

STREAMLINING THE STAFF

One of the most important points that the Defense Reform Task Force emphasized to Bill Cohen was that he needed to get his own house in order (i.e. OSD, JCS, and Defense Agencies) in order to be really credible with respect to other reforms. That advice remains pertinent. The following paragraphs outline streamlining that you could initiate and support.

OSD and JCS Structure and Activities

- Set a timetable to **eliminate two OSD layers by end of FY 02**

  - Candidate layers for elimination: offices with term "principal" in them: Principal Deputy Assistant and Under Secretaries (unless Congressionally mandated) and Principal Directors

  - Exception: "Principals" who are dual-hatted with another job, in which case, only the staff support for "principal" activity would be eliminated. For example, PDASD/ISA is also DASD (African affairs). The PDASD would retain his/her dual hat, but would be supported only by the African affairs staff.

- Refocus OSD/JCS activities with goal **of reducing OSD and JCS staffs each by 15% by end FY02**

  - Task Comptroller/PA&E, with J-S supporting, to identify duplicative OSD/JCS tasks by end FY 01; work to be done during summer review (example of duplicative tasks: J-5 country desk officers and Policy country desk officers; JCS legislative liaison and OSD legislative liaison)

  - Announce that DepSecDef will adjudicate disagreements between Comptroller/PA&E and J-S in order to meet 15% reduction requirement

  - **To facilitate the above effort,** have Comptroller working with J-l or J 8

    a) establish actual costs of operating OSD-to report back in time for summer program review

    b) publish numbers of all individuals conducting staff work-to report back in time for summer program review

11-L-0559/OSD/3161

Feasibility Assessment: The OSD changes can be more easily implemented, since they take place in your own office, but the JCS changes should not be too difficult to implement either.

MANAGING DEFENSE AGENCIES

- Create a Defense Business Board
  - Board would act as sounding board for management initiatives
  - Board would provide inputs from corporate and financial world
  - All members recruited from outside USG

Outsourcing Services

This has become a motherhood idea, In practice, such efforts have been fraught with difficulties:

- a cumbersome A-76 process (the A076 system nominally competes the government against outside bidders for a particular contract). Critics argue that A-76 process is so slow that many competitions are cancelled before they are completed. In addition, many critics say the process is rigged in favor of government bids.

- civil service union opposition—the unions oppose contracting out for obvious reasons. Political pressure has at times reversed A-76 decisions in favor of private contractors.

DoD cannot revise the A-76 process on its own. It appears, however that DoD can contract out entire functions, without resorting to A-76 competition. Examples include the Army's Logistics Modernization Contract and the Navy'/USMC Intranet Service Contract for the entire information technology support function.

Candidates for similar major contracts include:

- the entire payroll system for each of the Services (no contractor will take on the entire DoD payroll system);

- payroll for each of the Defense Agencies (we need to examine whether all DoD Agencies could be serviced by one contract);

- housing: military housing should be replaced by private housing, rather than be endlessly upgraded. Moreover, those who live in DoD housing have no incentive to cut back on energy and other utility costs. DoD should expand the current plan for the services to enter into partnerships with private contractors to build,

maintain and operate housing projects for military personnel. Services should report progress on a half-yearly basis. Progress can be measured in the number of familyunits-that-have-moved-from military to **private** housing;,-----

- Defense communications: other than for secure communications, all others should be contracted out.

- Travel: DoD has only begun to re-engineer its travel system. The entire travel support system should be outsourced to several contractors who would bid on portions of the overall system (e.g. for each of the Services and for Defense Agencies etc.)

- DoD Commissaries.

  - Outsourcing the entire commissary system at once is probably too hard to do

  - There will be opposition on the Hill

  - It might be best to outsource commissary support on a regional basis

  - **To that end, initiate a pilot program for the National Capitol Region to take effect by end FY02; begin contracting ont process immediaitely**

  - **At same time accept USMC offer to conduct their own pilot program with one of their commissaries**

  - Have OSD/Comptroller evaluate results in time for a decision on how to move forward in FY03

- Logistics: DLA is among the largest and most unwieldy defense agencies. Moreover, many logistics related activities, whether carried out within or outside DLA, are better and more efficiently implemented by commercial firms. Activities that could be outsourced include:

  - repairs. Contractor logistics support could be expanded to fielded systems, as was the case with MSE radios and the KC-10.

  - reduce inventories by shifting to prime vendor support for all commodities. DLA has tested and proved this concept, which will reduce carrying costs and increase cash for the revolving industrial funds.

  - rely more heavily on commercial carriers for airlift.

  - replace CRAF (civil reserve air fleet) concept with leasing schemes, especially for new wide bodied aircraft,

Feasibility Assessment: Outsourcing a greater percentage of repairs will require legislative changes, with all their attendant risks. The other proposals have precedents within DoD, but require constant guidance from the DoD senior leadership.

In all cases contract specifications should be written by a contractor (who cannot bid on the contract of course), rather than by the affected agency or agencies. DoD already applies this process for support contracts of all kinds, including independent verification and validation of R&D contracts.

Business Executives for National Security recommends that every defense agency and activity be directed to complete a strategic sourcing study of its organization and report to SecDef. **A more practical solution would be to *contract* out strategic sourcing studies and evaluations of each of the Defense Agencies.**

Consolidating Agencies

In part by drawing upon outsourcing as above, and web-related automation outlined below, DoD could consolidate several of the civilian defense agencies. In particular, the following need to be consolidated, **with instructions to reduce personnel hy 15% NLT end FY 02:**

- **Intelligence:** combine DIA, NSA, NIMA, DIS-possibly also NRO, DARO, and Defense Support project Office

- **Health:** combine TRICARE, OCHAMPUS, DMPA (Defense Medical Programp Activity/a field activity)-and possibly USUHS (Uniformed Services University for the Health Sciences)

- **Personnel:** combine WHS (Washington Headquarters Services), DoDEA (DoD Education Activity), HRFA (Human Resources Field Activity) and DEOMI (Defense Equal Opportunity Management Institute)

- **Acquisition:** considerable consolidation is possible here as well, but that requires further investigation and discussion

- **Audit function:** consolidate DCAA (Defense Contract Audit Agency) with DCMC (Defense Contract Management Command) and with Service Audit Agencies

- **Restructure criminal investigations organization:**

  - Create Defense bureau of Investigation out of elements of DCIS (Defense Criminal Investigation Service), NCIS (Navy Criminal Investigation Service), AF/OSI (Office of Special Investigations), Army CID (Criminal Investigation Division)—civilianize investigators

- Consolidate all basic training at FLETC
- Outsource specialized and advanced training
- Consolidate all forensic labs under Army as executive agent, and consider outsourcing lab activity
- Consolidate all computer crime lab activity under USAF (including R&I and training)
- Transfer protective service function (bodyguards) from CID to Military Police

➢ **Cables:** if OSD Executive Support Center and SecDef cables have not been consolidated with NMCC, this can be done by end FY 01 (WHS continues to provide administrative support)

Feasibility Assessment: The bureaucracy will hate all of the foregoing ideas: the DoD-wide Agencies will scream that they are reforming themselves, if only given time, The Service agencies will likewise resist change. No bureaucracy reforms itself. The DoD-wide agencies must all respond to your dictates, the Service secretaries likewise are committed to change. With pressure from your and their immediate offices, these changes are eminently feasible.

USING THE WEB

DFAS has instituted an Employee/Member Self-Service System (E/MSS) that enables employees and retirees to change routine pay information and discretionary allotments on the web. Active duty military employees still use paper—DoD employees stationed on every base process their forms. E/MSS should be extended to the military. We could incentivize people to use the system, or alternately, simply tell people they have no other option. Best option of all: **contract out E/MSS on a fee-for-service basis, and have the company expand and publicize the system.**

Other services that could be handled over the web (and contracted out) include:

➢ Household goods
➢ Parking passes

Web-Based Training

DoD spends about $14 billion annually in training programs. The DSB recommended moving training from the schoolhouse to "'just-in-time just right" training in the units.

Current advances in distributed and distance learning would accomplish this objective.

An example is the American Society of Military Comptrollers (ASMC), which is converting its five-day refresher classroom course to a web-based course. This will reduce per diem, and travel costs, as well as instructor fees.

In general, the cost of designing learning programs would be offset by savings in TDY and other costs associated with moving people to schools, as well as instructor costs.

DoD could immediately undertake studies to design such programs. The studies should be let to private contractors.

Purchasing Goods

DFAS only pays hills when three paper items are in hand-contracts, invoices and receiving reports. Pushing full-bore to have all three automated will reduce mistakes, increase processing speed, and minimize the disbursement disparities that infuriate Congress and the GAO. It will also reduce personnel.

DFAS has begun a process called Wide Area Workflow. This should be contracted out for expanded design and then the process itself should be contracted out as well.

Leave

Like travel (see above) leave can be automated. The Services may have a strong case for keeping leave processing in-house. But automating the process (the USAF has a prototype) and rendering it uniform across the Services, will save time, and personnel costs. The expansion of the USAF prototype should he contracted out, and a decision can then be made whether or not the entire process can be outsourced.

Feasibility Assessment: Many of the foregoing web-related initiatives are already the subject of pilot projects. Defense Agencies must respond to your dictates. All of the foregoing are eminently feasible.

INDIRECT COST CONTROL

Direct PA&E to validate current definitions of forces and infrastructure and identify the dollars allocated to each. Within forces category identify dollars allocated to combat, and combat support, These reformulations will enable a more accurate estimate of tooth-to-tail funding ratios, and facilitate program adjustments.

BRAC AND DEPOTS

Both BRAC reform and outsourcing depot work are motherhood items-except to the Congress. Moreover, the case for savings from BRAC is one that is hotly disputed. One possibility is to focus on specific facility reductions, in particular **further consolidation of DoD laboratories. This could be part of a complete overhaul of the DoD labs system.** Such an overhaul would include a number of elements:

- Hiring private sector scientists under special DoD program (e.g. Interagency Personnel Act) for three year tours
- Relocating consolidated labs close to Service development and procurement centers-about 40% of all labs are support personnel.
- Benefits of consolidation-apart from savings-interaction of researchers, sharing scientific data, etc.
- Most promising areas for consolidation (where there is much duplication among separate service labs): behavioral research, medical research, chemical and biological defense, engineering
- In conjunction with consolidation, **contract out at least an additional 25% S&T work to universities:**
    - Universities have lower overheads. Their researchers are on the cutting edge.
    - In contrast, government labs are populated by aging officials many of whom are not leaders in their scientific fields (according to DSB reports among others)
    - To sweeten the pot for Senators in particular, commit to contracting out at least 50% of activities from labs that are closed to universities in states in which the closed labs were located

All savings could be returned to Service budgets for procurement and or development programs

- Contracts could be classified, so as to prevent uncleared foreign students and academics from participation

Feasibility Assessment: As noted above, anything related to BRAC is inherently controversial. There is no agreement on BRAC within either party. Focusing on labs bites off a smaller part of the problem, but considerable coordination will be required especially with the Majority and Minority leaderships. Committing to keeping r&d

resources and activities within the same states where closed labs were situated should help DoD's effort.

OTHER IDEAS

Activity Based Costing

This approach to costing, which lumps together all activities that contribute to a given outcome and calculates their associate costs, is a favorite of reformers because it has be successfully implemented in private industry. Moreover, there have been some Service experiments with ABC

Feasibility Assessment: Little money has thus far been saved though ABC. Moreover! the task is very time consuming, and is a particular drain on senior managers who must make the decisions that could save money. I worry that DoD will engage in a "drill" nc unlike zero-based budgeting, another great idea that got nowhere in government. Perha once other reforms are implemented DoD can turn to ABC.

Restructuring the FYDP

BENS in particular has taken the lead in suggesting a new programmatic alignment tha reflects the post-Cold War era in which we live. While it is difficult to identify direct cost savings from such a realignment, there will be indirect savings as choices among programs can be made with more visibility into their content and better understanding of their relevance.

The following is a derivative of the BENS proposal for a major new force program alignment that also reflects the new thrusts that DoD is likely to implement:

Warfighting Programs
Program 1: Strategic Forces
Program 2: Defense Forces: Missile, CBW and Homeland Defense
Program 3: Major Theater Warfare Forces
Program 4: Intervention, Presence and Strategic Mobility Forces
Program 5: Special Operations Forces

Support Programs

Program 6: Space, Intelligence and C4I Forces
Program 7: Research and Development Programs
Program 8: Personnel, Training and Development Programs
Program 9: Central Supply, Maintenance and Sustainment Programs
Program 10: Medical Programs
Program 11: International Support Activities

Note that PA&E should be realigned as well, to reflect the FYDP program realignment.

Feasibility Assessment: This matter rests solely in the hands of SecDef and DepSecDe

INCENTIVES FOR CHANGE

There is no way any of the aforementioned or other ideas can be implemented unless there are incentives for the Services to implement change. Only if they are assured that they will retain whatever savings they realize will the Services undertake necessary arrangements such as outsourcing.

For OSD, JCS and the Defense Wide Agencies, it is more a matter of resisting union and/or Congressional pressure. Unlike the Services, OSD, and the Defense-Wide Agencies, and even JCS, are not semi-independent bodies. They will respond to your direct intervention and control-if they know you really mean business (which unfortunately has not been the case with previous SecDef s, who lost interest quickly). That doesn't mean you need to chair waste-of-time meetings with Agency heads every other week. It does mean having them report to you on progress every two months.

11-L-0559/OSD/3169

snowflake

April 16, 2001 1:42 PM

TO: Gen. Shelton

FROM: Donald Rumsfeld

SUBJECT: Force Sizing

Attached is a note that Pete Aldridge wrote on force sizing. Do you have any thoughts on it?

Thanks.

Attach.
04/10/01 Aldridge memo to SecDef, re: "Thoughts on Force Sizing"

DHR:dh
041601-37

320.2

16 Apr 01

THE AEROSPACE CORPORATION

E. C. Aldridge, Jr.
Chief Executive Officer

TELEFAX COVER SHEET

Date: **4/10/01**

TO: **The Hon. Donald H, Rumsfeld**
Secretary Of Defense
U.S. Department Of Defense
Fax: (b)(6)
Phone:

FROM: **Mr. E. C. "Pete" Aldridge, Jr.**
Chief Executive **Officer**
The Aerospace Corporation
Fax: (b)(6)
Phone:

CC:

No, of Pages: 3 each (including Cover Sheet)

Corporate Offices: 2350 East El Segundo Blvd., El Segundo, CA 90245-4691/Mail: P.O. Box 92957, Los Angeles, CA 90009-2957/Phone: (b)(6) /Fax: (b)(6) Washington Corporate Office: 1000 Wilson Blvd., Ste. 2600, Arlington, VA 22209
Phone: (b)(6) / Fax: (b)(6)

April 10, 2001

To: Secretary of Defense

Cc: Deputy Secretary of Defense

From: Pete Aldridge

Subject: Thoughts on Force Sizing

As you well know, we are struggling to find the logic and rationale for how we size the conventional (non-nuclear) force structure. The strategy development exercise and the Transformation Task Force have given us some foundation for a methodology to do this.

As a minimum risk force I think we would all like to see the forces sized for two, nearly simultaneous major regional conflicts. However, a fully funded Defense budget to accomplish this task is probably not affordable, So, how should the force be sized for "acceptable" risk?

The minimum level force should be sized to be able to defeat an adversary decisively and quickly in at least one major regional conflict, We need to decide the size and technology characteristics of the adversary (land forces, air forces, sea forces and terrain) that we must plan against in the region. We can then, using the three-phase Transformation Task Force approach, design the rapid response force, the follow-on 4-day response force, and the size of the remaining forces arriving in 30 days, to achieve the desired outcome.

This force should be able to contribute to deterrence of one potential adversary. But, how do we deter others?

My suggestion is that we build additional forces using the first two phases of combat in the Transitional Task Force model (Setting Conditions, deployed within 24 hours, and Establish Control, within 4 days) to deter a second potential adversary simultaneously. Additional forces beyond these would be added to the second region later, on an "as available" basis--pulling forces out of training, mobilization of guard and reserves, addition of allied and coalition forces, or "swinging" forces from the first regional conflict. While this would be a higher risk region than the first, the second adversary could never be sure that some portion, if not all, of the forces would not be diverted to the second region.

Therefore the size of the conventional forces would be based on the following crite a:

--Two fully ready "Setting Conditions" force packages for 24-hour deployment
--Two "Establish Control" force packages for 4-day deployment
--One "Decisive Resolution" force package for 30-day deployment
--Additional forces for training, post-alert recovery, and pre-alert preparation, to support the force packages above.

The Air Force Air Expeditionary Forces (AEF) concept employs a similar approach From a total of 10 AEF units, they have 2 AEF units on alert and ready to deploy, 2 more preparing to go on alert, 4 in training, and 2 recovering from alert. This really helps their personnel tempo problems in peacetime since people know when they will be on alert and deployable and when they will be at home,

I am sure there will be more debate on this topic, but this may help focus the discussion.

snowflake

April 16, 2001 1:41 PM

TO: Paul Wolfowitz
Steve Cambone
Andy Marshall

FROM: Donald Rumsfeld DR

SUBJECT: Force Sizing

Attached is a memo from Pete Aldridge on force sizing. Any thoughts'?

Thanks.

Attach.
04/10/01 Aldridge memo to SecDef, re: "Thoughts on Force Sizing"

DHR:dh
041601-36

THE AEROSPACE CORPORATION

E. C. Aldridge, Jr.
Chief Executive Officer

TELEFAX COVER SHEET

Date: **4/10/01**

TO! **The Hon. Donald** *H*, **Rumsfeld**
Secretary Of Defense
U.S. Department Of Defense
Fax: (b)(6)
Phone:

FROM: Mr. E. C. **"Pete" Aldridge, Jr.**
Chief Executive Officer
The Aerospace Corporation
Fax: (b)(6)
Phone:

CC:

No. of **Pages:** 3 each **(including** Cover Sheet)

Corporate Offices: 2350 East El Segundo Blvd., El Segundo, CA 90245-4691/Mail: P.O. Box 92957, Los Angeles, CA 90009-2957/Phone: (b)(6) /Fax: (b)(6) Washington Corporate Office: 1000 Wilson Blvd., Ste. 2600, Arlington, VA 22209
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Cc; Deputy Secretary of Defense

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I am sure there will be more debate on this topic, but this may help focus the discussion.

snowflake

April 16, 2001 6:19 PM

TO: Larry Di Rita

FROM: Donald Rumsfeld

SUBJECT: Notes on Courtesy Calls

Attached is Tom Korologos's memo of all the notes that came up during my confirmation courtesy calls.

Attach.
Notes on Courtesy Calls

DHR:dh
041601-76

OSD PO

10 Apr 01

SECRETARY OF DEFENSE MEMO

February 13, 2001 1:29 PM

snowflake

TO: Mr. John Veroneau, Legislative Affairs

FROM: Donald Rumsfeld

SUBJECT: Senator Courtesy Calls

Here's a memo that Tom Korologos gave me during the course of the confirmation hearing, which you should be aware of and help me follow up on. Thanks so much.

cc:
Marty Hoffman
Steve Cambone

Attachment

DR:dh
020501-18

SECRETARY OF DEFENSE MEMO

~~snowflake~~
snowflake

February $2001 6:39 PM

TO: Mr. John Veroneau, Legislative Affairs

FROM: Donald Rumsfeld DR

SUE? JECT: Senator Courtesy Calls

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cc:
Marty Hoffman
Steve Cambone

Attachment

DR:dh
020501-18

335 50

5 Feb 01

U02350 /01

Jnauary 6, 2001

MEMORANDUM FOR: THE FILES

FROM: TOM C. KOROLOGOS

Subject: Senator Courtesy Calls

There follows a short summary of the courtesy calls that Don Rumsfeld held with various Senators.

January 3, 2001

Senator McCain

Base closings. Pork on appropriations bills, Non-defense items in DOD bills. (Breast Cancer research, recycling, etc.). Service chief candor, DR invited to attend a NATO conference on February 1, 2 and 3. McCain chairs it and Lieberman is active as well. Cohen was former chairman.

Senator Warner

National Missile Defense System (NMDS). Modernization. Gays in the military. Suggested we get a copy of President-Elect Bush "Four Corner's Speech". One of the first decisions will be the size and scope of the supplemental. Wants to call the Chiefs directly,

Senator Stevens

Discussed forthcoming session in Austin with military committee members and President Elect. (Subsequently DR had to prepare for his hearings and could not attend.) Discussed Enhanced Brigade, F-22, a new fighter, Army modernization, Navy ships, the B-2. Navy reprogramming is going to cost multi-billions. Warned about what time bombs DOD might be leaving around for new Administration. Asked about "bipartisanship" in DOD. Suggested Mike Walker, now at FEMA, former under secretary of the Army be utilized. Army equipment modernization. New tanks, Air Force pilot retention. Recommended several names which have been sent forward in a separate memo.

Senator **Inhoff**

The threat today is worse than ever. Quality of life is hurting retention. Modernization is important. Suggested DR read a study (?) by John Jeffords about how the 'Russians are better than we are". Vieques (Puerto Rico) issue is very important and if DOD **leaves** it will definitely hurt military preparedness. It was politicized by the last administration. Force strength. Exit strategy from Bosnia, Kosovo. Cole would never have happened if we had more refueling ships.

Senator Sessions

We need an idea of what the budget number will be. Tell us what we are going to need. Don't let the Democrats "seduce" you into another **BRAC.** It takes 5 years for a budget impact after the closure. Be sure to spend time with Chairman Warner. Do not hesitate to use **McCain** to battle unwanted add-ons from parochial members. Suggested Susan **Braden** be considered for General Counsel.

Senator Durbin

Agreed to introduce DR at the hearings. NATO enlargement, Russia is moving tactical nukes into Lithuania (which is where his mother? is from). **NMDS.** Short of testing it's all theoretical. Suggested talking with Phil Coyle **(?),** director of testing, for his views.

Senator R. Smith

Suggested DR would receive hostile questions about **NMDS.** Worried about linkage to ABM and Space treaties. How do we stay within those? On BRAC said "we gotta do some... **but** what's needed?' USS Cole. Intelligence and DOD need to talk more. Suggested a **30-minute** briefing from Admiral Wilson. Space Commission. Kinetic Energy? satellite issue. Suggested Joe Westphal wants to stay as an assistant secretary of the Army.

Senator **Allard**

Reminded he is chairman of the Strategic subcommittee. What are Air Force priorities in Space? What is the next plane going to be? Do NOT create a new space agency. Strong supporter of space. NRO Commission. Said there is *no* communication between DOD and CIA. Security lapses: **Deutch,** Los **Alamos,** the White House, State Department, Computers lost. Air Force Academy is in Colorado.

January 4.2001

Senator **Lieberman**

Interested in technological advancements. We are the strongest nation but we must stay the strongest. Procurement was much faster in **DR's** first stint at DOD. These days, new technology is faster than procurement. The process guarantees obscelescence the moment the new equipment gets in the field. Defense transformation. Raw deal for Coats. Suggested DR make the industry an ally in obtaining support, rather than have the industry constantly promote its own pet projects. Talked about Andy Chipanovich **(?)**. Mentioned UTC, Pratt, **Sykorsky,** Electric Boat, various smaller high tech firms in Connecticut.

Senator Tim Hutchison

Discussed split Senate. BRAC. No matter who won the election, there was going to be a BRAC. Considerable discussion about the hearings and how DR would respond to committee request for policy answers.

Senator Byrd

Deployment of troops overseas. Constantly told it will be a short time.. .a year, a few weeks and it is inevitably longer. I follow the constitution, not the UN. The Commander in Chief Clause calls for Congress as a partner. We want in on the takeoffs. **NMDS.** Before we spend for deployment we must **know** if it is effectively and technologically feasible. For God's sake make sure it works before we spend $60 **(b)** billion on it. Remember threats. Terrorism. Chemical and Biological, **Cyber.** Re: Colombia, stay out of a **guerilla** war. State seems to want more involvement than DOD, Biometrics MASI ? in **appropriation** bill **as** a beginning. Go visit Camp Dawson, a regional training center. They have the top Adjutant General **(Tacke)** in the US National Guard.

Senator Levin

Hearing schedule discussion. January 11 at 9:30 a.m. with a break for lunch and then continue. Could go into the next morning but doubt it. Be sure to arrange to meet with newly assigned members. Other Senators may be invited to sit in the hearing and ask questions. Wants answers to formal questionnaire two days in advance. Space Commission. NMDS. What is your recommendation going to be? What is arms control impact, What happens if we pull out of the ABM treaty. NMDS is STILL subject to annual authorization and appropriation. Does is make the nation more secure. Do not fall into the trap that there is an ACT of Congress allowing you to do it. Cited legislation. Yes can use a caveat on some of the written policy questions but limit it. There will be a chart on an easel (we later got it) about the threat. What is Saddam up to? The military is FOR a BRAC. DR has a record on base closings during the Ford Administration. Kosovo

Senator Trent Lott

Emphasized need for communications with the leader. Felt neglected of late. Coats got a raw deal. Senator McConnell and other GOP Senators unhappy over some of the Cabinet and staff selections. Do not let them act like Governors.. .had enough of Carter and Clinton. Is working toward having the Senate convene on January 20 after inaugural to confirm National Security Team. Do not forget that CONGRESS passed the military pay raise and the military health care bill. Several billion dollars. Readiness is important. NMDS. Shipbuilding very key to defense modernization, We will have a 150 ship Navy soon if we're not careful. Read my lips: S12 (B) billion for the Navy for ships. Cannot let budget for DOD remain static. Get your hands around the budget fast. Worry about a supplemental . Will there be a Middle East fix in it? Discussed Armed Services Committee and Appropriations Committee institutional conflicts. Worry about reforming DOD. Do NOT come up to see me with a BRAC. We killed it a couple of times. Over 60 votes. It was politicized. Let us have input.

Senator Roberts

Get somebody to find out what expires by law in the first days of your watch. Mentioned an Ellsworth 'study. Gave DR several booklets. We need a National DOD strategy and a procurement plan. Senator Clelland and Roberts have formed a foreign policy dialogue. Roberts is chairman of the "'Emerging Threats" subcommittee. Terrorism, mass destruction, cyber, drugs, research. On Terrorism DOD didn't want it and Justice got it. Big mess. 46 different agencies involved in it, Hill all over the place on it too. Quality of life, Need candor with the troops and the chiefs. There is a big gap between the high ranks and the troops. Cole questions. (Sensitive: Kansas City Pilot RIKER may still be alive after crashing an F-18 during Desert Storm.)

Senator Shelby

Discussion about **Deutch** and Tennett. Study due out soon. CIA and DOD need to talk more. Intelligence big piece of Defense.

January 5,2001

Senator Kennedy

Arms control. Had a back-channel going with Secretary **Shultz.** Had some dealings with various Soviet leaders. Proliferation is a problem. Comprehensive Test Ban Treaty important. I'm for NMDS if it works. Bioterrorism on the horizon, There is a foreign aspect to it as well. Come by and talk to me often. Is working on an Institute of Cyber Security bill to protect DOD networks.

Senator **Cochran**

Mentioned Cheney discussion about Nixon tape. **NMDS** needs to stay on track. Just go do it. Fix the ABM Treaty to make it work. Cited an "act of Congress" **which** said go for it as soon as it's ready. **Mentioned** that **Levin** and **Lieberman** disagree on "strategic offensive reductions"? Architecture of testing. Two more **NMDS** tests due in February.

Senator Helms

Do NOT send us a Comprehensive Test Ban Treaty. Do not let them sell you on "ratifying it with a **10-year** reconsideration" clause. Do it right the first time. Cited Shalikasvili study. "Under what circumstances should nuclear testing resume?" On the ABM Treaty we are looking for signals. Nato Enlargement. Discussion about Security Assistance bills. Old Foreign Military Sales. Said that Egypt, Israel and Jordan constitute 99 per cent of the Assistance budget. Has five bases in NC, DOD is **underutilizing** the assets there. Taiwan Security **Act.** President Elect endorsed it.

Senator **Santorum**

Legitimate policy questions exist on **NMDS.** Working with Senator Roberts on terrorism and emerging threats. Need a drug resistant strategy on bio and chemical. Long discussion on merits and demerits of tracked v. wheeled combat vehicles. Mentioned Yorktown. TAC Air needs upgrading. F-22 may not be meeting the tests. Do not let old Administration **lock** you into something you may not want to do. Joint Strike fighter out there somewhere. Discussed price per copy of various aircraft. "Army Transformation" General Sinsorcki **(?)** Structure of current Army will not allow it to fight a modem war, It was evident in Kosovo. Need a lighter more lethal Army, "Irreversible Momentum". Need a whole new Army in 12 years. Need some $30 **(b)** for improving it.

Senator Clelland

Out box – In box discussion. DR promised him a set of his rules (**TK** to handle). Intelligence very important. Roosevelt-Churchill book. US weakness is that we never look at a strategic map and the big picture. What's it all mean? What are the threats. How does strategic initiative fit into the overall. Evaluate data and then discuss the threat. F-22 in Georgia. Huge jobs issue there. Cargo transport there too. C-130 caucus. Any DOD decision affects Georgia immensely. Carl Vinson, Richard Russell, Sam Nunn, now Clelland. Warner-Robbins and 1,200 employees. Maintenance and modernization. Joint Stars plane at WR. Need Nato expansion. **NMDS** needs a bi-partisan approach. Potent recruitment and retention tool is the GI Bill Benefit structure. If a recruit or even an officer can be assured he can get his kids through school he'll stay in. Eighth year syndrome. **Principi** (Sec. Of Vets) drafted the plan. Passed Senate but lost in the House to Rep. Boyer.

snowflake

April 16, 2001 11:13 AM

TO: William Schneider, Jr.

FROM: Donald Rumsfeld DR

SUBJECT: P-3

Thanks for your note on the ex-P-3 pilot.

Rich Haver, who flew EP-3s, says that they are much heavier than P-3s and he thinks that the author of the note may not be aware of the differences in how they handle.

DHR:dh
041601-18

4SA 4

16 Apr 01

William Schneider, Jr.

MEMORANDUM

April 13, 2001

TO: Hon. Ron Rumsfeld
cc: RADM J. J. Quinn

FROM: William Schneider, Jr.

SUBJECT: Comments by an ex-P-3 pilot on the EP-3 incident

Below is an excerpt from an email message from a former student of mine who was a P-3 pilot in the USN. He offers a dissenting view on the question of whether the aircraft could have limped to a safe area.

> *When I first heard an ep-3 had diverted to china I couldn't believe it and I am still* livid *to think- about it, The pilot was able to fly 70 miles back to china and land and thereby saved the crew but delivered an inestimable prize to the Chinese to be reverse engineered by the best. I would have shut* down *the 82 engine and acte like a wounded duck and gotten down to about 50 ft off the ocean and gradually gotten my speed up as much as the damage would allow and jinkso that the other fighter would have had trouble flying low and might not have had such a good firing* solution. *i would have headed for Subic Buy Cubi Point and would squawk and talk on all those neat radios they have and gotten a plot for nearest USN or friendly shipping so that I could ditch, or possibly limp into the Philippines. i once had to shut down #1 and 2 engines due to problems* in *the middle of the Atlantic while tracking a soviet delta sub and made it back to* the *Azores 2 1/2 hours later.*

snowflake

April 16, 2001 6:18 PM

TO: Larry Di Rita

FROM: Donald Rumsfeld

SUBJECT: Congressional Contacts

Here is a list of Congressional contacts I had after I was nominated. These were phone calls and visits.

Attach.
Listing of contacts

DHR:dh
041601-75

032

16 Apr 01

U07636/01

~~Calls~~ – Done. Action:

✓ Bill Cohen Done 12/28 – See D.L. for Week Jan 1/5 –
✓ Geo. Tenet Done 12/28 – S.C. to Call Director on Sp Rept
✓ Colin Powell – Done 12/28 – Done Call Bradley
✓ General Charles Shultz Done 12/28 – Requested Ex. Week Call
✓ Paul Wolfowitz Done 12/28 – Talk Sun 12/31
✓ Jim Denny – Done 12/28 – Told Shultz on Bilateral
✓ Shaun Donovan Done 12/28 – ———
✓ Bill Schneider – Done 12/28 – Invited on Iran T. Told Zoi to Invite
✓ Marvin Weissman Done 12/28 – Invited on Iran Team – Call Zoi. Office to
✓ Joyce Nitz – Done 12/28 ———
✓ Rick Armitage Left Well 12/30 12/31 N/A. – Told to let opt Wed w. Th
✓ Shawn Olicle Per D.C. Left Well 12/31
✓ Dr. Zachein (b)(6) Left Well 12/31
✓ Don Rice – Done 12/28 – Talked to Susan
✓ Ned S (b)(6) Done – Recall Step
✓ Condi Rice Done 12/29 & 12/30 ———
✓ Jim Wade Done — — Will help
✓ Gerald Ford Done 12/31 I called Wm. Do did [illegible] his life
✓ Joe Castle (b)(6) Done.
✓ Dick Cheney on Bridge Done 12/30.
✓ Carl Levin Left Well 12/28
✓ Ted Stevens Done 12/28 – Enthusiastic Good Doc
✓ Trent Lott – Left Well 12/28
✓ [redacted] Done 12/31 Congratul —
✓ Jack Murtha Done 12/29
✓ Nick Brady Done 12/29 – ———
✓ Gary Speroe – Done 12/29 – Required Sg. Gen – Get Colwell before 1/3.

Anti NATO

✓ Gatu Rice 12/29 — See CP/DC/CN/DR vol 1/4 —
✓ Gen Wesley — 12/29 — +++ — See Arch in folder
✓ John Marvin 12/29 — Ch. J. Bd. — Done
✓ Jeff Hoon — 12/29 — Complete —
✓ Sen Pete Fitzgerald 12/29 — Complete
✓ Dan Quayle 12/29. — Complete — Nice DiTc Anti Bowell
✓ Tom Robbins 12/29 — Complete
✓ John Warner 12/29 — +++ — Brooks — Sighted Mann
✓ Gen Rush S. Called 12/29 — Good to go — Good Bone
✓ Jim Tichio (b)(6) Done — Done Corporate
✓ Sen Durbin Ill.
✓ Ken Allen 12/29. — Complete — Offer to help
~~Phil Dur~~
~~Joe Lieberman~~
✓ John Kerchda
✓ Frank Kuntz — late here 12/31 (b)(6)
✓ Carlucci — (b)(6) 66 late really Done — will help
✓ Kennedy — (b)(6) 12/31 Done.
✓ John Kerrey Called 12/30
✓ Alan Simpson (b)(6) Late Bell
✓ Mario Andretti Done 12/30 — [illegible]
✓ Jerry Weber — Done — Offered to Help.
✓ Ty McCoy — late call 12/31
✓ Michael Leavitt Done 12/31 — Vol + Help — No conflicts — Question pend
✓ Frank Gaffney — (b)(6)
✓ Eric Jones —
✓ Ed Reiter (b)(6) late call 12/31
✓ Steve Hadley (b)(6) 12/31

✓ Rich Hover - 12/31 (2nd)
Sen Dorgan. Hill 12/31 Left Vm -
Sen Inouye - 12/31 / No Ans.
✓ Sen Byrd - 12/31 No Ans..
✓ Sen Shelby 12/31 -

Offered help - —

Cong. - Told AP Reporter - He'd tell anyone - Supt or Govt would work for me - Got the answer to anything
Good luck! Wanted Gloria then herself -
Let me w - We'll talk to anyone - —

✓ Speaker Hastert - 12/31 Spoke to Sam Langkamp.
Rich Gephardt -
Ike Skelton - Arm Ser
Bill Young - App
✓ Jerry Lewis App
John Murtha "
Porter Goss - Inte 12/31 Left Mess
Nancy Pelosi "
✓ Tom Daschle Left Mess 12/31
Geo Stew in Pat Bu's Mgr.
✓ Bob Graham Gayatt Tickled Pink

snowflake

April 16, 2001 11:09 AM

TO: Paul Wolfowitz
Steve Cambone
Paul Gebhard

FROM: Donald Rumsfeld

SUBJECT: 'Transformation Task Force

Attached is a note from Bill Graham that is self-explanatory.

Attach.
4/12/01 William Graham memo to SecDef, re: Transformation Task Force

DHR:dh
041601-17

4/10

16 Apr 01

3 Pages FAX 4/12/01

TO: THE HONORABLE DONALD RUMSFELD
SECRETARY OF DEFENSE

FROM: WILLIAM GRAHAM
MEMBER, TRANSFORMATION TASK FORCE

Mr. Secretary:

Among the military systems I have reviewed for the transformation of our defense capabilities, I have found that the Crusader system appears to be undervalued for its ability to project power rapidly and transform the terms of conflict to the benefit of our forces. The Crusader would be the first fully digital network ready "plug and fight" system to enter our forces. I asked the developers of the System to quantify its capabilities and compare them with other indirect fire systems. The following page summarizes that quantitative comparison" In brief,

- A single C-17 sortie carrying the Crusader system kills the same number of enemy infantry personnel 15 times faster than does a single sortie carrying the current U.S. Paladin system,

- Ten C-I 7 sorties carrying Crusader systems kill over four times number of enemy light armor vehicles 60 times faster than do 10 sorties carrying the current Paladin system,

- The Crusader can conduct a first fire mission in less than 2 minutes after unloading from its lift, while the Paladin requires nearly one hour after unloading to complete the same mission.

The Crusader has several additional capabilities that take it far beyond the evolutionary improvement of indirect fire weapons, and enable the US. to transform the conduct of land warfare within tens of kilometers of our forces, I think it worth further consideration.

Best regards
Bill

Ground Force Transformation: Advanced Precision Strike for the 21st Century

- **Crusader leads force Transformation capabilities for battlefield dominance.**
  - Digital information/decision network ready: First Plug and Fight system.
  - Chemical, Biological and Nuclear EMP hardened: shirtsleeve environment.
  - Arrives ready to fight: 1.9 minutes from C-17 offload to first fire mission.
  - Minimizes logistics tail: 3-man crew and modular automated ammunition supply.
  - Network based supply/maintenance for a true "pull" logistics system.
  - Ready for upgrade to robotic operation.

- The **Nation's ground war winning capability is in jeopardy** because of maneuver force structure changes already completed by the Army in anticipation of the fielding of Crusader.
  - **Each mechanized** division **has already shed** 70 main battle tanks, 56 infantry fighting vehicles, 18 self-propelled howitzers and 2,350 combat soldier because the long range precision strike capabilities of Crusader would dominate the future fight.
  - To **regain combat power** Army would have to replace **these systems and personnel,** if Crusader **were** not fielded, a cost of $12.7 B for the artillery structure alone.

- Crusader **is** the **most responsive,** lethal **and combat efficient fire support alternative** per strategic lift sortie against both infantry and armor.
  - Globally deployable on a single C-17.
  - Modularity of system and organization enables tailoring to meet operational needs without burdens of large organization and logistical structure.
  - Capitalizes on advanced propellant, munitions and system accuracy to minimize traditional **artillery** ammunition burden and collateral damage potential: a one-round one-kill capability'

Anti-Personnel Combat Capability for Alternative Systems from Single C-17 Sortie'

Target	Criteria	Crusader	PzH 2000	AS 90	Paladin
Infantry	Rounds Fired	144	124	288	369
Company	Kills Achieved	135	60	105	135
(150 personnel)	Time to Achieve	**1.1 Hours**	-2.2 Hours	7.1 Hours	15.4 Hours

'Operational concepts employed including sutvivabikty moves and displacements at approximately 3 min. and 14 to 17 min , respectiv

Anti-Armor Combat Capability for Alternative Systems from Ten (10) C-I 7 Sorties'

Target	Criteria	Crusader	PzH 2000	AS 90	Paladin
BMP (Lt. Armor)	Rounds Fired	2580	1275	1870	2763
Companies	Kills Achieved	**1107**	**100**	174	250
(10 vehicles/co.)	Time to Achieve	31 Hours	40 Hours	92 Hours	1871 Hours

Comparative Analysis of Alternative Systems'

Following Arrival:	Crusader	PzH 2000	AS 90	Paladin
Load ammunition only for mission, conduct immediate fire mission against infantry company (Total Elapsed Time)	1.9 Min	27 Min	41 Min	57Min
Conduct immediate fire mission against infantry company, completely load system, and prepare for displacement (Total Elapsed Time)	5.4 Min	64 Min	71 Min	97 Min
Complete load system, complete displacement, and complete fire mission against infantry company (Total Elapsed Time)	17 Min	62 Min	70 Min	101 Mn

ADVANCED PRECISION STRIKE SYSTEM (CRUSADER) MYTHS AND REALITIES

- CRUSADER IS TO HEAVY (40 TONS) AND THEREFORE NOT VERY MOBILE AND TRANSPORTABLE.

  PROPER METRIC IS COMBAT CAPABILITY PER UNIT LIFT. C-17 SORTIES ARE THE STANDARD MEASURE OF MOBILITY AND TRANSPORTABILITY. 1 C-17 CAN CARRY 1 CRUSADER AND 1 RELOAD VEHICLE WHICH PROVIDE MUCH GREATER COMBAT CAPABILITY PER C-17 SORTIE THEN ANY ALTERNATIVE PLANNED FOR THE FORESEEABLEFUTURE.

- CRUSADER IS A "LEGACY FORCE" LOW TECHNOLOGY CANNON

  CRUSADER IS THE FIRST FULLY AUTOMATED, FULLY DIGITIZED, NETWORK CENTRIC "PLUG AND FIGHT" CAPABILITY. IT IS MATCHED TO THE DIGITAL INFORMATION/DECISION DOMINANCE BATTLEFIELD OF THE 21ST CENTURY. THE THIRD GENERATION CRUSADER AVAILABLE BY 2012 CAN BE A FULLY ROBOTIC SYSTEM CRUSADER PROVIDES ALL WEATHER, HIGH DENSITY PRECISION STRIKE CAPABILITY TO ARMY (AND MARINE) LIGHT, MEDIUM AND HEAVY FORCES IN ALL COMBAT ENVIRONMENTS, INCLUDING WMD.

- TUBE (CANNON) ARTILLERY IS OBSOLECENT FOR THE LIGHT/MOBILE/STEALTHY/HIGHLY LETHAL BATTLEFIELD OF THE 21ST CENTURY.

  THE REQUIREMENT FOR CANNON ARTILLERY IS ACTUALLY INCREASING IN THE 21ST CENTURY BECAUSE OF THE OPPURTUNITY/NEED FOR AN EXTENDED RANGE, ALL WEATHER, ALL ENVIRONMENT, HIGH RATE PRECISION STRIKE CAPABILITY THAT IS SURVIVABLE ON A WMD BATTLEFIELD. CRUSADER IS THE ONLY WEAPON SYSTEM AVAILABLE IN THE FORESEEABLE FUTURE THAT WILL MEET THIS REQUIREMENT.

- THE U.S. HAS AN OVER ABUNDANCE OF CAPABILITY TO KILL TARGETS ON THE BATTLEFIELD, SO CRUSADER JUST NOT NEEDED.

  THE U.S. IS VERY SHORT OF ALL WEATHER, HIGH RATE, EXTENDED RANGE, PRECISION STRIKE CAPABILITY THAT OFFERS LOW LEVELS OF COLLATERAL DAMAGE. CRUSADER PROVIDES PRECISELY THIS CAPABILITY IN ANY THREAT ENVIRONMENT, INCLUDING WMD. CRUSADER KILLS TARGETS AT A FRACTION OF THE COST, LIFT, AND LOGISTICS OF OTHER SYSTEMS

- THE CURRENT ARMY ACQUISITION PROGRAM FOR CRUSADER IS FUNDAMENTALLY BROKEN AND HAS DRIVEN UP THE ACQUISITION COST FOR CRUSADER TO AN UNACCEPTABLE LEVEL.

  THE CRUSADER IS BEING DEVELOPED AND DESIGNED ACCORDING TO LEAN COMMERCIAL BUSINESS PRACTICES AND CAN BE EASILY RECONFIGURED TO BE ACQUIRED AS A LOWER COST, FAST TRACK "SPIRAL DEVELOPMENT"PROGRAM. A PRELIMINARY ESTIMATE INDICATES THAT 180-200 CRUSADERS CAN BE PROCURED FOR AN AVERAGE PROGRAM COST OF LESS THAN $1B/YEAR WITHIN THE FY-02-FY-07 POM.

snowflake

April 16, 2001 3:44 PM

TO: Paul Wolfowitz

FROM: Donald Rumsfeld

SUBJECT: Deployments and Mil-to-Mil

We need to fashion a template on deployments and military-to-military activities, training and cooperation. Here is a memo by Dov and here is the piece of paper I wrote that started the issue.

Do you have someone who could fashion something that you think ought to be the template we should use?

Please take these two as possibilities, then send me a draft of what you think we ought to circulate for comment.

Thanks.

Attach.
04/03/01 SecDef memo (02210 1-6) "Deployments and Mil-to-Mil Activities" and 03/06/01 Zakheim memo to SecDef

DHR:dh
041601-53

370

16 Apr 01

snowflake

April 3, 2001 6:29 AM

SUBJECT: Deployments and Military-to-Military Activities

Areas That Merit Greater Emphasis and Why:

- Former Soviet republics and Eastern European countries-to reassure and to counter Putin's attempts to reconstitute portions the old Soviet Union,
- Asian-North, Central and South Asian--countries-to gain insights develop relationships, secure Persian Gulf access, and potentially fashion new alliances.
- PRCto try to moderate its behavior.
- Lain America-key northern countries, to assure a peaceful hemisphere and avoid turbulence which could lead to mass immigration.

Areas where additional emphasis is not required:

- Western Europe-where we have extensive political, economic and defense relationships.
- African countries-except those few with key strategic resources.

Activities to emphasize somewhat more:

- Foreign military training in the U.S. and exercises
- Activities that provide the U.S. knowledge and/or relationships in ke countries and areas.

Activities where additional emphasis is not required:

- Drug activities-no value added to DoD.
- Activities with no clear purpose, but which contribute to excessive optempo.

DHR:dh
022101-6

MEMORANDUM TO THE SECRETARY OF DEFENSE
FROM: Dov S. Zakheim
SUBJECT: Deployments (edited version)
DATE: 6 March 2001

MILITARY DEPLOYMENTS, TRAINING AND COOPERATION

Priorities:

0 East Asia

-- Southeast Asian states:

Indonesia, Malaysia, Thailand
Expand cooperation with Singapore
Consider multilateral exercises that include Vietnam

-- Northeast Asia

Continue to emphasize cooperation w/ Japan, Republic of Korea

0 Europe

-- Traditional NATO (especially new Members and Turkey)
--Key Partnership for Peace States: Ukraine, Baltic States
-- Try to de-emphasize participation in new Balkan efforts (e.g. Macedonia, Montenegro)

0 Middle East

-- Important to focus on Israel, Jordan, and GCC states
-- Need to be careful about Egypt, they are becoming very difficult in terms of cooperation with Israel and working with Palestinians (Israelis and Congress are concerned)

o Africa

-- Key states are Nigeria, South Africa-also need a francophone partner

o Latin America

--We have facilities in Ecuador; operate in Peru and elsewhere in Andes region
-- Need to rethink posture based on reconsideration of our strategy in Colombia

o What kind of cooperation?

- Bases unlikely to be available
- Follow Singapore model-expanded availabilities
- Exercises-emphasize not only field training but command post exercises
- Also training in civil-military relations—e.g. in PPB and budget formulation
- Can de-emphasize drug war (see above, Latin America)

0 Nature of deployments?

--Navy deployments are favored by sailors when liberties are good (e.g. the Med)
-- Army and AF are just getting used to the idea of deployments with which Navy and USMC have long been familiar. Again, locale is key (Balkans are not pleasant)

Footnote: Sorry for the hand written memo, next under-I will not attempt to inflict my script on you in future

snowflake

March 13, 2001 8:47 AM

J 3/27/01

TO: General Shelton, Chairman, JCS

FROM: Donald Rumsfeld DR

SUBJECT: Joint Forces Command

I asked a friend if the Joint Forces Command was doing anything worthwhile. Here is the response.

Any thoughts on this?

Attach.

DHR:dh
031301-7

USJFCOM

13 Apr 0

Is JFCOM doing anything?

Answer: Not much substantive work, but its not their fault.

Current: To date the main areas of effort have been in the development of operational concepts, the keystone of which is Rapid-Decisive-Operations (RDO), and the experimentation process.

RDO is an operational concept whose genesis was partially drawn from the work of Dr. Jim Wade researching the idea of Rapid Dominance. Rapid Dominance contributed to RDO, particularly the areas of interagency operation: However, the RDO effort is just one of many conops studied and war-gamed throughout DOD, with competing conops coming from IDA, JCS, the services, and others.

The experimentation process has taken some hold with an impending Millennium Challenge for FY02. However its approach, based on voluminous JV 2020 requirements, is very diffuse. Also, their original relationship with the Institute for Defense Analysis, Joint War-fighting Program has largely unravele IDA migrated to doing studies in support of Pentagon based entities, while JFCOM pursued their own conceptual path.

Problem: JFCOM has become a catch-all for missions and was given responsibility for many key Joint Tasks without the requisite authority or resources to accomplish them.

From JFCOM's transition from a regional command to a functional command there remain many residual responsibilities that detract from the Joint focus of the Headquarters, These include remaining missions in the LANTCOM AOR, a product of the cold-war partitioning of the UCP, the Canada Engagement mission, etc. Further, the headquarters was given responsibility for other miscellaneous missions including elements of civil support and disaster relief. In their role as the joint integrator, they do not have assigned forces or appropriate influence with the services or other CINCs to fashion experimentation to fulfill this mission.

Possible Solutions: First, DoD should decide what it is they want JFCOM to do. Given the very few substantive joint interfaces in the structure, JFCOM could be the premier entity to pull together the services. It should be allowed to shed missions that detract from that purpose. DoD could better focus the experimentation effort more narrowly on key challenges, such as overcoming Anti-access regimes. JFCOM's role could be extended beyond experimentation and include the proper training and deployment to joint forces to support regional CINCs. Allowing JFCOM to establishing a Joint National Training Center and conducting JTF level training could ensure "first battle" competency for joint

forces capable of supporting CINC missions. Further, this training evaluation responsibility could support the experimentation process. For example, establishing a JNTC rotation where each of the services experimental forces wer organized as a Joint Task Force would provide incentives and measurement for joint interoperability. This incentive might foster a better joint perspective on the development of new units and capabilities by the services.

To support this, JFCOM's mission and subsequent authority and resources migh be fashioned to include the following:

- Primary for Joint requirements and interoperability requirements
- Joint Force Integrator and lead for Joint Experimentation
- Joint training of CONUS forces (with establishment of JNTC)
- Operational mission of Joint Force Provider for tailored packages to CINCs

snowflake

April 16, 2001 3:53 PM

TO: William Schneider, Jr.

FROM: Donald Rumsfeld DR

SUBJECT: Piece by Jim Carson

I read this piece from this fellow, Jim Carson. I wonder if he would mind if we took off his name and the heading and sent it around to some people.

What do you think?

Attach.
04/13/01 Schneider memo to SecDef w/attachment by Jim Carson

DHR:dh
041601-55

000 7

16 April

William Schneider, Jr.

MEMORANDUM

April 13, 2001

TO: Hon. Don Rumsfeld
Hon. Paul Wolfowitz

FROM: William Schneider, Jr.

SUBJECT: Comments on US Army-related issues from a "reform" group of field-grade officers.

I have had contact with a young group of US Army field-grade officers over the past several years that have been promoting their version of transformation within the US Army. The US Army appears to have suffered more from the manner in which the armed forces were operated since 1993 than the other services in some ways. As a result, I have found that reform-minded officers have been particularly thoughtful in ways to approach the matter.

Two items are attached:

- Crusader: Despite the image of the *Crusader* as a bloated Cold War relic. However, the attached note contains some argumentation about the system by one of the leaders of the reform movement in the Army. The argumentation underscores one of the points that has emerged from out study efforts to define a transformation program – the central role of the concept of operations in determining whether a system is "transformational" or a "relic."

- *State of the Army:* A somewhat lengthy letter summarizes a much broader range of operational and managerial issues within the armed forces in general, and the US Army in particular. However, it is an articulate summary of a wide range of issues that engage many of the practices that have emerged over the past decade as the armed forces as they have adjusted to the political pathologies of the time.

C R U S A D E R

Crusader is not an artillery system. It is a stand-off attack system that can put 12 rounds in one minute inside a 15 foot diameter circle at 50 Kilometers! It weighs 42 tons, fires caseless ammunition and is fully automated. It delivers rapid, lethal precision fire against distributive target arrays - Yugoslav Army in Kosovo is prime example. USAF will not find or destroy fielded forces that avoid concentrating. However, ground forces equipped with crusader standoff attack systems can target these forces effectively and at little risk to friendly ground forces.

Army depicts *Crusader* as an artillery system designed to replace existing systems on the basis of 18 *Crusaders* for 24 Ml 09 Howitzers. This is nonsense! There is a requirement for no more than 300-350 Crusader systems in the future army. Why? Mixing (9) MLRS, (9) *Crusaders* + Unmanned Combat Aerial Vehicles within new organ&ions is the strike complex of the future that is here now.

Question: Why does the Army plan to re-capitalize its 155mm equipped Artillery Battalions with Crusader replacing 24 guns with 18 guns?

Answer: *Crusader* requires 3 soldiers to operate it. Current systems require 9 soldiers + added logistics. With reorganization, army potentially loses structure, hence, leadership will not support change in either the organization for combat or the institutional structure

Result: Neither new organizations nor new joint concepts for employment develop and the Army senior leaders who cannot articulate this matter in terms that make sense for future joint warfighting lose a remarkable system.

Sent: Monday, April 09, 2001 10:40 AM
Subject: State of the Army

Center for Strategic and International Studies
1800 K Street N.W
Washington D.C., 20006

For your information, I am a single white male Army battalion operations officer, thirty-nine years old, no dependents. I have seventeen years of service in Korea, Europe, the Balkans and the US, to include time in the 2nd Infantry, 101 st Air Assault, and 1 st Armored Divisions. I also served as an observer/controller at the Joint Readiness Training Center, and have instructed at West Point and the Aviation Officer Basic Course.

1. In my opinion, Army basic training is no longer a rite of passage. I cannot write with any authority on what occurs there, but weekly I receive the graduates. New soldiers are increasingly undisciplined, rebellious, and more concerned with their rights than their responsibilities. They often have little sense of teamwork or duty. My suspicion is that the "Army of One" mentality (in place long before the phrase was coined) is teaching them to ask not what they can do for their country, but what their country can do for them. Army recruiting strategy with its offers of money and more money is where this pathology begins. Since there is apparently little quality control in basic training, active units receive, relatively unmodified, the raw product of American Society. I would prefer to see (A) Recruiting based on the Marine model, because one gets what one asks for. The USMC asks for young men who wish to serve their nation and challenge themselves, while the Army asks for people who want money. (B) Even if it means a smaller Army, I would prefer to see some quality control in basic training. In short, if recruits do not meet rigid standards of ethics, behavior, and performance, they should not be allowed into the service, period. (C)Basic training that is a tradition based and challenging rite of passage. Bottom line: Recruits must join the Army, not the other way around.

2. I do not agree that soldiers identify with the Army as the report contends. Junior officers and soldiers identify with their small units, and senior officers and NCOs with their staffs (commanders and command sergeants major excepted). I believe that the importance of service identity is overstated, and that now is the time to transition to one service. The pay-off in procurement and standardization would be immense, without damaging unit cohesion. The other side of the coin, however, is that morale is so poor and unit cohesion at the lower levels so weak due to years of over commitment, under resourcing, micromanagement, and social engineering, that morale needs some intensive shoring up. I believe there are some ways to do this: (A) Give us back our officer and NCO clubs. They may not be efficient, but they are effective in building esprit and strengthening the ever-weakening line between the ranks. (B) Power down. Our company commanders are no longer that, but instead "company managers." Let's get brigade commanders and division commanding generals out of company physical training programs, and instead focused on directing their staffs to do more than crank out endless

taskings which do not support battalion essential combat tasks. (C) Allow units to develop and propagate unit specific symbols and insignia at the battalion level. (D) Recruit regionally and field units on the now defunct COHORT model. (E) Organize in multi-functional regiments on the USMC model.

3. I do not believe as the report contends that we have demonstrated military prowess in Desert Storm, Bosnia, or Kosovo. The report did not mention Somalia in this vein, a conflict that demonstrates how bad things can get when we face a resolute enemy. Therefore, the "lessons of success" learned in the Balkans and Desert Storm need some perspective. What we have demonstrated is that because we have a lot of money, we can overcome an enemy that does not fight, or is more concerned with criminal activities than military engagements. I believe that, should we face a resolute enemy in open combat, the results would be catastrophic (Bunker Hill, Bull Run, Kasserine Pass, Task Force Smith, Vietnam, Somalia). America, between its major wars, has a long history of demanding efficiency rather than effectiveness from its Armed Forces. Unfortunately, the Armed Forces are not IBM or Microsoft, nor are they the Department of Interior or Bureau of Weight and Measures. Efficiency rather than effectiveness in peacetime translates to heavy casualties in the opening weeks of the next real conflict.

4. I was interested in the comment of the report that "military culture by definition must differ significantly from civil culture in a democratic society." I could not agree more, which is why I am perplexed at the Herculean efforts in the last ten years to civilianize the military.

5. Beware the fidelity of survey data The atmosphere of fear in the Army is impossible to overstate. Years of conditioning to zero-defects and fear of offending have resulted in answers to survey questions that will be generally lukewarm at worst. More importantly, survey data is manipulated by the chain of command, While I was in Kosovo, yet another of a seemingly endless line of "Blue Ribbon Panels" traveled there to sound a group of captains reference retention. Prior to the arrival of the panel, the senior officers dictated that no maintenance or beadquarters company commanders would participate, knowing that these are the most thankless command positions. Additionally, the senior officers further weeded by name the remaining line commanders. The best survey or interview is the one in which the interviewee does not realize he is being interviewed. If you want to know what the Army is thinking, just listen to soldiers converse in bars. Pay particular attention to junior NCOs and officers.

6. Because captain retention is so poor, Department of the Army has chosen to make captains from lieutenants at three years of service. Additionally, the selection rate for captain was this year 99%. This decision is typical of the kind of short-sited decision making common at senior levels. The long term result is incompetent captains, whose poor leadership creates disgruntled soldiers and NCOs who resign or do not re-enlist. The captains themselves, frustrated that they cannot perform as expected, will also resign as soon as they can. Recommend fewer officers of higher quality. If this means a smaller Army, so be it.

7. Casualty and risk aversion, euphemized in the Army as "force protection," have expanded beyond all logical proportion. In Kosovo, I actually beard a brigade commander say "The worst thing we can do here is discharge a weapon." I tend to take the more traditional view that the worst thing a military foroe can do is fail in its mission.

8. Commanders and other leaders within the Army are daily faced with the following conundrum: Follow the regulations, or accomplish the mission. Our penchant for risk aversion and micromanagement has done away with judgment, while regulations reproduce themselves at an alarming rate. The cynicism and stress on integrity the above conundrum creates is a huge burden. One of the reasons junior officers join the Army is for the opportunity to exercise their judgment. If platoon leaders are not allowed to do this, why have them? Put a pile of regulations in their chairs. Soldiers requiring management can consult the regulations, judgment no longer required.

9. "Proper" race and gender relations, currently propagated in the Army by the much despised and canned "Consideration of Others" program, has guaranteed the poorest possible social climate. We have taught a generation of soldiers to see themselves not primarily as soldiers, but as African-Americans who happen to be soldiers, or females who happen to be soldiers. Worse yet, we have taught them not to be polite and respectful, but instead to carry chips on their shoulders, searching for someone to offend them The result in the loss of unit cohesion has been devastating as soldiers are isolated in social fear. Additionally, the never-ending stream of "African-American Months" and "Asian-Pacific American Months" has done nothing more but accentuate differences. Recommend we have "American Soldier Year" and be done with it. The self-fulfilling prophecies created by racial and gender hypersensitivity are assisting in the destruction of morale.

10. Technology, as useful as it is, has helped to create slaves to perfection and intense micromanagers. The man-hours wasted on just the right color for power-point presentations number in the millions, while subordinate commands await the "perfect" operations order. Junior officers watch senior officers slave away on presentations for generals and ask themselves "Do I want to be doing that in three years?" Perhaps if the generals would refuse to accept this kind of waste, the colonels would follow suit. Additionally, nobody wants a corps commander in their tank or cockpit with them. Recommend we stop the search for real time terrestrial omniscience at the higher levels, and start trusting our subordinates again. Human nature dictates that what can be known will be known. The question is, just who needs to know it? Does the theater commander really need a monthly report on venereal disease cases in platoon X? I think not, but he gets one by name and social security number.

11. We have entered an interesting and twisted period in military sociology when abuse is not defined by the institution or the senior, but rather by the subordinate. The ramifications of this environment are self-evident. Schofield's venerated definition of discipline is often quoted to justify this position: "The discipline which makes the soldiers of a free country reliable in battle is not to be gained by harsh or tyrannical treatment." Nowhere in this statement does Schofield indicate that the private soldier

should define "harsh and tyrannical."

12. The Army has long been wedded to what I have come to think of as the "Chase your tail" method of training. As we move from execution to execution, the training of subordinates suffers. We do so much so rapidly that little is done correctly. We "check the block" and move on to the next task. I recently saw a corps G-3's annual training calendar, af which he was exceedingly proud. Not a block of empty space on it. When then, do the division, brigade, battalion, and company commanders, not to mention platoon leaders and NCOs, have time to train as they wish? Either the corps G-3 knows every platoon's training needs better than platoon leaders, or there is something very wrong. Here in USAREUR my battalion requires 397 days to meet the annual training requirements placed on us by higher headquarters. Simultaneously, my battalion services endless garrison support taskings and those of higher headquarters to resource someone else's training. Meanwhile, company commanders are chided by general officers for not giving their soldiers predictability: One does not know whether to laugh or cry. The solution for this problem is simple...slow down. We can do a few things very well o we can do a great many things poorly. There is no middle ground. Long ago the military developed the concept of main and supporting efforts, as well as mission essential tasks. If we would employ these concepts, everything would not be a priority, and unit focus would not shift from day to day. Movement is not necessarily progress, nor is constant re-organization.

13. The study made much of married soldiers and soldiers with dependents, asserting that these are stabilizing influences. Apparently no one interviewed any company commander known to me, some of whom spend upwards of half their time dealing with family abuse teens in trouble, dependent related alcohol and drug problems, unwed pregnant soldiers, single soldiers who have no plans to care for their children in the event they deploy, etc. etc. I remember several years ago a USMC general suggesting that junior Marines should not be married. He was pilloried in the press, but I think he was correct. Recommend that the services accept no first term married soldiers, and that all unwed pregnancies be immediately discharged,

14. Soldiers generally are not opposed to deployments. The problem lies in the perceive value of the deployment. If I am to ask my soldiers to separate from their dependants for six months once every two years, I must give them a good reason to do so. Police work i Kosovo is not what I consider worthy of that kind of sacrifice. We do more, but it is meaning less. I cannot overstate the cynicism that this situation creates.

15. I similarly cannot stress enough the importance of swift, bold decisions to solve thes problems, or at least to acknowledge them. I am aware that the Army is a large organization averse to change. I am similarly aware, however, that many of these problems were apparent ten years ago. Executive summary after executive summary, panel after panel, committee after committee, task force after task force, with no tangibl results other than new headgear (make no mistake, even the lowliest private sees that pitiful measures for what it is). Soldiers have lost patience, Having taught at West

Point, I maintain an active correspondence with dozens of junior officers I met there. I do not know one who is planning on staying in the army past his initial commitment. Company commanders are refusing second commands, and captains are refusing first commands in favor of resignation. Lieutenant colonels and colonels are also refusing commands. These actions were very rare...almost unthinkable tea years ago, yet they are all around us today. We have a problem that requires serious effort. Our greatest threat is not criminals in KOSOVO, weapons of mass destruction, or Osama Bin La&n. Our enemy is domestic: rock bottom morale. We wonder which of two unpalatable situations we face...either the senior leadership does not recognize the low morale, or they do recognize it and do not care. In my opinion, anything we do which distracts or keeps us from solving the morale problem is tantamount to rearranging deck chairs on the Titanic.

16. The report repeatedly suggests that military service is not fun anymore. There is no truer statement. Most everything we had that made the service fun has been taken away from us. The net result of the loss of fun or job satisfaction is a "workaday" attitude. I see in myself and in more and more officers a view of my service as just a job, rather than a way of life. I never thought I would see it that way, and was surprised and saddened when I did. The Army I joined is not the Army I am in, and I believe I am betrayed, Idealism has met reality, and those two concepts are too far removed from one another.

I am aware that as I have written, my comments have become increasingly emotional and urgent. I have allowed this to happen, and you receive this letter without edit. Those of us who live in this environment day in and day out are extremely frustrated, and 1 wanted you to read that frustration, unvarnished.

Finally, one of the "things" that frustrates me most is the lack of survey feedback. Armies of lab coated technicians and sociologist sally forth from Washington annually to poke us, prod us, and test us. As they snap closed their briefcases, they always promise us feedback; In seventeen years, I have seen feedback twice, once when Prof. C. Moskos provided me some directly at my request, and once when I saw your report a few days ago, purely by accident. The average soldier does not demand immediate solutions. He does, however, harbor the hope that his senior leadership recognizes problems and takes positive, effective action to solve them.

Thank you for your time, patienoe, and study.

Very Sincerely,

(b)(6)

snowflake

April 16, 2001 6:56PM

032

TO: Steve Herbits

cc: Steve Cambone

FROM: Donald Rumsfeld DR

SUBJECT: Congress

Here is a paper that Dick Cheney sent up 11 years ago. It goes to the subject of the Congress. I wonder if we ought to weave this into what we are going to do in the paper that is being drafted.

Thanks.

Attach.
01/19/90 SecDef Memo to Asst. to Pres. for National Security Affairs: "Release of The White Paper on the Department of Defense and the Congress" [W25532]

DHR:dh
041601-81

16 Apr 01

THE SECRETARY OF DEFENSE

WASHINGTON, THE DISTRICT OF COLUMBIA

19 JAN 1990

MEMORANDUM FOR THE ASSISTANT TO THE PRESIDENT
FOR NATIONAL SECURITY AFFAIRS

FROM: THE SECRETARY OF DEFENSE

SUBJECT: Release of the White Paper on the Department of Defense and the Congress

The Defense Management Report I submitted to the President in July 1989 called for the Department of Defense to submit to the President a White Paper on DOD and the Congress. I have transmitted the White Paper to the President. It contains specific recommendations for improving the Congressional process for funding the Nation's defense and handling other defense issues.

To help advance the Administration's agenda for strengthening America's defenses and increasing efficiency in government, we need to pursue aggressively the recommendations contained in the White Paper. As the initial step, we should transmit the White Paper to the Congress and release it to the press. Because it is a report that was prepared for the President, I seek your clearance for its release.

Dick Cheney

17 Jan 90

W25532

THE SECRETARY OF DEFENSE

WASHINGTON, THE DISTRICT OF COLUMBIA

19 JAN 1990

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

I am pleased to submit to you the White Paper on the Department of Defense and the Congress. As the July 1989 Defense Management Report to you required, the White Paper reviews the relationship between the Department and the Congress and recommends specific changes. The White Paper makes clear that both the Department and the Congress must change their practices to increase efficiency in the allocation and use of the resources American taxpayers devote to the national defense.

The Department will continue to work closely with the Congress, and in particular with the leadership of the Armed Services Committees and Defense Appropriations Subcommittees of both Houses, to advance the Administration's agenda of ensuring strong defenses in a changing world. The Department also will seek to persuade Congress to adopt more effective internal processes for handling defense issues, such as biennial budgeting to provide stability to defense planning, programming, budgeting and execution.

The White Paper provides a blueprint for improving the processes by which the executive and legislative branches work together to carry out their constitutional obligation to provide for the common defense. Implementation by the Congress of the recommendations in the White Paper would contribute substantially to achievement of the objectives of the Defense Management Report. It would be a major step forward in maintaining the Nation's strength and bringing greater efficiency to government.

Sincerely,

Dick Cheney

W25512

WHITE PAPER

ON

THE DEPARTMENT OF DEFENSE

AND THE CONGRESS

REPORT TO THE PRESIDENT
BY THE SECRETARY OF DEFENSE
JANUARY 1990

11-L-0559/OSD/3216

Contents

EXECUTIVE SUMMARY 1

I. INTRODUCTION 3

II. THE CONGRESSIONAL DEFENSE PROCESS 4

A. The Congressional Defense Budget Process 5

1. History and Development of Annual Defense Budget Review 5

2. Detailed Level of Annual Budget Reviews 6

B. Congressional Program Intervention 12

1. Volume of Intervention 13

2. Types of Intervention 13

C. Committee Jurisdiction 15

III. FACTORS CONTRIBUTING TO THE DETAILED AND OVERLAPPING REVIEW PROCESS 17

IV. CONSEQUENCES OF THE CONGRESSIONAL DEFENSE PROCESS . . 21

A. Overlapping and Conflicting Mandates 21

B. Program Costs 23

C. Operational Implications 25

1. Instability 25

2. Fostering Divisions Rather than Integration within DoD . . 27

3. Inflexibility 28

D. Work Load 28

E. Opportunity Costs 30

V. RECOMMENDATIONS 31

A. Take Steps to Re-establish Trust 33

B. Lengthen the Time Horizon of the Budget Process 33

C. Focus the Authorization Process Away from Budget Lines 34

D. Budget Submissions Should Reflect Missions and Forces 36

E. The Department should work with Congress to reduce level of detail in budget material 37

F. Track the costs of Congressional requirements 39

G. Revise the Rescission Process 40

H. Better Integrate the Multiple Policy Goals of Congress 41

EXECUTIVE SUMMARY

Every recent study of defense management and organization has concluded that reform of the Congressional defense oversight process is a necessary element in an effort to improve defense management. Most specific recommendations have focused on reform of the budget process, including the annual defense authorization. The scope and level of detail in the annual Congressional defense budget review has grown significantly over the past twenty years or more, with many measures of activity doubling or trebling in short periods. The nearly complete overlap of the defense authorization and appropriation processes is one of the most notable aspects of the budget review. Other notable features include the large number of budget line-item changes and other directions to the Department of Defense (particularly affecting specific programs and activities) and the activities of committees without direct defense oversight responsibilities which nonetheless significantly affect defense resources and operations.

Factors which have led to the growth in Congressional defense activity include: the large portion of discretionary spending in the federal budget represented by defense; the desire of Members of Congress to serve constituent interests; competition within the Congress due to a reduction in the power of committees and the blurring of jurisdictional lines; and, the frequently adversarial relationship between Congress and the Department of Defense.

The duplication, complexity and lack of coordination in the Congressional defense process is, in itself, a hindrance to better management of the Defense Department. Among the negative results of this process are conflicting mandates, delays and increased costs in programs (totalling over half a billion dollars at a minimum), and instability in planning. The most damaging aspect of the current Congressional defense process is the degree to which it

consumes the time and attention of defense managers and Members of Congress. Excessive debate over budget details significantly limits the degree to which Congress and top defense managers can concentrate on national goals and strategy or operational and policy matters.

Many in Congress, and leaders of the Armed Services Committees in particular, recognize these difficulties and have already taken steps to address them. Proposals for additional changes in the budget process or in committee jurisdictions abound. Seeking consensus about the goals of reform may be more helpful to the cause of improving defense management than endorsements of specific initiatives. These goals must include:

--the re-establishment of trust between DoD and the Congress;

--lengthening the time horizon and reducing detail and redundancy in the budget process;

--focusing Congressional oversight on more significant aspects of defense policy; and,

--better integrating Congressional policy goals and directives.

I. INTRODUCTION

> The Armed Services Committee now authorizes almost every element of the defense budget each year, down to almost the last screw and bolt....At its worst this tendency has spurred not unreasonable charges of congressional "micromanagement".... But even more troublesome, this trend to micromanagement has the staff and members focusing on the grains of sand on the beach while we should be looking over the broad ocean and beyond the horizon.1

From 1789 until the Budget and Accounting Act of 1921 and the Classification Act of 1923, Congress budgeted for practically every individual position in the executive branch with a separate line item. Control was incredibly detailed, but Congress was spending increasing amounts of time working on matters of decreasing importance. Congress had three choices: return to the inactive government of the pre-Civil War years, continue playing the role of accountants, or delegate the details. Congress chose to delegate and both Congress and the executive branch were able to operate more efficiently. Congress faces a similar choice today. It can retain control over the details or expand its vision to scan the oceans and horizon in a manner that is mutually beneficial to both branches.

This report is based on the premise that it is more important for both Congress and the executive branch to navigate the ocean than to pick at the sand grains while we let the ocean navigate us. Before a new vessel can be designed, however, it is appropriate first to make a chart of the currents.

I. Sen. Sam Nunn, testimony before the Temporary Select Committee to Study the Senate Committee System, 98-2, Aug. 2, 1984, Part 2, pg. 64.

The basic structure of this report is as follows. Part II is a description of the exist ıg Congressional process for defense policy and contains three different sections: (1) the Congressional defense budget process, (2) specific formal and informal program interventi ns, where interventions are defined as controls placed on specific programs as opposed to more general policy guidelines and, (3) committee jurisdictions. Part III attempts to analyze the incentives that promote many of the practices described in Part II, and Part IV makes the c se for change by explaining the negative consequences of the existing system.

The final section (Part V) contains specific proposals for change. Because this repo : is about the effects of the Congressional process on DoD, most of the proposals address the legislative branch. That emphasis does not suggest that all difficulties with the DoD-Congressional relationship are the responsibility of the Congress. This White Paper ; only one element of the Defense Management Report. Most of the activity in that report is directed at internal DoD reform, and there are several ongoing efforts in that regard. Th purpose of this paper, however, is to look at the interaction between DoD and Congress; ınd to focus on ways the two might interact more effectively to improve the formulation and conduct of national defense policy.

II. THECONGRESSIONALDEFENSEPROCESS

From the 1920s through the 1960s, power in Congress centered around the majo committees and a few committee chairmen. Since then, power has flowed both upward and downward. Party leaders play a greater role on a few major issues, such as overall budge allocations. At the same time, on issues that fall below the top levels of political awareness, power has become diffuse. Members have built up their personal staff resources and assu :d a degree of independent power for Congress' 250 different subcommittees. The result is a marked increase in the number of members with the means, as well as incentive, to influence

national security policy. The Congressional process for defense has paralleled these broader developments.

The following pages describe three aspects of the Congressional defense process: the detailed annual budget review; the proliferation of interventions designed to guarantee specific outcomes rather than providing more general policy guidance; and, the large number of committees and subcommittees that play a role in formulating defense policy.

A. The Congressional Defense Budget Process

The major features that distinguish the U.S. legislative process for defense are the number of actors and the freqnency of decisions. Virtnally no other conntry puts its defense budget through such detailed legislative scrutiny every year, and none has that budget reviewed by as many as six independently powerful committees: the Bndget, Armed Services and Appropriations Committees of both the House and Senate.

1. History and Development of Annual Defense Budget Review

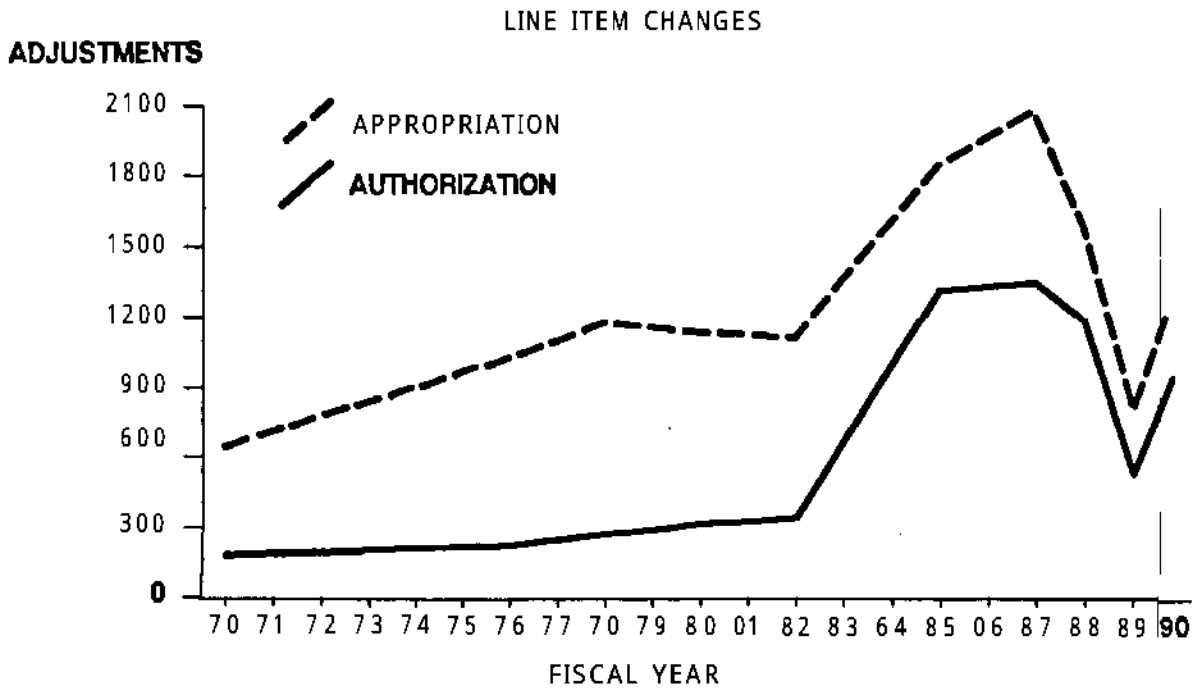
The annual review process was not always this cumbersome. Before 1959, Congress authorized weapons or forces without revisiting the issue annually. This changed by increments, with most of the yearly authorization mandates being adopted between 1959 and 1970. The Budget Committees were formed in 1974 and developments since that time have led to a growing preoccupation with the budget and a significant crowding out of other legislative activity. As a result, budget-related bills (including the defense authorization) have become the preferred means of enacting policy proposals even if unrelated to the budget. By 1983, annual authorizations were required for the entire defense budget. As the authorizing committees shifted away from yearly posture hearings and oversight of selected issues toward examining each line-item in every year's defense budget, their appropriations counterparts increased the scope of their review. Traditionally, the defense appropriations subcommittees

had focused on operations and manpower. Eventually, the budget reviews of all four committees had an almost complete overlap, with little discernible differentiation.

The 1985 Senate Armed Services Committee staff report on defense organization ted the dominance of the budget process as one of the "fundamental problems with Congres that affect defense oversight." (pg. 580) Despite the efforts of leaders on the defense committees to address this problem, the dominance of the budget review is probably more complete today than four years ago.

2, Detailed Level of Annual Budget Reviews

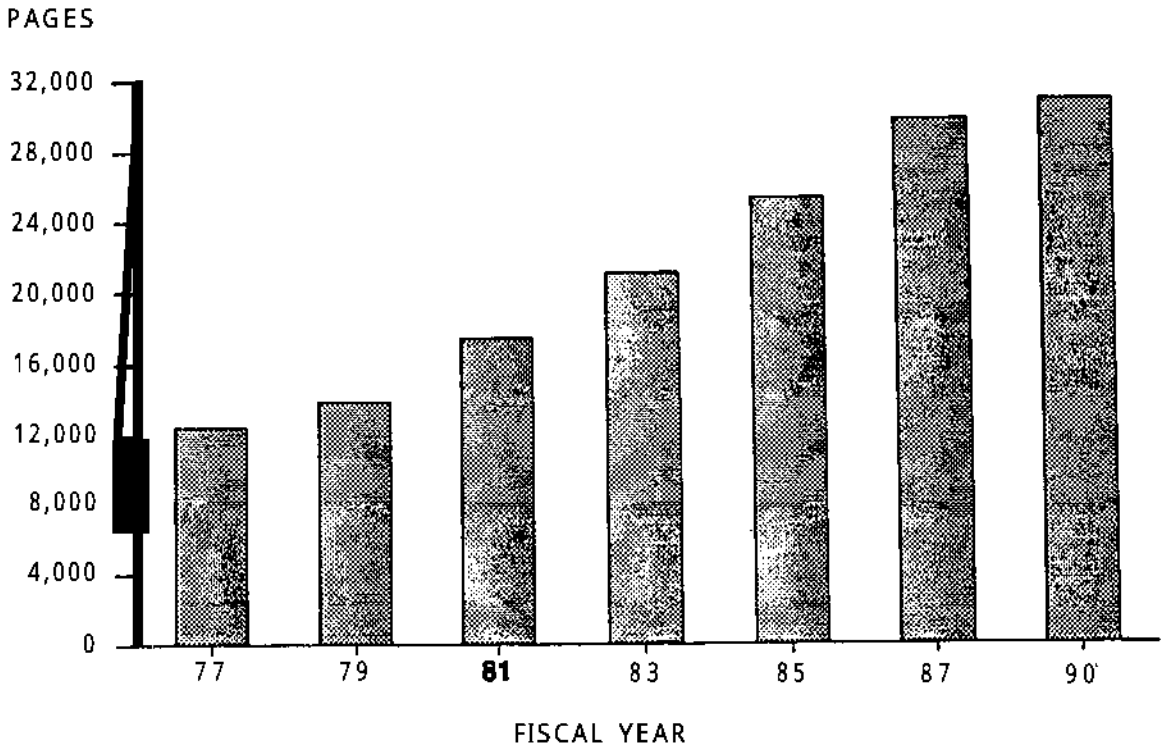
The microscopic focus of the budget review is evidenced by the number of line-item adjustments Congress makes to the defense authorization and appropriation bills. As can be seen in the chart below, appropriations line-item adjustments doubled during the 1970s and then grew by another 85% between 1982 and 1987. Authorization adjustments grew more slowly during the 1970s, but took a quantum leap between 1982 and 1985, almost quadrupling in four years. In peak years, the committees each alter more than 60 per ce of the line items in DoD's budget request.



The sharp drop in 1989 reflects the second year of the Department's first two-year budget, and of a late 1987 two-year agreement between congressional leaders and the President on the aggregate or "top line" figures for the federal budget's major functional categories, including defense. The number of adjusted line-items increased with the 1990 budget, but fell short of the pre-1989 levels.

Budget justification books are another measure which shows the growth and detail of the annual review. The content of these books is largely mandated by the Armed Services and Appropriations Committees. The 1977 budget justification ran 12,350 pages. For 1988, the justification took 30,114 pages -- almost two and a half times as many pages as eleven years earlier. (SEE TABLE) The fact that no one person can comprehend this material in total contributes to a myopic and disjointed review process.

NUMBER OF PAGES OF BUDGET **JUSTIFICATION**

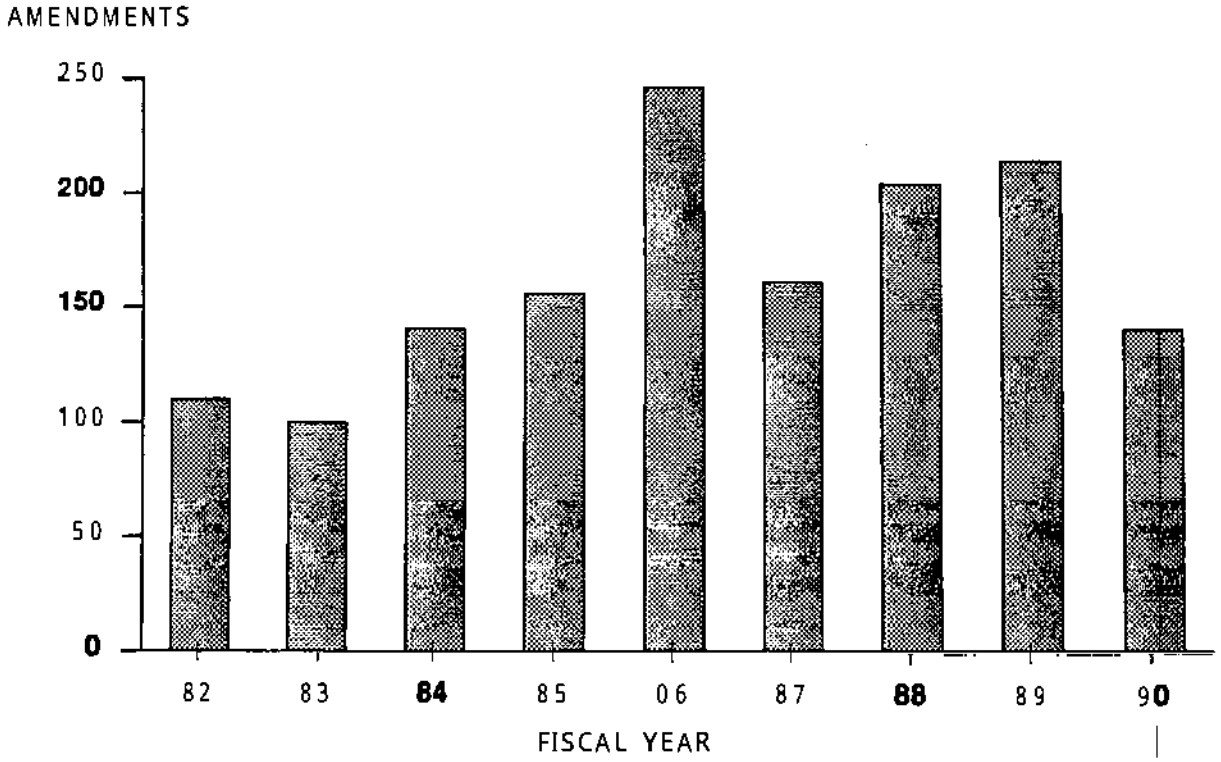


As with much other material provided to Congress, the justification books are used almost exclusively by staff. Congress could not have even considered such detailed budget review had it not been for a large increase in staff size. In 1964, the four defense subcommittees on Appropriations and the Armed Services Committees had a total of 3 staff members. By 1984, the same committees and subcommittees had 60 staff. Five years later the number was up to 99. And that does not include the 66 associate staff who work on defense for individual members of the same committees, or Congressional support agencies. From 1960 to 1985 total Congressional committee staffs grew by 237% and persona staffs

by 175%.[2] The growth of staff expands what Congress is able to do, greatly magnifying the level of detail in most of its work.

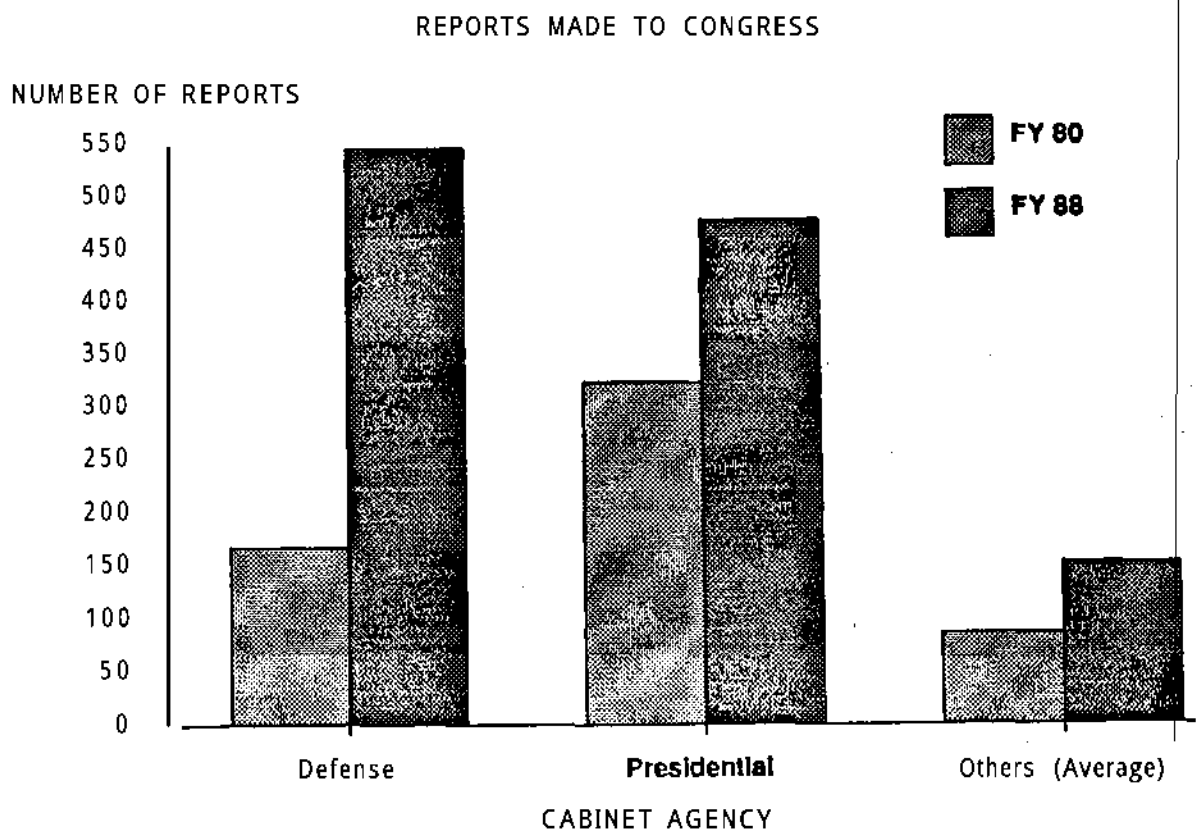
The detailed attention Congress gives the defense budget is also in evidence on the House and Senate floors, It has become almost commonplace for the House to spend more than SO hours on the defense authorization bill -- and for the Senate to spend more. During those hours, each chamber typically adopts about 100 amendments. These are remarkable numbers to persist year after year.

AMENDMENTS ADOPTED TO THE DOD
AUTHORIZATION AND APPROPRIATION BILLS



2. Wilbur D, Jones Jr., "Congressional Involvement and Relations", Defense Systems Management College, Ft. Belvoir, VA, July 1989 [Second Edition], pg.20.

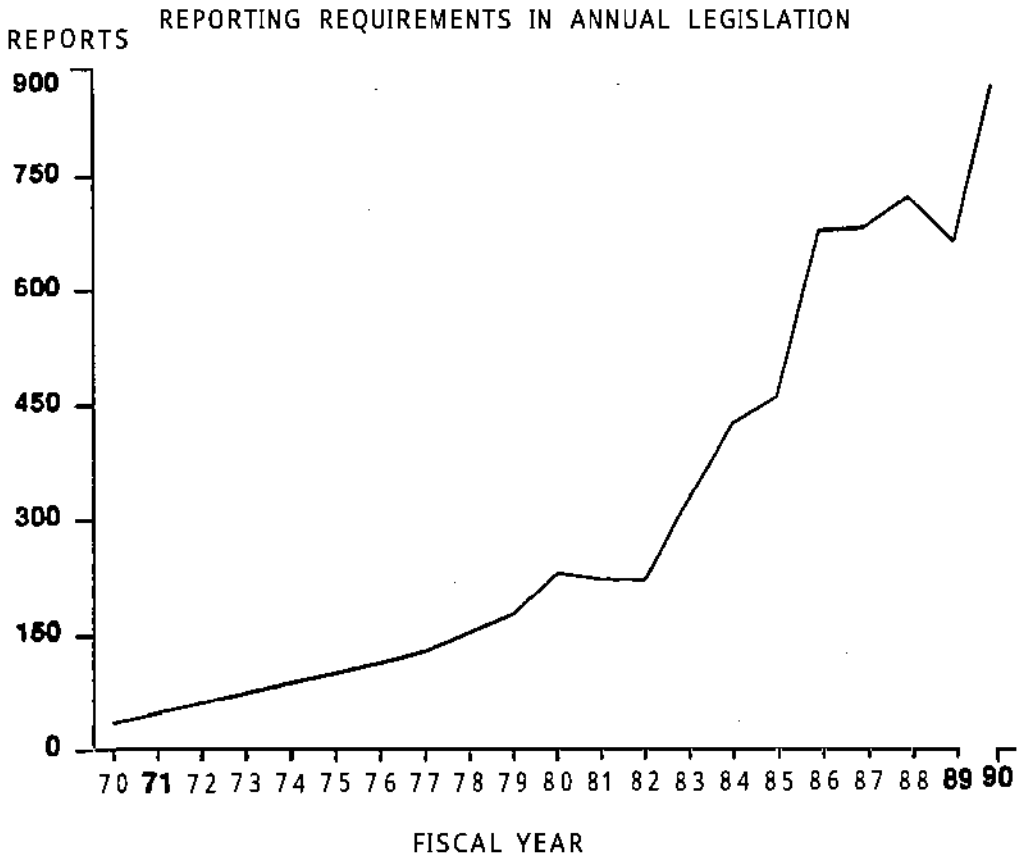
Most of the Department's recurring reports are also designed to assist Congress in annual budget review. The growth in reporting requirements tracked in an annual compilation of "Reports Required by Congress" by the Clerk of the House is striking. The Defense Department recently passed the President as the largest producer of reports to Congress, and many of the Presidential reports are actually prepared by DoD. Between 1980 and 1988 DoD requirements grew by 224%, far faster than any other part of the government, and nearly three times the average growth of other agencies.3



DoD reporting requirements are so voluminous and imposed in so many different ways that compiling a comprehensive list is virtually impossible. Another measure of the reporting burden is the list of reports (variously described as studies, plans, reviews, certifications and

3. Presentated in this format by Walter Olson

reports, but referred to here simply as "reports") required by annual legislation and accompanying committee and conference reports compiled by DoD, most of which are no included in the Clerk's compilation. In 1970, at the height of the Vietnam War, the annu l funding bills required only 36 such reports from DoD. In 1988,719 were required, an increase of almost exactly 2,000%. From 1982 to 1987 alone the number more than tr ›led. While the number of new requirements declined for the first time in 1989, growth resun :d in the 1990 budget cycle, reaching a new high of 861, Reporting requests in the House Armed Services Committee's reported authorization bill increased by over 100% over last year ven before more reports were added on the House floor.



While there is a small amount of double counting in these measures, the trends and order of magnitude remain accurate.

B. Congressional **Program** Intervention

Below the level of general policy, Congress frequently imposes specific requirement on individual programs or activities. This White Paper refers to this practice as program intervention. Program intervention often occurs in report language or in non-codified statutes such as general provisions, provisos and limitations. Intervention can also be exercised through budget adjustments, particularly those attributed to management or technical concerns, or additions which do not address valid military requirements. Committees, members and staff also issue instructions on specific programs through lett rs or verbally. Although the Department is not required to comply with these forms of gui ance as a legal matter, the consequences of ignoring such advice frequently compel compliance · this year's ignored "suggestion" may become next year's statutory requirement.

The most common justification for Congressional intervention is poor program management. In fact, monitoring mechanisms which allow committees to review decisio ; or to second guess department actions are common, regardless of program performance, an their proliferation makes future intervention far more likely. Often, when specific direc ons are applied they generally have less to do with management issues than with funding allo tion.

The experience and diversity of views represented in Congress can, when properly applied, aid in the development and management of specific programs as well as with bro ler policies. And obviously, when a program is troubled, external examination and advice car be helpful. The volume and scope of intervention, however, indicate a need to distinguish t e circumstances and methods in which intervention can be helpful from those in which it is counter-productive.

1. Volume of Intervention

As with line item adjustments, Congressional intervention has grown significantly over a long period, but exploded in the 1980s. The seven hundred or so reports required in annual authorization and appropriation acts are usually coupled with program-specific requirements for which the report is an enforcement tool. Thus, the 2,000% increase in reporting requirements discussed above largely represents increased program intervention efforts. There are other indicators of the same problem. General provisions -- non-codified statutes which usually apply for a limited time -- have shown marked growth, increasing from 64 in 1970 to a peak of 236 in 1987, a 360% increase. Fully half of the pages in appropriations acts are now filled with this policy-type guidance.

A more comprehensive measure of specific Congressional directions to the Dep ent is a report on "Actions on Recommendations in Congressional Committee Reports and R lated Authorization and Appropriation Acts". The last such report, prepared in 1986, lists 1 024 specific requests and the Department response to each. Almost none of these are matter/s of general policy, and the total still excludes program-specific provisos and limitations included in the main text of the authorization and appropriations bills.

2. Types of Intervention

The variety of requirements levied on defense programs in bills and reports also demonstrates the pervasive nature of Congressional intervention.

<u>Reports.</u> Hundreds of simple reports (those not coupled with other requirements) are required each year in legislation and committee reports. While some reports are on broad topics such as arms control options, most are on specific programs, and are intended to force a review of an activity within DoD or to provide Congress with information to monitor or direct department activities. Congress also frequently requires reports which essentially

become binding on the department: 30 reports with schedules, performance criteria or funding plans were required in 1989. These are sometimes detailed blueprints for programs the Department may not support or need, but once a report is written it becomes the justification for future funding.

Funding earmarks, Congress approves broad categories of funding by statute and includes thousands of budget line items in its reports. Funding was earmarked even more restrictively within these line items in over 50 instances in the 1989 budget cycle. Many earmarks direct money to specific recipients, either by name or by virtue of conditions on the funding-in some cases with little direct relation to genuine defense needs. In other cases earmarks represent mandates to spend funds on what are clearly low-priority items.

Structural requirements. Mandates ranging from detailed supervisory arrangements to management by a particular official to requirements for independent reviews are applied to dozens of programs annually. The intent is generally to force a review of decisions or a change in direction without an explicit requirement. Structural requirements are also imposed to guarantee a level of independence for favored organizations within DoD. Congress also encourages certain DoD organizations or officials to report directly to Congress without review by the Secretary of Defense or the President.

Minimum employment levels. Another frequent practice is the establishment of personnel, or workload, floors or requiring the continuance of specific functions at various installations. There are about a dozen such requirements in the 1989 defense bills with even more extensive requirements in permanent law.

Technology limitations. Congress sometimes mandates the use of specific technologies or imposes binding performance or schedule requirements to "force" technology in research programs. The Congressional practice (not limited to defense) of allocating research funding

for political or geographical reasons is of increasing concern to the scientific community, and threatens to erode U.S. technological leadership.

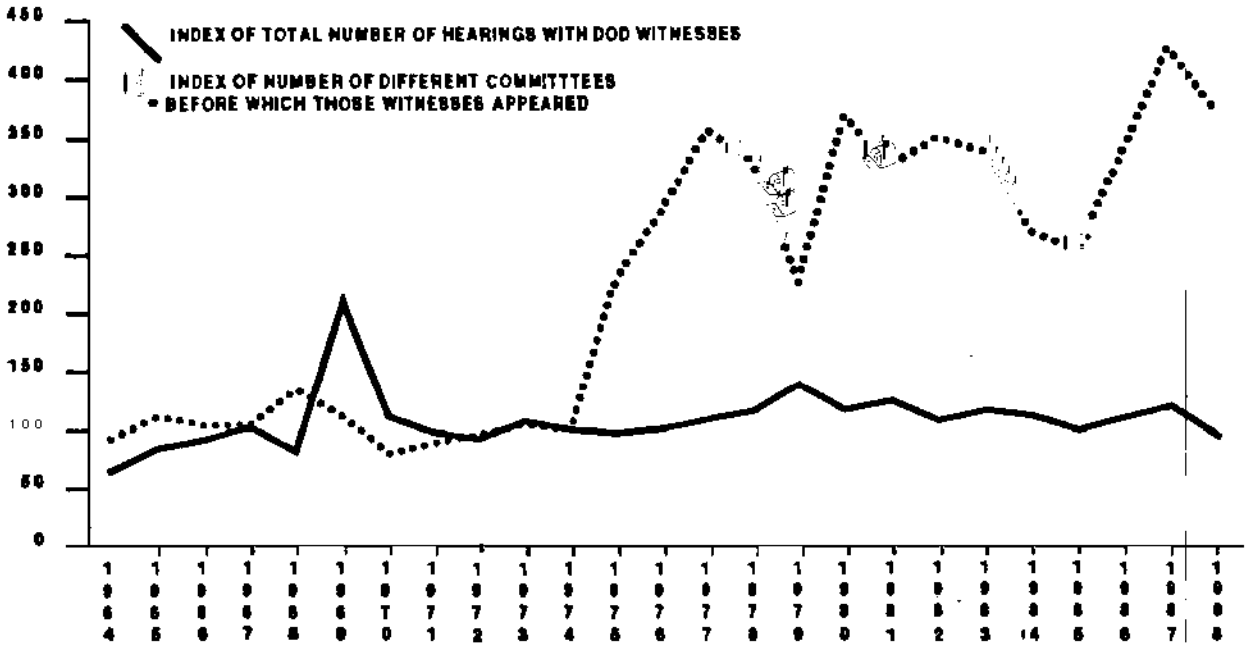
Enforcement. Beyond the expectation that DoD will comply with statutory and report language, Congress imposes additional enforcement mechanisms such as funding fences (to be released after a specified action), certifications, review periods, prior notification, and outside audits, tests or cost estimates. The majority of the seven hundred reports required in annual legislation are enforcement mechanisms of this nature.

C. Committee Jurisdiction

The Defense Department has to contend with many more committees than the six with direct responsibility for its budget. In 1988, 14 full committees and 43 subcommittees or panels held hearings concerning DoD. Some 30 committees and 77 subcommittees claim some degree of oversight responsibility for DoD. The activity of "non-defense" committees includes policy initiatives which have an increasing effect on DoD. Oversight activity by committees other than appropriations and armed services soared in the mid-seventies. A GAO study requested by the HASC shows that while the number of hearings at which DoD officials testify has remained relatively constant over 25 years, the number of committees calling DoD witnesses more than doubled between 1974 and 1975, rose further the next year, and has continued at a level three times as high as before 1974.

HEARINGS AND **COMMITTEES** INDEX

1974 = 100



Another trend of increasing consequence for **DoD** is the regulation of federal **agencies** and activities by other federal agencies or even states. This can impose costs or force changes in Department activities without regard to the overall defense picture. For example, the House Armed Services Committee 1990 authorization report says that compliance with environmental legislation will cost **DoD** $5$10 billion over the next **five** years. "Unless extraordinary measures are taken to increase defense expenditures, provide for large transfers of funding within **DoD** appropriations or constrain environmental funding'requirements, defense readiness and quality of life programs will have to be sacrificed," the report says. The Department is pleased to see the committee taking such a strong interest in this issue. Congressional decisions would have been much better informed, however, if the House **Armed** Services Committee had been permitted to play **an** active role as the relevant environmental laws were drafted.

Environmental laws are only one kind among several that are passed without the participation of the Armed Services committees even though they impose substantial direct or indirect burdens on DoD. As the largest civilian employer in the government, DoD's performance is strongly affected by compensation and ethics laws, but the defense authorizing committees are not usually given an opportunity to take DoD's particular needs into account while legislation in these areas is being crafted. Similarly, the department is responsible for well over half of all federal purchases, but procurement process bills are heard by the House Government Operations and Senate Governmental Affairs Committees without referral to Armed Services.

III. FACTORS CONTRIBUTING TO THE DETAILED AND OVERLAPPING REVIEW PROCESS

Aspects of the budget and policy process which present problems for defense management represent opportunities for individual Members of Congress. The hours of debate, and stacks of amendments offered during House and Senate floor debate, say something important about the stakes and the interests involved in the defense debate. Defense consumes one-fourth of the federal budget, but represents two-thirds of discretionary spending (expenditures that can be altered without changing an underlying statute.) Members want to bring something home to the district, or to claim credit for sponsoring a useful program. Federal deficits make it tough to find new funds for programs, so the allure of controllable money makes the defense budget hard to resist.

DoD's proportion of the discretionary budget leads to reluctance to pass the Defense Appropriation bill until other appropriations are done. In 1989 the Defense Appropriation was signed eight weeks into the new (1990) Fiscal Year. In every other non-election year since 1979, the defense budget has been enacted at least two months after the start of the

fiscal year. In other words, half of the time the defense budget goes to Congress in January and takes the whole year to finish. The fact that the adoption of one budget and the submission of the next are commonly separated only by the length of the winter holidays contributes to a lack of conclusiveness in the Congressional defense process. If next year' budget debate is only a few days from the end of this year's debate, there is no reason to accept a negative decision as final.

No member of Congress wants to explain to constituents why a defense plant or base closed. It is much safer politically to stretch programs out by slowing down the rates of purchase, and thus keep plants operating. The politics of spending $100 million on each of two'programs, therefore, are very different from the politics of spending $200 million a one and nothing on the other. And spreading the disputed $100 million cut over a dozen or so programs is even more palatable. Since these practices are more costly in the long run however, Congress often delays decisions and forces itself to stretch fnnding further each year.

Even in the past two years, when administration budget submissions matched defense totals in the Congressional budget resolution, thousands of alterations in budget line items have continued. The invasive tinkering is the result of a committee process which begins with the collection of members' requests for added spending, The acceptable items are totalled and staffers are given a "bogie" -- an often arbitrarily-determined amount they must find in their portion of the budget to cut -- to pay for the new items. Large programs (frequently strategic), those which lack constituencies (such as spare parts or data processing equipment) and politically or technically troubled programs become the politically easy targets for cuts. Money from those programs can then be used to fund "bogies", and save programs which have considerable political support. If all else fails, a "general reduction", ordering the Department

to reduce spending in unspecified accounts, is applied. While major issues are reviewed in committee and on the floor, almost all line-item changes are produced in this committee process. In fact, since line items are contained in committee reports and conference explanatory statements, they are subject to amendment on the House and Senate floors or y in an indirect fashion.

Intervention in individual programs through report language or statute can be an even more refined method of serving constituent interests. It is of little use to a member to increase a program's budget, only to see a competitor take the contract away from his district. Skillful use of legislative conditions can deliver money and jobs as surely as writing a check. The motivation for all of this activity was stated succinctly by Senator Ted Stevens: "Congress has made the defense bill a jobs bill."[4]

The political incentives for non-defense committees to exercise authority over Do l are similar to the ones that drive budget practices. When direct spending is constrained fisca y, Congress tends to substitute regulatory policy initiatives to promote various goals. Th costs of these initiatives are borne either by the private sector, or by other government agencies whose spending is not counted -- if it can be accurately counted at all -- against the spending limit the budget resolution sets for the originating committee, The expansion f state authority to assess fines and to order DoD to undertake clean-up activities in prefe ence to expanding direct funding of federal environmental activities is a prime example of this phenomenon.

At the same time, a diffuse policy process allows Members to go on record in sul ort of conflicting goals. When DoD environmental policy is set by non-defense committees,

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4. Quoted by Mackubin T. Owens in "Congress' Role in Defense Mismanagement", Armed Forces Journal International, Apr. '85, pg. 94.

members can be 100% for the environment and 100% for defense without ever having t address the trade-offs and priority choices necessary to pursuing these and other goals in he face of limited resources.

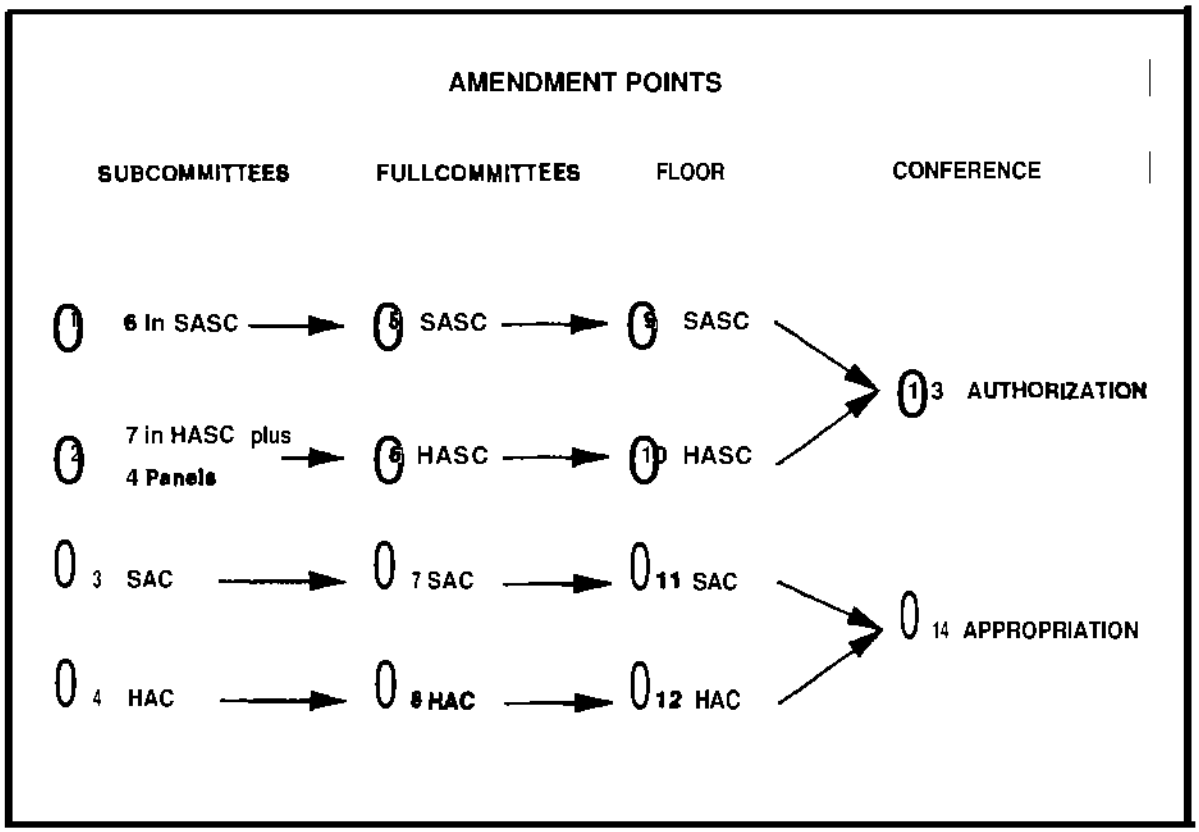
The desire of each member to be able to advance constituency or policy goals has the effect of pushing committees into competition with one another, driving the defense committees in particular into deeper and deeper levels of detail in an effort to assure a preferred outcome. For example, this year the authorizing and appropriating committees ook different approaches to limiting defense outlays, which are the yardstick under the Gramm-Rudman-Hollings process. Though not required to match the outlay limitations o the budget resolution, the authorizing committees feel compelled to do so because otherwise hey would place some major priority choices exclusively in the appropriations process. Consequently, the Armed Services committees changed their approach to outlays at the conference stage. The result was an almost complete budget review at the end of the prt ess, making earlier labor largely irrelevant, and driving the committees to an even larger numbea of line-item changes.

A final, critical factor affecting Congressional defense oversight is a profound lacl of trust. Doubts about the competence of DoD managers result in micromanagement. Dist ıst of the Department's willingness to comply with Congressional guidance leads to a proliferation of oversight and anditing mechanisms. Regardless of the origin of or justification for these attitudes, the legislative responses have led to unintended consequt ıces affecting DoD management and efficiency. It is incnmbent on Congress and the Department to work toward a more cooperative relationship.

IV. CONSEQUENCES OF THE CONGRESSIONAL DEFENSE PROCESS

A. Overlapping and Conflicting Mandates

With so many line-item changes, it is obvious that the authorizing and appropriating committees are often dealing with the same items on roughly the same level of detail, often at about the same time. A single program's budget can be adjusted in at least 14 points in the annual legislative process, not counting the budget resolution, and can be voted on even more frequently.



Despite this redundancy, the level of coordination remains disturbingly low. In past years, the committees have had running disputes about what the Armed Services Committees have considered to be unauthorized appropriations, the practice of funding projects which are not authorized or appropriating funding above the authorized level. In 1986, the divergence at the line item level between the final authorization and appropriations bills was $6.5 billion.

The dispute between the committees was not settled until 9 months into the fiscal year, effectively denying DoD access to a large portion of its budget for three quarters of the year.. While the size of this problem has been reduced in the past few years through informal arrangements, the cause of the problem -- an internal Congressional dispute over the relationship of the authorization and appropriation -- remains unresolved.

If the Department were to ignore the desires of one committee in favor of another, offended legislators might take actions to render funds obligated useless, or seek other retribution. The unresolved disputes between the authorizing and appropriating committees place DoD in a difficult position, one which can be detrimental to an effective national defense policy, but which cannot be solved by the Department.

In addition to the problems this situation creates for planning and efficient management, the Department sometimes receives contradictory mandates from the two different statutes. Inability to settle such disputes can delay needed modernization, waste resources and divert the attention of policy makers from other critical issues. Remarkably, such disputes persist despite lengthy and contentious review of both bills on the House and Senate floors. Congress frequently passes (sometimes within weeks of one another) authorization and appropriation bills with conflicting instructions.

Inconsistency in the application of general policies is a major feature of the Congressional defense process. The Department is urged to act more like a business, but is saddled with mandates that not only prevent business-like operations, but discourage private sector businesses from even dealing with the Department. Congress calls for procurement savings, but is unwilling to allow more multi-year contracts, or to eschew selective limits on competition. Congress endorses a mission orientation within DoD, but proliferates functional organizations. Cooperation with allies in procurement is alternately demanded and discouraged.

The problem in each case is not that any of the conflicting goals are necessarily unreasonable in isolation, but that each is treated in isolation, while the effects are combined in defense operations.

The lack of integration *among the* different committees which impose mandates on DoD leads to the proliferation of statutory provisions governing defense activities. The Office of Technology Assessment's recent report on the defense technology base discussed the effect of overlapping and conflicting Congressional mandates, concluding that "while Congress did not intend the [defense acquisition] system to be slow, cumbersome and inefficient, laws passed to foster goals other than efficient procurement have made it so."[5]

B. Program Costs

Congress directed specific management actions in over 100 instances in the 1989 budget cycle. A review of the 42 most significant program requirements provides some measure of the cost and effect of Congressional intervention practices. These requirements increased costs in 75% percent of the programs, at a cost (combined with the costs of similar requirements on the same programs in prior years) of over half a billion dollars over the life of the affected programs. In only one instance was a schedule accelerated and savings realized as a result of these Congressional requirements.

The inconclusiveness of the budget process along with the political incentives to keep programs in production encourage program stretch-outs and other forms of program delays. According to a 1987 study by the Congressional Budget Office, a decision to decrease the rates of production by 50 percent would increase the real unit cost of most major weapons systems by anywhere from 7 percent to 60 percent, depending on the system. Producing at

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5. *Holding the Edge: Maintaining the Defense Technology Base,* OTA, April 1989, pp. 9-10.

higher rates allows for a more efficient use of the plant, machinery and labor and for bulk purchases of parts, components and materials.6

Congressional decisions often have beneficial effects. Such is the case with effort to increase competition, which have resulted in large drops in price and improved performance. However, when Congress moves beyond simply mandating competition-in appropriate instances, the results can be counterproductive. Instructions on how competitive bids are to be judged can have the effect (and purpose) of favoring one competitor or class over another, reducing management options and increasing costs. In some cases different rules are applied for making awards and paying for work, which can result in contracts being awarded to higher-cost suppliers. Unfortunately, prohibitions or restrictions on competition are far more frequent than Congressional efforts to promote competition, especially for items already in production.

C. **Operational Implications**

In addition to imposing costs on-defense programs, the Congressional process significantly affects routine DoD operations. The most significant casualty is the ability to plan.

1. Instability

The instability fostered by Congressional alterations of the, majority of budget items, frequently after the fiscal year has begun, greatly hinders planning and efficient management. With as many as 60% of line items changing each year, stability for individual programs is the exception rather than the rule. Committees have sometimes eliminated or sharply cut a program in one year only to increase it in the next. It is not very hard to find programs that

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6. *Effects of Weapons Procurement Stretch-Outs on Costs and Schedules* [November 1987].

have been changed every year. The multi-warhead Peacekeeper (or MX) ICBM is a classic example, but instances also abound among less visible programs. Furthermore, reductions for such functions as data processing equipment or pay costs cut across budget accounts. Adjustments of this type effectively mean that every DoD activity has its budget altered by Congress every year.

Beyond instability in individual programs, the vagaries of the overall budget process make even next-year planning difficult. DoD begins to formulate its budget well over a year before it is to go into effect. The budget resolution for the fiscal year starting in several months may have been passed, but the authorization and certainly the appropriation are still months away. This budget resolution does include a defense spending figure for the following year, but likely changes make it difficult to accept that sum as guidance for defense spending plans. The only time in recent history that the budget resolution's figure for defense spending in the second year was adhered to was in FY '89, following the budget summit agreement. Even then, the lateness of the summit agreement required a last-minute revision of the 1989 budget, and the bi-partisan agreement for FY '90 required adjustments in the spring, six months behind the normal schedule. Thus, the exigencies of the budget process have required DoD substantially to revise its budget four times in the past two years. Further, frequent tardiness in budget approval forces DoD to make adjustments very late in the internal budget process to account for Congressional actions.

Several factors complicate the effect of Congressional budget alterations on DoD. The entire defense budget is considered to be discretionary spending, and therefore subject to detailed review. Most other agencies have entitlement or formula-based programs which escape line-item review. Also unique to DoD, is the lag between obligations and outlays in many defense activities. For most agencies, commitments are made and money is spent in the same

year. For some defense items, such as aircraft carriers, the gap can be as long as five years. Only about half of the funds appropriated (budget authority) to DoD in any given year is actually spent (outlays) that year. For most other agencies the figure is above 90%. This is a problem because the Congressional budget process focuses on outlays, and half of DoD outlays are essentially uncontrollable in any given year, even though all of its budget authority is controllable. That means that cuts in defense budget authority must be much more severe than cuts in other agencies to produce equivalent outlay savings, since each dollar cut produces only SO rather than 90 cents in savings. The practical effect is to force defense commitments to cut salaries and operating expenses, which are reflected in outlays immediately, and to preserve or increase procurement fnnding, which spends out at a slower rate. Unfortunately, that only makes budget cuts more difficult in future years.

Even more damaging are the perverse incentives the budget process presents for defense contractors. As former Secretary Carlucci noted in discussing the Ill Wind scandal:

> If you are a defense contractor, and looking at how you would make your investment, and you look at the instability in these programs...and your choice is making your investment in long-term productivity enhancing equipment to try to get unit costs down and improve quality, or intervening in the political process..., either in DoD or the Congress, you are most likely to come to the conclusion that political intervention is the best use of your resources.7

2. Fostering Divisions Rather than Integration within DoD

Another result of the Congressional defense process is the reinforcement of divisions within DoD. This was cited as a "fundamental problem" in the SASC staff report on defense

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7. Testimony before the Senate Armed Services 'Committee, July 12, 1988.

organization, having five aspects. First, the report said, the different operating styles of oversight committees "tempt factions within DoD to export conflicts to Congress". In addition, the report criticizes Congress for: its focus on accounting inputs rather than mission outputs; its failure to make program and policy trade-offs across Service lines; its focus on policy or program conflicts within DoD; and, its predilection to favor "independent subordinate offices as opposed to centralized control in DoD, in order to maximize its leverage" in resource allocation or as a referee in policy disputes.8

This is not an accidental feature. Congress encourages every official to see committees as "friends" to whom they can come if they have "problems". In the words of a HASC staffer, "...it is not difficult for the Services to receive a sympathetic hearing about the 'shabby treatment' they have suffered in the executive branch budget cycle....It would be difficult to overestimate the contribution to the committee's overall effectiveness that results from this natural and enduring alliance with the Services."[9]

This effort to divide is an enduring aspect of Congressional defense policy. It strongly influenced decisions in the creation of the Department of Defense in 1947. The lack of coordination within DoD in both operational and acquisition matters is due in part to Congressional insistence on highly independent structures within DoD. Mandates to increase jointness or to centralize acquisition will have little enduring effect if Congress continues to insist on strong structural divisions.

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8. "Report on Defense Organization," Senate Armed Services Committee, United States Senate, GPO, 1988, pp. 582-3.
9. Michael A. West, "The Role of Congress in the Defense Budget Process: A Positive View" Naval War College Review, Vol. XXXII, Number 3 [May-June 1979], pg. 92.

3. **Inflexibility**

Though Congress can sometimes respond more quickly than a bureaucracy, Congressional power is frequently inflexible. Changing a statute is more difficult than changing a regulation, not only because the opportunity to do so comes but once a year, but because special interests can more easily block legislation. As a result, the typical Congressional response to a problem (frequently related to an existing statute) is a demonstration project, limited in time and scope and bound by reporting requirements. Congressional insistence on detailed control of the budget is inherently inflexible as well.

D. Work Load

To support an increasingly duplicative and detailed annual review Congress has imposed an ever growing workload on the Department. The cost of justification books and reports represent direct burdens in support of the Congressional budget review. The average report takes about 1,000 hours to prepare and costs about $50,000. The Department is required to submit over 1,000 separate reports to Congress annually (up to 700 in annual legislation and several hundred more due to permanent requirements) at a cost of over $50 million and representing the equivalent work product of over 500 full time employees. Many of these reports do ask important questions, but with such a great volume it is all but impossible for the staff, let alone the Members, to put the flood of information to good use. As Senator Nunn noted in supporting elimination of two-thirds of DoD's recurring reporting requirements, "you can justify one report after another on an individual basis, but when you add them up, the cumulative total of the kind of paperwork required of the Department of Defense is intolerable."[10]

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10. Debate on S. 2295, Goldwater-Nichols Department of Defense Reorganization Act, May *7, 1986, Congressional Record,* Vol 132, Num. 60, pg.. S 5496.

The large number of Congressional audits also represent a substantial direct burden on the Department. The House Appropriations Committee Surveys and Investigations staff conducts over thirty investigations in an average year. The General Accounting Office (GAO) spends nearly 30% of its total resources (and an even larger portion of audit time) on defense-related work, an investment of over $100 million per year. There are between 400 and 450 GAO audits of DoD activities each year, and an even larger number of reports. These congressional audits require the time of approximately 400 DoD employees on a continuing basis.

A variety of other Congressional contacts also impose substantial burdens on the department. In 1988 over 245,000 hours were spent responding to nearly 18,000 Congressional letters. In 1984 (the latest year for which data are available) there were 599,000 telephonic inquiries from Congress. The Department presents well over 1,000 briefings to members and staff each year. Senior Department officials spend an average of 3,000 hours per year preparing for and presenting testimony to Congress.

E. Opportunity Costs

The issues that are left off the agenda are at least as important as the more obvious costs of the Congressional focus on short term decisions. Legislative-executive deliberations focus almost entirely on specific weapons systems as opposed to national defense strategy because that is exactly what the process encourages. There is literally no extended period when Members of Congress or the Administration are able to consider issues free from the pressure of passing the immediate year's budget. If a different perspective is needed, a different process would be more likely to bring it about.

The recently retired Chairman of the Joint Chiefs of Staff has cited Congressional requirements as one of the primary frustrations of his job, leaving him little time to consider

military strategy or other major issues. Even for the Commanders-in-Chief, the Department's primary operational officials, large blocks of time are consumed by budget preparation and testimony. This involvement necessarily detracts from their primary mission. The solution for the CinCs, and for other participants, is not to limit their influence on the budget, but to enhance it by incorporating their advice into longer-term decisions on major issues.

The time required by budget matters is a source of frustration for members of Congress as well: "We no sooner finish grappling with this beast in November or December, then we must start all over again in January."[11] In the words of one Member: "the Congress guides our defense strategy by the budget, rather than the other way around as the Pentagon would have it."[12] In one Congressional staffer's account: "the Members of the committee back into policy. We debate policy when we attack or support specific weapons systems, but it should be the other way around. We should debate policy first and then determine which systems to procure."[13]

In summary, the current Congressional defense process is characterized by a multiplicity of actors, frequent decisions, lack of finality, disintegration and lack of accountability. The focus is on details at the expense of broad policy, functions at the expense of missions and accounting inputs at the expense of results, Many in Congress, in DoD and outside the government have expressed frustration and a desire to fashion a better process.

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11. Nunn; Comm on Comm sys, pg. 65.
12. Wilbur Jones, pg. 49.
13. "Congress and the Defense Budget," pg. 414-5.

V. RECOMMENDATIONS

The previous discussion set forth some ways in which the Congressional process h ts defense management. Because that process evolved to serve members' interests, suggesti ıs for change must also accommodate those interests.

Fortunately, there is a growing recognition within Congress of the problems cause by the current defense process. As noted above, the Armed Services Committees, in particu ır, have already taken steps to address some of these problems. Both Committees have supported two-year budget submissions, milestone authorizations and multi-year procurements. The Senate Armed Services Committee in particular has made a conscious effort to reduce the amount of detailed program guidance, reflected in a reduction in the length of committee reports and in the number of line items adjusted. The SASC has als moved toward mission-oriented subcommittees and annual strategy hearings while the Hc se Armed Services Committee has established panels to examine major policy issues. The HA SC has worked with the House leadership to limit debate time and the number of floor amendments to the defense authorization. The recommendations below include several o tions for change in the budget process, committee jurisdiction and other matters. In concert ith these reforms, indeed to make them possible, efforts must be made to foster trust betw en DoD and the Congress.

The primary objective is to produce stable decisions that allow for planning based n strategic objectives. Stability is critical in both acquisition and policy matters, and a stable process would promote efficiency in individual programs as surely as it would improve o erall policy and resource allocation decisions. Encouraging each of the major participants to concentrate on their respective strengths would promote stability. Party leaders can pla an enhanced role in facilitating long-term budget agreements and cross-committee cooperation.

Authorizing committees should leave line-item budgeting to the appropriators. In turn, the appropriations committees should adhere to major resource allocation and force design (structure and weapons systems) decisions made in the authorization process. The executive branch should be given greater flexibility in executing budget and policy decisions.

In some ways, these changes would make Congress a more serious, more formidab adversary when it disagreed with an administration. But by shifting the debate away fro issues that ought to be left to the program managers, toward something the public migl care about and understand, the Congressional process could facilitate, instead of impeding, the development of a publicly supported, national consensus about strategic objectives.

A. Take Steps to Re-establish Trust

Re-establishing trust between DoD and the Congress is a fundamental preconditio to specific steps to improve the relationship. The process of reestablishing trust will be an extended one. There are some simple steps, however, that might allow the major Congressional and administration players in the defense process to forge better working relationships. The fact that all of the parties are continually overwhelmed by budget de ils, which are often natural points of antagonism, militates against the nourishment of productive DoD-Congressional relationships. Broad agenda meetings between Congressional defens leaders and senior DoD officials have been praised as useful by all parties and should be considered to re-establish trust.

B. Lengthen the Time Horizon of the Budget Process

A biennial budget cycle would encourage a greater division of roles, more stable decisions, and a better planning process. The Department, the Packard Commission and he politically broad, blue ribbon Defense Organization Project of Georgetown University's Center for Strategic and International Studies have all supported this concept. In 1986, the year of

the Packard Commission's report, Congress directed the President by law to submit a two-year budget for fiscal years 1988 and 1989. The President followed the congressional mandate, and a two-year authorization was approved, but Congress remained with a one year appropriation.

The 1988-89 experiment resulted in improvements in program stability and programmatic and policy oversight. Despite adjustments necessitated by revisions in budget totals, line item changes were cut approximately in half due in part to the biennial submission. Unfortunately, problems in the appropriations process and other issues make the biennial budget unlikely to be implemented in the near future.

As a first step toward a longer time horizon for the budget, Congress should consider a two year budget resolution, in which spending limits are set for the budget's major functional categories for two years, but the details are left for annual determination. Congress adopted a two year resolution at the end of 1987 for Fiscal Years 1988 (which had already started) and 1989. Because the agreement was forged by congressional leaders and the President the numbers held up for Fiscal Year 1989. Knowing the top line in advance permits the executive branch to plan, and to establish its own priorities, more thoughtfully. In addition, because an early agreement makes for a more orderly congressional environment, and because such an agreement presupposes a major role for the party leaders, it should be in the interest of the party leaders as well as the President to explore whether the experience can be repeated and made regular.

C. Focus the Authorization Process Away from Budget Lines

Before the authorizing committees are willing to move away from a focus on budget line items, they must see that they can exercise a different, broader form of oversight. To achieve this objective, the authorizing committees would have to (1) shift away from an annual

multi-year contracts have to show savings of at least 10% compared to a series of annual contracts. In an era of multi-billion dollar programs, it is difficult to justify rejecting even small percentage cost savings. Elimination of this threshold and expansion of milestone anthorizations for research and development programs would be helpful first steps while working on the larger issues.

D. Budget Submissions Should Reflect Missions and Forces

Another method of reducing the level of detail in annnal anthorizations is to change the content of budget submissions. One of the impediments to a productive execntive-legislative defense policy dialog is the set of budget categories mandated by the Congress. These do not focus on defense force structure (e.g., F-15 squadrons, carrier battle groups) which in turn can readily be presented in terms of mission and regional allocation. Instead, budget categories focns on inpnts -- individual planes, spare parts, fuel, maintenance, personnel, and so on. At the highest level of aggregation are the budget titles: Military Personnel, Operations and Maintenance, Research and Development, Procurement, Construction. At the lowest level of aggregation, the content of each title is different. For O&M it is element of expense; for Procurement, it is hardware line item; for Construction it is the individual project. In this sitnation it is not snrprising that policy debates often break down into parochial squabbles over specific inputs and who benefits from them. That is the strnctnre of the budget as Congress mandates it be submitted; that is the structure of the budget as enacted; and that is the budget structure that the Department of Defense must use in monitoring execution.

But the structure can be changed if the Congress is willing. The Department is ready to consider new structures that would focus clearly on forces, missions and regional allocation, and thus on the choices involved in defense policy. While DoD has loug used categories like this on its own (and shared some with the Congress), existing categorization systems are

imperfect. More important, as long as inputs form the basis of the legal budget, in the executive-legislative debate interest in broader concerns will always take a back seat to inputs. The Department is ready to put measures of defense capability in the front seat, and would welcome the chance to do so in partnership with the Congress.

One suggestion which moves in this direction is to fund major equipment in packages which include all associated support equipment, spares and maintenance. This would clarify the costs of decisions and result in a more balanced defense program. Ideally this shift would be made by revising budget lines to reflect whole programs, rather than various hardware and operations elements, Alternatively, committees could consider a limited number of programs in this fashion and distribute funding in existing appropriations categories after decisions are made.

E. The Department should work with Congress to reduce level of detail in budget material

Without a reduction in the volume of required reports, line-item changes, and justification material, the tyranny of the annual budget review will continue to prevent the development of a more rational oversight process. Unfortunately, after a brief leveling of reporting requirements and line item adjustments in the past two years, all measures of Congressional defense activity show renewed growth at this stage of the fiscal 1990 review. Fortunately, this is an area in which Congress has recognized a problem, and many in Congress are willing to work with DoD to reduce burdens and shape a more rational oversight process.

The Committees should consider a self-imposed limit on the length of their reports or on the number of actions required of the Department. This would require members and staff to focus on the most critical issues. While DoD would have more flexibility in areas not addressed, its responsiveness to Congressional input would be improved on the issues remaining. However, DoD must respond aggressively to Congressional openings. Specifically,

F. Track the costs of Congressional requirements

Reform efforts have been hindered by the fact that the costs and effects of the Congressional defense system are difficult to measure, A major contribution DoD can make to reform is to present to Congress and the President further evidence of problems caused by Congressional oversight practices. Department managers have been reluctant to do so in the past for fear of offending Congress, and because features of the current system serve the perceived interests of many elements within DoD.

A relatively simple step to aid in measuring oversight burdens would be to include cost estimates in Congressionally-required material. Such estimates should not be more complicated than those used for Freedom of Information Act requests. Including estimates of time and costs in transmittal letters for required reports would be a logical first step. Costs for recurring reports might be estimated annually or at some other interval rather than for each submission. Costs for preparing budget justification material should also be estimated, both on an aggregate basis and for large discreet elements. Finally, cost estimates might be included in replies to letters or other requests which require a substantial or unusual effort.

G. Revise the Rescission Process

One concern with leaving line-item funding to the Appropriations Committees is that these committees do not play as large a role in budget reduction efforts as they did before the 1974 Budget Act shuffled responsibilities.[14] This situation can be balanced by giving the President greater rescission authority than he now has. Under present law, the President sends a rescission message to Congress, but the rescission does not go into effect unless Congress affirmatively adopts it. If Congress ignores the message, silence kills the rescission. W

14. Congress *and Money* [Washington: Urban Institute, 1980], p. 441.

would prefer to see rescissions structured like arms sales under the Arms Export Control Act. Under that act, a sale is considered approved unless Congress rejects it within a specified time period -- just the opposite of the rescission presumption. If reversing the presumption is not politically feasible, Congress at the very least should be required to vote on a proposed rescission. With a required vote, at least the most egregious special interest provisions could be surfaced for public attention by the President.

Unfortunately, trends in the related area of reprogrammings are moving in the direction of requiring more detail. Formerly, DoD was allowed to move ("reprogram") small amounts of funds among accounts to meet changing needs without notifying Congress. The Appropriations Committees recently insisted on new procedures for DoD to aggregate low level reprogrammings which were not formerly subject to Congressional review and to require that any reprogramming that has the effect of terminating a project, no matter how small, must be approved in advance by the committees.

H. Better Integrate the Multiple Policy Goals of Congress

Several commentators have described the American system as one of shared rather than separated powers.[15] Congress will never remove itself totally from administrative matters. However, Congress could do a better job integrating the many different ways in which its multiple organizational units can impose conflicting requirements on the same organization in the executive branch. It would be particularly useful for Congress to address the goals unrelated to national security which are imposed upon the Defense Department. It is clear that Congress and the American people expect DoD to do more than simply provide an efficient

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15. See Abraham Sofaer and Louis Fisher in L. Gordon Crovitz and Jeremy Rabkin, Eds, *The Fettered Presidency,* AEI, 1989.

defense structure. Accountability, equity, honesty, attentiveness to disadvantaged areas and persons and environmental responsibility are all aims which are and ought to be incorporated into defense policy, programs and operations. Imposing absolute requirements in these areas, however, is tremendously costly. A process which explicitly examines and balances these goals with the needs of an efficient defense effort would he more rational and probably better supported by the American public.

The Office of Technology Assessment report on the Defense Industrial Base suggested three general approaches to addressing this problem: totally replacing the existing administrative and statutory framework; a bottom-up review of all existing guidance; or, an evolutionary approach which reviews individual requirements as problems arise. The Department is conducting a bottom-up review as a part of the implementation of Secretary Cheney's July 1989 Defense Management Report to the President, and will present legislative requests to the Congress in the near future. This presents the opportunity for Congress to address problems in an evolutionary framework. In general, however, Congress and particularly the Armed Services Committees should examine statutory proposals in the most comprehensive framework possible, and avoid, as the House did this year, piecemeal approaches to acquisition or other legislation. The Committees might consider, for instance, reviewing major portions of Title 10 of the U.S. Code on a periodic, scheduled basis.

Since a number of statutory problems are in the jurisdiction of Committees other than Armed Services, the Leadership should be encouraged to use sequential or joint referrals or bills which affect DoD significantly. Joint committee hearings might be particularly useful in exploring the effects of various legislative proposals on DoD and in reconciling competing priorities before legislation is enacted. Whether there is a formal referral or not, the Department should make a point of keeping the Armed Services Committees informed of any

bill or proceeding in another committee that affects defense. DoD and the Armed Services Committees have a mutual interest in scrutinizing the effect of non-Armed Services legislation on the DoD. Hearing on the effects of existing legislation would also be useful. The House Committee reforms of 1974 included a requirement for each committee to file a report of its oversight agenda. This provision has had little impact so far. However, it would be in the interest of DoD and the Armed Services Committees to work together to develop such an agenda

Changing the Congressional process will be difficult, but the alternatives are even less attractive. Congress has a choice. It can retain control over the details, while America loses its ability to stay ahead of events. Or Congress can expand its horizons together with the executive branch in a mutually beneficial way.

OFFICE OF THE SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

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December 29, 1989

MEMORANDUM FOR THE SECRETARY OF DEFENSE

THROUGH: THE DEPUTY SECRETARY OF DEFENSE

FROM: DAVID J. GRIBBIN III
ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE AFFAIRS

Patty Howe for D.V.G.

I concur with David. That an excellent job has been done. D/a

SUBJECT: White Paper on DOD and Congress

Your July 1989 Defense Management Report to the President (p. 27) called for DOD to submit to the President a White Paper that reviews the relationship between the Department and the Congress and recommends specific changes. The White Paper is attached for your approval (Tab 1).

The White Paper was coordinated with the Military Departments and other affected offices within the Department of Defense.

Attached for your signature are:

-- a letter from you to the President transmitting the White Paper (Tab 2); and

-- a memorandum from you to General Scowcroft asking that the White Paper be cleared for transmittal to the Congress and release to the media (Tab 3).

RECOMMENDATION

I recommend that you sign the letter transmitting the White Paper to the President and the memorandum to General Scowcroft to seek clearance to release it.

Concur. Dave Gribbin and his staff have done an excellent job with the White Paper.
DD Addington
29 DEC 89

SECDEF DECISION

✓ Approved (SECDEF sign letter at Tab 2 and memo at Tab 3)

_____ Disapproved

_____ Other: _____

WD

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OFFICE OF THE SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

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OSD
WHITE HOUSE LIAISON

December 29, 1989

MEMORANDUM FOR THE SECRETARY OF DEFENSE

THROUGH: THE DEPUTY SECRETARY OF DEFENSE

FROM: DAVID J. GRIBBIN III Patty Howe for D.J.G.
ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE AFFAIRS

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29 Dec 89

SECDEF DECISION

Approved (SECDEF sign letter at Tab 2 and memo at Tab 3)

Disapproved

_____ Other: _____

Original W/Sec Def
Mr. Atwood Reviewed

11-L-0559/OSD/3259

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snowflake

April 16, 2001 3:13 PM

TO: Paul Wolfowitz

FROM: Donald Rumsfeld DR

SUBJECT: Pearl Harbor/Ron Fogleman

You might like to read this memo from Rudy de Leon dated April 10.

Thanks.

Attach.
04/10/01 de Leon memo to SecDef re: Pearl Harbor and Ron Fogleman

DHR:dh
041601-49

16 Apr 01

April 10, 2001

To: Secretary Rumsfeld

From: Rudy de Leon R

Subject: Comments Regarding Pearl Harbor
Comments of Ron Fogleman

Mr. Secretary,

In recent days, you have given me two documents. The first was a foreword by Thomas Schelling of Harvard discussing Pearl Harbor and the fact that it was "a supremely ordinary blunder." The second was a letter from former Air Force Chief of Staff Ron Fogleman outlining the need for a bold transformation in thinking and criticizing his predecessors for their conservatism.

I would like to comment on each.

As I read through the Pearl Harbor piece I thought of the recent attack against the USS Cole in the harbor at Aden, Yemen. As Schelling writes, the events at Pearl Harbor "were sudden, concentrated, and dramatic. The failure, however, was cumulative, widespread, and rather drearily familiar."

So, too, was the terrorist bombing against our warship just a few months ago.

The American Navy, even with a high threat level and little actionable intelligence, had become comfortable refueling in Yemen. They would approach each refueling with a checklist of force protection measures, dutifully sending the checklist to superiors, and becoming self-assured with each visit. If the checklist were followed, the ship would be safe. So went the thinking. We became comfortable.

Yet, their attackers watched and waited. Tracking the Navy's every move into predictable routines that could be measured and, ultimately, countered in their terrorist attack. As Schelling says "surprise is everything in a government's failure to anticipate effectively."

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10 Apr 01

The Harvard historian Ernest May teaches a course on "uses and misuses of history" in policy analysis. Professor May draws a key distinction on how we often get it wrong. He notes that as decision makers get comfortable they often confuse "facts that they know to be true," with "facts they assume to be true." That is a key distinction, specifically, what we know versus what we assume.

In his-teaching, Professor May uses two cases (Kissinger assuming that the Egyptians would never attack in what became the Yom Kippur War, and Jimmy Carter assuming that the Soviets would never move into Afghanistan) similar to the Pearl Harbor analogy.

Again let me quote **Schelling**:

> The danger is not that we shall read the signals and indicators with too little skill; the danger is in a poverty of expectations – a routine obsession with a few dangers that may be familiar rather than likely. Alliance diplomacy, inter-service bargaining, appropriations hearings, and public discussion all seem to need to focus on a few vivid and oversimplified dangers."

The lesson is that we can never become comfortable with our assumptions and that we must constantly contrast what we know with what we assume to know.

General Ron Fogleman offers a differing set of views. In his letter, General Fogleman makes some key points:

- We need to recapitalize the forces with more modern and capable equipment;
- When the Cold War ended and the Warsaw Pact disintegrated, the nation missed the opportunity to review our true defense needs at the grand strategy level;
- The Clinton defense team chose not to challenge the uniformed leadership throughout a series of reviews. For a variety of reasons the senior military leadership insisted

on perpetuating the planning assumptions and timelines of the Cold War force;

- The new administration should articulate a new national security strategy based on different timelines and force requirements. The centerpiece of such a strategy would be the idea that we can have a smaller active force, particularly land forces, if we return to our militia roots. Such a strategy would allow reductions in all the services. The money saved can re-capitalize the force and support a robust ability to project force from the CONUS, a few forward bases and from the sea.

When I was Under Secretary of the Air Force (1994 – 1997), General Fogleman was CINC TRANS and Chief of Staff of the Air Force. He is a patriot, a person of high integrity, and because of his unique combination of operational experience and programming (he was the Air Force long range planner) uniquely suited to offer his perspectives.

General Fogleman's comments about the historic roots of the militia force are correct. With the exception of the Cold War period, we have historically relied upon a militia force (with different degrees of success). Former Senator Gary Hart makes a similar point in his writings and speeches, specifically a smaller standing Army and greater reliance upon the reserves. Even the Navy makes this argument. During the 1996 – 1997 QDR the Navy drew distinctions from Article I of the Constitution. They stated that the Constitution requires "support" for a permanent Navy, but only establishes authorities to "raise" an Army that would be expanded and contracted as necessary.

While these views are historically interesting, we remain both shaped and hostage to the history of this 21st Century. What do I mean?

Specifically, America plays a preeminent role in the world. Our leadership in the Pacific and within NATO has become essential in the stability of these regions. The stability created by the US presence has become a substitute for the tensions and ideologies of conflict that otherwise would develop. Absent the strong American presence, other interests like the Russians or European Union will move to fill the vacuum.

America will have to continue to play a global role, and I am not sure that a militia-based force will be capable of meeting these responsibilities. On this key point, I disagree with General Fogleman.

Interestingly enough, if I read the Andy Marshall paper in conjunction with Mr. Kagan's memo, and the Fogleman letter, they all point to a set of questions.

What is the role of America as the world's global military and economic superpower?

Do we deter and dissuade through strong regional presence, and thus prevent from forming the conditions that lead to war?

Instead do we develop our technology and the capabilities to strike an adversary across great distance and thus, win the war quickly?

Or, do we continue to attempt to do both?

snowflake

April 16, 2001 2:55 PM

TO: Paul Wolfowitz
Steve Cambone

FROM: Donald Rumsfeld

SUBJECT: Defense Debate

Would you please take a look at this piece by Barry Blechman and let's discuss

Thanks.

Attach,
03/26/01 Blechman *Defense* News article, "U.S. Opens Rare Defense Debate"

DHR:dh
041601-44

183

10 Apr 01

DFZ INTERNATIONAL

April 10, 2001

Mr. Andrew Marshall
U.S. Department of Defense
Net Assessment
2950 Defense Pentagon
Room 3A930
Washington, DC 20301-2950

Dear Andy,

Given the current review of defense strategy, I thought you might find the attached article of some interest.

Best regards,

Barry

Barry M. Blechman
CEO and President

1717 Pennsylvania Ave., NW
Suite 1300
Washington, DC 20006
(b)(6)
fax: (b)(6)
email: bblechman@dfi-intl.com

U.S. Opens Rare Defense Debate

By BARRY BLECHMAN And ZACHARY LUM

In a string of rapid-fire initiatives, President George W. Bush and Defense Secretary Donald Rumsfeld have opened what could be the first real defense debate in decades.

First, to the astonishment of military leaders expecting immediate relief, the administration announced that any major spending increases would have to await a comprehensive review of military strategics and structure. Then it stunned the establishment again by assigning none other than Andrew Marshall, the Pentagon's long-time resident visionary, to the task.

The same week, during a tour of military bases, the president made it clear that radical is the way he wants to go, pressing his vision of a new defense architecture built on generation-leaping technology investment at the expense of incremental modernization. The world has changed rapidly over the past 10 years. The technologies potentially available for military purposes have evolved even more rapidly. And many say the Defense Department has not yet looked squarely at the types of challenges that now confront U.S. security.

Conservatives are often quoted to the effect that the nation's security is too important to take any chances. In their ideal, if näive, world view, military planners should identify all current and prospective threats to U.S. interests, create strategies to counter them, and then provide the necessary forces, weapon programs and budgets.

In the real world, competing national priorities constrain the resources available to the Pentagon. The question is not if there are risks in any realistic military posture; it is which risks should be run. Under President Bill Clinton, the Defense Department has sought to build a military capable of fighting and winning two major theater wars simultaneously. The two wars the administration had in mind were similar to the 1991 war against Iraq -- major conventional conflicts with large, heavily armored armies.

Because so many resources were required to prepare for the two conventional wars, planners have not been able to devote adequate resources to more unconventional threats. Yet, after witnessing what happened to Saddam Hussein's Army, what adversary would be foolish enough to engage the United States in head-to-head conventional warfare?

Wouldn't they be more likely to turn to strategies designed, in the words of the CIA's "Global Trends 201 5" report, "to exhaust American will, circumvent or minimize U.S. strengths, and exploit perceived US weaknesses?"

Terror attacks on the United States or on its assets overseas, electronic attacks against our space systems, and hit-and-run military attacks against deployed U.S. forces are just some of possibilities. As Rumsfeld reviews current strategy and force planning, he may find that a better method for setting defense priori&es is to upend the current order, putting three foundation missions at the top of the to-do list and a larger, more diverse set of contingencies at the bottom.

Under this approach, the Defense Department first would take care of this core constitutional mission of defending the homeland. After 50 years of Cold War, the United States stopped thinking about homeland security but terrorist incidents and the emergence of new missile and cyber threats make clear that American citizens,. territory and infrastructure are potentially vulnerable. Homeland security also is a prerequisite for U.S. involvement overseas. If Americans experience deadly retaliatory attacks in this country, they may lose the will to remain engaged abroad. A strategy of layered preventive defense could raise the odds against successful attacks in the United States.

First, a small force of offensive nuclear forces would seek to deter any threats posed by adversaries, old or new. Next, homeland security requires good intelligence overseas, and effective surveillance and reconnaissance forces.

Missile defenses would be a part of such a defense system, but not all of it. (Domestic agencies -- including Coast Guard, Border Patrol, and Customs -- also have key roles to play here.)

Specially trained and configured long-range air and ground strike forces might be considered a third part of homeland security, prepared to pre-empt attacks staged from hostile countries.

The fourth aspect, and the only one now being pursued seriously, is consequence management: preparing to limit the damage after a successful attack.

The next foundation block in the military architecture should be preparing for future wars. Given the relatively permissive international environment, the United States has the luxury of diverting some resources toward transforming its armed forces through advanced information and telecommunications technologies; space-based systems; and unmanned air, sea, and ground platforms.

Transforming forces takes money, perhaps doubling investment in basic and applied research, as well as organizational change.

The third foundation mission is the day-to-day conduct of military operations around the world. The ground, sea, and air forces used for this mission support U.S. diplomacy by giving credence to U.S. military commitments, helping to shape the expectations of friends and foes alike.

They also conduct the types of smaller operations that U.S. armed forces have been called upon to carry out on more than 500 occasions since 1991, ranging from humanitarian missions, to evacuations of U.S. citizens from troubled nations, to the support of peace operations, to shows of force and small-scale military operations such as the recent strikes against Iraqi air defenses. During the presidential campaign, an artificial choice was posed between military forces used for small-scale contingencies, and those prepared for major war; this is a false dichotomy. The forces deployed abroad during normal times, and the larger forces that provide the rotational base for them, also provide the bulk of the initial capabilities needed to respond to major contingencies.

But under current planning criteria, there are not enough forces of the right types to conduct peacetime operations without strain.

Over the past eight years, of a total active-duty Army of about 500,000 men and women, there were on average only about 30,000 soldiers deployed away from their home bases -- maybe 6 percent. Yet the Army has found it difficult to support this activity, because most of the Army is configured, equipped and prepared to fight major theater wars, and cannot be used effectively in small-scale activities.

The Air Force and Navy, meanwhile, confront shortages in the specialized resources that are most useful in normal, peacetime operations, resulting in assets that are forced to operate at a very high tempo.

Surveillance, battle-management, electronic warfare, and search and rescue aircraft are examples of capabilities that should receive higher funding priority.

Once the three foundation missions are covered, the Defense Department can turn its attention to additional forces required to persevere in simultaneous, large-scale contingencies. But which contingencies, and how many at one time?

One option would conclude China poses the only significant, long-term threat to this nation, and the United States must build its forces accordingly. An alternative strategy might postulate that too many unknowns govern whether the United States might actually become involved in particular contingencies and that, therefore, the greatest priority is to build-in flexibility.

Such a strategy would imply a greater emphasis on the rapid development of space-based forces, on the acquisition of more long-range aircraft that could be based in the United States, on expeditionary tactical air forces that can deploy rapidly with relatively small footprints, on larger naval forces, and on small, highly mobile ground forces that could be re-deployed rapidly.

The difficulty of choosing among alternatives will be eased to the degree that the defense budget is raised, and that defense spending is made more efficient. Potentially, tens of billions of dollars could be freed each year to support combat forces by cutting unneeded military bases and other infrastructure, by making more efficient use of military and civilian personnel, and by acquiring military equipment through normal business practices.

Given the institutional resistance to change, however, it will be difficult to slide a new foundation under the heavy machinery of the current posture. A tough mind and hand are needed to retool defense programs, trim the establishment and uproot entrenched bureaucratic interests. Rumsfeld is the man for the job.

snowflake

TO: JJ Quinn

FROM: Donald Rumsfeld DR

DATE: April 16,2001

SUBJECT: EP-3

Please get me a piece of paper that shows me precisely every level between the President of the United States, me and then the pilot of the EP-3.

Thank you.

DHR/azn
041601.01

China

16APR01

OFFICE OF THE SECRETARY OF DEFENSE

DATE 4/17

MEMORANDUM FROM THE SENIOR MILITARY ASSISTANT

TO: Col Byrd.

SUBJ: Snow flake.

Ray - Please provide — use 2 parallell paths — ADMIN COC and operational COC.

Operational Chain of Command
PRESIDENT to PILOT (EP-3)

- President of the United States
- Secretary of Defense
- Chairman, Joint Chiefs of Staff
- Commander-in-chief, U.S. Pacific Command
  - Admiral Dennis Blair- \4-Star)
  - Camp H.M. Smith, Hawaii
- Commander in Chief, U.S. Pacific Fleet
  - Admiral Thomas B. Fargo (4-Star)
  - Pearl Harbor, Hawaii
- Commander, Seventh Fleet (C7F)
  - Vice Admiral James W. Metzger (3-Star)
  - USS Blue Ridge (LCC-19), Yokosuka, Japan
- Commander, Battle Force, Seventh Fleet (CTF 70)
  - Rear Admiral P.F. Willard (1-Star)
  - USS Kitty Hawk (CV 63)
- Commander, Patrol and Reconnaissance Force Seventh Fleet (CTF 72)
  - Captain P.S. O'Brien (O-6)
- OIC, Fleet Air Reconnaissance Group VQ-1 Detachment (CTG 72.5
  - LT Commander Joseph Sullivan (O-4)
  - Misawa, Japan
- EP-3 Pilot/Mission Commander (CTE 72.5.1)
  - LT Shane Osborne (O-3)

Administrative Chain of Command
PRESIDENT to PILOT (EP-3)

- President of the United States
- Secretary of Defense
- Secretary of the Navy
- Chief of Naval Operations
  - Admiral Vern Clark (4-Star)
- Commander-in-chief, U.S. Pacific Fleet
  - Admiral Thomas B. Fargo (4-Star)
  - Pearl Harbor, Hawaii
- Commander, Naval Air Forces Pacific
  - Vice Admiral John B. Nathman (3-Star)
  - San Diego, California
- Commander, Patrol and Reconnaissance Forces Pacific
  - Rear Admiral Michael Holmes (2-Star)
  - Marine Corps Base Hawaii, Kaneohe
- Commander, Patrol and Reconnaissance Wing Ten
  - Captain William F. Marriott (O-6)
  - Naval Air Station Whidbey Island, Washington State
- Commanding Officer, VQ-1
  - Commander Bernie Lessard (O-5)
  - Naval Air Station Whidbey Island, Washington State
    - Maintains a permanent detachment at Misawa Japan
- Officer in Charge, VQ-1 Detachment, Misawa, Japan
  LT Commander Joseph [illegible] an (O-4)
- Mission Commander, VQ-1 Combat and Reconnaissance Crew One
  - Lieutenant Shane Osborne (O-3)

OFFICE OF THE SECRETARY OF DEFENSE

THE EXECUTIVE SECRETARY

TO: RADM QUINN

FM: CDR JOHNSON

SIR,

SECNAV STAFF PUT THIS TOGETHER THIS AFTERNOON — GREAT JOB BY LCDR McBETH, ADMIN ASST TO SECNAV ON QUICK TURNAROUND.

V/R
ANDY

COL CRIBBS,

MA'AM,

COPY OF SNOWFLAKE I WORKED YESTERDAY — ACTION CLOSED

V/R
Andy

~~snowflake~~

April 18, 2001 8:27 AM

TO: Karl Rove

FROM: Donald Rumsfeld DR

SUBJECT: Letter re: Steve Herbits

Attached is the letter from the Marine brigadier general about Steve Herbits. I thought you might like to see it.

Thanks for your help.

Attach.
Punaro ltr to *Washington Times*

DHR:dh
041801-4

000.7

18 Apr 01

I WAS DISAPPOINTED THAT THE TIMES' WOULD ATTACK SUCH A DISTINGUISHED AMERICAN AS STEVE HERBITS.

PLEASE FEEL FREE TO USE THE ATTACHED LETTER I SENT TO THE EDITOR IF IT IN ANY WAY WOULD BE HELPFUL TO STEVE.

Very Respectfully —
ARNOLD L. PUNARO

4/13/01

DEAR EDITOR:

STEVE HERBITS DOES NOT NEED A U.S. MARINE TO COME TO HIS DEFENSE AGAINST THE "PERSONAL ATTACK" COLUMN BY TIMES writer Joyce Price.

HE HAS SERVED [illegible]TION IN A CIVILIAN CAPACITY WITH DISTINCTION FOR OVER 30 YEARS.

STEVE HERBITS ONLY HAPPENS TO BE THE BRILLIANT "behind the scenes" Architect OF THE ALL-VOLUNTEER FORCE FROM THE GATES COMMISSION.

HE ONLY HAPPENS TO BE ONE OF THE KEY PEOPLE WHO HELPED SEC. CHENEY ASSEMBLE ONE OF THE MOST TALENTED PENTAGON STAFFS IN 1989 -- HAVING SERVED A PREVIOUS SECDEF EQUALLY WELL A DECADE EARLIER.

From initial results, it is clear HE is BRINGING HIS considerable talents

the bear in mind Sec. Rumsfeld with the extremely difficult job of recruiting the caliber of leaders necessary to transform the Pentagon for the 21st Century.

I had the privilege of working with Mr. Herbits when I was the Staff Director of the Senate Armed Services Committee when Sen. Sam Nunn was Chairman.

On the first occasion, Mr. Herbits worked with the Committee as Sec. Cheney was setting-up his Pentagon. A highly successful businessman in his own right, I found Mr. Herbits' thoughtful and informed approach to all matters to produce the desired results in an effective manner.

On the second occasion, the Clinton Administration attempted to lift the ban on homosexuals serving in the military.

Sen. Nunn, myself, and others were strongly opposed and that position was ultimately codified in the law. Steve Herbits was most helpful to me in helping the committee to understand how to CRAFT a series of HEARINGS to insure all viewpoints were heard and respected without the "pot stirring" emotionalism of the Times' writer.

I remain strongly opposed to lifting the ban on homosexuals serving in the military and am not aware of any serious effort either in the Administration or Congress to change that. The writer of the column is painting shadows.

I certainly don't agree with Rev. Sheldon that Mr. Herbits' service is a "slap in the face" to our service personnel.

I have had the great privilege of serving in uniform for over 32 years with hopefully several more to go. One of the genuine rewards is that our military protects the rights and freedoms of patriotic Americans like Steve Herbits who continues to make significant contributions to our national defense -- just like those of my father who fought in WW II - and just like those of editorial writers however misguided and misinformed as Joyce Price.

I am greatly reassured that Steve Herbits is assisting Sec. Rumsfeld with key personnel, organizational and other decisions. The nation + our military will be better for it. Sincerely

Arnold Punaro
Major General
United States Marine Corps
Reserve

THIS LETTER IS MY PERSONAL OPINION + NOT IN ANY OFFICIAL CAPACITY

snowflake

April 20, 2001 11:53 A-M

VIA FACSIMILE

(b)(6)

TO: Arnaud de Borchgrave

FROM: Donald Rumsfeld

SUBJECT: Jean-Luc Lagardere of Matra

335 SD

Thanks so much for your note. I wish I could meet Mr. Lagardere, but my circumstance is such that I am not going to be able to do so.

I am sure it would be a worthwhile visit. However, because of all the ethics rules, I have committed to not seeing people from industry until I have completed all my divestitures.

Possibly some other time. Thanks for the nice thought.

Best regards,

DHR:dh
04200 1-5

20 Apr 0

U07916 /01

Center for Strategic & International Studies
Washington, DC

Arnaud de Borchgrave
Senior Advisor

PERSONAL *April 18, 2001*

The Honorable Donald H. Rumsfeld
(b)(6)
(By hand)

Dear Mr. Secretary:

One of the very few Frenchmen who believe in transatlantic defense industry integration is getting Aviation Week's Lifetime Achievement Award next week in Washington. He is Jean-Luc Lagardere of Matra and an old friend. I know you are working ten-day weeks or more so I hesitate to put this before you. But I do think that a private meeting with Jean-Luc would be of immeasurable benefit to your mission.

Jean-Luc is arriving Sunday evening and will be staying at the Four Seasons until Wednesday night.

As a still young old aviator, you managed to convince most of the world of what really happened over the South China Sea. Thank you.

With warmest regards.

Yours ever,

Arnaud de Borchgrave

1800 K Street Northwest • Washington, DC 20006 • Telephone (b)(6) • FAX (b)(6) • E-mail deborchgravea@csis.org

11-L-0559/OSD/3292

MEMO TO: Secretary Rumsfeld **DATE:** April 17, 2001

FROM: Paul Wolfowitz PW

SUBJECT: Proposed Study of Contingency Deployments and OPTEMPO Issue

Don,

One study that we have yet to task is one that would look at overseas presence and contingency deployments and their effect on OPTEMPO and PERSTEMPO. This has large potential implications on both quality of life issues and force structure requirements.

Attached is a draft of a study proposal that I asked Mike Leonard of IDA to prepare for us to look at.

If you approve, I would like to ask Paul Gebhard to include it as another study within the Strategy Review framework. (I am told that would make #20).

I think this is one of the most important studies we need to do. It would have significant impact on the QDR. It would also give you hopefully a handle to address the question you keep raising about all the little proposals for deployments all over the world. Their plan would be to have some initial results ready by the end of May, with a final study to be completed hopefully in time to impact the FY '03 budget deliberations,

370

17 April 01

David,

Comments welcome.

All the best,

Joe Collins

4-20-'01

X322

(b)(6)

IDA
STRATEGY, FORCES AND
RESOURCES DIVISION

Michael Leonard, Director

April 12, 2001

MEMORANDUM TO: THE SECRETARY OF DEFENSE
THE DEPUTY SECRETARY OF DEFENSE

FROM: Michael Leonard,
Institute for Defense Analysis

SUBJECT: Study Proposal

In response to our discussions with Dr. Joseph Collins of your staff, IDA proposes to do the first phase of a two-phase study on Overseas Presence, Contingency Deployments and Operational and Personnel "Tempo".

In the initial study phase, which would last about six weeks, we would develop a conceptual framework for examining this subject and metrics for calculating tempo burdens on military personnel. We would also develop, and provide arguments for and against, a set of options dealing with types and levels of overseas presence; reconstitution of deployed units for major war missions; larger and more stable tours, coupled with management under "cyclical" readiness concepts; and other topics detailed in the attached draft IDA Task Order.

Based on your decisions, selected options would be developed further, in conjunction with DoD, during Phase II of the study.

We recommend your approval of this study.

"TEMPO" STUDY TALKING POINTS

- Phase I is a six-week effort to develop
  - An analytic framework and metric(s) for measuring TEMPO impact on personnel.
  - Options for adjusting key factors affecting TEMPO (e.g., changes in overseas presence, contingency deployments, or force/personnel management).
- Selected options would be developed further (with Services/Joint Staff) in Phase II – in connection with the QDR or FY 2003 budget deliberations. IDA is available to help with more detailed development, but this will require data and participation of DoD elements.
- The analytic construct is critical. This has three main components:
  - Forces withheld for major conflict (e.g., 1MTW +/-).
  - Forces being re-trained following presence/contingency use.
  - Residual forces available for presence/contingencies (numbers depend on numbers in first two categories and metric(s) for personnel hardship).
- One good metric is "time away from home station." This includes routine training and exercises as well as presence and contingency deployments. IDA may identify other metrics as well,
- Lucrative areas for reducing TEMPO currently appear to be:
  - Longer and more stable tours in units; more force management by units vice individuals.
  - Use of Navy/Marine Corps "cyclic readiness" concepts by Army/Air Force.
  - Additional "high demand/low density" forces, or increased manning/higher utilization of existing forces.
  - Adjusting types and levels of steady-state overseas presence.
  - And, of course, exercising greater discipline on the number, size, and length of contingency deployments.

TASK ORDER

BB-6-2023

TITLE: Study and Analysis for the Secretary of Defense on Overseas Presenc Contingency Deployments and TEMPO

1. This task order is for work being performed by the Institute for Defense Analyses (IDA) under Contract DASW01-98-C-0067 for the Special Assistant to the Secretary (Defense for Policy Matters.

2. BACKGROUND

The Secretary of Defense has requested a review of DoD's overseas presenc contingency deployments, and associated operations and personnel tempo. IDA has been asked to perform the initial phase of this study.

3. OBJECTIVE

In Phase I, to identify and evaluate for the Secretary of Defense a set of optio concerning types and levels of overseas presence, contingency deployments, and for management in the context of the new defense strategy. In Phase II, to provide in-dep analysis and recommendations for the Secretary of Defense on selected options identifi in Phase I.

4. STATEMENT OF WORK

This task is designed to improve understanding of the relationship betwe requirements for overseas presence, contingency deployments, and the requirements f major theater war. It seeks to facilitate determination, in the context of the new strategy, of what forces should be held ready for major theater warfare, and what forces would be available for presence or contingency use.

In Phase I of this study IDA will conduct research and interviews on the topics and issues listed below. In each area, one or more options will be prepared and evaluated in terms of major arguments for and against, and rough resource implications. The areas to be addressed include:

a. Development of an analytic framework for examining presence and contingency deployments and their effects on readiness for major war in the context of the new national security strategy.

b. Identification of one or more metrics for determining the combined burdens of routine training, overseas presence, and contingency deployments on military personnel.

c. Identification and evaluation of options concerning the types and levels of "steady-state" overseas presence in key regions, and the operational and cost implications of changes in presence for crisis response.

d. Analysis of the times required to reconstitute units returning from contingency deployments to full proficiency for major war, under both routine and emergency conditions.

e. Identification and evaluation of options concerning longer tours and greater personnel stabilization in units, and other personnel management practices to enhance training readiness and reduce reconstitution time.

f. Identification and evaluation of options for using "cyclical readiness" to manage and mitigate TEMPO burdens.

g. Identification and evaluation of options for increasing numbers of "high-demand/low density" forces or increasing their manning/utilization.

h. Identification and evaluation of innovative recruiting and retention concepts for specialized units.

i. Identification and evaluation of different organizational concepts and structure for handling specialized tasks.

j. Identification and evaluation of techniques for ensuring that presence and contingency deployment burdens are shared more equitably among units in the force.

Phase II of this study will provide in-depth analysis of options identified in Phase I that are of particular interest to the Secretary of Defense, and recommendations on the best way to proceed.

5, SCHEDULE

a. A briefing on the subjects listed above will be prepared by May 31,2001.

b. Interim progress reports will be provided at the sponsor's request.

c. The effective date of this task order shall be the date it is signed by the sponsor. The period of performance of this task order may run through September 30, 2001.

6. CORE STATEMENT

This research is consistent with IDA's mission in that it will support specific analytic requirements of the sponsor and will assist the sponsor with planning efforts. Accomplishment of this task order requires an organization that has a comprehensive knowledge of sponsor needs and problems, is capable of performing objective, high-quality work on complex issues, and is free from parochial interest. These attributes are provided by IDA, a Federally Funded Research and Development Center. The research draws upon IDA's core competencies in Force and Strategy Assessments. Performance of this work will benefit from, and contribute to, the long-term continuity of IDA's research program.

7. FUNDING

This task order authorizes $250,000 for completion of Phase I. Additional funding would be needed for Phase II.

8. TECHNICAL COGNIZANCE

Technical cognizance for this task order is assigned Mr. Christopher Williams, Special Assistant to the Secretary of Defense for Policy Matters, Room 4E808, 703-697-8360 or as may be further assigned within OUSD(P). The point of contact at IDA is Mr. Michael Leonard, 703-845-2330.

9. SPECIFIC ADMINISTRATIVE INSTRUCTIONS

a. If at any time during the course of performing this task order, the sponsor or IDA identifies the need for substantial changes, a sponsor-approved amendment to this task order will be submitted to the IDA Contracting Officer's Representative, with a copy to the sponsor or his project officer, as appropriate.

b. This task order will be conducted under Industrial Security Procedures specified in DoD 5220.22-M, "National Industrial Security Program Operating Manual," or as directed by the IDA Contracting Officer's Representative.

c. The sponsor will have 30 calendar days in which to respond to IDA on any draft deliverable, providing review comment, approval of security classification, and distribution instructions.

d. A general "need-to-know" is hereby established in connection with IDA performance of this task order. Access to classified documents and publications and security clearances necessary to complete this task order will be obtained through the IDA Contracting Officer's Representative unless otherwise instructed.

_____ Date:_____

Mr. Christopher A. Williams
Special Assistant for Policy Matters
OUSD(P)

_____ bate:_____

Larry D. Welch
President, Institute for Defense Analyses

_____ bate:_____

Dennis E. Litchfield
IDA Contracting Officer's Representative
Office of the Director, OSD Studies and FFRDC Programs

snowflake

April 20, 2001 4:46 PM

TO: RDML Quinn

FROM: Donald Rumsfeld

SUBJECT: Missile Defense Tests

Who is responsible for the test area at the Kwajelein Atoll in the Marshalls and the missile defense experiments?

We ought to send this memo from Bill Schneider to them so they are aware of it.

Thanks.

Attach.
04/16/01 Schneider memo to SecDef re: Greenpeace efforts

DHR:dh
042001-18

373.24

20 Apr 01

OFFICE OF THE
SECRETARY OF DEFENSE

2001 APR 23 PM 3: 10

William Schneider, Jr.

MEMORANDUM

April 16,2001

TO: Hon. Don Rumsfeld
Hon. Paul Wolfowitz

FROM: William Schneider, Jr.

SUBECT: *Greenpeace* efforts to disrupt missile defense experiments at Kwajelein.

An excerpt below from the French press agency (AFP) reports on efforts by *Greenpeace*, the well-financed anti-American (the organization was an uncritical conduit for anti-American Soviet propaganda during much of the Cold War) pressure group to disrupt the US missile defense experiments at the Kwajelein Atoll in the Marshall Islands. Range safety concerns give significant scope to the demonstrators since their proximity to the splashdown area can produce deferral of the test. *Greenpeace* is reported to have observers close to the Vandenberg launch site to facilitate coordination with on-site activists. Leaving site security up to the Marshall Island authorities may be insufficient to cope with the ability of *Greenpeace* to deploy high-speed small craft (e.g. *Zodiac* boats).

US WORRIED GREENPEACE WILL DISRUPT MISSILE TESTS IN PACIFIC, (AFP: Agence France Presse), April 13,200 1.

US State and Defense Department officials have requested the Marshall Islands governments assistance to assure that Greenpeace activists do not disrupt upcoming missile defense tests at the Kwajalein missile testing range. . . . US Ambassador Mike Senko said . . . that visits by the Greenpeace vessel Rainbow Warrior to any areas not controlled by the Army are the "Marshall Islands call". . . . Rainbow Warrior crew have been hosting open boat days for students and community members to visit the ship and see displays and hear presentations against missile defense. . . . "Missile defense is bad for global security," said Greenpeace campaigner Melanie Duchin.

OFFICE OF THE
SECRETARY OF DEFENSE

DEPARTMENT OF THE ARMY
WASHINGTON, D.C. 20310

2001 MAY -2 AM 7: 32

MEMORANDUM FOR SECRETARY OF DEFENSE
DEPUTY SECRETARY OF DEFENSE

FROM: THE ACTING SECRETARY OF THE ARMY 5/1/01
Prepared by: LTC Bill Williford/SAAL-SM/703-604-7221

SUBJECT: Actions Taken to Reduce/React to Greenpeace Efforts to Disrupt Missile Defense Experiments at Kwajalein Missile Test Range, Republic of the Marshall Islands-INFORMATION MEMORANDUM

PURPOSE: To provide the Secretary of Defense information on actions taken to reduce disruption of National Missile Defense Flight Testing

DISCUSSION: The National Missile Defense Program will conduct Integrated Flight Test 6, during June 2001. During the previous flight test, Greenpeace activists attempted to stop the test shot at Kwajalein Missile Range as two activists came ashore on Meck Island and were apprehended by Kwajalein Missile Range law enforcement personnel. To prevent disruption of flight test activities, the Commander of the U.S. Army Space and Missile Defense Command, has directed the implementation of a security plan in conjunction with the Kwajalein Missile Range Security Force and Pacific Command. The implementation will begin prior to Integrated Flight Test 6 and will be in force during future flight tests. The Ballistic Missile Defense Organization (BMDO) has coordinated extensively with Vandenberg Air Force Base, California to enhance security during Integrated Flight Test 6.

Rules of Engagement for current and future flight tests, and security force funding for future flight tests are being coordinated between the Commander, U.S. Army Space and Missile Defense Command, and Commander in Chief, Pacific Command. Commander, U.S. Army Space and Missile Defense Command is prepared to provide a briefing outlining implementation if required.

COORDINATION: TAB A

Printed on Recycled Paper
11-L-0559/OSD/3303

U08515 /01

COORDINATION:
Director, Ballistic Missile Defense Organization
Commander, Space and Missile Defense Command
Deputy Director, Ballistic Missile Defense Organization
Program Executive Office, National Missile Defense
Director, Ballistic Missile Defense Organization, Test and Evaluation

OFFICE OF THE SECRETARY OF DEFENSE

April 20, 2001

From: Donald Rumsfeld

MEMO FOR Paul Gebhard [redacted]

Tori Clark
Powell Moore

Newt Gingrich has put together a small group to help to think through the strategy for the rollout of our various projects.

I'd appreciate it if you would meet with him and begin to get yourselves involved in the effort.

Thank you.

DHR/azn

CC: Newt Gingrich
Steve Cambone
Steve Herbits

330

20 Apr 01

U07995 /01

TO: Newt Gingrich

FROM: Donald Rumsfeld

DATE: April 19, 2001

SUBJECT: **Follow-up**

Attached are the phone numbers of Torie Clarke, Powell Moore, and Paul Gebhard. Tori and Powell are not yet confirmed for Public Affairs and Legislative Affairs, but can meet now to begin thinking about the rollout. Paul Gebard is currently coordinating the staff work with Steve Cambone.

Thanks.

DHR/azn
041901.04
Attach.

CC: Torie Clarke
Powell Moore
Paul Gebhard
Steve Cambone
Steve Herbits

Contacts

Powell Moore
Torie Clarke
Paul Gebhard

(b)(6)

snowflake

April 23, 2001 3:25 PM

TO: Newt Gingrich

FROM: Donald Rumsfeld

SUBJECT: DoD Reports to Congress

Attached is a memo I received from Bill Schneider. It is thoughtful and helpful, it may give you some ideas as you fashion a plan.

Bill Schneider might be someone you want to talk to and get his thoughts first-hand. He is really smart.

Thanks so much.

Regards.

Attach.
4/22/01 Schneider memo to SecDef re: DoD Reports to Congress

DHR:dh
042301-24

319.1

23 Apr 01

William Schneider, Jr.

MEMORANDUM

April 22, 2001

TO:	Hon. Don Rumsfeld
FROM:	William Schneider, Jr.
SUBJECT:	Response to your memorandum of 16 April concerning DoD reports to Congress.

I have reviewed the document provided in the 12 April memorandum prepared by the Congressional Reports Group. The CRG identified 899 one-time or recurring reports required during the current fiscal year. The CRG also summarized the personnel burden (~ 500 people involved in their preparation plus contractors), and implied a substantial fiscal burden to the process as well. Moreover, the vast numbers of such reports reflects the debased coinage these reports have come to represent.

It may be worthwhile to take a broader view of the problem reflected in the growing scale of the congressional report process and attempt to come to grips with the currently dysfunctional Executive-Legislative process of exchanging information. The intensification of the reporting requirement is a metric of distrust to which you have referred on numerous occasions. However, from the Olympian altitude of the Executive branch, it is easy to forget that the Congress is a co-equal branch of government with profound Constitutional responsibilities related to national defense. The process and institutional arrangements for exchanging information between the two branches of government has become a metaphor for the failure of the two branches to collaborate effectively in an environment of trust and a sense of a shared undertaking for which both institutions are responsible and accountable.

- The Congressional hearing process has become increasingly sterile and uninformative, playing as it does to the news *du jour* rather than addressing the crucial policy issues associated with the raising and maintaining of the armed forces. Nevertheless, preparing, responding, and reacting to congressional hearings has become a major preoccupation of both the Executive and Legislative branch leadership – especially for the DoD and the associated congressional committees. While the hearing process provides an indispensable means for the Legislative to directly question the Executive, the ritualization of the process is materially diminishing its effectiveness and utility to all concerned.

4/23
0735
Ad

- The emergence of four congressional processes to manage the discretionary expenditure of the Federal government (budget, authorization, appropriation, and reconciliation) is challenging the effectiveness of congressional oversight and resource allocation responsibilities. The interaction of the four legislative processes is a sensitive matter in the Congress, because rationalizing these processes has defied a politically acceptable solution. The processes with the strongest link to the constitutional functions of raising taxes and appropriating funds (i.e. the appropriations and reconciliation processes) have gained strength at the expense of the authorization and budget processes.

- Oversight and investigation institutions that are either directly controlled by the Congress (e.g. the General Accounting Office, the HAC's *Surveys and Investigation Unit*, etc.) or influenced by the Congress (e.g. DoD Operational Test and Evaluation, IG, etc.), open additional "fronts" for Executive-Legislative branch tension where there is often more heat than light produced. These institutions often magnify the dysfunctional aspects of the congressional hearing process and further inhibit effective inter-branch collaboration.

A way forward

Although attempting to address the full scope of problems in interbranch information exchange, it may be possible to develop a more effective *modus vivendi* that could contribute to a material improvement.

1. Based on an understanding with the congressional leadership and the Committees involved, a series of measures are proposed to improve the effectiveness of interbranch cooperation. The theme behind this proposal is to focus hearings and questioning of the senior DoD leadership Secretary/Deputy Secretary, Service Secretaries, OSD Under Secretaries) on major policy issues, while strengthening the routine interaction between the DoD and congressional staff.

2. A fulsome dialog will be established between the DoD and committee staffs on detailed oversight and resource issues. This dialog would be supervised by presidential appointees (i.e. OSD/Service Assistant Secretaries, DoD Agency leadership). A process of interbranch consultation and information exchange would replace the detailed hearing process at this level. This approach replicates the process that now exists within the Executive branch between the OMB staff and their Executive Department/Agency counterparts.

3. Statutory reporting would be exceptional rather than routine. Material generated during this Congressional hearing process with the DoD leadership would be published as would unclassified material generated at the staff level that advanced beyond the working paper stage of maturity (approximately the standard now applied to FOIA release decisions).

The approach. suggested here would permit both the DoD and the Congressional leadership to focus on policy issues appropriate to a "Board of Directors" responsibility while providing a process for improved interbranch collaboration. While the coping with the avalanche of Congressionally mandated studies needs to be addressed in any case, the underlying sources of dissatisfaction that have brought us to this point might be addressed jointly with a congressional undertaking to modernize the hearing process.

(b)(6)

snowflake

April 16, 2001 3:37 PM

TO: William Schneider, Jr.
Chris Williams
Larry Di Rita

FROM: Donald Rumsfeld

SUBJECT: Reports for Congress

Please take a look at this draft message to Congress on reports. Edit the letter, and then tell me what you think we ought to do with it.

Thanks.

Attach.
04/12/0 1de Leon memo to SecDef re: Draft "Message to Congress"

DHR:dh
041601-52

U07626/01

snowflake

April 24, 2001 11:19 AM

TO: Lisa Bronson

FROM: Donald Rumsfeld DR

SUBJECT: Spanish MoD

Spain

Your representative was in the meeting.

However, I have these thoughts.

MoD asked for our support for a new NATO headquarters in Valencia.

Requested that incidental repairs be done in Cadiz for the 6th Fleet.

Said he wanted to get our country agreement sorted out this year.

I mentioned the difference between U.S. forces being treated as U.S. and NATO1
He indicated he would want reciprocity for Spanish forces in the U.S.

Said he thought we ought to meet once a year.

Here is the paper he gave me.

Attach.
MoD Spanish Army: "SP Proposal for a High Readiness Forces (Land) Headquarters

DHR:dh
04240 1-4

24 Apr 01

U08116 /01

MINISTRY OF DEFENSE
SPANISH ARMY

SP PROPOSAL FOR A HIGH READINESS FORCES (LAND) HEADQUARTERS

VISIT
OF THE MINISTER OF DEFENSE OF THE KINGDOM OF SPAIN
TO THE
SECRETARY OF DEFENSE OF THE UNITED STATES OF AMERICA

TABLE OF CONTENTS

I. The SP HRF(L) HQ
II. Milestones
III. Valencia, Home of the SP HRF(L) HQ

THE SP HRF(L) HQ

BACKGROUND

Since the beginning of this undertaking, we realised that in order to meet (in a timely fashion the NATO requirements for High Readiness Forces (Land) Headquarters HRF(L) HQ and to produce an appropriate response to NATO needs, we had to build upon an already existing and trained corps-sized HQ. No other solution would fit NATO needs, no other solution would be fit for Spain to deliver.

Coat of Arms of the SP Corps HQ

So, Spain has decided to commit to NATO its Fuerza de Maniobra HQ (HQ FMA) as the Spanish proposal for HRF(L) HQ. This HQ is well known in NATO Force Planning documentation as the HQ SP Corps. HQ FMA has been bestowed with the operational command of all projectable land forces of the Spanish Army.

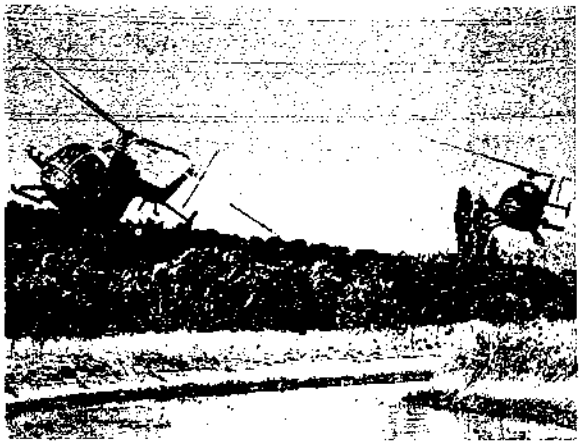
Accordingly, HQ FMA is deployable and employable Alliance-wide and beyond,' and might be placed under NATO command, as provided in the MOU (to be drafted). It is, able to operate throughout the entire mission spectrum, including high intensity combat operations in most physical environments.

HQ FMA has the necessary supports to operate, protect and sustain itself: dedicated command support with an integrated, effective and interoperable C2 capability; and appropriate CS and CSS assets (to be further examined). HQ FMA is ideally suited to conduct operations, even as a land component command HQ (LCC HQ), involving a wide variety of forces including Partner and non-NATO nations.

11-L-0559/OSD/3316

SPANISH ARMY

The Army Force is divided in four blocks: Manoeuvre Force, Area Defence Forces, Joint-Action Specific Forces and Defence Mobilizable Forces.



The Manoeuvre Force (Corps Size) is the basic core of the Army* It has three components: a light component, a heavy component and a Combat Support Element.

The light component includes the Rapid Reaction Division (FAR). This Force comprises those units with highest readiness such as the Airborne and Legion Brigades. The light component includes a Mountain Brigade as well.

The heavy component includes a Mechanized Division, with an Armour Brigade and two Mechanized Brigades, and a Cavalry Brigade.

In addition, the Manoeuvre Force includes special operations forces and Combat Support units such as field artillery, engineers, helicopters, etc.

The Area Defence Forces comprise the forces permanently stationed in the Canary and Balearic Islands, Ceuta and Melilla.

The Joint-Action Specific Forces are designated to cooperate with the Navy and Air Forces. They include anti-aircraft and coastal artillery and signal units.

The Mobilizable Defence Forces represent the base for force generation. They are composed of three infantry and one cavalry brigades.

The Spanish armoured vehicle "Pizarro". This vehicle is fully manufactured in Spain

11-L-0559/OSD/3317

THE HQ FMA AS FRAMEWORK FOR THE SP HRF(L) HQ

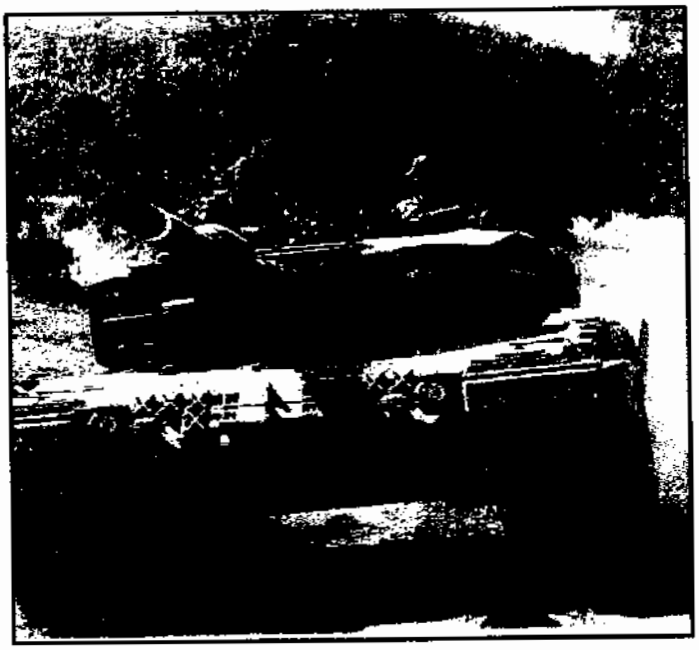
The SP HRF(L) HQ proposal is based in Valencia (Spain), in the vicinity of the HQ FMA, from which it will draw the initial manpower and expertise. The envisaged concept for the SP HRF(L) HQ is to build upon a corps-level framework HQ, in this case, the existing HQ FMA which has already engaged part of its staff, personnel and assets, to work on the definition and adaptation to NATO criteria.

The HQ FMA is an experienced operational corps-sized HQ. Currently it exercises the national command and control of all the SP land forces in the Balkans. It has participated in many NATO, national and multinational exercises, mainly in the Southern and Central Regions, and uses NATO standard procedures. In June 2000, HQ FMA acted as CJTF HQ in the multinational "EOLO-00" CPX-LIVEX exercise.

During its incipient stages and until the SP HRF(L) HQ becomes self-sufficient, HQ FMA assistance and facilities would be available to help and sustain the HRF(L) HQ building-up process.

It is intended that the SP HRF(L) HQ is under SACEUR OPCOM as a NATO COMMAND FORCE

Coat of Arms for the SP HRF(L) HQ



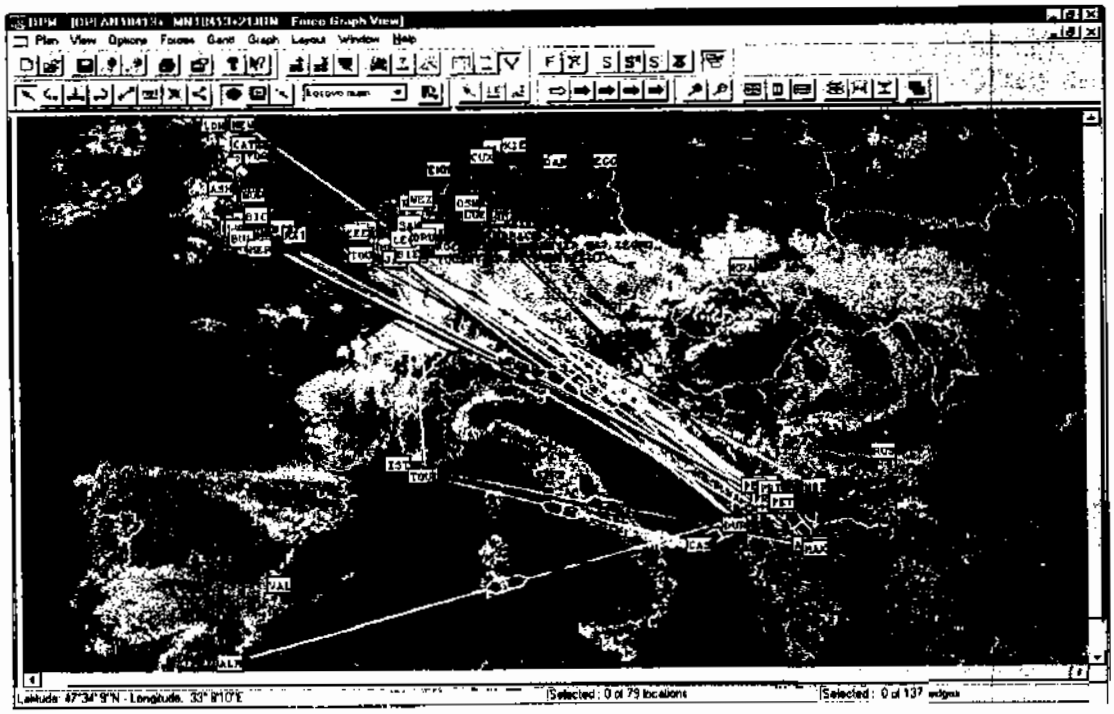
SP Army MBT

The participation of other nations would be subject to, an MOU between SACEUR and the participating nations. This MOU should address the operation, funding, administration and status of the proposed HQ. Spanish affiliated forces, and other forces from participating nations (TBD), would be NATO ASSIGNED and placed under OPCOM/OPCON when required by NATO and agreed by participating nations.

SPAIN HRF(L) HQ CONCEPT

The concept for the SP HRF(L) HQ builds on the following elements:

- A multinational HQ, NATO standards compliant, with normalised divisions 1 to 9, and a central staff (LEGAL, POLAD, Budfin, PIO, etc).
- A HQ Battalion for security, logistics, admin details and medical support.
- One Signals Brigade with integrated, effective and interoperable CIS capability.
- Permanent infrastructures and Host Nation Support, including the necessary facilities in Valencia to assist the HQ personnel, HQ Bn and Signals Bde, as bachelors' mess and lodging, medical support, fitness, etc.

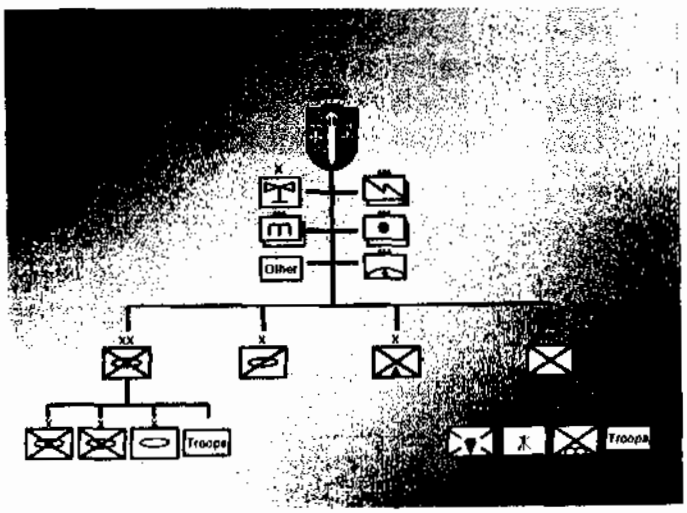


Example of KFOR Detailed Deployment Plan

Integral tools to this concept are the Spanish GPS LOVESA Vehicles Tracking System currently in use in BiH, where Spain is the MOVCON lead nation in the MND-SE; the NATO system ADAMS; and finally, a modern tactical C2 system: SIMACET which will integrate the other two systems by 2002. These 3 tools provide a very good capability to co-ordinate operational movements.

SPANISH FORCES AFFILIATION IN PEACETIME

In peacetime, Spain would affiliate to the new HRF (L) HQ up to two division HQ and eight brigades:



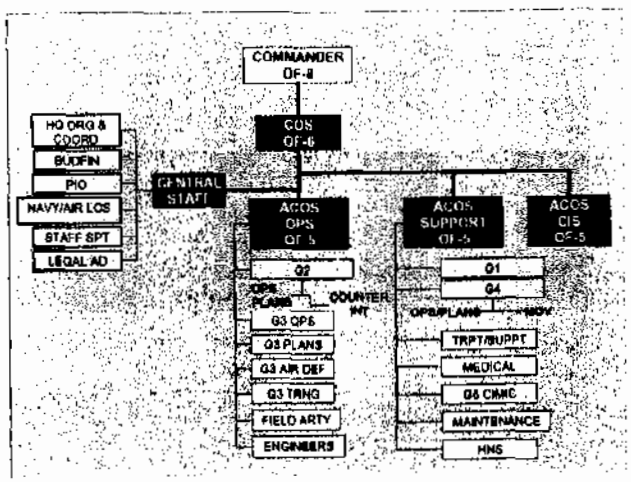
Current structure of the SP FMA

- 1 Armoured Bde
- 2 Mechanized Bdes
- 1 Cavalry Bde
- 1 Airborne Bde
- 1 Lt Infantry Airlift Bde
- 1 Mountain Bde
- 1 Motorised Bde

with appropriate Combat Support (CS) and Combat Service Support (CSS), such as: Special Operations Units, Engineers Bde, Field Artillery Bde, Intelligence Bn, Helicopters Bde, and Air Defence Artillery Units.

Of course, as the process of multinational force affiliation proceeds, that scheme of affiliation will have to be adjusted.

THE HRF (L) HQ. COMPOSITION AND MULTINATIONALITY



Current PE of HQ FMA

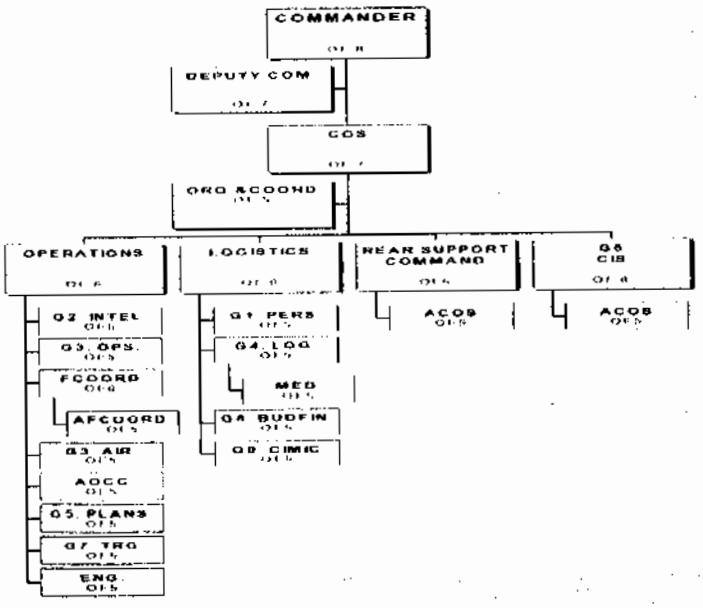
Currently, the HQ FMA is structured as shown in the figure. In order to determine the most appropriate structure for the HRF (L) HQ, a mission analysis has been carried on and a number of corps-size HQs have been taken into consideration, as possible models. ARRC HQ has been used as a binding reference, because of its proven success in recent deployments, and its long tradition as NATO's RRF.

The study resulted in the requirement of a 370 man- and woman- strong staff, in the understanding that, for a particular operation, this PE would have to be augmented, as required, with personnel from national contributions, including Partner and non-NATO nations.

Spain's contribution, as framework nation, to the HRF(L) HQ should be between some 40% to 65% of the aforementioned figure. The table and figures below show a notional Spanish contribution of about 60%, and should be taken as a mere indication, in which further possibilities may be considered.

	Proposed PE	National SP contribution
OF-8	1	1
OF-7	2	1
OF-6	5	3
OF-5	16	10
OF-4	41	25
OF-3	111	67
OF-2/1	43	26
OR	83	50
Ratings	68	41
TOTAL	370	224

Three Flag Officers are not shown in this figure, Deputy Commander (OF-7), Deputy COS (OF-6) and Rear Support Commander (OF-6).

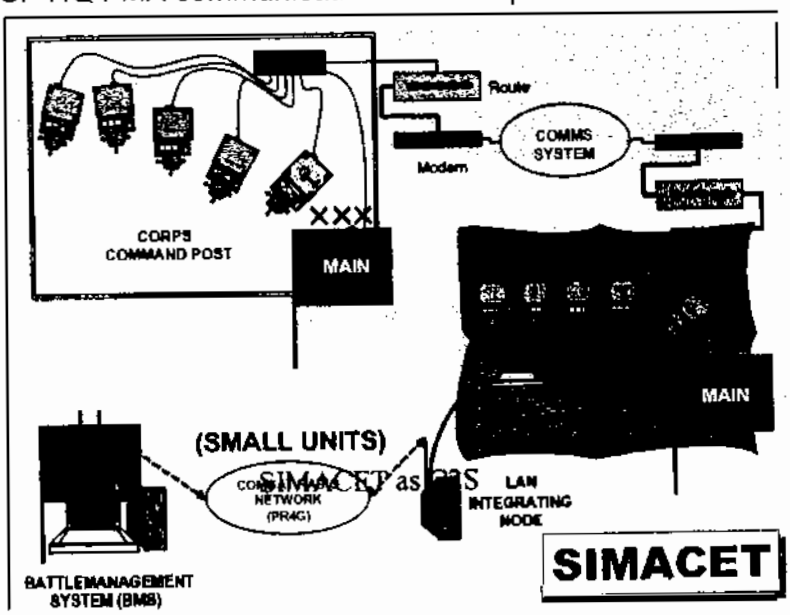


National SP HRF(L) HQ PE

COMMAND AND CONTROL SUPPORT (C2S)

One Signals Bde, provided by Spain as framework nation, will enable the SP HRF(L) HQ to operate throughout the entire mission spectrum; in most physical environments; involving a variety of forces, including Partner and other non-NATO nations, up to a maximum of 4 Divisions; with theatre CS and CSS units; and to conduct operations as a Land Component Commander HQ.

SP HQ FMA communications from its peacetime location to deployed units and NATO Staff Elements are based on multi- and single-channel military satellite systems, using two nationally-owned HISPASAT satellites. They also support the HQ FMA secure WAN and provide secure voice, data and VTC services. This network is linked to the Spanish Joint Telecom System.



Currently, nine HISPASAT Satellite Ground Terminals are deployed both in Bosnia and in Kosovo. All ACE AOI (Area of Interest) (as defined in MC 151) and other Spanish areas of interest are within satellite coverage.

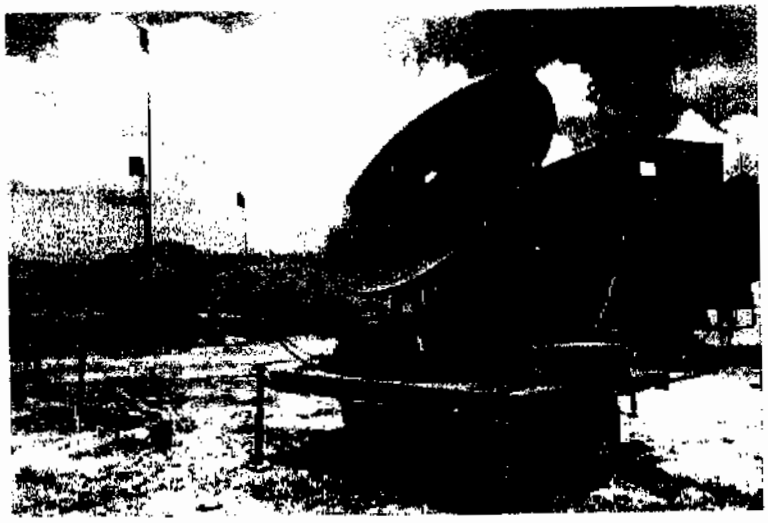
The connectivity to NATO CRONOS has already been requested and will be established as soon as it is authorised. Both the network assets and the physical infrastructure (TEMPEST compliant) are available.

SIMACET is based on an ATCCIS database, with a 5-level interoperability (STANAG 5048). It also allows the connection of older 4-level interoperability systems based on AdatP3 VI 1. SIMACET is evolving to support and integrate other possible tactical C2 systems: Intelligence, EW, Engineers, Logistics, Anti-air Defence, Field Artillery, etc.

Currently, the SP Corps communications are based upon a line of sight Digital Tactical Network; military satellite ground terminals; civilian satellite systems (INMARSAT); secure EPM military combat network radio comms; and PTT connections.

The Digital Tactical Network has very successfully participated in Combined Endeavour 2000 (CIS interoperability exercise) with 35 NATO and PfP countries.

The Digital Tactical Network meets EUROCOM standards. It allows linkage with NATO networks (STANAG 4206/4210, STANAG 5040); civilian networks (PTT); IVSN access (2048 kbps); X-25 protocol (with gateway X-75); Combat Radio Network (PR4G) and satellite RITA Digital Tactical Network. Small units directly dependent of the Corps are linked through the Combat Radio Network.

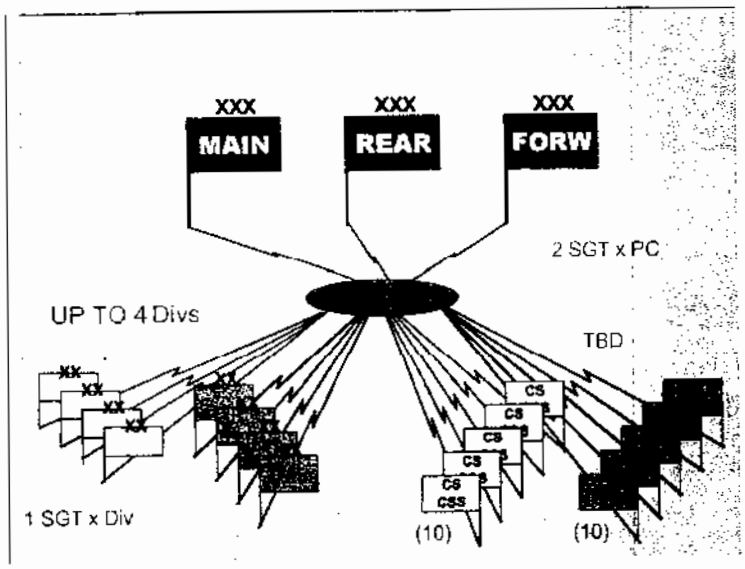


HISPASAT Satellite Ground Terminal

By the end of 2001, it is expected to have sufficient C2S personnel and operational assets to support a Corps-level operation, including 1 LCC/CJTF HQ; and the capabilities to integrate 4 Division HQs and 10 Theatre CS/CSS Unit HQs.

The C2S architecture at FOC will include a NATO Cronos segment and the SP Army C2I deployable and ATCCIS compliant.

Nevertheless, in times of crisis and war, C2S might need to be tailored and supplemented by other contributing nations.



Connectivity at FOC

COMBAT SUPPORT (CS) AND COMBAT SERVICE SUPPORT (CSS)

Spain, as the framework nation, will provide the necessary Combat Supp rt and Combat Service Support required for the peacetime operation of the HRF(L) HQ Again, in times of crisis and war, CS and CSS might need to be tailored and suppleme ted by other contributing nations.

In peacetime, dedicated CS and CSS assets provided by Spain would allow support to

- A deployed HRF(L) HQ (forward and rear facilities)
- The C2S elements, co-deployed at the HQ location.
- The HQ Bn

SP MLRS Teruel

COSTS

The cost sharing formula will be agreed by participants and included in the MOU between the nations and NATO Strategic Commanders concerning the manning, funding, and support of HRF HQ.

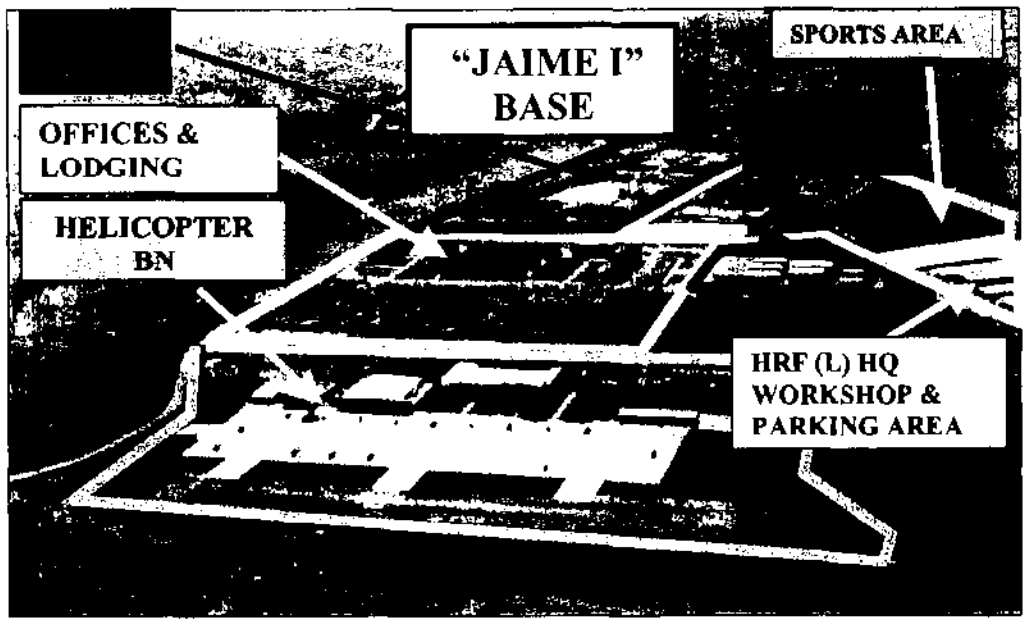
In general terms, costs will be shared on the basis of the percentage of officer positions. However, the exact formula will depend on the agreement on specific costs such as administration, operating and maintenance, transportation, and military exercises. At this time no reliable figures can be provided.

11-L-0559/OSD/3324

FACILITIES FOR THE SP HRF(L) HQ

The SP Army base "Jaime I", in Bétera, has been earmarked as the proposed HRF(L) HQ basing. Bétera is located some 15 Km (9 mi approx.) northwest downtown Valencia. It occupies an extension of 6.6 Km' (2.4 sq. mi approx.). Currently, there is a Helicopter Bn stationed on this base, which counts with helicopter landing facilities.

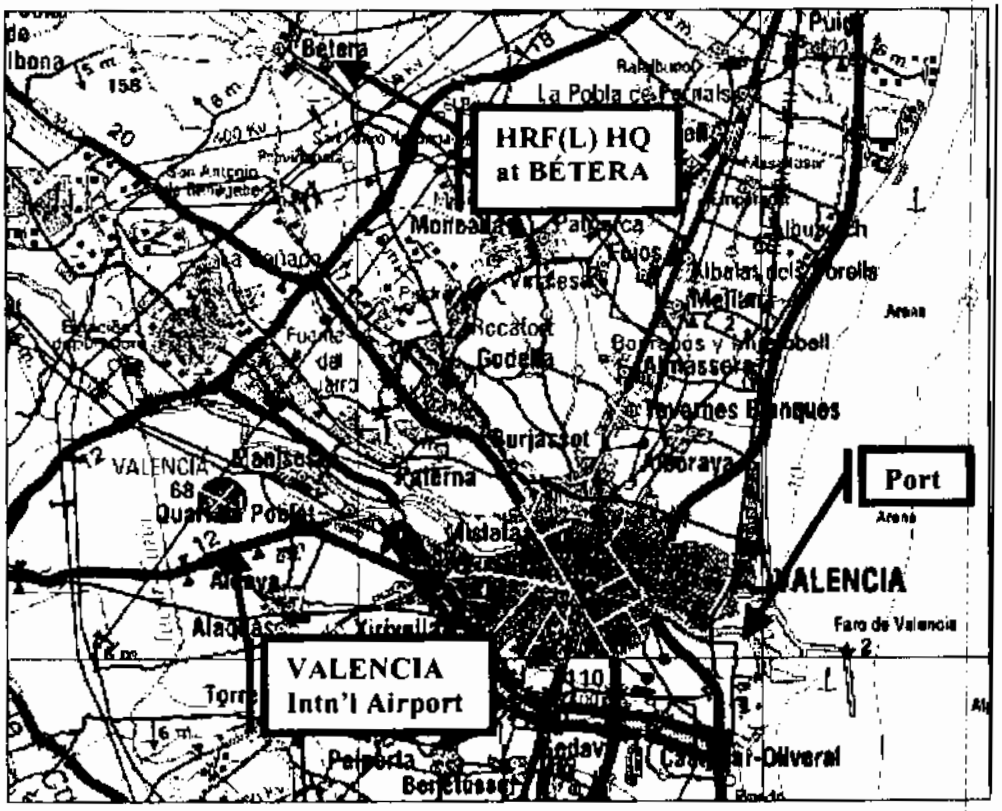
Within the base there are some 20,000 m^2 of brand new buildings, ideallysuited for administrative purposes and meeting rooms. Facilities include bachelors' hall and mess, cafeteria, restaurant and laundry services. A gym is to be constructed to supplement some 16,000 m^2 of open air sporting facilities. Medical and dental care is to be provided by the base medical services and the Military Hospital of Valencia as well as other general health care facilities.
There is a 35,500-m2-workshop area with room for the support units, and the respective parking places (25,000 m^2) for the vehicles of the HQ elements.



Base "Jaime I" at B&era.

Manises International Airport, serving Valencia and its surroundings, and the port of Valencia, are both in the vicinity of the expected basing of the HRF(L) HQ, in Bétera and are available as Air and Sea Ports of Embarkation / Debarkation. Additionally, rail and road connections allows the HRF(L) HQ remain connected with the rest of Spain and Europe.

SP FMA location in Spain



Bétera and the SP HQ FMA

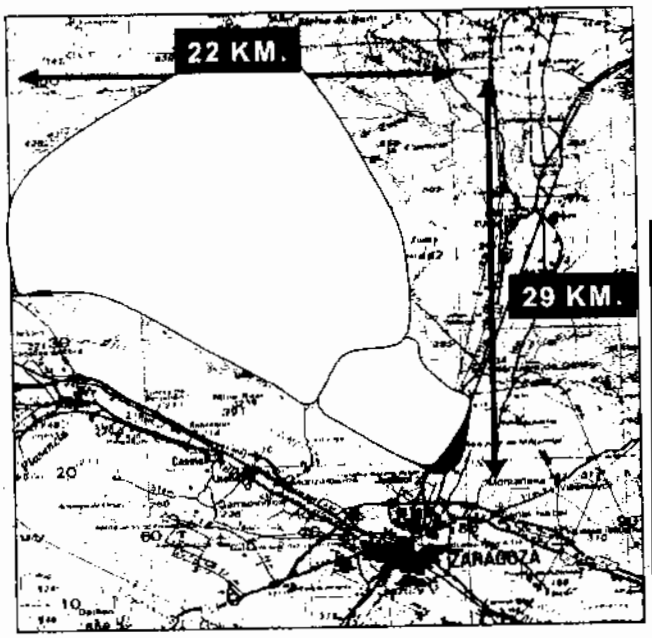
TRAINING

Close to the HQ location there are several training areas available, where the SP HQ FMA carries out exercises regularly. These facilities (Bétera, Paterna and Marines) are within a 20 km (12 mi) circle from Valencia.

For exercises requiring a very large terrain, the HQ, and affiliated forces, might use other appropriate training facilities in Spain. For this purpose the CTC "San Gregorio" in Zaragoza with 340 Km^2, (125 sq mi) 290 Km (175 mi) far from the HQ peacetime location is fully available.

The CTC "San Gregorio" has a wide range of capabilities and one outstanding feature is that weather conditions allow training exercises all through the year.

Main features of CTC San Gregorio



- 34.000 He.
- 3 MAIN FIRING AREAS
- 1 MBT. FIRING RANGE
- 1 ATGW. FIRING RANGE
- 1 TACT. FIRING RANGE
- 1 FIBUA AREA.
- 1 EOD. AREA
- TRAIN STATION
- AIR FIELD
- LIVEX BRIGADE LEVEL
- CSS. FACILITIES.
- BIVOUAC AREA.

The SP Army is currently involved in a vast project to improve the facilities in order to achieve a virtual battlefield on it (integration of virtual, constructive and live /simulation). This CTC is going to be formally offered to RC SOUTH to be included in a NATO Capability Package.

MILESTONES

INTRODUCTION

At Interim Operational Capability (IOC), as defined by the DHQTF, the HRF(L) HQ must, among other requisites,

- be capable of planning, training, and exercising as a Corps/LCC HQ for the entire spectrum of NATO missions
- be adequately trained, manned and resourced
- have all relevant MOUs and TAs agreed in principle.

At Full Operational Capability (FOC), it must

- be capable of deploying in an agreed timeframe
- be capable of planning and operating as a Corps/LCC HQ for the entire spectrum of NATO missions.
- be adequately trained, equipped, manned resourced and exercised
- be self-sufficient when deployed
- have all relevant MOUs and TAs signed and in place.

SP HRF(L) BUILD-UP MILESTONES

Detailed plans to achieve the capabilities required have been developed by the SP Army. An estimated timescale for the HQ activation is as follows

a. Initial Phase. As it will be built on existing FMA assets, capabilities and resources, it is expected a short initial phase. Official constitution could be achieved as 1st September 2001.

b. IOC. An interim operational capability is to be reached by march 2002. Both, the Initial and IOC phases include the allocation of financial resources, the subsequent fielding of additional equipment, the improvement of English language standards, and the assignment and arrival of co-sponsor allied nations personnel. They also include the training and exercises required to plan, train and exercise as a Corps HQ and as an JFLCC.

c. FOC. It is estimated to be at FOC by the end of 2002. SP HRF(L) HQ will have the capability to operate throughout the entire mission spectrum, including high intensity operations in most physical environment, and to conduct operations1 as a Land Component Command HQ.

During this phase, additional financial resources will be made available1 to complete the acquisition of equipment to meet the FOC requirements. The total PE will **be** manned and the HQ will carry out the necessary exercises to demonstrate the fulfilment of all the FOC requirements.

At the end of this phase, the HQ will be able to deploy and operate as a Corps and as an AJFLCC

HQ BUILD UP

Initial Phase:	**6 months**
Interim Operational Capability: (Except high intensity ops)	**By Feb2002**
Full Operational Capability: (Full range of military ops)	**By the end of 2002**

DETAILED IMPLEMENTATION PLAN

This chart presents the training and evaluation exercises plan to be developed in order to reach the FOC certification in due time.

1. Activation of the Project Director Team		09-Jan-01
2. Signature of the MOU		TBD
3. Creation of a Signals Reqt and a Signals Bde HQ.		TBD
4. Exercises to train the IOC		
• HALCON V/01: National Corps CPX		Sept/Oct 01
Place	Training facilities near Valencia	
Participating Units	2 major subordinate HQs (Div Size) and 6 CS, CSS CPs.	
Type	PSO	
• HALCON VI/02: National Corps CPX		Jan 02
Place	Training area	
Participating Units	2 major subordinate HQs (Div Size) and 6 CS, CSS CPs.	
Type	PSO	
• HAWK I/02: IOC Evaluation Exercise		Feb 02
Place	Training facilities near Valencia	
Participating Units	2 major subordinate HQs (Div Size) and 6 CS, CSS CPs.	
Type	PSO	
5. Exercises to train the FOC		
• DYNAMIC MIX		May/Jun 02
Place	Training area TBC	
Participating Units	Included in AFSOUTH schedule	
Type	TBD	
• HALCON VII/02: National Corps CPX		Sept/Oct 02
Place	Training area	
Participating Units	4 major subordinate HQs (Div Size) and 20 CS, CSS CPs.	
Type	Art V	
• HAWK II/02: FOC Evaluation Exercise		Nov/Dec 02
Place	Training area	
Participating Units	4 major subordinate HQs (Div Size) and 20 CS, CSS CPs.	
Type	Art V	

11-L-0559/OSD/3330

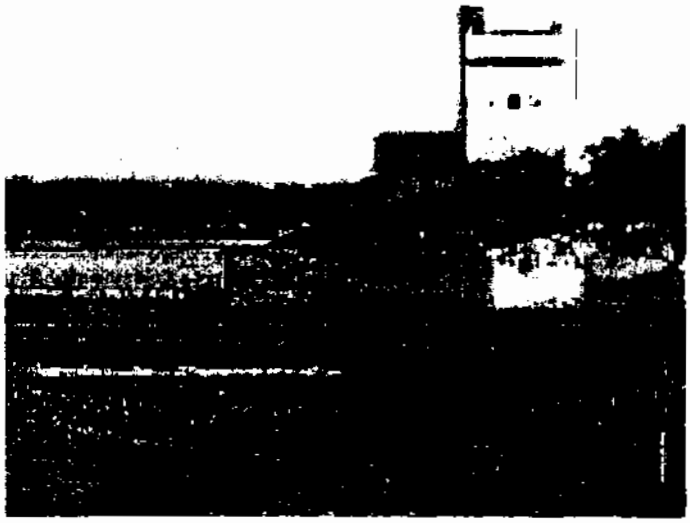
VALENCIA, HOME OF THE SP HRF(L) HQ

Valencia is located in the centre of the Spanish Mediterranean coast. The city, more than any other on the Spanish mainland, has an ideally. central location in the western side of the Mediterranean Sea. From a historic point of view, Valencia has always been, and still is, a natural bridgehead between the mainland, and the Mediterranean islands and countries. In fact, it is from this point that Spain now projects support for its troops deployed in the Western Balkans.

THE REGION AND THE CITY OF VALENCIA

Valencia is an autonomous region and former kingdom, located eastern Spain, and comprising the present provinces of Valencia, Alicante, and Castellón. Area, 23,255 sq km (8,979 sq mi); population (1998) 4,023,441.

The city of Valencia is the capital of the Region and the Province with the same name. It is located on a fertile plain near the mouth of the Turia River in the Mediterranean Sea. It is one of the largest cities of Spain and a manufacturing, agricultural marketing, and communications center. Other industrial establishments in the city include textile mills, chemical works, metalwork, shipyards, and breweries. Population (1998 estimate) 739,412.



La Albufera is a high valuable ecological area in the province of Valencia

Valencia is the seat of an archbishopric. It is also the site of the University of Valencia (1510) and the Polytechnic University of Valencia (1968). A museum of fine arts and a college of fine arts are in the city. Two gates remain from 14th-century walls built on Roman foundations. Among noteworthy buildings in Valencia are the Gothic cathedral (13th-15th century) and the Gothic silk exchange (15th century).

Valencia is noted for its mild climate, its many tourist centers located around the city offering leisure and relaxation – the Military Recreation Club "Rey Juan Carlos" in Manises – as well as many civilian sports centers and sports and recreation facilities. Apart from these, there is also a wide range of cultural activities available such as theatres, auditoriums, museums, libraries, etc.

11-L-0559/OSD/3331

One aspect that should not be overlooked is the high number of foreigners who now live in Valencia. There are numerous French, German, Dutch, Italian, Swedish communities, both in the tourist areas as well as in the city itself, owing to the traditional hospitality of the region and the high number of multinational businesses that have set up in Valencia. Thanks to this fact, all foreign personnel posted in a Multinational HQ will be able to enjoy a cultural environment similar to their own, the support of their fellow countrymen, as well as religious services etc., aside from the help which their Spanish colleagues will indubitably offer them.

Torres de Serranos in the City of Valencia

It is worth point ng out that perception of all military related issues throughout the Autonomous Community of Valencia is positive. The fact that army personnel are welcomed in any environment, the number of associations of former soldiers, together with the close relationship between the civil and military authorities make possible to predict that the setting up of a HRF (L) HQ in B&era (Valencia) is well accepted from both institutional and social standpoint

In short, Valencia offers a unique socio-cultural environment, which will afford all foreign military personnel an exceptional quality of life, which would be hard to equal in any other Spanish city.

11-L-0559/OSD/3332

PORTS, AIRFIELDS, SEA LINES AND AIRLINES

The port of Valencia is perhaps the key factor which best expresses the potentialities of this city. This port has become one of the most important on the Spanish mainland, as far as shipping is concerned, thanks to the extension of its piers, the improvements carried out on its loading and unloading bays and its connections to other networks.

At this time, Valencia can be assessed to be ideally placed as the point of force projection to Europe, Africa and the Near East, as illustrated by the fact that it is currently used as the departure site for the Army's expeditionary forces in multinational operations. With regard to trade, one example of its appositeness is the fact that over the last few years it has been used as the point of entry for products from many important companies of the Near and Far East.

The following table may serve as a guide for the approximate distances and sailing times from the port of Valencia to the cities mentioned.

	Distance Nautical Miles
Norfolk	4622
London	1824
Hamburg	2282
Marseilles	360
Toulon	370
Naples	689
La Spezia	537
Palermo	510
Athens	1615
Istanbul	1994

The Manises National Airport can be found on the outskirts of the city, and has an international terminal, which has been recently improved and extended.

The civilian airport of El Altet (Alicante) is located 180 km. away and can be reached by dual carriageway and highway. Los Llanos Airbase in Albacete and San Javier Airbase in Murcia are likewise relatively close to Valencia

There are several national daily flights from Valencia to Madrid and Barcelona, as well as international flights to Berlin, Brussels, Copenhagen, Dusseldorf, Frankfurt, Geneva, Lisbon, London, Milan, Paris, Rome, Stuttgart and other European cities. This will meet the needs of the personnel from the allied countries participating in the SP HRF (L) HQ.

11-L-0559/OSD/3333

ROADWAY AND RAIL NETWORKS

Valencia is easily accessible from any point on the Spanish mainland thanks to the national roadway network, One of the most important of the existing highways is the coastal highway that makes it possible to connect quickly with the rest of Europe and North Africa. Another noteworthy point is the network of dual carriageways going towards the hinterland.

Hence, Valencia can be reached using first class roads from anywhere in Spain and Europe. An illustration of the above mentioned is the fact that the TIR road) transport company favours this roadway network and avails Itself of the excellent economic advantages offered.

Below is a table showing the distance by highway from Valencia to those places mentioned, as well as the length of time needed depending on the differing vehicle speed (single car and military convoys):

PLACE	NETWORK	Km	Time		
			S=120 Km/h	S=75 Km/h	S=60 Km/h
Madrid	Levante Highway	350	3 hours	4 ¼ hours	6 hours
Barcelona	A-7 Highway	350	3 hours	4 ¾ hours	5 ¾ hours
Seville	Mediterranean Highway	697	6 hours	9 ¼ hours	11 ½ hours
Rota	Mediterranean Highway	805	6 ¾ hours	10 ¾ hours	13 ½ hours
Cartagena	A-7 Highway	300	3¼ hours	4 ¾ hours	6 ¾ hours
Lisbon	A-3/A-5	970	8 hours	13 hours	16 hours
French Border	A-7 Highway	480	4 hours	6 ½ hours	8 hours

The roadway network is complemented by a railway network, which is constantly being improved, and which links Valencia to the North, the West and the South. In the near future, there will be a High Speed Train connection to the North of Spain, thus making it possible to travel to Europe through France. At present, it is possible to travel by rail towards the West to Madrid via Albacete in 4 (four) hours on an electrified double-track railway.

This network has freight terminals with the road network at Silla station, and with the road and maritime networks in the Valencia-Grao port, all of which serves to increase the potentialities of these three means of transport.

RECREATIONAL FACILITIES

The Rey Juan Carlos Military Recreation Club for officers was built in 2000, (and it is located very close to Manises Airport. Aside from its proximity to the military facilities of the Valencia garrison, it offers lodging, tennis, basketball and handball Courts, swimming pools, etc., and is ideally conditioned to provide leisure activities to the personnel posted in the town and their families.

The Reina Sofia Military Sports Club for NCOs posted at the garrison. It can be found in, the town of Godella, very close to Paterna. It offers several sports facilities such as tennis courts, pelota courts, swimming pools and social rooms.

EDUCATION IN VALENCIA

As for education aspect, Valencia offers a great variety of choices: a "Lyçée Français" (French School), a "Deutsche Schule" (German School), and both English and American centers. They allow the children of foreign military personnel to carry out their studies in Valencia in accordance with the educational plans in their country of origin. There is a wide range of third level studies, which can be taken in Valencia, many of, which have been adapted to the European programmes thanks to the Erasmus programme.

Saint Joseph´s fireworks

HEALTH CARE

There is a Military Hospital with 200 beds, and which is equipped with iup-to-date facilities. It is easily accessible, and is located on the outward city by-pass. It also has its own heliport.

HOUSING

Valencia offers a wide variety of housing accommodation, There is a sufficient number of houses available at affordable prices, making it possible to buy or rent your own a house. For the personnel who would prefer to live outside the city centre, thanks to the high number of "second homes" (a social phenomenon more widespread in this province than in any other), there is a large amount of these types of home, highly regarded in other countries, on offer.

11-L-0559/OSD/3335

snowflake

April 25, 2001 9:37 AM

TO: Honorable Colin Powell
Honorable Condoleezza Rice

FROM: Donald Rumsfeld DR

SUBJECT: Missile Defense

Attached is the missile defense law that I mentioned to you at breakfast today.

Attach.
Missile Defense Act

DHR:dh
042501-1 1

373 24

25 April 01

U08176 /01

See Def - 141 - National Missile Defense Act.

[DOCID: f:publ038.106]
Public Law 106-38
'106th Congress

An Act

To declare it to be the policy of the United States <<NOTE: July 22, 1999 - [H.R. 4]>> to deploy a national missile defense.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress <<NOTE: National Missile Defense Act of 1999.>> assembled,

SECTION 1. <<NOTE: 10 USC 101 note.>> SHORT TITLE.

This Act may be cited as the "National Missile Defense Act of 1999'".

SEC. 2. <<NOTE: 10 USC 2431 note.>> NATIONAL MISSILE DEFENSE POLICY.

It is the policy of the United States to deploy as soon as is technologically possible an effective National Missile Defense system capable of defending the territory of the United States against limited ballistic missile attack (whether accidental, unauthorized, or deliberate) with funding subject to the annual authorization of appropriations and the annual appropriation of funds for National Missile Defense.

SEC. 3. <<NOTE: 22 USC 5901 note.>> POLICY ON REDUCTION OF RUSSIAN NUCLEAR FORCES.

It is the policy of the United States to seek continued negotiated reductions in Russian nuclear forces,

Approved July 22, 1999.

LEGISLATIVE HISTORY--H.R. 4 (S.257) (S. 269):

HOUSE REPORTS: No. 106-39, Pt. 1 (Comm. on Armed Services).
SENATE REPORTS: No. 106-4 accompanying S. 257 (Comm. on Armed Services).
CONGRESSIONAL RECORD, Vol. 145 (1999):
Mar. 18, considered and passed House.
May 18, considered and passed Senate, amended, in lieu of S. 257
May 20, House concurred in Senate amendment.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):
July 23, Presidential statement.

<all>

Rec'd 2/19
2:15 pm
AZN

11-L-0559/OSD/3337

snowflake

April 26, 2001 12:12 PM

TO: Honorable Colin Powell
Honorable Condoleezza Rice

CC: Paul Wolfowitz

FROM: Donald Rumsfeld

SUBJECT: Fax Communications

311

I have an unclassified fax machine in my immediate office.

Please send unclassified faxes to (b)(6) My staff can be reached for verification via telephone at (b)(6)

Thanks.

DHR:dh
042501-14

26 Apr 0

U08251 /U1

snowflake

April 25, 2001 2:57 PM

TO: David Chu

cc: Paul Wolfowitz
Steve Herbits
James G. Roche
Gordon R. England
Thomas E. White

FROM: Donald Rumsfeld

SUBJECT: Recruiting Budgets

Attached is the recruiting media budget by Service. It is interesting that they spend somewhere between 1% and 12% of their budgets on Internet advertising. It sounds very low to me, particularly given the kinds of people we are going to need in the military.

Any thoughts?

DHR:dh
042501-16

340

25 Apr 01

U08232 /01

Recruiting Media Budget by Service

			Television	Radio	Print	Internet	Direct Mail	Other**	Total Budget
Army	FY 00	Dollars (000)	$43,210	$9,986	$10,989	$5,022	$4,167	$1,021	$74,395
		Percet of Budget	58%	13%	15%	7%	6%	1%	
	FY 01	Dollars (000)	$46,032	$7,720	$10,325	$5,845	$2,693	$2,450	$74,465
		Percet of Budget	62%	10%	14%	8%	4%	3%	
Navy	FY 00	Dollars (000)	$18,319	$3,458	$8,264	$5,996	$7,523	$5,478	$49,038
		Percet of Budget	37%	7%	17%	12%	15%	11%	
	FY 01	Dollars (000)	$25,242	$5,207	$9,233	$3,611	$6,219	$4,446	$53,958
		Percet of Budget	47%	10%	17%	7%	12%	8%	
Marine corps	FY 00	Dollars (000)	$14,876	$295	$3,854	$237	$4,697	$2,846	$26,805
		Percet of Budget	55%	1%	14%	1%	18%	11%	
	FY 01	Dollars (000)	$14,617	$202	$5,367	$605	$6,891	$2,339	$30,021
		Percet of Budget	49%	1%	18%	2%	23%	8%	
Air Force	FY 00	Dollars (000)	$24,393	$0	$6,018	$2,931	$3,310	$1,596	$38,248
		Percet of Budget	64%	0%	16%	8%	9%	4%	
	FY 01	Dollars (000)	$32,000	$3,468	$6,628	$3,358	$2,163	$1,080	$48,697
		Percet of Budget	66%	7%	14%	7%	4%	2%	
Joint Advertising	FY 00	Dollars (000)	$0	$0	$6,278	$873	$344	$770	$8,265
		Percet of Budget	0%	0%	76%	11%	4%	9%	
	FY 01	Dollars (000)	$5,763	$0	$1,500	$500	$836	$148	$8,747
		Percet of Budget	66%	0%	17%	6%	10%	2%	

* As of FY 2002 BES

** Other includes public service announcements, film trailers, and lead fulfillment materials.

*** Budget data reflects active component recruiting.

snowflake

April 25, 2001 5:17 PM

TO: Paul Gebhard

cc: Paul Wolfowitz
Steve Cambone

FROM: Donald Rumsfeld

SUBJECT: Study on Optempo

Paul Wolfowitz is going to be coming to you with a proposal on a new study on the subject of optempo. I think it is a good idea. Let's do it.

DHR:dh
042501-25

322

25 Apr 01

U08233 /01

MEMO TO: Secretary Rumsfeld **DATE: April 17, 2001**

FROM: Paul Wolfowitz PW

SUBJECT: Proposed Study of Contingency Deployments and OPTEMPO Issues

Don,

One study that we have yet to task is one that would look at overseas presence and contingency deployments and their effect on OPTEMPO and PERSTEMPO. This has large potential implications on both quality of life issues and force structure requirements.

Attached is a draft of a study proposal that I asked Mike Leonard of IDA to prepare for us to look at.

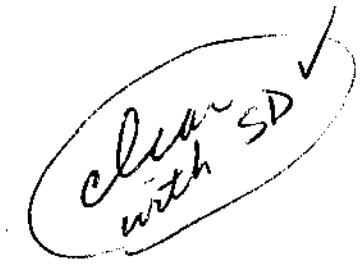
If you approve, I would like to ask Paul Gebhard to include it as another study within the Strategy Review framework. (I am told that would make #20).

I think this is one of the most important studies we need to do. It would have significant impact on the QDR. It would also give you hopefully a handle to address the question you keep raising about all the little proposals for deployments all over the world. Their plan would be to have some initial results ready by the end of May, with a final study to be completed hopefully in time to impact the FY '03 budget deliberations.

OK -
Go ahead.

STRATEGY, FORCES AND
RESOURCES DIVISION

Michael Leonard, Director



April 12, 2001

MEMORANDUM TO: THE SECRETARY OF DEFENSE
THE DEPUTY SECRETARY OF DEFENSE

FROM: Michael Leonard,
Institute for Defense Analysis

SUBJECT: Study Proposal

In response to our discussions with Dr. Joseph Collins of your staff, IDA proposes to do the first phase of a two-phase study on Overseas Presence, Contingency Deployments and Operational and Personnel "Tempo".

In the initial study phase, which would last about six weeks, we would develop a conceptual framework for examining this subject and metrics for calculating tempo burdens on military personnel. We would also develop, and provide arguments for and against, a set of options dealing with types and levels of overseas presence; reconstitution of deployed units for major war missions; larger and more stable tours, coupled with management under "cyclical" readiness concepts; and other topics detailed in the attached draft IDA Task Order.

Based on your decisions, selected options would be developed further, in conjunction with DoD, during Phase II of the study.

We recommend your approval of this study.

"TEMPO" STUDY TALKING POINTS

- Phase I is a six-week effort to develop
  - An analytic framework and metric(s) for measuring TEMPO impact on personnel.
  - Options for adjusting key factors affecting TEMPO (e.g., changes in overseas presence, contingency deployments, or force/personnel management).
- Selected options would be developed further (with Services/Joint Staff) in Phase II – in connection with the QDR or FY 2003 budget deliberations. IDA is available to help with more detailed development, but this will require data and participation of DoD elements.
- The analytic construct is critical. This has three main components:
  - Forces withheld for major conflict (e.g., 1MTW +/-).
  - Forces being re-trained following presence/contingency use.
  - Residual forces available for presence/contingencies (numbers depend on numbers in first two categories and metric(s) for personnel hardship).
- One good metric is "time away from home station." This includes <u>routine training and exercises</u> as well as presence and contingency deployments. IDA may identify other metrics as well.
- Lucrative areas for reducing TEMPO currently appear to be:
  - Longer and more stable tours in units; more force management by units vice individuals.
  - Use of Navy/Marine Corps "cyclic readiness" concepts by Army/Air Force.
  - Additional "high demand/low density" forces, or increased manning/higher utilization of existing forces.
  - Adjusting types and levels of steady-state overseas presence.
  - And, of course, exercising greater discipline on the number, size, and length of contingency deployments.

TASK ORDER

BB-6-2023

TITLE: Study and Analysis for the Secretary of Defense on Overseas Presence, Contingency Deployments and TEMPO

1. This task order is for work being performed by the Institute for Defense Analyses (IDA) under Contract DASW01-98-C-0067 for the Special Assistant to the Secretary of Defense for Policy Matters.

2. BACKGROUND

The Secretary of Defense has requested a review of DoD's overseas presence, contingency deployments, and associated operations and personnel tempo. IDA has been asked to perform the initial phase of this study.

3. OBJECTIVE

In Phase I, to identify and evaluate for the Secretary of Defense a set of options concerning types and levels of overseas presence, contingency deployments, and force management in the context of the new defense strategy. In Phase II, to provide in-depth analysis and recommendations for the Secretary of Defense on selected options identified in Phase I.

4. STATEMENT OF WORK

This task is designed to improve understanding of the relationship between requirements for overseas presence, contingency deployments, and the requirements for major theater war. It seeks to facilitate determination, in the context of the new strategy, of what forces should be held ready for major theater warfare, and what forces would be available for presence or contingency use.

In Phase I of this study IDA will conduct research and interviews on the topics and issues listed below. In each area, one or more options will be prepared and evaluated in terms of major arguments for and against, and rough resource implications. The areas to be addressed include:

a. Development of an analytic framework for examining presence and contingency deployments and their effects on readiness for major war in the context of the new national security strategy.

b. Identification of one or more metrics for determining the combined burdens of routine training, overseas presence, and contingency deployments on military personnel.

c. Identification and evaluation of options concerning the types and levels of "steady-state" overseas presence in key regions, and the operational and cost implications of changes in presence for crisis response.

d. Analysis of the times required to re-constitute units returning from contingency deployments to full proficiency for major war, under both routine and emergency conditions.

e. Identification and evaluation of options concerning longer tours and greater personnel stabilization in units, and other personnel management practices to enhance training readiness and reduce reconstitution time.

f. Identification and evaluation of options for using "cyclical readiness" to manage and mitigate TEMPO burdens.

g. Identification and evaluation of options for increasing numbers of "high-demand/low density" forces or increasing their manning/utilization,

h. Identification and evaluation of innovative recruiting and retention concepts for specialized units.

i. Identification and evaluation of different organizational concepts and structure for handling specialized tasks.

j. Identification and evaluation of techniques for ensuring that presence and contingency deployment burdens are shared more equitably among units in the force.

Phase II of this study will provide in-depth analysis of options identified in Phase I that are of particular interest to the Secretary of Defense, and recommendations on the best way to proceed.

5. SCHEDULE

a. A briefing on the subjects listed above will be prepared by May 3 1,2001.

b. Interim progress reports will be provided at the sponsor's request.

c. The effective date of this task order shall be the date it is signed by the sponsor. The period of performance of this task order may run through September 30, 2001.

6. CORE STATEMENT

This research is consistent with IDA's mission in that it will support specific analytic requirements of the sponsor and will assist the sponsor with planning efforts. Accomplishment of this task order requires an organization that has a comprehensive knowledge of sponsor needs and problems, is capable of performing objective, high-quality work on complex issues, and is free from parochial interest. These attributes are provided by IDA, a Federally Funded Research and Development Center. The research draws upon IDA's core competencies in Force and Strategy Assessments. Performance of this work will benefit from, and contribute to, the long-term continuity of IDA's research program.

7. FUNDING

This task order authorizes $250,000 for completion of Phase I. Additional funding would be needed for Phase II.

8. TECHNICAL COGNIZANCE

Technical cognizance for this task order is assigned Mr. Christopher Williams, Special Assistant to the Secretary of Defense for Policy Matters, Room 4E808, (b)(6) (b)(6) or as may be further assigned within OUSD(P). The point of contact at IDA is Mr. Michael Leonard, (b)(6)

9. SPECIFIC ADMINISTRATIVE INSTRUCTIONS

a. If at any time during the course of performing this task order, the sponsor or IDA identifies the need for substantial changes, a sponsor-approved amendment to this task order will be submitted to the IDA Contracting Officer's Representative, with a copy to the sponsor or his project officer, as appropriate.

b. This task order will be conducted under Industrial Security Procedures specified in DoD 5220.22-M, "National Industrial Security Program Operating Manual," or as directed by the IDA Contracting Officer's Representative.

c. The sponsor will have 30 calendar days in which to respond to IDA on any draft deliverable, providing review comment, approval of security classification, and distribution instructions.

d. A general "need-to-know" is hereby established in connection with IDA performance of this task order. Access to classified documents and publications and security clearances necessary to complete this task order will be obtained through the IDA Contracting Officer's Representative unless otherwise instructed.

_____ Date:_____

Mr. Christopher A. Williams
Special Assistant for Policy Matters
OUSD(P)

_____ Date:_____

Larry D. Welch
President, Institute for Defense Analyses

_____ Date:_____

Dennis E. Litchfield
IDA Contracting Officer's Representative
Office of the Director, OSD Studies and FFRDC Programs

snowflake

April 26, 2001 10:05 AM

400.112

TO: Bill Schneider
Dov Zakheim
Barry Watts

FROM: Donald Rumsfeld DR

SUBJECT: R&D Funding

Attached is a note from Pete Aldridge on the subject of R&D funding, which is responding to a memo I sent him on the subject. Please take a look at his memo and coordinate with Dov as to what you think.

Thank you.

Attach.
4/25/01 Aldridge memo to SecDef re: "Funding for DARPA and S&T"

DHR:dh
04260 1-X

26APR01

U08301 /01

April 25, 2001

To: Secretary of Defense

cc: Deputy Secretary of Defense
Dov Zakheim

From: Pete Aldridge

Subject: Funding for DARPA and S&T

You asked about what should be the proper level of funding for DARPA, and what should be included in the FY01 Supplemental and FY02 Amendment. I have augmented this request to include the S&T and RDT&E budgets for the DoD. All the dollars are shown in constant FY01$. I would not recommend an increase in FY01 since we would not have time to properly plan and obligate the funds.

DARPA's maximum budget was about 1% of the total DoD budget in FY94 (about $2.8 billion). It was as low as 0.2-0.3% in the late 1980s. The FY02 request is about 0.6% or about $1.9 billion. To include some new DARPA efforts in space technology, more lethal systems, and other innovative "war winning" technologies, I would recommend that we increase DARPA spending to about 0.8% of DoD and keep that percentage constant in the FYDP. This would require about $600 million additional funds in FY02.

The Science and Technology budget reached a peak of about 3.1% of DoD budget in 1993 ($9.9 billion). (The DARPA budget is included in the S&T budget) The S&T budget reached a low of about 1.5% of the DoD budget at the peak of defense spending in the FY85 period, but stabilized at 2.7-2.9% over the past five years. The FY02 request is about 2.4% for a total of $7.4 billion. To incorporate some of the technology initiatives from the Defense Strategy Review and simulate additional technologies from the Military Services, I would recommend that we increase the S&T spending to about 3% of the DoD budget and keep that percentage constant in the FYDP. This would require about $1.8 billion additional funds in FY02 (this includes the DARPA increase above).

The total RDT&E budget for DoD reached a peak of about $50 billion in FY87 and FY88,and 12.5% of DoD budget, and, over the past 10 years, a low of 10.9% in FY91. The peak percentage was 14% in FY98, or $39 billion. The FY02 request is about 12.5% of DoD and a total of $38 billion. To implement the President's desire to increase the RDT&E budget by $20 billion over the next 5 years, and to incorporate program accelerations and changes from the strategy review, I would recommend we increase the RDT&E budget to 15% of the DoD budget. This would increase the RDT&E budget by about $8 billion in FY02 (to include the $1.8 billion increase in S&T).

4/25
1900

snowflake

350.09

April 26, 2001 7:04 AM

TO: Rich Haver

cc: Paul Wolfowitz
Steve Cambone
William Schneider
STEVE HEALBITS

FROM: Donald Rumsfeld

SUBJECT: Intelligence

Here is a proposal on Intelligence. How do you think we might organize to take a look at this?

Attachment

DHR:dh
022301-1 6

26APR01

U08302 /01

Visualizing the Intelligence System of 2025

It is important for the United States to develop a new vision of intelligence gathering, analysis and utilization. The existing system is becoming less than optimal in the face of new conditions and new requirements. As seen from the National Command Authority the United States has a number of new requirements that the Cold War based intelligence system deals with inadequately:

1. There is a world with many centers of activity and importance. The bipolar focus of the past is hopeless. Tndced there may be no coherent focus that is manageable in a world in which Korea, Thailand, Colombia, the Galapagos Islands, Rwanda and terrorist threats against the United States all could simultaneously demand attention while Russia, China, India, Japan, the Middle East and the European Community could also require attention the same day;

2. The nature of the problems which Presidents cannot avoid dealing with have broadened dramatically to include the environment, economics, organized crime, human rights, as well as more traditional military and diplomatic concerns;

3. The reliance on overhead capability is being eroded by increasingly sophisticated strategies of denial and deception;

4. The reliance on code breaking and electronic intercept is being eroded by fiber optic lines and increased encryption capabilities;

5. Some terrorist groups use family and communal relationships that make them extraordinarily difficult to penetrate while their capacity to inflict damage with minimum organization is growing dramatically;

6. There has been a tendency to overemphasize collections and underemphasize analysis so we often know more data than we can translate into usable knowledge. The answer is not less collection but more analysis;

7. More and more information is going to exist in the clear but will need to be gathered, analyzed and distributed within the framework of more traditional intelligence if the two are to be synthesized into one working whole.

These seven changes require a new visualization of the missions, systems architecture, and resource requirements of the intelligence capability America needs for future security requirements.

No one who is managing daily activities and current problems (including PFIAB) can really develop this kind of new visualization. What is needed is a broad based working group or commission to review the collective needs of the National Command Authority and examine the potential real-time and long-term requirements of both American security and American leadership and then propose a system that could meet those needs.

snowflake

April 26, 2001 6:38 AM

TO: Steve Cambone

CC: Paul Wolfowitz
Mark Thiessen

FROM: Donald Rumsfeld DR

SUBJECT: Defense Review

Here is some interesting material from Bill Schneider. I think it ought to be fed into your process where you are doing some work over there on the rollout and presentation. You might want to send it to some other people as well.

Thanks.

Attach.
3/9/01 Schneider memo to SecDef re: "Background Information on the 'New Look' Defense Review by President Eisenhower"

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26APR01

William Schneider, Jr.

MEMORANDUM

March 9, 2001

TO:	Hon. Don Rumsfeld Secretary of Defense
FROM:	William Schneider, Jr.
SUBJECT:	Background information on the "new look" defense Review by President Eisenhower.

Following our earlier discussion of the parallels between the defense review sponsored by President Bush and the circumstances of the Eisenhower administration nearly half a century ago, additional research has been undertaken – primarily by Bernie Victory.

I have attached several short papers on various aspects of the Eisenhower "new look" defense review. One set of historical observations concerns the chronology of the Eisenhower review. The core of the Eisenhower "new look" defense review was completed in five months. This period of time is roughly parallel to the timeline of the Bush review (January – May 2001).

The outcome of this review resulted in an increase in defense expenditure of ~ 20% in the first year following the review. This reflected the sharp change in direction imparted to the defense program by the changes in the security environment following the end of World War II. The Soviet Union ceased being an ally, and became a mortal enemy. Ballistic missiles, nuclear submarines and aircraft, surveillance and communication satellites, and jet aircraft became ***affordable*** with the higher budget levels. The technology was could have been exploited (e.g. jet aircraft, nuclear weapons, and ballistic missiles were used in World War II) because the resources available in the years immediately after World War II were not available. The Eisenhower transformation was driven jointly by a change in the security environment, a new strategy, and the affordability of available technology.

Background and Chronology of the "New Look" Strategy

Introduction and Summary

The "New Look" was the name given to President Dwight Eisenhower's Defense strategy. The process of developing and promulgating the New Look took about a year. Antecedents to the strategic approach are reflected in Eisenhower's 1952 campaign statements. The policy studies upon which the New Look was based were conducted over a period of five months in the spring and summer of 1953, In the fall and winter, the Department of Defense translated the strategy into force structures and budgets. The goal of the New Look was to provide for the long-term security of the United States, including the population itself, with moderate defense budgets.

The New Look strategy entailed a greater emphasis on retaliatory threats to deter Communist aggression, along with active defenses for the Continental United States. It found expression in a force structure employing a wide range of new technologies, including guided missiles, intercontinental-range bombers and missiles, satellites, supersonic fighters, nuclear-powered submarines and surface ships, and helicopters.. Manpower levels were somewhat reduced, and budgets were held to moderate levels. The breadth and effectiveness of the technologies developed under the New Look was so great, that our military forces were transformed by the strategy.

Prologue to the New Look

1945-1952

Some of the policies of the Truman Administration, in particular the policy of containment of Communism, and the decision to expand air-power, continued under the New Look, though in modified, augmented, or expanded form.

The 1952 Campaign

Eisenhower campaigned in 1952 on a theme that government expenditures should be limited, in order not to harm the U.S. economy, and promised to eventually balance the Federal budget. Eisenhower in September 1952 said he would appoint a civilian group to make a thorough examination of the politico-military strategy of the United States. Eisenhower called for "a halt to stop-and-start planning" and would "plan for the future on something more solid than yesterday's headlines." Eisenhower sought to achieve savings by greater unification of the services to reduce costs of procuring materiel, and overhauling the defense machinery, Eisenhower said he would "[find] a way of dealing with the world in cooperation with all the free countries so that our boys may stay at home . . . and not go off to foreign shores to protect our interests."[1]

[1] Robert J. Watson, History of the Joint Chiefs of Staff (Washington: Historical Division, JCS, 1986), p. 4.

11-L-0559/OSD/3356

November 1952-March 1953

Eisenhower promised during the 1952 campaign to go to Korea as part of his effort to end the Korean War. He flew to Korea November 30, and returned in December aboard the cruiser *USS* Helena with his close advisors. Among them were John Foster Dulles, Charles Wilson, George Humphrey, Joseph Dodge, and ADM Arthur Radford, who would become Secretary of State, Secretary of Defense, Secretary of the Treasury, Director of the Budget, and Chairman of the JCS, respectively. An important antecedent of the "New Look" was the discussion aboard the ship. The "*Helena* conference" was concerned with developing a defense concept that would permit the indefinite maintenance of an effective U.S. military posture without impairing the U.S. economy. NSC-141, the last Truman statement on national security, was considered by Eisenhower's NSC in February 18, and was quietly dropped as it s plans were determined to be too costly to implement.[2]

Over this period, there was a parallel review process going on among the Joint Chiefs of Staff. In December 1952, the Chiefs prepared a report on the status of military programs as of the end of the year, to be reviewed by the Secretary of Defense. The revised report was sent to the NSC on 6 March 1953. The paper, designated NSC 142, said that U.S. forces were barely adequate for the current situation and could not face any new crisis; Army and Navy forces were fully committed and there was no strategic reserve. The Air Force was short of most kinds of aircraft, as well as aircraft control and warning facilities.[3]

NSC 142 assumed that some of the problems identified would be remedied by the proposed FY 1954 budget, the final one submitted by President Truman, of $41.3 billion in new obligational authority, and $45.5 billion in expenditures. The budget proposal was submitted to Congress on 9 January 1953. The JCS paper called for Army force levels to stay constant at 20 divisions, but the Air Force and Navy would expand.

The JCS wanted more money than Eisenhower wanted to spend. Eisenhower's Director of the Bureau of the Budget, Joseph M. Dodge, and Treasury Secretary George Humphrey, strongly advocated cuts in government spending. On 4 March, Dodge called for a 10% reduction ($4.3 billion) in DoD spending for FY 1954 and a reduction of $9.4 billion for the FY 1955 DoD budget, which was in the planning stage.[4]

The New Look Process

30 April 1953: President Eisenhower announces a "radical" change in defense policy at a press conference. He expressed the need to develop a strategy and force structure for "the long haul:"

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[2] Watson, pp.5-6.
[3] Watson, p. 3
[4] Watson, p. 6.

> Defense is not a matter of maximum strength for a single date. It is a matter of adequate protection to be projected as far into the future as the actions and apparent purposes of others may compel us. It is a policy that can if necessary be lived with over a period of years.[5]

Although President Eisenhower had declared a "radical" change in policy, he was expressing his own intention, rather than announcing a fully developed and articulated strategy, Eisenhower greatly valued the opinions of professional policy advisors, and soon initiated a number of expert studies to consider the range of policies his administration might pursue.

7 **May 1953:** Revised FY 1954 budget submitted to Congress. New obligational authority was $36.04 billion, and $43.193 billion in estimated expenditures.[6] These figures compare with $41.32 billion and $45.4 billion in the original FY 1954 budget submitted by President Truman.

Congress approved an even lower appropriation of $34.474 billion in new obligational anthority for FY 1954. Expenditnres for FY 1954 amonnted to $40.335 billion.'

8 **May 1953:** The "Solarium" studies are kicked off in the White House "Sun Room" (or Solarium), by President Eisenhower. Eisenhower met with a small group, including Walter Bedell Smith, Acting Secretary of State; Robert Cutler, Special Assistant to the President for National Security Affairs; and Director of Central Intelligence Allen Dulles. They agreed to study three alternative strategies in parallel efforts. Lt. Gen. H.A. Craig, USAF, Commandant of the National War College, served as director of the stndy teams or 'Task Forces", which comprised both military and civilian experts.

The first study team, led by George Kennan, examined a continnation of Trnman's "Containment." The second team, led by Air Force General James McCormack, considered drawing global lines and threatening the Soviets with severe punishment if they crossed this line. The third task force, led by Admiral Richard L. Connolly, introduced a policy of "liberation" to roll back Communism. A fourth task force was added, which considered a two-year period of negotiations with the Soviets during what was considered the time the Soviets would need to counter U.S. nuclear superiority.*

June/July 1953: The task forces, working at the National War College, develop their alternative strategies.

1 July 1953: fiscal year 1954 begins.

Late July: The task force papers are provided to President Eisenhower. Eisenhower, who believed in utilizing the formal governmental structures to elaborate policy,

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[5] Dwight D. Eisenhower, quoted by Snyder from the *New York Times,* in &hilling, p. 400.
[6] Watson, p. 62.
'Watson, p. 86.
[8] John Lewis Gaddis, *Strategies Of Containment* (Oxford, 1982), p. 146.

instructs the Planning Board NSC to take the best ideas from all and incorporate them into a single policy paper.

The NSC determined that the policy of Containment be continued, with some movement toward retaliatory threats.

October 1953: The NSC strategy paper, designated **NSC-162/2**, "Basic National Security Strategy," is approved by Eisenhower.

9 December 1953: Secretary Wilson receives the JCS "New Look" strategic reappraisal and force requirements to be reached at the end of FY 1957. This paper closely reflects points made in **NSC-162/2**.

15 December 1953: Eisenhower approves the **DoD** implementation of the New Look, the outline of the FY 1955 budget (which would begin 1 July **1954**), and force levels for 19551957.

21 January 1954: FY 1955 budget submitted to Congress. President Eisenhower requests $30.993 billion in new obligational authority, and estimates FY 1955 expenditures at $37.575 billion. Congress eventually approves an FY 1955 budget of $29,584 billion. Expenditures for that year are $35.533 billion.'

Force Structure and Budgets of the New Look

The **DoD** New Look planners, including Secretary Wilson and JCS Chairman **Radford**, sought significant manpower reductions over the fiscal years 1955 to 1957. Although the Air Force would expand slightly, Army, Navy, and Marine Corps personnel levels would drop, for a net reduction in **DoD** manpower of **635,000**--about 18%.

The Army would decline from 20 to 14 divisions; the Navy would drop from 1126 to 1030 fighting ships. The Air Force would expand from 115 to 137 wings. The JCS estimated that this force could be maintained with an annual military budget of about $33 billion."

U.S. national air defenses would be greatly improved to counter the Soviet nuclear bomber threat. President Eisenhower in May 1953 declared that 60 cents of every defense dollar would be devoted to air power or air defense.'[1]

A massive retaliatory power would be maintained, to deter major aggression against the free world, or, if deterrence broke down, to fight a general war.

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[9] Watson, **p.** 86.
[10] Watson, p. 3 1; Snyder, in Schilling, p. 454.
[11] Eisenhower quoted by Snyder in the *New York Times,* in Schilling, **p.** 398.

Allies would provide most of the necessary ground forces to counter limited aggression; the United States would provide mobile ground forces, and sea and air power. Tactical atomic weapons would be used whenever militarily desirable.

Some overseas forces would be redeployed to the United States, to increase U.S. flexibility, reduce support costs, and minimize manpower requirements. A strategic reserve on U.S. territory would be maintained, with sufficient readiness and mobility to move quickly to trouble spots. However, U.S. forces abroad were seen as symbols of U.S. commitments to oppose communist aggression, and withdrawals could be interpreted as a decline in U.S. interest in allies' defense and might threaten the solidity of U.S. alliances.

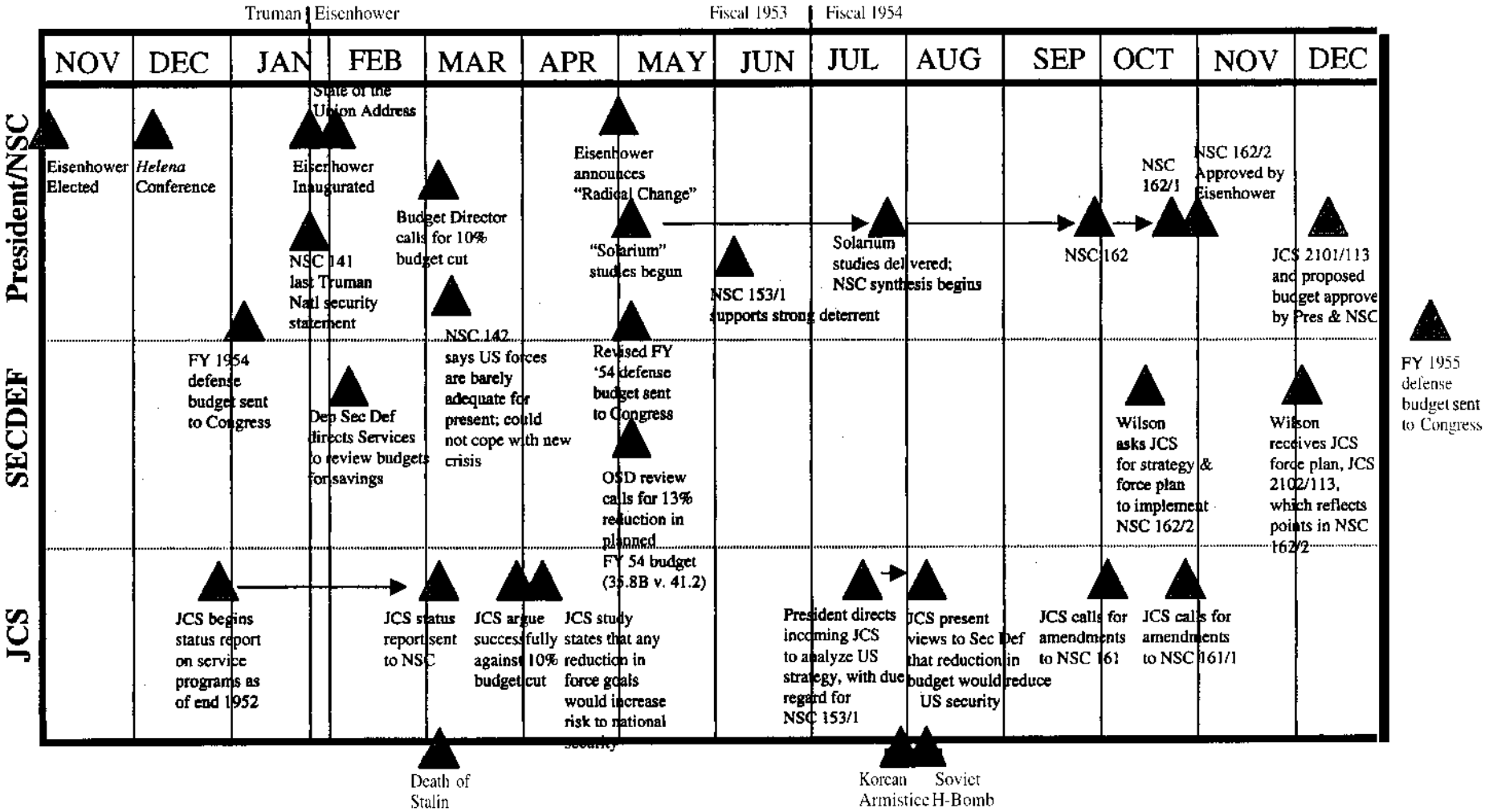
The first two budgets of the Eisenhower New Look were lower than the levels envisioned by the Truman Administration for FY 54 and FY55. Nevertheless, Budget Authority increased sharply from FY 54 to FY 56. New Look budgets then remained stable or declined,

	FY 54	FY55	FY56	FY57	FY58	FY59	FY60	FY61
BA (current $B):	34.31	30.42	32.79	35.91	36.97	41.40	40.91	41.39
Expenditures (current $B):	40.06	35.17	35.40	38.10	39.19	41.47	41.49	43.29

	FY 54	FY55	FY56	FY57	FY58	FY59	FY60	FY61
BA (FY 2001 $B):	301	266	270	281	276	290	281	282
Expenditnres (FY 2001 $B):	344	298	285	291	284	287	286	289

Source: OASD (Comptroller), *National Defense Budget Estimates* for FY 2001, Table 6-1, pp. 62-63; and Table 6-10, pp. 122-123. Due to administrative adjnstments, BA and expenditure figures may differ very slightly from those of the sonrces cited in the text.

The "New Look:" Policy Development Timeline, Nov '52-Dec '53



Sources: Glenn Snyder, "The new Look" of 1953; Robert Watson, History of the JCS, Volume V, 1953-54; Richard M. Leighton, History of OSD, Vol. III (draft)

A Selection of Quotes from New Look Annual Reports

"During fiscal year 1955 the Department of Defense placed major emphasis on the rapid development of the most modern weapons systems and reexamined existing programs and procedures with a view toward finding more efficient and less costly ways of accomplishing essential tasks." --*195.5 Semiannual Report of the Secretary of Defense,* p. 31.

"During fiscal year 1956 the armed forces increased their combat capabilities while adjusting to slightly lower manpower levels.
Combat effectiveness improved with increased deliveries of more powerful weapons, the development of greater mobility, and the adoption of new techniques and doctrine.
In the present age, neither the number of men under arms nor the number of combat units gives a meaningful picture of the striking power of the various segments of our armed forces. Improvements in aircraft during recent years have inaugurated a new air age with supersonic speeds at unprecedented altitudes. Guided missiles of all types—surface-to-surface, surface-to-air, air-to-air, and air-to-surface-are augmenting our retaliatory and defensive strength. More and more relatively small weapons are achieving atomic capabilities. The nuclear weapons currently available to our armed forces are of such power and are on hand in such quantity as to defy comprehension of their total effect. This striking power has been the major factor in restraining communist aggression and securing our country against attack." --1956 *Semiannual Report of the Secretary of Defense,* p. 2.

"The nuclear-powered submarine has brought a new naval weapons system into being. It can sink ships as before, but it also can be used as a hunter-killer to seek out and kill other submarines-a potent instrument in the Navy's arsenal of antisubmarine weapons."— *1956 Semiannual Report of the Secretary of Defense,* p. 197.

"In a very real sense we have begun construction of a new Navy as revolutionary in 1957 as were the first four steel ships of "The New Navy" in the days of Chester A. Arthur." --*1957 Semiannual Report of the Secretary of Defense,* p. 23 1.

"The development of the force structure of the military services during fiscal year 1958 continued to be affected by the increasingly rapid introduction of new weapons systems.

The necessary adjustments were made in accordance with the principle, first established in 1953, that national security could best be maintained by providing a constant, effective deterrent rather than by preparing for arbitrarily selected years of danger." --*1959 Annual Report of the Secretary of Defense,* p. 3.

Major DoD Hardware Programs of The New Look, as Found in the Secretary of Defense's Annual Reports, 1954-1963

The list below reflects programs discussed in Annual Reports of the Secretary of Defense, over the period 1954-1963—roughly reflecting the programs of the "New Look." The list reflects a quick examination of the annual reports for those years. The date following the program reflects the year that program was first mentioned. In most cases programs are first mentioned at some point before IOC. Not all programs were included in these lists; an attempt was made to list mainly the major programs and those that had long-term impact on force structure. ICBM, other SSM, ABM, strategic SAM, and space programs are an exception to this rule; systems that were never deployed or which were operated for only a few years are included. A couple of key systems mentioned in the 1952 and 1953 Annual Reports are also listed; they are bracketed. Also mentioned are several formerly "black" intelligence-collection systems that have been declassified in recent years.

It is clear that, with these new weapons systems, a transformation of our military took place. Guided missiles, nuclear-powered ships and submarines, supersonic jets, helicopters reached the forces in numbers, Missiles, ships, aircraft, and space systems of intercontinental reach and global coverage were deployed.

Army Programs

[Nike Ajax SAM (1953)]
Nike Hercules (Nike-B) SAM (1956)
Missile Master U.S. Air Defense C3 system (1956)

Nike-Zeus ABM (1957)
Plato ATBM (1957)
Nike-X ABM (1963)
Sprint ABM (1963)

Honest John artillery rocket (1954)
Little John artillery rocket (1956)
Corporal SSM (1954)
Redstone IRBM (1956)
Jupiter IRBM (1956)
Thor IRBM (1956)
Lacrosse SSM (1956)
Sergeant SSM (1957)
Pershing SSM (1958)
Davy Crockett lightweight artillery rocket (1960)

Lance SSM (1963)

Hawk SAM (1957)
Redeye SAM (1959)

Dart antitank missile (1957)
Shillelagh antitank missile (1959)

M- 113 (T- 113) armored personnel carrier (1957)
M-60 tank (1962)
Sheridan lightweight tank (1962)
M-109 self-propelled howitzer (1963)

Explorer I satellite (1958)
Courier communications satellite (1960)
Advent communications satellite (1960)

H-40 Iroquois helicopter (1958)
UH-1D Iroquois helicopter (1963)
CH-47 Chinook helicopter (1962)

Navy Programs

[Nautilus SSN (1952)]
Skate SSN (1957)
Triton SSN (1957)
Skipjack SSN (1958)

SSBN (1957)
Regulus long-range cruise missile (1956)
Polaris SLBM (1957)
Polaris A3 SLBM (1961)

Terrier SAM (1956)
Talos SAM (1956)
Tartar SAM (1956)

Sparrow AAM (1956)
Zuni AAM/AGM (1957)
Sidewinder AAM (1957)
Eagle supersonic AAM (1960)
Typhoon AAM/ABM (1960)

SUBROC ASW missile (1958)
ASROC antisubmarine missile (1960)

Bullpup ASM (1958)
Shrike ASM (1962)

CVN (1957)

CGN (1957)

A-3 Skywarrior bomber (1956)
A-4 Skyhawk bomber (1954)
F-8 fighter (1956)
F-4 fighter (1958)

VTOL aircraft (1954)

WF-2 early warning aircraft (1960)

Vanguard satellite (1956)
Transit navigation satellite (1959)
[the formerly classified GRAB ELINT-collection satellite was developed and deployed during this time]

Air Force Programs

[B-S2 bomber (1952)]
B-58 bomber (1954)
B-70 bomber (1958)

KC-135 tanker (1956)

[F-100 fighter (1953)]
F-101 fighter (1954)
F-102 fighter (1955)
F-104 fighter (1954)
F-105 fighter (1954)
F-106 fighter (1956)

C-130 transport (1953)
C-141 transport (1962)

F-4 fighter (1963)
F-S fighter (1963)

TFX fighter (1961)
F-l 11 fighter-bomber (1962)

X-15 high-altitude aircraft (1958)
VTOL aircraft (1957)
V/STOL aircraft (196 1)

SAGE C3 air defense warning & control network (1956)

BMEWS (1961)

Snark Intercontinental Cruise Missile (1955)
Navaho Intercontinental Cruise Missile (1955)
Atlas ICBM (1955)
Titan ICBM (1956)
Titan II ICBM (1961)
Minuteman I ICBM (1958)
Minuteman II ICBM (1963)

Matador ASM (1955)
Rascal ASM (1955)
Mace ASM (1958)
Hound Dog ASM (1958)
Skybolt ASM (1959)

BOMARC SAM (1955)
Falcon air-to-air missile (1956)
Genie antiair rocket (1957)

Discoverer capsule-recovery satellite [the classified Corona film-recovery reconnaissance satellite] (1959)
Midas early warning satellite (1959)
Samos reconnaissance satellite (1959)
Defense 'Communications Satellite System (1963)

[The formerly classified U-2 and SR-7 1 intelligence aircraft were also developed, or initiated, during this period]

Eisenhower-Era Reorganizations of the Defense Department

Besides a "New Look" at the U.S. military strategy and budgets, President Eisenhower's administration undertook three reorganizations of the Department of Defense. These took place in 1953, 1955, and 1958. The reorganization of 1958 was the most significant, The three reorganizations are discussed below. The discussion summarizes the relevant chapters in the official *History of the Office of the* Secretary *of Defense.*[1] Attached are wire charts and discussions from the *1953 Semiannual Report of the Secretary of Defense,* and the *1959 Annual Report of the Secretary of Defense.*

Background

When President Eisenhower took office in 1953, the Department of Defense had been in existence for just six years. It had been created by the National Defense Act of 1947. The Act placed the Secretary of Defense in charge of the Army, Navy, and Air Force, but left the Service secretaries with considerable power. The goal was for the Secretary of Defense to exercise direction, authority, and control over the nation's defense, and a decentralized organization for administration through the three military services. The **SecDef,** however, was often unable to control the services; he lacked the clear lines of authority, staff, and statutory authority to do so. The Joint Chiefs and their staffs were often influenced more by service parochialism than by a national perspective.

President Eisenhower himself inspired and drove the reorganization of **DoD,** based on his wartime experiences. Eisenhower believed that service cooperation was essential to success, and promoted intermingling of members of the different services to promote understanding.

The 1953 Reorganization

Eisenhower's 1953 attempted to strengthen the authority of the Secretary of Defense. Reorganization Plan No. 6, taking effect on 30 June of that year, added some Assistant Secretaries and OSD staff assistants, and superseded some service boards and agencies, notably the Munitions Board and the Research and Development Board. The functions of these boards were divided between three assistant secretaries, supply and logistics, Research and Development, and applications and engineering.

The reorganization of 1953 placed the JCS in an advisory role; named the Service Secretaries rather than the military chiefs as executive agents for the Unified and Specified Commands, and made the Chairman of the JCS responsible for managing the Joint Staff. These changes were proposed by a committee chaired by Nelson Rockefeller that met for about 6 weeks in March and April, 1953.

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[1] Leighton, Richard M., *History of the Office of the Secretary of Defense.' Volume III, 1953-1955,* Chapter II, Reorganizing Defense (draft, mimeo); and Robert J Watson, *History of the Office of the Secretary of Defense.' Volume IV, Into the Missile Age, 1955-1* 960 (Washington: Historical Office. Office of the Secretary of Defense, **1997),** pp. 243-291.

The 1955 Reorganization

Further reorganization of DoD was preceded by study by a commission chaired by Herbert Hoover. The Hoover Commission recommended the merger of the offices of the Assistant Secretary of Defense for Research and Development, and the Assistant Secretary for Applications Engineering, and the establishment of the Defense Science Board, The Hoover Commission also found that the Joint Chiefs devoted too little time to broad planning and were too biased toward their service positions.

The 1958 Reorganization

Some changes sought by Eisenhower in the 1955-56 period did not come to pass. Among them was parallel R&D organizational structures in the services, and promotion of the position of Assistant Secretary of Defense for International Security Affairs (ISA) to the level of Undersecretary. The proposals died in Congress.

Eisenhower during this time expressed dissatisfaction with the Joint Chiefs of Staff, probably because the chiefs seemed unable to agree to pursue a defense program that wonld resnlt in the level of budgetary savings he sought.

"Every recommendation made by the military authorities seems to be for an increase in strength or in money or both." Eisenhower remarked that he had yet to hear of any service being willing to give up anything.[2]

The President in 1956 told Secretary of Defense Wilson that he had had high hopes for the Chiefs he had appointed in 1953, and believed the system was at fault. Eisenhower accordingly wanted to continue to strengthen the power of the Secretary of Defense and increase that of the Chairman of the JCS. Nothing was done, however, until The Soviets surprised the United States with their space program.

The shock of Sputnik in 1957 led to a search for explanations as to how the United States could have been behind in such an important area as space technology. Some questioned whether U.S. resources were properly directed and organized to meet the Soviet challenge. Service parochialism and rivalry were seen as obstacles to efficiency. Eisenhower soon took the opportunity to order a reorganization, and announced his intention to do so in his State of the Union Address on 9 January 1958. Secretary of Defense McElroy appointed a study group that month directed by Charles A. Coolidge, a former Assistant Secretary of Defense.

Coolidge's panel included William Foster and Nelson Rockefeller Omar Bradley, Arthur Radford, and Nathan Twining, and met twice a week in January and February 1958, with Secretary McElroy in attendance. Over 60 senior experts and officials were interviewed or consulted by the study group. After their interviews, the group conferred for a week at Ramey Air Force base in Puerto Rico. They recommended increasing the power of the Secretary of Defense, a stronger role for the Chairman of the JCS; elimination of

[2] Leighton, p. 23.

"executive agents" from the chain of command; the JCS becoming the Secretary's staff; and an enlarged and integrated Joint Staff. They opposed establishment of a single military service. The panel briefed Eisenhower on 27 February; he took no exception to any proposal. Final drafting took place in March.

Eisenhower sent message to Congress concerning his reorganization, making the following points, here paraphrased:

- Separate ground, sea and air warfare is gone forever. Warfare preparations for warfare, commands, procurement, and R&D must be completely unified. This is the function of the Secretary of Defense, aided by the JCS, operating under the supervision of the Commander-in-Chief.
- The Secretary's authority in respect to development of new weapons must be clear and direct. Prompt decisions and elimination of wasteful activity must be primary goals.
- Fighting forces must be organized into truly unified operational commands, each assigned a mission in full accord with overall military objectives.
- There must be clear command channels from the Commander-in-Chief and Secretary of Defense to the unified commands.
- The military staff in the Office of the Secretary of Defense must be strengthened, to provide the Commander-in-Chief and the Secretary with assistance for strategic planning and for operational direction of unified commands.
- The three military departments would continue as administrative agencies (to organize, train, and equip).
- R&D would be reorganized to make the best use of resources.
- There must be no doubt as to the authority of the Secretary of Defense.[3]

Congressional Leaders Sen. Carl Vinson and Rep. Richard Russell did not favor increased centralization. These men tended to favor the traditional claims of the services, particularly the Navy. Vinson held hearings on the issue over the same months that the Coolidge group conducted its iuvestigation, and introduced his own reorganization bill at the conclusion of the hearings.

Eisenhower publicly and eloquently declared he would fight for the reorganization. At a press conference on 8 April, when informed that some "very powerful men" in Congress had announced their opposition, he said:

> I don't care how strong they are or how numerous they are. There is something for the United States. Here is something that is necessary.
>
> I would get onto the air as often as the television companies would let me on. I would keep it up until I would have the United States understanding that it is their pocketbook, first of all; more thau that, it is their safety.. .

[3] Watson, pp. 258-259.

> It just happens I have got a little bit more experience in military organization and the directing of active forces than anyone else on the active list. There are others that possibly are more experienced, but they are no longer in the active scene.
>
> The things I am trying to get over are the things the United States needs.[4]

This statement helped to soften hostility in Congress. The final bill was sent to Congress on 16 April. After a month of hearings, the Senate Armed Services Committee drafted its own bill that incorporated most of the President's provisions, except it somewhat weakened the provisions that lessened the power of the military services and their secretaries. The House passed the bill on 12 June, and the Senate passed the bill unanimously on 18 July. The House-Senate conference committee reported out a bill nearly identical to the Senate's on 23 July, which was approved the next day by both houses. It was signed into law on 6 August by Eisenhower.

The Defense Reorganization Act of 1958 centralized and unified the Department. It strengthened the authority of the Secretary of Defense, giving him clear-cut' authority over the services. It enhanced the status of the Chairman of the JCS, and provided a statutory basis for the unified and specified commands. It regulated the internal organization of the Defense Department by specifying the number of assistant secretaries and created the position of the Director of Defense Research and Engineering (DDR&E)

Eisenhower said that the Act gave him essentially what he asked for. On only two provisions was he unable to get his way—concerning the procedure for transferring functions and the right of appeal of JCS members and service secretaries to Congress,

The reorganization proceeded quickly, with tasks which could be accomplished by executive order being carried out even before the legislation was introduced. Dozens of inefficient DoD committees were dissolved by McElroy, and internal reorganization of the JCS was begun.

The Assistant Secretaries of Defense were re-chartered to permit them to issue orders to the services. This could only be done after Congress passed the Reorganization Act. The new charters appeared in early 1959, The new Office of DDR&E was established in February 1959. The attached diagrams illustrate the changes.

The size of the Office of the Secretary of Defense grew from 2,176 on 30 September 1957 to 2773 as of 30 June 1959, a 23% increase.

The structure and authorities resulting from the 1958 reorganization lasted with no major changes for over a quarter of a century, until the Goldwater-Nichols Act of 1986.

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[4] Watson, P. 262.

snowflake

April 9, 2001 5:36 PM

TO: Rudy de Leon

CC: Paul Wolfowitz

FROM: Donald Rumsfeld DR

SUBJECT: BAH Rates

I just read your memo on BAH rates.

On the assumption that the President is not going to want supplementals, there must be a way to do this with a contingency fund of some kind that can be triggered in, in the event that energy rates go up or some other things.

Any thoughts?

Thanks.

Attach.
4/3 Memo from Mr. de Leon re: Enlisted Advisors and BAI-I Rates

DHR:dh
04090 I-49

April 16, 2001

Yes. Mr. Secretary, if emergency conditions present themselves in an area like the BAH and unexpected utility rates, the Department could use its reprogramming authorities to move dollars into the BAH account. While the reprogramming would need Congressional approval, it is quite possible that this adjustment in BAH rates could occur without the need for a supplemental.

R

9 Apr 01

April 3, 2001

To: Secretary Rumsfeld

From: Rudy de Leon R

Re: Enlisted Advisors and BAH Rates

Mr. Secretary:

Admiral Tracey reports that she has draft legislation that would give the Secretary of Defense the authority to adjust BAH rates mid-year if circumstances merit. The services are discussing this issue right now and trying to determine the threshold that would trigger an out of cycle adjustment.

With respect to the west coast (California and Washington state), the BAH rates were adjusted in January to provide extra dollars for higher utility rates.

She also believes that the BAH process needs a mechanism to foresee rate increases that are accelerating because of extraordinary circumstances (like the soaring energy rates on the west coast).

At the same time, no single formula will ever get it budgeted exactly right, This will put pressure on the Department, and, from time to time necessitate supplemental funding.

snowflake

March 27, 2001 6:29 AM

TO: Rudy de Leon

FROM: Donald Rumsfeld DR

SUBJECT: BAH

I am told we can only change BAH once a year, and with the California energy crisis, it is a problem. That might be a law we want to adjust. I got that from the senior enlisted folks.

Thanks.

DHR:dh
032701-10

snowflake

April 28, 2001 4:32 PM

Ch a

VIA FACSIMILE

TO: Honorable Colin Powell

FROM: Donald Rumsfeld DR

SUBJECT: Diplomacy

Thanks for the recap on U.S. public and private diplomacy on the EP-3 incident. It is helpful for me to see that. I appreciate it,

Regards.

DHR:dh
042801-19

28APR0

snowflake

April 30, 2001 11:09 AM

TO: Pete Aldridge
David Chu

cc: Paul Wolfowitz

FROM: Donald Rumsfeld

SUBJECT: Workforce Issues

230

Attached is a memo from Rudy de Leon that comments on the civilian workforce issue and suggests that you two co-chair a departmental working group on this snbject.

Please also take a look at the second idea in Rudy's memo about using the renovation as a way to rearrange the organization of the Department by deciding who should move back in and where.

Please let me know how you think we ought to proceed.

Thanks.

Attach.
4/13/01 de Leon memo to SecDef re: "Pentagon Bureaucracy & DoD Workforce"

DHR:dh
043001-19

30 Apr 01

1108402 /01

April 13, 2001

To: Secretary Rumsfeld

From: Rudy de Leon R

Subject: Pentagon Bureaucracy & DOD Workforce

You received memos from Marty Hoffmann and Dov Zakheim on the Pentagon Bureaucracy and the DoD workforce. Building on what they have suggested, I would offer these comments.

First, with respect to the DoD civilian workforce there should be a **Departmental working group** co-chaired by Pete Aldridge (Acquisition and Technology) and David Chu (Personnel and Readiness) **that focuses on the civilian workforce for the coming five year period.** The military services should also be part of this group. With the career force rapidly approaching retirement age, there will be an opportunity to put in place tools to reshape and restructure the career workforce. A period of six months to one year in up front planning could lead to significant changes. The National Security Agency and the Air Force have spent a considerable amount of time looking at this problem and proposing alternatives. Their work could be a building block for the rest of the Department. D

Second, with respect to the Pentagon bureaucracy, **there is an opportunity to use the current Pentagon Renovation project to reengineer from an organizational perspective OSD and Service Headquarters.** Specifically, everyone in the Pentagon Reservation will physically move sometime during the renovation project. D

Deciding who and what organizations get to move back into the building could be a very significant tool for establishing what the Pentagon looks like in the next century. ++ & non facing rell of 4th/5th

There are two possible models for conducting such a study.

Option #1 would use your senior Department leadership (OSD Under Secretaries, plus three Service Secretaries, and support team) to look at current Pentagon Headquarters organizations (OSD, Services, WHS) and offer a re-engineering program. The plus side to this is that these folks are very knowledgeable of how the building operates and what changes are necessary. The minus side is that these same folks will be very much engaged with the day-to-day internal operations of the organization and that may limit the focus and energy that they can bring to this particular task.

Option #2 is to create an outside group with an ambitious charter of looking at Pentagon/DOD Organizations. You could pattern the charter on the one given to David Packard in the mid-1980's. That review led to the Goldwater-Nichols Act, which significantly changed the way the Joint Chiefs, Joint Staff and regional Commanders-In-Chiefs are organized. The Packard/Goldwater-Nichols reforms were effective because they were externally driven and created a consensus for change. (Interestingly, the Packard Commission ideas were developed by a study group at CSIS and the Defense Science Board, and articulated by Norm Augustine and James Woolsey). The faculty at Harvard's Kennedy School has actually proposed a Goldwater-Nichols 2.

Conclusion: There has been much discussion of defense organizations, and in recent times, many efforts have been chartered to reduce and restructure the Pentagon's bureaucracy. John Hamre's Defense Reform Initiative in 1998, John White's Roles and Mission's Commission in 1995, Don Atwood's acquisition reforms in 1989 and 1990, the Packard Commission / Goldwater-Nichols Act of 1986, represent honest attempts to bring modern business practices into the DoD.

The most important agents of change will be the senior leadership team you have selected. If they work together, their energy will set a new tone for the Department.

snowflake

April 10, 2001 8:31 AM

TO: Rudy de Leon

FROM: Donald Rumsfeld

SUBJECT: Pentagon Bureaucracy

What do we do about the Pentagon bureaucracy? Please take a look at this memo from Marty Hoffmarm and tell me what you think.

Thanks.

Attach.
1/1/01 Hoffmann Memo: "Pentagon Bureaucracy"

DHR:dh
041001-31

01 5

1 Jan01

Memo To : The Honorable Donald Rumsfeld
Defense Secretary Designate

Subject : Transition Opportunity/Issue : Pentagon Bureaucracy

From : M. R. Hoffmann

In a change of Administration, particularly when the whole National Security establishment needs such a major reorientation (weak word), the question of the copious overstaffing of the Pentagon needs quick attention.

There are a number of devices to do this, such as consolidation of the functions of two offices, the retention of an incumbent individual in a job which is then abolished; leaving jobs unfilled and then abolishing, etc. Distinction must be made between statutory positions (required by Congress) and those over which the Executive Branch has control for this purpose.

The problem will be sorting out the really key positions (as opposed to those positions in which the incumbent was not up to the job). People like Hamre, Perry etc from the recent Administration may be helpful, as well as recently retired Military and Civilians among the various self-styled experts in Washington in whom you have particular confidence (CSIS and others may have material already "in the can" which could be helpful). Proposing Legislation abolishing certain jobs gives the opportunity to leave them unfilled until the resulting legislative issue is resolved .

snowflake

April 10, 2001 8:37 AM

TO: Rudy de Leon

FROM: Donald Rumsfeld

SUBJECT: DoD Workforce

Here is another note from Dov Zakheim on the subject of DoD workforce. Let's get together so you can tell me what you think I ought to do about it and how I ought to get something started, if anything.

Thanks.

Attach.
1/9/0 1 Zakheim Memo: "Cutbacks in DoD Workforce"

DHR:dh
041001-33

Opinion

To: Snyder

SC R&R

MEMORANDUM

TO: Secretary Rumsfeld
FROM: Dov S. Zakheim
SUBJECT: Cutbacks in DOD Workforce
DATE: 9 January 2001

SC 2/4 Part of Osan Tenia

- There is consensus that the DOD workforce is bloated.
- The only way to achieve real savings--even in the BRAC process--is to eliminate slots. yes
- During the past decade, we have cut back on the military more than we have on DoD civilians. In part this is due to the power of the civil service unions, the civil service laws, some obstruction by Congress, and a lack of creativity regarding how to move people out of jobs.

3 Several areas arc ripe for reduction:

- DoD Agencies in general. The Cohen Task Force on which I served noted that several of these agencies are Fortune 500 equivalents that in practice are managed by GS- 1 %--example: the Commissary Agency.
- Intelligence agencies. It's time we merged the various intelligence shops within DoD. yes
- Auditors, Inspectors and Investigators. We spend about $1 billion annually on these folks. Do they save us the equivalent of their salaries? cut
- Some will counsel that you to cut the Joint Staff, They already went through a cut of ahout 10%. I was the Cohen Task Force guy responsihle for recommendations regarding the Joint Staff. My target was in the region of 20-25%. Some more cuts are possible, but not major ones. cut
- OSD: More cuts are possihle here, There is lots of dead wood. Look in the bowels of OSD agencies like the former DSAA (now renamed); also in C3I and Acquisition, The Cohen task force identified more cuts in OSD. It did not pursue my recommendation that principal deputies' offices were ripe for abolition. ?

I can provide more details if you need them.

snowflake

April 30, 2001 3:17 PM

TO: Paul Wolfowitz
Pete Aldridge
David Chu
Gordon England
Jim Roche
Thomas White
Doug Feith

cc: Steve Cambone

FROM: Donald Rumsfeld

SUBJECT: Comments on Strategy Paper

For your information, attached are some suggestions from two former 4-stars who have been helpful to us.

Attach.
4/19/01 Cambone memo to SecDef re: "Comments on Marshall's Paper from Generals Tilelli and RisCassi"

DHR:dh
043001-32

381

30 April 01

U08403 /01

GEN Tilelli

- U.S. land forces have demonstrated the ability to project power rapidly and engage successfully in joint/combined combat operations across a wide spectrum of crisis. They have proven themselves flexible and adaptable in a wide range of contingencies over many decades,

- The introduction of land forces in peace or war influences the theater and demonstrates U.S. commitment. They enhance deterrence and reassure allies. As part of a joint force, they help keep adversaries off balance and uncertain about U.S. courses of action.

- Future land Forces should be based on systems that are more rapidly deployable, lethal and survivable (equal to or better than today's systems). They should become less platform-centric and move toward a family of systems,

GEN RisCassi

- U.S. land forces should increase uncertainty in the minds of our enemies and place them at greater immediate risk. They should frustrate ancillary enemy actions. The employment of land forces signifies a major commitment by the U.S.

- Need to become more expeditionary and better able to operate in urban terrain. Need lighter, more lethal fire-support systems that can operate at greater ranges. Reduce reliance on systems that are difficult to move and support. Pursue alternatives to platform solutions, adopt "system of systems." Adopt advanced vertical lift systems.

- Synchronize the phase out of the legacy force with the emergence of the objective force. Use reserve forces to mitigate risk during transformation. Reassess echelons of command and evolve toward smaller operational elements with equivalent or greater lethality.

- Caveats: rapid does not equal effective; commitment does not equal resolution; resolution may not equal conclusion; and conflict resolution is a political act but may take on a new form when land force is committed.

OFFICE OF THE SECRETARY OF DEFENSE

1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

30

MEMORANDUM TO THE SECRETARY OF DEFENSE
DEPUTY SECRETARY OF DEFENSE

FROM: THE SPECIAL ASSISTANT 4/19/01

SUBJECT: Comments on Marshall's paper from Generals Tilelli and RisCassi

Per your request at the meeting with former CINCs on April 6, General Tilelli and General RisCassi have provided comments on Andy Marshall's paper. Attached at TAB A is summary of their key points. Their original comments are at TAB B (GEN Tilelli) and TAB C (GEN RisCassi).

- Both recommend adding a section to Andy Marshall's paper on "Land Force Dominance" as an area of military competence.
- They underscore the importance of U.S. land forces for projecting power, demonstrating U.S. commitment, and creating uncertainty in the mind of an adversary.
- Both advocate future U.S. land forces that are less platform-centric but more rapidly deployable, lethal and survivable.
- GEN RisCassi also calls for improving the ability of U.S. land forces to operate in urban terrain.
- We have forwarded their comments to Andy Marshall.

U08403 /01

FEDERAL RECYCLING PROGRAM PRINTED ON RECYCLED PAPER

Dear Steve / Paul

Thanks again for allowing me to be part of the process. I am prepared to support the SECDEF in any way.

The art of this process will be the weaving of the overall strategy with the other panel's findings or it may appear to be no more than a program drill.

I have again reviewed the document and have displayed my thoughts by:

1 Annotating the document itself.
2. Prepared a short insert for Land Forces (as SECDEF asked) for pg 18.
3 Listed gratuitous thoughts

Please call if I can help!

John H Lenhart Jr
Gen USA (Ret)

A Land Force Dominance

- US Land forces have demonstrated the ability to project power (air and sea) rapidly and engage in ground combat in a joint/combined environment successfully across a wide spectrum of crisis. From other military operations to the MTW, Land Forces have proven to be flexible and adaptable in many contingencies throughout the decades.
    - The rapid introduction of ground forces or their forward presence not only influence the AOR but demonstrates a clear and significant commitment of the US. At the same time, Land Forces provide a deterrent force and reassure our allies.
    - The employment of Land Forces in a joint theater also places the adversary at significant risk while causes the adversary to rethink his decisions.
- The key tasks for the future of Land Forces:
    - Evolve the land force to systems that are more rapidly deployable, lethal and survivable (equal to or better than today's systems) that leverage advanced technologies.
    - Research, develop and acquire a family of systems instead of platform-centric solutions.
    - Keep the legacy force manned, trained, sustained and ready until the future force is fielded.

Some gratuitous thoughts!

- Airlift & Sealift will be critical to the future
- Readiness must be maintained at a high state. No time for train ups
- Homeland defense structure should be sorted
- Reserve Forces should be sized and restructured to accommodate new strategy and threats
- Commands must be reassessed to reflect new realities (e.g. Asia)
- Must look at capability of the force to accomplish strategy across the spectrum
- Infrastructure should be addressed somewhere in a macro-view

Defense Strategy Review

I. Introduction: The Current Situation

A. The current global security situation is very favorable to the U.S. and our allies, and to the world in general.

- Warfare is still a very common occurrence in many regions, but large scale warfare among major powers appears to be a much more unlikely prospect than it did, say, twenty or thirty years ago.
- Most of the world's wealth and potential power belongs to the industrial democracies, who manifest no expansionist ambitions and are allied with the U.S. Their collective weight appears to be a substantial impediment to large scale conflict.
- The present condition of relative and expected peace is favorable to life, liberty, and economic improvement in many countries of the world.

B. The U.S. is a key contributor to and beneficiary of this situation.

- Our alliances with Europeans and Japan display a formidable combination of actual and potential power.
- The sudden end of the Cold War left the U.S. in possession of a variety of superior specialized military competences developed at great expense during the Cold War. For example,
  - decisive land forces across the spectrum of conflict
  - long distance power projection
  - a training procedures and facilities that have created very high levels of first battle competence
  - offensive nuclear forces
  - air operations
  - sea control, including undersea warfare
  - complex combined arms operations
  - quality personnel

- space operations, including reconnaissance
- long range precision strike systems.

- The development of these capabilities owes much to U.S. political and economic institutions favorable to creation of wealth, technological innovation, a free flow of information, and competent decentralized operations; and an educated and patriotic **population that** supplies capable, willing personnel for an all-volunteer military.
- Onr North American neighborhood is tranquil. We have no major nearby enemies, and oceanic distances **impede** most forms of military threat.
- We have strong allies **and** basing access on and near the Eurasian landmass, snpporting U.S. power projection. Allies can be reassnred and assisted, and adversaries can be engaged, far from American soil.

C. The broad task of national strategy is to use the instruments available **to our** government to preserve (and if possible improve) the favorable conditions we find ourselves in. As a component of such a national strategy, defense strategy must anticipate and address a variety of trends and uncertainties that may tend to erode existing sonrces of military advantage. For example,

- alliances founded on the common Soviet threat may tend to erode over time, and use of forward bases may become more restricted.
- the U.S. advantage in long distance power projection will probably be targeted by enemy strategies to deter us or prospective hosts, and to prevent or **attrit** the arrival of U.S. projection forces in their **neighborhood.**
- U.S. territory is vulnerable to **ICBMs,** ship-launched missiles, and smuggled weapons of mass destruction **(WMD),** and these threats may become more severe.
- the long-standing U.S. advantage in aggregate **resources—twice as** big as any other nation for almost a century-willslowly diminish as populous poor countries get richer.

D. Adjustment of defense strategy to better suit future conditions does not imply an abrupt change from our current forces.

- For one thing, while preparing for the future, the U.S. military must remain ready for near-term contingencies, carry out ongoing humanitarian and peacekeeping operations, and meet alliance commitments.
- Therefore, whatever our strategy for the future, a near term priority is a "get well" program to restock spare parts, selectively replace worn out equipment, and adjust operational tempos to reduce destructive effects on personnel morale, retention, and recruitment.
- Moreover, uncertainty about the future means that we cannot redesign the force all at once. The better strategy is to
  - reduce redundancies between and among services
  - identify a select set of military competences that appear most important for the future;
  - devote a portion of our resources to experimentation, including the creation of innovative military units, to learn how best to develop or maintain a relative advantage in those competences;
  - and make broader adjustments as we learn more about what methods are most effective and about the security environment.
  - This strategy will be described later in this paper.

II. The Future Security Environment

A. Economic and demographic roots of change

1. Uneven economic growth will gradually reshape the **balance** of potential power.
   - **China, India,** and South Korea are likely to grow **faster** than the U.S., Europe, Russia, and Japan, although long term economic forecasts cannot be taken **literally.**

- Post-Soviet Russia's geographic and economic contraction has reduced its economic size to something more like the individual West European countries, and its economic prospects remain dubious.
- Illustrative numbers: rough projections of probable percent of total world GDP.'

	2000	2025
China	8%	13%
India	5%	8%
European Union	2 I	% 16%
United States	23%	22%
Japan	8%	5%
Russia	2.5%	2.1%

- There is particular uncertainty about China. Measures of past performance and relative size are suspect and disputed. An insolvent banking system supports large and inefficient state owned enterprises, clouding future prospects.

2. Implications

- Asia gradually emerges as a potential source of large-scale military power.
  - History of rivalries among the three biggest powers, China, India, and Japan (and between Japan and Korea). Japan a U.S. ally; U.S. role in India-

' These estimates are based on purchasing power parity (PPP) estimates of the relative size of economies, and a variety of projections of long term growth, including data from the Penn World Table, the International Monetary Fund, CIA, the Congressional Budget Office, and Rand Corporation. The most substantial disagreement 'among sources concerns the size and growth of China. The figures for China in both 2000 and 2025 reported in this table are lower thau those reported by CIA and others, and are based on recent studies by Ren Ruoen and Angus Maddison published by the OECD.

China rivalry not clear. China objects to U.S. support of Taiwan and to U.S. presence in the region.

- The rapid growth of China and India reduces the global rich/poor gap by some measures; but many other poor countries (e.g., in sub-Saharan Africa) are likely to be left behind, breeding resentment, keeping politics unsettled.
  - Terrorism., refugee movements, and humanitarian disasters will present issne of whether, how U.S. should respond.
- Russia's overall relative weakness is juxtaposed with its large nuclear arsenal, impulse to act as a great power, exert leverage over former Soviet states, and counter U.S. policies.

3. Demographic trends are one contributor to the economic forecast.
   - Aging of populations in Europe, Japan, and (slightly later) the U.S. is likely to reduce the rate of economic growth. China's population is also aging, but with a lag behind the wealthier countries.
   - Social services for aging populations will tend to divert resources away from defense budgets.
4. Continuing growth of world trade
   - Japan, Korea, Germany, France already roughly 100% dependent on imported oil. By 2010 (by very rough projections), China goes from near zero to 45%, India goes from 54% to 77%.
   - China's imports 2% of grain consumption today, probably near 10% of consumption by 2010.
   - Import dependence is probably not a cause of conflict, but is a vulnerability in wartime, and may shape forces and policies. For example, reliance on oil imports may spur investment in naval forces; or efforts to influence oil exporting countries, e.g., by arms sales.

B. Emerging military challenges

1. Proliferation of nuclear, chemical, and biological weapons.

- Iran, Iraq, Libya, and North Korea are the most plausible new additions to the nuclear club; actual (or effectively threatened) use of a nuclear weapon could provoke a considerably broader proliferation.
- WMD threats (against U.S. allies, hosts, forces, or U.S. territory) could, among other things, be attempted deterrent to U.S. power projection operations.
- Russia, China, and others could develop low yield tactical nuclear weapons and appropriate operational concepts to counter overwhelming U.S. conventional strike capabilities.

2. U.S. territory will be vulnerable.
   - Terrorists-nurtured by resentment of U.S. foreign policies or military presence, Western cultural intrusion, etc.-may use more lethal means.
   - To deter or respond to U.S. military intervention against them, adversaries are likely to threaten or strike U.S territory and interests, using covert operations or, as they obtain them, long-range strike systems (cruise and ballistic missiles). Threats to use nuclear weapons or other weapons of mass destruction are likely to appear especially effective for this purpose.
   - Opponents may also target electronic networks on which U.S. infrastructure, banking, and communications increasingly depend, hoping to deter U.S. action by threatening or demonstrating an ability to inflict severe economic disruption. While this kind of threat would certainly involve DoD, it goes well beyond the boundaries of DoD alone to include most elements of the U.S. Government.
3. Proliferation of advanced conventional technologies permits more sophisticated "ant&access" strategies against U.S. power projection.
   - Ballistic and cruise missiles, advanced mines and submarines, and target recognition and guidance systems would be designed to prevent U.S. forces' timely arrival or deter their deployment. Forward bases and U.S. aircraft carriers would be lucrative targets.

- Information warfare against U.S. territory to disrupt U.S. force deployments, and against U.S. forces highly dependent upon shared information for self-defense and strike effectiveness. Measures could include computer network attacks, anti-satellite attacks, jamming of Global Positioning System (GPS) signals, and use of electromagnetic pulse (EMP) and radio frequency (RF) weapons.
- Other efforts to offset U.S. air attack will include concealment, decoys, dispersal, hardening, and infrared-guided surface to air missiles.
- Apart from these more novel challenges to U.S. forces, we can expect wider proliferation of older, simpler, but still effective weapons such as small arms, grenade launchers, and shoulder-fired rockets.

4. The proliferation of accurate missiles' may have other important effects.
   - It could create options for (probably non-nuclear) coercive threats or attacks against economic assets.
     - The growing role of international commerce; the increasing wealth of countries, the difficulty of conquering and occupying territory, and the technical challenge of targeting mobile or hidden enemy military force&- all these considerations may encourage attempts to use military force coercively, against commerce or other economic assets.
     - U.S. allies and friends who face such threats may seek U.S. help against them.
   - The initiation of war by preemptive attacks may become more likely, as owners of accurate missiles may think they can disarm the enemy decisively, and fear that a missile-armed enemy will act first.
5. More generally, recent and likely technological advances appear to permit radical innovations in military methods. The U.S. will face a wide ranging menu of options—as will potential enemies, aided by global commerce and the "dual use" character of many important technologies.

- Robotic systems could be developed for a variety of missions. Stealth, performance, cost, and casualty concerns may push the U.S. and competitors toward a heavy **reliance** on unmanned combat systems.
- Much smaller, even microscopic, sensors and weapons could be linked by information networks.
- Space **based systems** could take on a wider range of military functions.
- In general, information processing technology, whose rapid recent development has been widely exploited by military forces, is a likely source of further change.
  - Communications networks **permit** vast improvements in the precision and coordination of military effort; but an opponent's use of **information** technology to deny, disrupt, or corrupt communications and information may have **offsetting—or** even devastating-effects.
  - Information operations more broadly considered may also be a critical strategic tool, as military forces as well as entities outside of the military engage in public diplomacy, psychological warfare, and deception. These methods may be enhanced by advances in cognitive sciences.
- Biological technologies may be the basis of various new measures and countermeasures, with soldiers, populations, and agricultural products as potential targets.
- In combination with, or as successors to, the proliferation and improvement of long range strike forces, these technologies could bring radical changes in warfare, devaluing capabilities today thought formidable, or the significance of geographic distance, **oceans,** and mountain ranges.

6. U.S. efforts to deter aggression or the use of nuclear, biological, or chemical weapons will **confront** different **circumstances.**

- The larger number of actors and variety of actions we may wish to deter make us unlikely to have a. clear or reliable understanding of those actors' calculations and psyches.
  - Our Cold War focus on the Soviet Union and the peculiarly "rationalist" style of Communist doctrine facilitated our deterrence calculations; but this success may conceal the role of luck, and the risk of failure was probably higher than hindsight recalls.
- In contrast to the Cold War focus on deterring the conquest of Western Europe and a massive nuclear attack on the United States, many of the actions we wish to deter in the future will threaten less dire and immediate consequences for us. The actors we wish to deter may face or think they face much higher stakes, reducing the deterrent effect of our advantage in military capability.
  - In particular, enemies who think the U.S. has relatively low stakes and a "zero-casualty" expectation will be motivated to impose casualties on us.
- This situation implies a need for careful analysis of how a variety of relevant actors can best be deterred. It also requires that our planning take seriously the risk that deterrence will fail, and prepare to deal with the consequences of that failure.

C. Fundamental uncertainties

1. Unpredictable discontinuities may affect the security environment more severely than predicted trends.
   - E.g., vulnerability of regimes in China, Iraq, Iran, North Korea, Saudi Arabia.
   - Technological breakthroughs can belie assumptions about existing sources of military advantage.
   - Use of nuclear weapons would promote a scramble for defenses, nuclear proliferation, and a search for (or, depending on what had just happened, loss of confidence in) "guarantees" extended by others.

2. Likely continuing uncertainty regarding timing, identity, and extent of future military challenges.
   - E.g., technology appears widely available to support "anti-access" capabilities, and we already see some evidence that several countries are developing them; but we do not know how rapidly this will proceed and how robust the capabilities built will be.
   - E.g., China's growing wherewithal makes it a central actor, but a wide range of policies and developments are plausible.
     - Will priority of trade and economic growth inhibit military ambitions? Is China serious about absorbing Taiwan? Will China press for U.S. withdrawal from Japan and Korea?
     - Will economic reversals or political change disrupt any such intentions?
   - Large-scale conflict does not appear to be the "most likely" case for the next decade or so; but a prudent DOD strategy must assume-and must argue-that this remains an important case in the longer term.

D. A quick recap:

- increasing potential power in Asia;
- expansion of international trade, perhaps creating **vulnerabilities** and targets for coercive warfare;
- development of counters to U.S. power projection and threats to U.S. territory;
- **an** array of plausible opportunities for U.S. and foreign military innovation, driven by the rapid pace of technological change;
- deterrence made more difficult by multiple actors and asymmetric stakes;
- possible wrenching impact of shocks like nuclear weapons use;
- uncertainty about stability of key countries, pace of their military development, and direction of their **external** policies.

III. Defense Strategy

A. Goals

- Defense strategy **serves** the broad national objectives of peace, freedom, and prosperity. Diplomatic and economic efforts seek to promote these goods globally by encouraging democracy and free markets. But U.S. policy does not build military strength to impose political and economic freedom; defense strategy's **goal** is to defend freedom for ourselves and our allies, and help secure an international environment of peace that makes other goods possible.
- Our broad national goal is a peaceful century. Given that most of the world's wealthiest countries have democratic governments, have no ambitions of military expansion, and are allied with the United States, the **goal** of a peaceful century is not a utopian dream. This goal mandates four more **specific goals** for defense strategy.

1. Our forces aim **first** of all to **deter the** use of force against the U.S. and our allies, We also contribute to the deterrence of aggression more generally by maintaining military capabilities that our government may choose to apply (in concert with or support of other nations) against particularly egregious or dangerous violators of the peace.
2. Our forces also aim to **reassure.** They reassure the American people by creating a robust hedge against uncertain or unexpected **future** dangers. They reassure our allies of our capability to meet commitments, reducing the prospect of destabilizing, unilateral "self-help" defense policies (including nuclear proliferation). And we aim to reassure other countries **by** word and deed that U.S. **military** strengths will not be used to dominate or bully, to acquire **territory** or wealth.
3. Our forces **dissuade** by actively discouraging the generation of threatening **forces** and ambitions. **By maintaining and** creating **advantages in key military**

competences, we make it more difficult and less tempting for others to threaten us, and reduce our uncertainty about how they can threaten us. In general, we seek not only to deter others from using force, but to dissuade them from building threatening force capabilities.

4. As a **fallback to** these efforts to preserve the peace-and as a necessary component of them-we build and maintain a capability to win war decisively, and minimize as far as possible the damage it would do to our country, our allies and friends, and our military personnel.

B. The strategy: A portfolio of key military advantages

- The future security environment described above includes some important shifts as well as a high degree of uncertainty.
  - The timing of these challenges, and the location, identity, and size of adversaries are not known. Indeed, a successful strategy of reassurance and dissuasion might limit the growth of these threats.
  - The means by which these challenges will be posed is not known, because of the broad opportunities for **military** innovation and improvement enabled by technological change.
- What defense strategy best serves our go& in these **circumstances?** In a sentence: Select, **develop, and sustain a portfolio** of key **military advantages to hedge against and dissuade future threats.**
- This strategy is not an exhaustive prescription for force structure, but provides guidance about priorities and shapes the character of the force.
  - It does not answer the question about the proper size of the force, which requires further analysis.
- It **focuses** on areas of advantage or potential advantage, rather **than on** specific contingencies.

- The role of two [illegible] Theater Wars" **(MTW)** in current planning draws resources toward **maximizing** performance of tasks required by those cases, at the expense of opportunities for advantageous innovation.
- And both MTW scenarios are of a large ground force invasion. Other scenarios are already plausible and may become more plausible (e.g., blockade, coercive strike operations). The uncertainty of the future environment implies **an even** broader range of scenarios.

- This approach provides both a hedge, and a means of reassurance and dissuasion.
  - If we build just enough capability to meet the most likely threats or plan to ready ourselves when threats arise, we do not sufficiently hedge against uncertainty, deception, or slowness in responding to new dangers.
  - Maintaining and creating advantages in key military competences attempts *to* discourage future threats, and reduce our range of uncertainty about them, by raising the bar for certain kinds of threats.

IV. Elements of the Strategy

A. Preserve strong U.S. alliances as a united bulwark to deter aggression and dissuade adversarial force building.

- Existing U.S. alliances were mostly formed in response to the Soviet military threat, and the parties to them face a changed set of incentives. It is nevertheless of great importance that the **preponderance** of the world's wealth and potential power, and standing military capabilities, be under the control of stable, democratic, allied nations. This poses a substantial **"barrier to** entry" by making clear to possible challengers that the bar to military preeminence is very **high.**
- In addition to non-military policies favorable to **alliance** solidarity, U.S. **military** programs could increase opportunities for **allied participation** in activities like joint training and experimentation.

- U.S. relationships with Canada and Mexico are crucial to the geographical advantage that limits threats to U.S. territory. Hence the U.S. has a vital interest in the success of Mexico's economy and society.

B. Improve the suitability of our capabilities to the Asian theater broadly understood.

- Given the likely increasing importance of Asia-defined broadly as the Eurasian continent east of the Urals, and the surrounding waters from the Pacific Ocean to the Persian Gulf-the U.S. will require different sorts of command structure, programs, systems, and personnel. This is not a sudden departure, but a gradual shift of emphasis.
  - The vast distances of the Asian theater, and the lower density and assurance of U.S. basing options there, place a premium on long-range systems. For example, a Taiwan-China theater is 650 miles from Okinawa, 1000 miles away from other U.S. air bases in Japan and Korea, 2000 miles from Guam, and more than 4000 miles from Australia and Hawaii.
  - DoD and the U.S. in general will need to develop widespread regional expertise. This will entail developing a new generation of experts in the languages and strategic cultures of Asian countries, and increasing DoD's familiarity with the region by placing more headquarters in the region, sending officers to schools in the region, etc.

C. Identify, preserve and acquire advantage in key military competences.

1. Criteria for prioritizing military competences.
   - What areas of military advantage are most important to preserve .or develop? Shall we preserve what we are best at, try to remedy our deficiencies, or try something new? More precisely, the question is how to determine the relative' priority and mix of various areas of actual or potential strength.
   - This question does not admit of a simple recipe. Deliberation must attempt to reconcile the implications of three principles:
     - Emphasize what we're good at, so as to exploit underlying national strengths or hard-won acquired military competences;

- Emphasize what reinforces our fundamental strategic advantages, in light of expected trends in the security environment;
- Emphasize methods that will be most effective and robust as emerging technologies permit new kinds of systems and methods of warfare.

2. Managing Uncertainty.

- Efforts to apply especially the second and third of these standards face a high level of uncertainty, both political and technical. Selection of key military competences is an attempt to reduce and manage this uncertainty.
- We cannot simply wait until conditions become clearer, because major innovations take a long time (perhaps a decade or more), including the time required to evolve and test new operational concepts and develop the special skills required by those new kinds of operations.
- But by selecting a number of promising areas of military competence we would build a portfolio of advantages whose diversity would be a hedge against our uncertainty about the future value of each. We would try to place the most promising "bets," but not expect all to pay off.
- We can reduce uncertainty if some of the strengths we emphasize keep or put us out of plausible reach of challengers.
- We need to monitor carefully what other countries are up to, in particular how they respond to our own choices, and adjust our plans accordingly.
- Programs of experimentation, and implementation of new methods in a limited part of our forces, will create options and allow learning. On the basis of what we learn-about what weapons systems are feasible and effective, what organizational changes and operational concepts take best advantage of new systems, and how to execute those concepts-we will be in a position to make broader adjustments over a longer period of time.

3. First criterion: Build on existing strengths.

- a We want to **preserve** and build on assets acquired with great cost and difficulty, **rather** than planning to rebuild them only when needed. Apart from the likely high cost of recreating discarded assets, institutional and personnel **competences** may be very difficult to rebuild at all.
- For spme areas of existing U.S. military advantage, the objective is to keep and even expand those advantages to dissuade competitors from challenging the U.S. in these areas, and to complicate the development of asymmetric responses. For example, U.S. air and naval advantages today 'make it extremely difficult for anyone to contemplate acquiring a capability for very large scale, inexpensive bombardment of our territory. We waut to keep those advantages.
- Capitalizing on the real merit of exploiting and exteuding existing advantages (such as those we have in manned **aircraft** and large surface ships) **runs** the risk of cost-ineffective-or futile-efforts to preserve methods that new technologies (like supersonic, stealthy cruise missiles) may make obsolete. This will be a very **difficult** analytical and political challenge.

4. Second criterion: **Competences** of fundamental strategic importance.
   - a To maiutain the benefits of our present strategic situation, the U.S. problem will be to sustain a capability for global power projection that allows us to support **allies** and defeat aggression, notwithstanding
     - the growth of anti-access threats to our force deployments and allies
     - the likelihood that adversaries will **try** to deter or halt US power projection by threatening or striking U.S. territory, by covert **terror** operations, missile attacks including nuclear attacks, and disruptions of our information networks.
   - **This** implies that priority be given to countering anti-access **strategies** and to capabilities that dissuade, defend against, deter, or mitigate the impact of threats to U.S. **territory.**

5. Third criterion: The most effective future means of warfare.
   - Technological change makes it likely that new and much more effective systems and methods of warfare are possible for us, and will also be developed by adversaries. We want to develop **superior competence** in the methods of warfare that will be most decisive in the future, including most robust against successive rounds of **countermeasures.** This is not only a matter of anticipating and thwarting enemy innovations, but of pursuing advantageous opportunities.
     - Our innovation can create a more robust and moving target for enemy **asymmetric** strategies that attempt to exploit an existing set of vulnerabilities or achieve a narrow area of advantage.
     - We may reduce our uncertainty about the threats others will pose if capabilities we maintain or acquire foreclose some options for them
     - U.S. choices may be able to motivate competitors to invest disproportionately in defensive systems or in systems that are otherwise less threatening to U.S. interests.
   - Innovations may be introduced initially to relatively small, selected elements of the force, as a foundation for further experimentation and experience, including experience gained from participation in any combat operations that occur in the future. The process of change is likely to take several decades, and we cannot expect to calculate in advance a master blueprint for the entire force.
6. An initial list of priority areas of U.S. military competence
   - **The following** section discusses ~~four~~ five **existing** areas of U.S. **military** strength (aerial Land Force dominance, **warfare, sea control**, **space** operations, and **training) and one** area that appears to deserve **future** emphasis **(unmanned** systems).
     - This initial list is not meant to be **definitive;** but **any useful** list must be selective. We are **trying** to identify areas for **special attention,** where U.S. strength appears to have the highest payoff, **where particular** efforts of

analysis and experimentation are warranted-not compile an exhaustive list of useful military capabilities.

- This approach is meant to guide future innovation and future priority investments, not to allocate the entire defense budget.

- Discussions with the Services and Joint Staff will be an important part of an effort to identify which existing areas of military strength we ought to place the highest priority on retaining, which areas should be funded as lower priorities, and which new areas of potential military advantage are the most important to pursue.
- For each case, the question is not just the importance or promise of the area in general, but what kinds of adjustments in our forces and methods are necessary in light of the emerging environment and desirable in light of new opportunities.

V. **Key Areas** of **Military** Competence (See enclosure)

A. LAND FORCE DOMINANCE

A. Aerial Warfare

- By "aerial warfare" we mean the capability to bombard an enemy from a distance and prevent his bombardment of us. The U.S. has a large margin of advantage **in** this competition, based in part on the quantity and accuracy of precision strike capability embodied in our aircraft and cruise missiles.
  - We also have superior demonstrated competence in fighter-vs.-fighter combat and suppression of enemy **air** defenses, although these are supporting capabilities for which alternative methods might substitute (e.g., if we destroy enemy aircraft on the ground or rely on stealth to evade enemy air defenses).
  - The increasing use of precision weapons has given the U.S. the ability to hit what it wants and dramatically **reduce** risks of **collateral** damage and civilian **casualties.**

- As a result of this dominance, U.S. leaders now count on quickly gaining control of the air, **limiting** if not eliminating an enemy's ability to mount aircraft attacks on regional airbases, logistics facilities, and ports used by American forces and allies.

- The emerging environment poses challenges to the existing margin of U.S. advantage in this area.
  - The proliferation of ballistic and cruise missiles means that potential enemies increasingly will have means of bombardment that do not depend on the use of manned aircraft and that cannot be offset by the U.S. advantage in air to air combat.
  - These same **missiles** are likely to form part of an "anti-access" architecture that threatens the forward bases and aircraft carriers on which much of our bombardment capability depends.
  - The ranges of our tactical aircraft are generally shorter than the Asian theater's geography would recommend.
- For the U.S. to maintain an advantage in **aerial** warfare will therefore require different sorts of forces, systems, and concepts.
  - Defensive systems against ballistic and cruise missile threats could offer some protection for our forward aircraft. But the relative cost and effectiveness of defenses are uncertain, so hedging is required.
  - We could rely more on long range aircraft, **unmann**ed **aerial** combat vehicles, or cruise missiles or other precision ordnance **fired** from surface ships or submarines.
  - The Intermediate-Range Nuclear Forces **(INF)** treaty prevents the U.S. **from** matching or overmatching adversary arsenals of longer range ground-based ballistic missiles.
- An effort to retain an advantage in aerial warfare requires an analysis of how to hedge against, shape, and constrain programs of potential enemies.

- An overwhelming U.S. advantage in air to air combat may (already) push others into reliance on ballistic and cruise missiles.
- At least in the nearer term, U.S. manned aircraft offer a large advantage in quantity of ordnance that can be delivered, and may offer earlier, more effective options against mobile targets.

- We face, and will continue to face, considerable uncertainty about the rate of progress and technical effectiveness of a variety of measures and countermeasures for air and missile forces. This will be true of other military areas as well.
  - Hence the merit of an experimental approach, creating and testing options in part of the force that could be extended more widely later.

B, Sea Control

- The U.S. **today** has a dominant position in all aspects of naval **warfare.** Our navy is the world's largest' and (except for Russia) all of the world's other sizable navies belong to U.S. allies.
- Our advantage in "sea control" includes
  - our ability to use **seaborne** platforms for military missions including precision strike, transportation of expeditionary forces, nuclear deterrence, blockade' and intelligence collection; as well as
  - our ability to prevent enemy use of the **sea** to mount attacks on US territory or disrupt commerce.
- How are the **importance and** conduct of these tasks likely to change in the future?
  - A possible addition to the list of missions for naval platforms is missile defense. Sea based platforms can operate in close, enongh proximity to launchers to make interception of missiles in the boost phase feasible.
  - But this mission, **as** well as existing strike and transportation missions' depends on the survivability of our ships. As competitors buy or develop increasingly lethal anti-access capabilities, non-stealthy U.S. naval assets will **operate** at

increased risk and may be denied access to key littoral areas. Submarines, by virtue of their stealth, are immune to most anti-access threats.

- Protection of commerce will probably increase in importance' as the volume of international trade increases, international communications move increasingly to undersea cables, and undersea natural resources are developed. At the same time, the proliferation of accurate missile systems may create new anti-commerce military options that traditional naval forces are less equipped to defeat.
- Covert threats to U.S. territory already can, and intercontinental missiles in the future would, evade the defense offered by our naval forces. But a naval capability to keep enemy forces away from our coasts will probably remain a major impediment to any enemy contemplating a large scale attack.

- The key competitive tasks implied therefore are to
  - make our naval forces more robustly survivable against emerging threats.
  - maintain a navy that poses an effective barrier to entry against potential adversary threats to commerce and U.S. territory.
    - Modem ships have high acquisition costs and large supporting infrastructures that will likely dissuade all but the most economically successful countries from developing blue water navies.
    - U.S. naval operations that protect the free flow of Persian Gulf oil to the world economy can operate harmoniously with other nations' efforts; but US naval advantages make it very difficult for anyone to contemplate displacing our role.
- How might the U.S. continue to develop this area of advantage?
  - Rebalance the fleet more in favor of stealthy' more numerous (expendable)' and survivable assets, perhaps including smaller, stealthier surface ships, surface ships that operate very low in the water, or submarines.

- Purchase and experiment with alternative surface ship hulls that allow very high speed operation as well as reduced radar signature. Such capabilities may be especially useful for sealift vessels.
- Extended range carrier capable aircraft, including unmanned combat air vehicles (UCAV), might be developed to allow aircraft carriers to stand off outside anti-access threat ranges. Experience gained from early UCAVs might be used to design follow-on launch platforms less vulnerable than existing aircraft carriers.
- While submarines have unmatched stealth, they currently lack payload capacity. The U.S. could convert TRIDENT submarines no longer required for strategic use to guided missile carrying submarines (SSGNs). Experience gained while experimenting with these ships would help develop designs for follow-on submarines built specifically for strike and other operations.
- The U.S. could also experiment with more nnmerous, smaller, and possibly non-nuclear powered submarines to improve affordability. Smaller submarines with smaller crews could "call for fire" from towed, bottomed, or moored nnmanned strike modules.

C. Space Operations

- The U.S. is well ahead of other nations in using space for strategic intelligence and to enhance terrestrial military operations.
  - Satellites are particularly useful in meeting the Communications requirements associated with mobile, globally dispersed U.S. power projection forces.
  - The U.S. Global Positioning System (GPS) enables all-weather precision strike regardless of standoff range, and provides near nano-second quality timing reference for synchronizing the electrical devices used in modern communications systems.
  - Orbiting sensors offer operational advantages for defecting, ticking, and identifying lethal enemy threats hiding within the enemy's sanctuaries.

- In the future,
  - Opponents will probably seek ways to defeat or undermine the advantages the U.S. derives from its space capabilities. The U.S. military's dependence on its space-based assets makes them an attractive target for adversary strategies.
  - Consequently, the U.S. military will need to survey foreign activities in space, identify hostile movements, protect satellites from damage, prevent adversaries **from** successfully countering U.S. space capabilities, and if necessary negate hostile activity. If we rely on the use of space-based assets, it is necessary to maintain "space control."
  - Given the particular suitability of space assets to U.S. global reach, and our heavy reliance on space systems today, we have a strong interest in sustaining the long term viability of space-based systems. If the balance of **advantages** in a space/counter-space competition calls that into question, alternative means and hedges may be necessary.
- How might the U.S. preserve its advantage in space operations?
  - Invest in jam-resistant, secure military satellite communications to meet U.S. expeditionary needs.
    - The recent success of fiber optic cable and terrestrial wireless **communication** systems has changed the market for commercial **satellite** communications and made it **unlikely** that the U.S. **military will** be able acquire adequate commercial bandwidth to meet, its burgeoning communications needs in large, expeditionary force contingencies.
    - Thus the U.S. will need to develop its own satcom systems, airborne surrogates, or terrestrial wireless systems for use where **fiber** is not feasible.
  - Invest in space systems that **significantly** improve the persistence and coverage of orbiting sensor platforms. The infrequent overflight of today's space intelligence assets is not a match for the **small,** mobile, intermittently bidden targets that **will threaten** U.S. power projection forces in **the** future.

D. Training

- The U.S. currently enjoys an advantage in its ability to train combat ready units with force-wide levels of "first battle" competence without precedent in American history, This level of training is the product of conscious choices and resource commitments made over the last 25 years. The style, complexity, scope, and realism of U.S. training are well beyond the capabilities of most other nations, and are matched only by a few elite units of our allies. Indeed advances in training methods are probably the single most revolutionary recent change in the U.S. military
- Factors which have contributed to this advantage include
  - Commitment of extensive resources to institutional and unit training.
  - The pursuit of realism and intellectual honesty in a training environment, for example our adherence to "performance-oriented' training measures, or the use of exceptionally competent opposing forces at service training centers to challenge the rotational training units.
  - The incorporation of modeling and simulation in our training and war-gaming.
  - A robust educational system for service and joint officers.
  - Using the establishment of doctrine to promote both discussion and standards..
- There has been some erosion in this advantage. For example, unit rotations through the service training centers have become less frequent and less uniformly distributed across units as commitments to non-combat missions have expanded.
- How can the U.S. advantage in training be sustained and increased?
  - Consider establishment of a Joint National Training Center (JNTC) to raise the U.S. training advantage in the services to the joint level. Future conflict will require a joint "'first-battle" competency.
  - The JNTC would be useful as a test bed to evaluate the capabilities and new operational concepts of experimental units. And it would serve as an incentive to innovation by participating service components.

E. Unmanned Systems

- Unmanned systems are likely to play an increasing role in future warfare.
  - For the U.S.., the long range and force protection advantages of unmanned systems are particularly attractive.
  - In general, early unmanned systems lack the flexibility and adaptability human operators provide, but they are capable of greater performance in other areas. For example, Unmanned Aerial Vehicles avoid the endurance and maneuver limits imposed on manned aircraft by the human occupant.
  - Advances in information technology, microelectronics, power supplies, artificial intelligence and related technologies will continue to improve endurance, payload and degrees of autonomy.
  - Numerous potential adversaries have already entered the field of unmanned systems, possibly to enhance their ISR capabilities as part of their anti-access strategies or to threaten regional adversaries.
- The U.S. technology base and experience give us a comparative advantage in developing unmanned systems.
- Competence in unmanned systems appears to be an important future capability, although we cannot yet foresee how quickly various capabilities can be developed or precisely what military role they will play.
  - Developing a broad-based competence in this area would permit the U.S. to adapt quickly as new technologies and operational concepts related to unmanned systems begin to emerge.
- Several sorts of actions might be taken to lay the foundation for U.S. development of a comparative advantage in unmanned systems competence. For example,
  - Establish an enhanced program, through DARPA, for research and development of unmanned systems and related technologies, both to survey the possibilities and to begin to develop a generation of technologists familiar with these systems.

- Establish experimental units incorporating such systems. Examples might include a theater missile defense unit based on anti-missile UAV (unmanned aerial vehicle) swarms, UCAV (unmanned combat aerial vehicle) units, or a unit oriented around unmanned underwater vehicles or ground robots. These units could eventually become operational, after perhaps a few years of experimentation, and test new concepts and capabilities in the field. It is particularly important to begin this soon, as developing operational and organizational concepts may take a decade or more of experimentation and practice.

F. It bears repeating that the areas just described are examples. In particular, other potential new areas of military advantage deserve consideration.

- The exploitation of information networks to achieve extremely high levels of coordination among force elements, or the further development of long range precision strike, are examples.
- Other possibilities include new forms of expeditionary ground combat forces. Leveraging advances in robotics, information systems, biotechnology, and materials science, new systems might be developed that would be rapidly deployable, very lethal, and less reliant on a large logistical infrastructure.
- Advances in information technology underlie many potential innovations.. An important possibility is that manipulation of the information aspects of warfare might itself become not simply a supporting capability but a decisive form of combat, that can radically deceive or disorganize enemy forces.

VL National Strategy

A. What has been described is primarily a Defense Department strategy, concerned with acquiring and sustaining the necessary kinds of military capabilities. A broader national strategy that harnesses all of the instruments of government is the proper

context within which defense strategy can be fully effective. Decisions about force employment, foreign policy, alliances, treaty commitments, economic policy, education policy, etc. are matters of national policy on which the Defense Department offers advice but does not make final decisions. This section discusses some issues that are properly matters of national strategy.

B. Mission selection.

- US. military forces are subject to excessive operational tempo and inadequate resources, in part because of the increasing number of non-military or less-essential obligations DoD has been assigned
- For example, U.S. military forces, particularly the Navy, have become increasingly involved in anti-drug operations, conducting surveillance and intercepting shipments. This burden could be shifted to the U.S. Coast Guard.
- . Also demanding are the humanitarian, peacekeeping, and other non-combat missions that have increased over the past decade. These commitments reduce the readiness of U.S. forces and contribute to morale and retention problems, And they prevent the military from developing the organizational slack needed to develop new forces, systems, and operational concepts. Shedding or at least reducing these burdens on the DoD would support the strategy.

C. Treaty constraints

- It is important that arms control treaties be considered from the perspective of their long-term impact on the U.S. ability to develop advantageous military capabilities. Whatever their more immediate impact, the Anti-Ballistic Missile (ABM) treaty and the Intermediate Nuclear Forces (INF) treaty now, decades later, constrain options that technological or political changes may make desirable.
- For example, any proposal to limit the use of space or the electromagnetic spectrum must be judged in light of their likely growing strategic significance and the uncertainty about precisely what capabilities might become possible.

D. Alliance relations

- Non-military policies, in particular economic and trade **policies** that affect the interests of our allies, must be developed with a view to the place of alliance solidarity in our defense strategy.

E. Resource commitment

- The strategy proposed here is not the least expensive defense strategy one could imagine. It undertakes to hedge against, and try to discourage before the fact, unfavorable developments; it prefers insurance to economy.
- National safety, not prosperity, is the fundamental object of defense strategy. But by reducing risk and providing a foundation for the confidence necessary to investment and economic growth, and by preventing the enormous damage attendant to modem warfare, this strategy is likely to have very sizable, if unmeasurable, positive economic benefits for the U.S., our allies, and other countries. Even very small changes in the rate of U.S. and global economic growth would greatly outweigh the incremental cost of this strategy.
- In the same way that individuals purchase insurance, a strategy to sustain an assurance of national security justifies a plan of consistent resource allocation. 3 or 3.5% of GDP?

F. Intelligence and Information

- This strategy places new and heavy demands on intelligence.
- For one thing, an increasing **reliance** on precision strike systems means a need **for** precise and timely knowledge of the value and location of potential targets.
- More generally, for key areas of military competence, we will need to develop methods of analysis and metrics that enable an assessment of the relative capabilities of different nations, and of trends and **prospects** in their standing. In particular, we need to anticipate those nations: **responses** to our own choices and actions, and monitor what those responses **actually are.** Their deception and **denial** efforts **will** make this a difficult task.

- The wide range of actors who may become capable of actions we wish to deter means that we need much better insight into the values and decision making of those actors. This will require a level of knowledge and insight that the intelligence community has found difficult to attain. A new approach to acquiring this knowledge may be needed.
- In general, the growing importance of the Asian region broadly defined mandates increased intelligence attention to it, including the economic capacities and military doctrine of Asian countries, and the warnings and indicators appropriate for contingencies there.
- Not only the acquisition of information, but the entire domain of information "operations," is inherently an interagency matter. Any efforts at public diplomacy, psychological warfare, or deception require careful coordination.

G. Industrial base

- Currently, the U.S. maintains the world's leading defense industrial base, and U.S. forces go into combat with superior weaponry and logistics support. This base
  - produces stealth aircraft, a vast inventory of precision munitions, and a wide array of advanced electronics, airborne surveillance, and space systems.
  - provides the nation with a large pool of talented researchers, helping to ensure ongoing innovative research and development.
- The U.S. defense industrial base has contracted dramatically since the mid-1990s in response to the U.S. military downsizing, and uncertainty over the size and structure of the future military has made producers, reluctant to invest in new capabilities and skilled workers.
- A new strategy and changing security environment will place new demands on the nation's industrial base, to sustain or acquire strong competences in key areas of military capability.

- allies- face even more severe difficulties in trying to maintain domestic military production capabilities. Industrial base policy is properly an alliance-wide issue.

H. Education

- The U.S. has long been a world leader in education, particularly higher education.
- This advantage may be slipping, as comparatively fewer U.S. students attain advanced degrees in scientific and technical fields, particularly relative to Asian students. Can we devise programs that stimulate younger students' interest in scientific and technical fields?
- Maintaining strength in critical military areas, developing new technologies, and integrating new technologies into the military all depend on quality of education.

I. Secnrity of U.S. Territory

- The variety of means by which adversaries might threaten U.S. territory requires defensive measures that go beyond the bounds of DoD.
- For example, the U.S. economy and infrastructure are increasingly dependent on information networks, for which little if any physical or cyber security exists.
- Territorial security will require coordination with a variety of government agencies, and may require new organizations that cross current bureaucratic boundaries.

VII. Implementation Agenda Items

A. An overall "get-well" program to return most legacy forces to a healthy state.

- The strategy focuses more attention on the future, but that will have to take place in the context of a "get well" program for most forces so that current activities can be largely continued.
- This will include the replacement of worn out platforms, the pnrchase of necessary spare parts, and the reduction of operational burden on service personnel.

- In addition to addressing the negative effects of existing operational burdens on readiness, retention, and recruitment, "getting well" means restoring our personnel's confidence and trust in leadership.
- Total resources will be limited, though increased. Force sizing will have to be addressed within the DoD planning system, perhaps through examination of the performance of the force in a number of contingencies covering a range of possible cases and judging the level of risk.

B. The input and judgment of the military.

- The list of warfare areas in which to seek advantage is preliminary; a working list should be developed with the participation of senior officers. Attention will have to be devoted to the connection of particular warfare areas to maintenance of US geopolitical advantage or to some strategically valuable effect. Also, the officer corps, perhaps especially more junior and mid ranked officers, would play the central role in designing and evolving new operational nnits.

C. Establishment of a robust and sustained service and joint experimentation program.

- Unlike current largely part-time efforts, such a program would dedicate personnel and resources to full time efforts to develop new ways of fighting. Separate experimental units would adapt emerging technologies and develop new operational concepts and methods of organizing. They would field new systems and use them in training exercises against existing forces and opposing forces designed on the basis of careful stndy of the cultnre and tactics of potential adversaries.
- As they mature, new forces would become operational and perhaps be vanguard forces-used in conflicts so that their strengths and weaknesses under actual combat conditions can be evaluated. Such efforts conld clarify which emerging areas of military competence promise the greatest advantage, and what methods of maintaining existing areas of military strength are most robust.

- Initially, these experimentation programs wonld need to be somewhat bigger than the current set. As expertise and resources become available, the programs would be expanded to more robnst levels,

D. The identification of off-setting resources to pay for a significant program to develop 'new ways of fighting in the future.

- Care must be taken in using the resonrces for "getting-well" and efforts made to reduce resources expended in peacekeeping and other non-combat efforts.

E. More DoD attention on Asia while continuing to bolster our current alliances.

- It would be useful to develop a broad base of military personnel well schooled in Asia—officers who understand the culture and history, speak the language, and have lived in and interacted with the citizens of Asian nations. This level of expertise will. be needed to develop both individual and institutional understanding of this area.
- Curriculum changes in the war colleges and other military schools could improve familiarity with Asian affairs.
- The creatiou of additional military command infrastructure within Asia would allow more officers to serve in this region and gain experience with the size and distances of the Asian region.

F. Changes in analysis and intelligence.

- A strategy focused on preserving and attaining key military advantages, rather than one framed by specific threats, has substantial implications for our methods of analysis and the metrics used to measure the military (including the force sizing method). The relational database PA&E has developed over the last few years would lend itself to tracking resource allocatious to selected areas of advautage. An intelligence collection priority would be to track shifts in relative national advantage in key military capabilities.

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From: Ledbetter, Betty @ WASHOPS [Betty.Ledbetter@washops.L-3com.com]
Sent: Wednesday, April 1 I, 2001 **4:13 PM**
To: 'Dr. Steve Cambone'; 'Paul Gebhard'
Subject: Fwd On Behalf of Robert W. RisCassi, **General,** USA(Ret) - Marshall Paper

RisCassiDefStrat411. oc Ledbetter, Betty @ WASHOPS.vcf... On Behalf of Robert W. RisCassi

11 April 2001

MEMORANDUM FOR: Dr. Steve Cambone (e-mail: stephen.cambone@osd.pentagon.mil)
Paul Gebhard (e-mail: paul.gebhard@osd.pentagon.mil)

FROM: Robert W. RisCassi, General, USA (Ret)

SUBJECT: Marshall Paper

Reference Discussion with **SecDef** on 6 April 2001

The following Land Force information is provided as an assist to the Marshall Panel in drafting the National Military Strategy...the assertion that drove these thoughts was that the Medium of Land was absent from the document reviewed on 6 April and 'page-holder' language should be included for balance and completeness.

<<RisCassiDefStrat411.doc>>

Betty. Ledbetter
L-3 Washington Operations
(b)(6)
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Defense Strategy of Assurance and Dissuasion.. . Select, Develop and sustain a Portfolio of Key Military Advantages to Hedge and Dissuade Future Challenges.

- Land Forces Capabilities
  (National Defense Panel)
  - Become more expeditionary: fast, shock-exploiting forces, with greater urban operations capability;
  - Reduce systems that are difficult to move and support; shift to lighter, more agile automated systems;
  - Evolve to lighter, greater range, more lethal fire-support systems;
  - Develop the twenty-first century 'Icon' platform to be a unique vehicle relying on speed, agility, and hyper-velocity gun technology for operational effectiveness;
    - -- Pursue alternatives to platform solutions (systems of systems)
  - Synchronize the legacy forces with the objective force to insure a value added capability.
  - Transitional units should evolve to smaller operational elements with equivalent (or greater) lethality;
  - Move toward advanced vertical lift systems versus service-life extensions of current rotary-wing aircraft;
  - Provide insertion vehicles, incorporating the latest technologies to extend the range of the maneuver component of the naval power projection forces;
  - Consider sea-based mobile offshore bases to provide access in situations where forward bases are unavailable or at risk to preposition forces;
  - Reassess echelons of command from Foxhole to Theater (same in 2001 as WWII).
  - Risk Mitigation Force = Reserve Force Structure

- Land Force Attributes
  - Increase Doubt in Our Opponents
  - Put the Opponent at Greater Immediate Risk
  - Frustrate 'Ancillary' Enemy Actions
  - Application of Ground Forces Significant Commitment
  - Rapid Decision Action Truncates Opponent's Ability to Make Decisions
  - Allows Initial Unilateral Operations Absent Alliances/Coalition Procedures
  - Faster/More Agile/more Adaptable/More Capable.. .in What Context?
  - Land Forces.. .Deterrent Capability
  - Significant Transport and Sustainment Issues
  - Substantial Military Powers – A Potential Liability

- Worth Some Thought...
  - Rapid Does Not Equal Effective
  - Commitment Does Not Equal Resolution
  - Resolution May Not Equal Conclusion
  - Conflict Resolution is a Political Act, however, it may take on a New Form when Land Force is Committed.

snowflake

April 30, 2001 4:05 PM

292

TO: Paul Wolfowitz
Doug Feith
David Chu
Gordon England
James Roche
Thomas White

FROM: Donald Rumsfeld

SUBJECT: Morale and Quality of Life Review

Attached is a paper from David Jeremiah on the morale issue. He has done an excellent job, and I think it is well worth your time to read.

Let's discuss how we proceed from here.

Thank you.

Attach.
3/30/01 Jeremiah ltr and report, "Improving Morale and Quality of Life"

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OFFICE OF THE SECRETARY OF DEFENSE

~~ASSISTANT CHIEF OF STAFF~~

YES + 14 pg 3/30
(1) To
(2) other
(3)

Mr. Secretary,

Dave Jeremiah has provided an excellent package of interim results on Morale & Quality of Life. He has set a high bar for the Other studies.

Recommend that we agree to Jeremiah's suggestion to begin working w/ the Services to prepare a final package in time for your testimony in early May.

V/R.
Paul Gebhard

30 March 2001

The Honorable Donald H. Rumsfeld
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Mr. Secretary,

Attached are the current products of our Morale and Quality of Life Review. This submission completes the initial phase of our efforts. These documents by no means address all human resource issues. They are the "80% solution"—covering the most important aspects and are responsive to the topics raised in the National Security Presidential Directive 2.

As we have discussed in our progress briefings, we envision a direct role for you and your Executive Board in four key areas:

- Exercising leadership to reestablish trust with our workforces.
- Guiding the development of a total force personnel strategy.
- Capitalizing on public-private partnerships for better housing and work facilities.
- Reorganizing the military health system to strengthen medical management and readiness.

The attached documents outline a broad range of issues and initiatives for improving morale and quality of life. However, we have identified these four areas as cutting across functional responsibilities, and therefore, requiring integration at the highest level. Past efforts to address these issues have suffered from a lack of top-level direction, attention, and oversight.

We also seek your guidance in moving forward on all of the morale and quality of life initiatives. While many specific ideas are presented, we need to further refine the details of some proposals; others can be assigned for action now. As we enter into the second phase of this review, we ask that RAND be allowed to work with your staff as well as the Services to refine the subjects and address budget, legislative, and timing implications. Some of these recommendations are political hot buttons either within the Department or in other arenas. It would be helpful for our future work if you could indicate initiatives you are willing to expose to a larger audience and those you wish to hold privately for the moment. I believe this is consistent with the "rolling release" the press attributes to your spokesperson. Our overall review effort will work towards developing these more refined ideas.

As we have deliberated throughout this review, I am often concerned that the emphasis on morale and quality of life will be lost as a top administration priority. As you know, in the programming and budgeting cycles personnel issues rarely are fully integrated into acquisition decisions and readiness investments. Individually, personnel issues usually do not rise to the level of major budget items, although collectively, they

can be quite costly. Force structure changes are often couched in personnel terminology but rarely do they address the impact on force skill-mix requirements, training and development, or overall personnel policy and management.

We run the risk of achieving similar outcomes in this defense study process. The overall strategic review has significant implications for how we manage, train, deploy, and employ the diverse range of capabilities resident in our various defense workforces. If we are not attentive to integrating the personnel consequences of each review's recommendations, I fear we will fail to meet our tasking from NSPD 2 and improperly "price" the manpower implications of your force decisions. To overcome this problem, I recommend that this integration task be an area of primary focus for your Executive Board and that you include your top official for personnel matters in the board membership. Otherwise, our rhetoric on morale and quality of life will not be consistent with our actions—a central tenet of our proposals on leadership.

Finally, we havt included the Coast Guard as an active member of our review as they face many of the same morale and quality of life issues confronting DoD. My team members are eager for me to brief the Secretary of Transportation on our review efforts. This is an opportunity to gain another strong advocate for meaningful change. With your approval, I will give that presentation.

Thank you for the opportunity to work on these issues that so directly affect the daily lives of our dedicated soldiers, sailors, airmen, marines, civilians, and contractors. I will return to Washington late on April 8. Should you have questions before then, my office can contact me in Hoquiam, Washington.

Very Respectfully,

David E. Jeremiah
Admiral, USN (Ret)

Improving Morale & Quality of Life

Overview

President Bush has made improving the quality of life for our Service men and women a top priority of his Administration, as has the Secretary of Defense. Steps to improve the management of the Department's workforce must be integrated with the development of a new national security strategy and the resulting changes in force structure. These requirements will be the basis for defining the roles and responsibilities of all of the Department's personnel.

The Department of Defense relies on a volunteer military. Recruiting, training and retaining personnel are essential to building and sustaining the Department's workforce. DoD faces a tremendous challenge in maintaining its force today – in terms of both quality and numbers. More young people are going to college, reducing the pool of quality high school graduates that could be recruited into military service. Competition in the private sector is increasing and lures many potential candidates from both military and civilian positions. Frequent military deployments, pay that lacks comparability to the private sector particularly for individuals with some college as is now typical of our enlisted force, and shortages of people, spare parts and equipment threaten morale. Managing and shaping the Department's work force to meet current and future needs and maintaining a force with high morale and quality of life is a challenging task in today's environment. It requires new tools, authorities and management attention.

Several observations underlie the Department's human resources management task:

- Today there is a new "total force" that includes military (both active and reserve), civilian and private sector personnel – all making important contributions to the Department's mission. The roles of and balance between the Department's civilian and military personnel have changed, and will continue to change as the national security strategy evolves, technology changes doctrine and tactics, and our demographic patterns shift over time.
- The Department has a wide range of tools for shaping its workforce, yet many of those available today are either not used or are no longer as effective as they need to be. Some of these tools tend to reflect a "one-size-fits-all" approach that is no longer well suited to the current needs of the workforce. We also need flexibility to respond to changing needs, not just different needs. Tools that allow for greater force shaping flexibility are essential.

The military Services have taken steps in recent years to improve their force management tools, respond to quality of life concerns within the force, and recognize the changing demands that today's military missions place on the troops. These many initiatives have addressed important concerns among the workforce but have been limited by the laws and policies constraining the management of today's forces and without a perspective of future force needs and requirements. The job is not yet complete and what is most needed is a more integrated, comprehensive approach – one that reflects a strategic and

sustained transformation of the Department's human resources management. Such an approach will help to improve morale and ensure a high quality of life for the Department's entire workforce. It will require the coordinated effort of OSD and the Services. The Department needs to take action in four priority areas:

LEADERSHIP

The President has pledged his support to our men and women in uniform with a message that conveys the nobility and value of military service. It is valuable for the chain of command, beginning with the President, to reinforce this message to both the Department's workforce, their families and to the American public. And we need to seek other means of engaging the American public as well. Benefits of this outreach will accrue in the form of enhanced morale and espirit de corps, improved recruiting and retention and enhanced support of the American people for the Administration's defense objectives. At the same time, the Administration can take actions to strengthen the leadership within the Department.

While these are not revolutionary concepts, they have enormous value. More importantly, they are measures that have been overlooked in the recent past, with impact on the morale of our workforce and support of the American public. The Department needs to place a high priority on reestablishing its connection with the workforce and with the American people. There is no simple fix. It will require continued attention through the following kinds of actions:

- Communicate Nobility and Value of Public Service. The profession of arms is a noble calling, not just another job. Leaders and managers in the chain-of-command must make it a priority to recognize our military and civilian workforce and to reinforce the relevance, importance and purpose of ongoing military operations on a regular basis. Members take pride in accomplishing tough but important missions. Respect and value for the workforce can be communicated by employing the workforce judiciously, providing meaningful training, rewarding their performance and recognizing their courage and idealism.
- Engage the American Public. The American public has high confidence in the military as an institution, but this does not translate into a willingness to serve in the Department. The Administration needs to establish a program of outreach to the American people that involves speeches about the value of public service, advertising programs for recruiting that emphasize patriotism and values, and a wide range of citizenship and community-level programs.
- Reinforce Integrity Throughout the Chain of Command building upon the example of the Commander-in-Chief. Through face-to-face communication, the leadership should emphasize the President's values, his insistence on integrity and his belief in the value of the force. The Department must insist on high standards of organizational and personal integrity. In addition, the Department's leadership must make and keep realistic commitments.

Deployment and other operational tempo promises have often been made and later abandoned. Moreover, these tasks can be made more difficult by insufficient manning and a lack of parts and equipment. Shortfalls in these areas send a powerful message about the value, or lack thereof, we place on our people. The message and actions from our leadership must be consistent and extend from high-level deployment commitments to integrity in readiness and maintenance reporting.

- Improve Command Climate. The command climate reflects the personality and style of the commander. High rates of turnover among commanders and senior staff officers contribute to an atmosphere of turbulence and instability in military organizations. In key policy jobs, rapid turnover impedes the sustained effort often required to achieve significant policy change. The command climate is improved when senior military leaders have sufficient time in command to execute a vision. At lower command levels, the need to master the demands of command comes first, leaving little time to mentor junior officers because of the current short duration of command tours. In general, the Services need to reinforce the value of service in command positions.

FORCE MANAGEMENT

The Department of Defense is engaged in transforming its military forces to meet the diverse challenges of the future strategic environment. Critical to success is transformation of the personnel structure of the Total Force to meet the Department's needs and fulfill the aspirations of the work force for productive careers. DoD's efforts to apply advanced technology in developing weapon systems to meet future defense challenges will require parallel efforts to apply the talents of its people in reshaping the force. Old approaches to personnel management are no longer viable. Transforming the Department's human resources management approach needs to be based on the following actions:

- Develop a Human Resources Strategic Plan. The Department and the military Services need to develop a strategic human resources plan encompassing all elements of the total force: military, civilian and private sector personnel. Such a plan is the necessary foundation for reforming human resources management within each Service and across DoD. The plan should define the roles of active and reserve military, civilian and contractor personnel. It should:
  - forecast human resource needs
  - forecast expected available personnel inventories
  - specify overarching goals, policies and resources
  - propose necessary changes in legislation and directives
  - develop the necessary management tools to:
    - enable the Department to attract people with the necessary skills and abilities

- shape careers to meet evolving personnel requirements.

- Determine DoD Personnel Requirements. A strategic plan cannot be comprehensive without a clear understanding of personnel requirements. Technological and organizational change and new military strategies point to different requirements for skills, capabilities and characteristics of the workforce. Changes to personnel requirements must be able to keep pace with rapidly changing technology. Such requirements must also be responsive to the changing demographics of our future forces—we must take actions now to both produce and develop culturally aware leaders 20 years down the road within both our officer and senior enlisted corps. Specific requirements will differ across Services, Commands and occupations, but consistent, department-wide personnel requirements system needs to be established. In the near term, a high-level assessment of requirements is needed in order to commence work on personnel management and compensation. A more detailed system should be developed over time.

- Design Flexible Career Management Systems. Career management approaches are needed for both military and civilian personnel that more effectively match the Department's needs with the desire of the individual for a more productive and satisfying career. New approaches need to respond to changing economic forces and the desires and expectations of today's youth. An effective program will require revision in the laws that govern personnel management (for both civilians and military), enhanced professional development and training programs – particularly for the Department's civilian personnel, and investment in human resources models.

- Redesign Recruiting and Accession Strategies. The military Services recognize that the motivation and rewards of military service are different for today's youth than their predecessors. New active, reserve and civilian recruiting and accession strategies need to be developed that enable more effective recruiting in today's competitive hiring environment. This will involve targeting different markets, such as the college market, wider use of lateral entry and other programs to attract experienced personnel, and streamlining the hiring process within the Department. For critical skill areas, where national shortages exist, the Department needs to partner with the private sector to attract, manage and transition individuals to meet both public and private needs.

- Provide Satisfactory Compensation. Compensation must be adequate to attract, retain, motivate and separate personnel. In the short run, DoD needs to improve elements of the current pay structure. This should focus on reforming the active-duty pay tables by raising military pay for all members and targeting grades that have fallen behind comparable civilian sector earnings. To be competitive, the pay structure must recognize changes in requirements and educational attainment of the workforce. In the long run, the compensation system needs to be modernized to enhance the attractiveness of a military career and provide the needed management flexibility to better shape the size and skill mix of the force. A comprehensive review, currently

underway, is addressing many aspects of military compensation to include pay, retirement (particularly the need for a portable system), special and incentive pays, and Guard and reserve compensation. However, compensation policy follows from the overall strategic plan and the accompanying force requirements. Such issues and their associated effects on compensation will need to be redressed in the context of overall force management decisions.

WORKPLACE

The Department's vast array of facilities and infrastructure – including those that support operational missions, logistics activities and training – are aging and we have not kept pace with needs for improvements, maintenance and repair. This condition will worsen in the years ahead as the Services attempt to spread limited construction and maintenance funds over the existing inventory of facilities, ranges and utility systems. Moreover, facilities have not been fully upgraded to meet the requirements for today's forces, and will be much less suitable for emerging requirements of future forces. Maintaining an effective workplace, that allows individuals to conduct their jobs efficiently and effectively, has a tremendous impact on morale and quality of work.

The Department cannot continue to manage its facilities and infrastructure in a business-as-usual fashion. Through bold steps and "smart" approaches, it is possible to dramatically reshape the Department's infrastructure without adding a tremendous bill to the budget. The following tasks, which can be pursued immediately, with the help of Congress and the President, will establish a successful framework within which our workplace operations can be improved.

- Size and Modernize Infrastructure. Efforts to determine the appropriate size of the Department's infrastructure to meet operational, training and support requirements need to be renewed. Excess facilities and installations need to be closed or eliminated, capitalizing on cross-Service utilization of facilities. The Department must also partner more closely with the private sector in its efforts to repair and modernize facilities in order to provide safe, efficient and quality working conditions. These steps will free up resources that can be used to maintain and modernize remaining facilities.
- Transform Business Processes. Modern business practices and processes must become part of normal operations. The Department has taken many steps in recent years to transform its business processes, but more aggressive action is needed to reduce infrastructure requirements, transform and improve logistics functions, and reduce the number of personnel involved in support activities. More efficient operations can save the Department substantial resources to support needed workplace initiatives.
- Improve Worker Quality of Life by reducing or eliminating excess requirements such as paper work, reports and inspections. Labor saving

technologies and expanded public-private partnerships can help reduce labor requirements and generate workplace efficiency. Moreover, the Department needs to take steps to expand its use of flexible work place approaches, such as telecommuting, that allow work to be accomplished during alternative times and at alternative locations. These approaches, popular in the private sector, can help to make public service a more appealing career option.

PERSONNEL AND FAMILY SUPPORT

President Bush has pledged our service men and women and their families "a decent quality of life. Problems, from low pay to poor housing, reach across our military . . .". As the rate of deployment and pace of work increase, effective support has become more critical to quality of life in the military. Changing demographics, most notably the increase in dual-career and single-parent families, have increased the demand for childcare and other programs. To be successful, we must recruit individuals and retain the family. The Administration must implement a comprehensive program of improvements in family support, to include housing, health care and other family support activities. The key tenets of this program will:

- Provide Better Housing Sooner. The commitment to ensure adequate housing for our men and women in uniform has not been met with the use of appropriated funds. Much of the military housing stock is still in need of revitalization. Privatization demonstrations have proven the effectiveness of public/private ventures, but have not been aggressively implemented. These demonstration activities need to be expanded and accelerated to complete revitalization efforts in housing and community facilities. Such increased goals require the explicit support of the Secretary of Defense to be accomplished.
- Continue to Improve Military Health Benefits. New TRICARE benefits keep the promise of a comprehensive lifetime health benefit for military personnel and eliminate inequity. But the benefit must be managed in a cost-effective way to minimize the drain on defense resources and ensure beneficiary needs are met. The total military medical and health system is in need of reorganization in order to strengthen its management and ensure readiness. Implementation plans are needed for benefits such as TRICARE for Life and TRICARE Prime Remote (including areas where the medical community will not accept TRICARE coverage). The Department must also focus on the needs of other cohorts such as families of deployed Guard and reserve personnel. The funding shortfalls that have consistently been a part of the military health program must be eliminated in the future.
- Respond to Changing Family Demographics in the Military. The family support system has not kept pace with the changing family structure. Nor has it kept pace with the higher aspirations and expectations of an increasingly better educated workforce and their families. Critical enhancements include

childcare; opportunities for military spouses to find employment and programs to develop careers and enhance education; education for military children; and family support networks.

- Address voting concerns. In cooperation with the states, steps need to be taken to modify registration and absentee voting procedures to ensure that service members and their spouses have a fair opportunity to participate in the political process. In addition, the military needs to improve programs to inform service members about voting procedures and ensure processes are in place to comply with state laws.

People are the Department's most important resource—properly trained and motivated individuals, providing the competitive edge and turning equipment and systems into world-class capabilities. Human resource management is the Department's most important resource management task. DoD must renew its investment in the men and women who make up the Department's workforce. Making the needed changes to support this investment will be difficult and complex. Some changes will take a few years, but it is essential to establish a plan and get started now. The four areas discussed above provide a blueprint for action.

IMPROVING MORALE AND QUALITY OF LIFE

The military Services have taken steps in recent years to improve their force management tools, respond to quality of life concerns within the force, and recognize the changing demands that today's military missions place on the troops. These many initiatives have addressed important concerns among the workforce but have been limited by the laws and policies constraining the management of today's forces and without a perspective of future force needs and requirements. The job is not yet complete and what is most needed is a more integrated, comprehensive approach that transforms the Department's management of its human resources. Such an approach will help to ensure military morale and a high quality of life for the Department's entire workforce. It will require the coordinated efforts of OSD and the Services. This document identifies the OSD lead who will work with its Service counterparts on each issue.

Key Issues

1. Leadership
2. Force Management
3. Workplace
4. Personnel and Family Support

1. LEADERSHIP

"Nothing would be better for morale than clarity and focus from the commander-in chief." President Bush has **consistently** emphasized this top-down leadership theme of renewing the bond of trust **between** the presidency and the American military. His pledge of support to our men and *women* in uniform has conveyed a message of nobility and the inherent **value** associated with military service. **Such** ideas are important not only for the dedicated members of our Armed Forces and their families **but** also for the American public. These fundamental themes must he reflected throughout the entire chain of **command,** reinforced through consistency of words and actions, and **applied** to the Total Force-active and reserve military, civilians and contractors. The desired outcomes and benefits of this consistent leadership message will **be** enhanced morale and esprit de corps, improved recruiting and retention, and enhanced support of the American people for the Administration's defense objectives. At the same time, the Administration can take actions to strengthen **the** leadership within the Department of Defense. Deployments, training exercises, and humanitarian missions have both positive **and** negative effects on service members and **their** families. On the one hand, members take pride in accomplishing tough but important missions; they expect challenges and accept persona! sacrifice for a greater purpose. On the other hand, missions without apparent purpose, particularly when they are repetitive and fall **unequally** on different groups of personnel, can badly damage morale *and,* ultimately, retention. **Equity,** fairness, and judicious application of our forces **will** reap dividends for the Nation in the form of ready units with high morale.

Initiative	Priority	Cost	Action	OSD Lead
1.1 **Communicate** Nobility and **Value** of Military Service. The profession of arms is a noble calling, not just another job. However, the mission of today's military and its importance to the nation are not **well** understood by the American public. Given our active **role** in responding to global demands, it is incumbent on the leadership from the President **down** to the **local commanders** and even our elected officials-to **effectively** explain the value and validity of committing our military forces. Likewise, we must ensure that we respect and value our service members by employing them judiciously, providing them meaningful training, **and** recognizing their courage, idealism, and effort.				

Cost: $0 is **less** than **$1M,** $ **is** tens of **$M,** $$ is hundreds of **$M,** and **$$$** is $B. Savings or returns are indicated a plus sign (+). SR is short-run. **LR** is long-run. Issues that require evaluation or further study may impose costs not shown here.

• 1.1.1 Reinforce Mission Relevance. The Administration should find opportunities to recognize service members' contributions to ongoing operations, reinforcing the relevance and importance of these missions. Similarly, military leaders at all levels should frequently reinforce why troops are doing what they are doing and how their mission supports broad national purposes.	High	$0	Implement	SecDef
• 1 .1.2 Provide Tangible Recognition. The Administration can also send a strong message to deployed service members by supporting some special recognition of the value of the contributions they make and the personal costs they may bear while on deployments.				
➢ 1.1.2.1 Evaluate policies to recognize deployed members, such as favorable tax benefits.	High	$$	Implement	P&R (FMP)
13 Engage American Public. The American public has high confidence in the military as an institution. However, such perceptions do not necessarily translate into a national understanding of the military's roles and missions or a strong willingness of youth to consider military service. Consequently, the Defense Department must make a conscious effort to educate the public on national security needs and importance.				
· 1.2. 1 Direct all Administration leaders to speak about the value of public service and the Defense leaders to speak about the value of the mission of DoD.	High	$0	Implement	POTUS SecDef
· 1.2.2 Implement recruit advertising programs that emphasize patriotism and values.	Med	$	Study	P&R
• 1.2.3 Expand citizenship and community outreach programs to increase military presence and emphasize patriotism and military values; these	Med	$	Study	P&R

Cost: $0 is less than $1M, $ is tens of $M, $$ is hundreds of $M, and $$$ is $B. Savings or returns are indicated a plus sign (+). SR is short-run, LR is long-run. Issues that require evaluation or further study may impose costs not shown here.

programs include JROTC, Civil **Air** Patrol, National Guard **ChalleNGe,** tutoring, coaching, soldier-to-teacher, guest speakers, and home town visits.

1.3 Reinforce Integrity Throughout Chain of Command. Integrity begins at the top of an organization and permeates down through the ranks. The President and SecDef must demand and expect **only** the most exemplary behavior from their leaders. Operationally, integrity is demonstrated through consistency of words and deeds. Through face-to-face communication, the leadership should emphasize the President's values, his insistence on integrity, and his belief in the value of the force and the Secretary's commitment to focus on mission.

• 1.3.1 Insist on high standards of integrity for civilian and uniformed leaders, throughout the chain of command.	High	**$0**	Implement	SecDef
• 1.3.2 Make and keep realistic commitments. Deployment and other operational tempo promises have often been made and then abandoned. The message **from** and actions of our leadership must be core-value based and consistent; this must permeate our structure from high-level deployment commitments to integrity in reporting readiness and maintenance needs.	High	**$0**	**Implement**	SecDef

1.4 Improve Command Climate. The commander sets the command climate. High rates of turnover among commanders and staff **officers** at **all** levels contribute to an atmosphere of turbulence and instability in military organizations. Further, in key policy jobs, relatively rapid turnover among general officers impedes the sustained effort often required to achieve significant policy change. The emphasis is on development of personnel rather **than** policy attainment, The chain of command must strive to keep military service challenging and satisfying. Command climate is improved when leaders convey vision and purpose, set clear specific goals, and lead from appropriate sets of values. Taking prudent risk should be valued; care and concern for troops is p&amount; empowering subordinates pays dividends; teamwork

Cost: $0 is less than **$1M**, $ is tens of **$M**, **$$** is hundreds of **$M**, and **$$$** is **$B**. Savings or returns are indicated a plus sign (+). SR is short-run, LR is long-run. Issues that require evaluation or further study may impose costs not shown here.

and trust are essential; predictability in schedules and deployments are to be sought. Active mentoring of junior officer and enlisted personnel **should instill** and reinforce these qualities.

• 1.4.1 Increase stability and tenure for senior officers and commanders to allow for follow-through on commander initiatives and effective mentoring, e.g., increase tenure of **O-5** command tours.	**Med**	**$**	Study	P&R **(FMP)**
• 1.4.2 Direct services to review performance **evaluation** and promotion procedures to reduce the zero-defect climate.	Med	**$**	**Study**	P&R **(FMP)**

Cost: $0 is **less** than $1 M, **$** is tens of **$M**, **$$** is hundreds of **$M**, and $$$ is **$B**. Savings or returns are indicated a plus sign **(+)**. SR is short-run, **LR** is long-run. Issues that require evaluation or **further** study may impose costs not shown here.

2. FORCE MANAGEMENT

The Department of Defense is engaged in transforming military forces to meet the diverse challenges of the future strategic environment. In President Bush's words: "Eleven years after the Cold War, we are in a time of transition and testing. We're witnessing a revolution in the technology of war; power is increasingly defined not by size, but by mobility and swiftness. Advantage increasingly comes from information. Our goal is to move beyond marginal improvements to harness new technologies that will support a new strategy."* Old approaches to personnel management are no longer viable. Critical to success is transformation of the personnel structure of the Total Force so that it meets the needs of the service and fulfills the aspirations of the members for productive careers. DoD's efforts to apply advanced technology to meet future defense challenges will require parallel efforts to apply the talents of its people in reshaping the force. DoD should implement the specific recommendations of the Defense Science Board and several *other* compensation review panels that focuses on establishing a strategic human resources plan encompassing all elements of the Total Force: active and reserve military, civilian, and private-sector personnel

initiative	Priority	cost	Action	OSD Lead
21 Develop Human Resources Strategic Plan: During the past decade, the uses of all types of personnel have changed as the military has been asked to carry out new missions. Transformation of the force in terms of missions, doctrine, and equipment will necessitate a fundamental rethinking of a total human resource strategy. Without a new strategy, transformation can not achieve its full potential.				
• 2.1.1 Develop a strategic plan that defines the roles of active and reserve military personnel, civilians, and contractor personnel and establishes principles of military and civilian personnel management in a transformed force.	High	$	Implement	SecDef

Cost: $0 is less than $1M, 5 is tens of $M, 55 is hundreds of $M, and 555 is 5B. Savings or returns are indicated a plus sign (+). SR is short-run, LR is long-run. Issues that require evaluation or further study may impose costs not shown here.

• 2.1.2 Direct each Service to develop a strategic plan, tailored to its specific requirements in organizing, training, and equipping force-onsistent with the guidance and principals in the **DoD** plan.	High	$	Implement	**SecDef**
22 Determine **DoD personnel requirements:** Work is evolving. Technological and organizational change and new military strategies point to different requirements for people and to new characteristics for the workforce. These **will** include enhanced skills and leadership capabilities. Specific requirements will differ across services, occupations, and commands.				
• 2.2.1 Broadly determine future personnel requirements in order to commence work on personnel management and compensation in the near-term.	High	**$**	Implement with quick report	P&R
• 2.2.2 Design and implement a more detailed personnel requirements system consistent across the services and capable of mapping specific needs by skill and experience to the needs of a transformed force; specify requirements for **all** types of personnel.	High	**$$**	Implement over longer **term**, in greater detail	P&R
23 Design Flexible Career Management Systems: Current human resource practices do not match **DoD's** new strategies or the changing external demographic and economic forces. The challenge is to balance the needs of the military services and the expectations of workforce members for a productive and satisfying career. Fundamental changes are needed in accession, assignment, development, and career tenure policies for military personnel. Reform of **DoD's** business practices and support functions depends critically on a high-quality, productive civilian workforce. Currently, insufficient **DoD** control and excessive regulation prevent **effective** civilian personnel management and integration of the civilian workforce into total force planning.				

Cost: 50 is less than 51 M, 5 is tens of 5M. 55 is hundreds of 5M. and 555 is 5B. Savings or returns are indicated a **plus** sign (+). SR is short-run, **LR** is long-run. Issues that require evaluation or further study may impose costs not shown here.

• 2.3.1 Propose revisions in the laws and policies that govern personnel management to allow for greater flexibility (e.g., DOPMA, ***Goldwater***-Nichols, and Defense Acquisition Workforce Improvement Act). In many ways, today's rules force the service member to make a premature decision to **leave** the military or discourage retention.				
➢ 2.3.1 .I Propose legislative changes and establish new DoD-wide policies and regulations that allow the Services to **tailor** officer and enlisted careers to **their** varying needs for experienced personnel.	High	**$0**	Implement	P&R **(FMP)**
b 2.3.1.2 **Grant regular** commissions for all entering **officers** to stress continuing service.	High	**$0**	Implement	P&R **(FMP)**
• 2.3.2 Overhaul education and training opportunities for defense personnel.	**Med**	**$0**	Study	P&R
• 2.3.3 Transfer authority for the department's civilian workforce from the Director of **the** Office of Personnel Management to the Secretary of Defense.				
➢ 2.3.3.1 Propose legislation to transfer civilian personnel management authority to **DoD.**	High	**$0**	Implement	**SecDef**
b 2.3.3.2 Reform civilian personnel policies **and** programs for recruiting, professional development, career advancement, compensation, and separation.	**Med**	**$0**	Study	P&R (CPP)
b 2.3.3.3 **Streamline** and accelerate the political appointment process.	Low	**$0**	Implement	**Deputy SecDef**
• 2.3.4 Fundamentally reform Guard and Reserve career management practices, compensation, and benefits to facilitate seamless force integration and movement of individuals between active and reserve statuses **(e.g.,** duty	High	**$0**	Study	**P&R (RA)**

Cost: $0 is less than $1 M, $ is **tens** of **$M,** $$ is hundreds of **$M,** and $$$ is **$B.** Savings or returns are indicated a plus sign (+). SR is short-run, **LR** is long-run. Issues that require evaluation or further study may impose costs **not** shown here.

status, end strength management, promotion practices).				
• **2.3.5** Revitalize human resources models and data. **Build** new and retool existing models **that** simulate **the** effects of changes in personnel policies on force inventories and costs. Construct appropriate databases and management information systems.	**Med**		Implement	P&R
2.4 Redesign recruiting and accession **strategies: The** military services need to develop new active, reserve, and civilian recruiting and accession strategies as they struggle to meet goals, attract the people who will make a transformed force successful, and adapt to a dramatic increase in college attendance and private sector hiring practices.				
• 2.4.1 Expand the active and reserve, **officer** and enlisted, applicant pools.				
b 2.4.1.1 **Pursue** non-traditional recruit and accession markets such as greater use of the Internet, exploration of **two-year** community colleges, individuals who do not complete four-year universities, and **underrepresented** minorities.	**Med**	**$$**	Implement	P&R **(FMP)**
b 2.4.1.2 Rely on greater re-entry and lateral entry of experienced personnel.	**Med**	**$**	Implement	P&R **(FMP)**
b 2.4.1.3 Consider the use of warrant officer entry status to attract and retain individuals with critical technical skills.	Med	$0	Study	P&R **(FMP)**
• 2.4.2 Partner **with** the private sector to attract, manage, and transition individuals for occupations with critical shortages and **limited** supply (e.g., **pilots,** aviation mechanics, and air traffic controllers).	High	$0	Study	P&R **(FMP)**

Cost: $0 is less than **$1M,** $ is tens of **$M, $$** is hundreds of $M, and **$$$** is SB. Savings or returns are indicated a plus sign (+). SR is **short-run, LR** is **long-run**. Issues that require evaluation or further study may impose costs not shown here.

2.5 Compensate workforce members satisfactorily: Compensation must be adequate to attract, retain, motivate, and separate personnel; to support an acceptable standard of living; and to be commensurate with members' increasing levels of education and responsibility. In the short-run, **DoD** should improve elements of the current pay structure. In the long run, it needs to redesign the compensation system to provide the needed management flexibility to better shape the force.

• 2.5. I Develop a long-term plan for fundamental change to all aspects of military compensation, including active and reserve				
b 2.5.1.1 Reform **the** activeduty pay tables so that pay raises *reward* performance and rise with rank. Raise military pay for all members, **and** target grades that have fallen behind **comparable** civilian sector earnings.	High	**SR: $$$** **LR:** TBD	**SR:** Implement **LR:** Study	P&R **(FMP)**
b 2.5.1.2 Increase special and incentive pay budgets to target critical occupations in all components.	High	**SR: $$$** LR: **TBD**	**SR:** Implement **LR: Study**	P&R **(FMP)**
b 2.5.1.3 Modernize the military retirement system to include early vesting (before 20 years of service), matching contributions by **DoD** to the Thrift Savings Plan, portability of benefits at separation from service, and the recognition of careers of varying **lengths.**	High	$0	study	P&R **(FMP)**
• 2.5.2 For senior **military** and civilian positions, propose legislation to lift pay caps that result in pay compression and may discourage highly capable **individuals** from serving in positions of responsibility and leadership.	**Low**		Study	P&R **(FMP)**
• 2.5.3 Change Guard and Reserve compensation and benefits to ensure equitable treatment between the active and reserve components.	Med	*$ 0*	Study	P&R (FMP & RA)

Cost: $0 is less **than** $ 1**M,** $ is tens of **$M,** S$ **is** hundreds of **$M,** and **$$$** is **$B.** Savings or returns **are** indicated a plus sign (+). **SR** is short-run, **LR** is long-run. Issues that require evaluation or further study may impose **costs** not shown here.

3. WORKPLACE

The infrastructure that supports operational missions, including logistics support and training facilities, is old and in poor shape. There is excess infrastructure, deteriorating facilities, and a substantial backlog of building maintenance and repair. The condition and readiness of the workplace infrastructure will worsen in the future as the Services attempt to spread limited construction and maintenance funds over the existing inventory of facilities, ranges, and utility systems. But this is more than an issue of excess capacity, it is also an issue of quality of facilities. In many cases, current facilities were designed for earlier generations of equipment. They have not been fully upgraded to the requirements for today's forces, much less suitable for addressing the emerging requirements of future forces. Maintaining an effective workplace, that allows our workforce to conduct their jobs efficiently and effectively, has a tremendous impact on morale and quality of work.

Initiative	Priority	Cost	Action	OSD Lead
3.1 Right-size and modernize infrastructure: Size the infrastructure to meet operational, training, and support requirements.				
• 3.1.1 Identify core installations and facilities. *Determine the* size of the required workplace infrastructure and ensure that the required infrastructure is modernized to provide safe, efficient, and quality working conditions.	High	$0	Implement	AT&L (I)
• 3.1.2 Seek authority to close/eliminate excess facilities and installations, capitalizing on cross-Service utilization of facilities. Properly resource the necessary up-front investments needed to realize long-term gains, determine accounting mechanisms to provide incentives for aggressively pursuing this strategy, consider intermediate alternatives to an all-or-nothing approach (e.g., shared-use arrangements with private sector, lease-back operations).	High	SR: $$$ LR: +$$$	Implement	AT&L (I)

Cost: $0 is less than $1 M, $ is tens of $M, $$ is hundreds of $M, and $$$ is $3. Savings or returns are indicated a plus sign (+). SR is short-run, LR is long-run. Issues that require evaluation or further study may impose costs not shown here.

• 3.1.3 Partner with the private sector to **reduce** operational and maintenance (O&M) as well as modernization costs while improving efficiency and quality of life.	High	**$0**	Study	AT&L (I)
• 3.1.4 Address specific needs of the operational workplaces such as ships, hangars, maintenance bays, armories, etc. Ensure adequate working conditions, proper equipment and tools, and **sufficient** flow of repair material and spare parts.	High	**$0**	**Study**	AT&L
3.2 Transform **business** processes: Identify and adopt business practices and processes to reduce **infrastructure** requirements, to reform the conduct of defense business, to streamline **the** number of personnel involved in support activities, and to ensure defense personnel have the material they need to do their work				
• 3.2.1 Streamline support activities to foster more efficient use of existing material resources.	High	**SR: $** **LR:** +$	Implement	AL&T
➢ **3.2.1.1 Introduce** labor **saving technologies**	High	**SR:** $ **LR: +$**	Implement	AL&T
➢ 3.2.1.2 Maximize **use** of private sector	**High**	**$**	Implement	AL&T
➢ 3.2.1.3 Impkment logistics velocity management department-wide	**High**	**SR: $** LR: +$	Implement	**AL&T**

Cost: $0 is less than $1 **M**, $ is tens of **$M**, **$$** is hundreds of **$M**, and **$$$** is **$B**. Savings or returns are indicated a plus sign (+). SR is short-run, **LR** is long-run. Issues that require evaluation or further study **may** impose costs not shown here.

3.3 Improve worker quality of **life**: Improve the working conditions and processes by reducing or eliminating excess paper work, reports, and inspections. Provide mechanisms, where appropriate, that allow the required work to be accomplished during alternative times and at alternative locations (e.g., telecommuting) while increasing quality of life and maintaining or improving efficiency.

• 3.3.1 **Reduce administrivia** and unit inspections (e.g., eliminate PERSTEMPO **rules** and accounting).	High	$0	Implement	P&R
• 3.3.2 Develop alternative work schedules and locations.	**Low**	**$0**	Implement	P&R

Cost: $0 is less than **$1M**, $ is tens of $M, $$ is hundreds of **$M**, and $$$ is **$B**. Savings or returns are indicated a plus sign (+). SR is **short-run, LR is** long-run. Issues that require evaluation or further **study may** impose costs not shown here.

4. PERSONNEL AND FAMILY SUPPORT

At the core of our military strength is the individual Service Member-the men and women in uniform, both active and reserve, who serve our nation. To be effective, members of the Armed Forces must be highly motivated, and a key element of motivation is their personal and family quality of life. President Bush described the need for improved personnel and family support in his speech at Fort Stewart: "We owe you and your families a decent quality of life. Problems, from low pay to poor housing, reach across our military and the result is predictable. This is not the way a great nation should reward courage and idealism. [Service members] deserve a military that treats them and their families with respect." As the rate of deployment and pace of work has increased, effective support has become more critical to quality of life in the military. With the increased usage of our reserve forces, similar quality of life concerns are also becoming major issues for the Reserve Component. Changing demographics, including the growth in dual-career and single-parent families, have increased the demand for childcare and other programs.

Initiative	Priority	Cost	Action	OSD Lead
4.1 Provide better housing sooner: The commitment to ensure adequate housing has not yet been met. Much of the military housing stock is substandard and still needs revitalization. Trying to meet housing needs with appropriated funds has not worked and DoD should focus on implementation of the Military Housing Privatization Initiative (PL 104- 106).				
• 4.1.1 Provide clear and accurate information about the benefit and the commitment to provide housing or allowances for adequate housing, based on a standard	High	$0	Implement	P&R (FMP), AT&L (I)
• 4.1.2 Accelerate the use of public/private ventures to complete the revitalization of military housing and other community facilities.	High	$0	Implement	SecDef

Cost: $0 is less than $1M, $ is tens of $M, $$ is hundreds of $M, and $$$ is $B. Savings or returns are indicated a plus sign (+). SR is short-run, LR is long-run. Issues that require evaluation or further study may impose costs not shown here.

• 4.1.3 Complete revision of housing requirement determination processes and resolve difference between on- and off-base standards to enable realistic programming and budgeting.	**High**	$0	Implement	P&R AT&L(I)
4.2 Continue **to** improve **health benefit:** New TRICARE **benefits** keep the promise of a comprehensive lifetime health benefit for military personnel and eliminate inequity. To minimize the drain on defense resources and ensure beneficiary needs are met, **DoD** must manage the benefit cost-effectively. Further, the current policy of enrolling the families of deployed Guard and reserve personnel in TRICARE disrupts continuity of care and is administratively unwieldy.				
. 4.2.1 Fully fund **TRICARE.**	High	**$$$**	Implement	P&R (HA)
• 4.2.2 Reorganize the military health system to strengthen medical management and ensure readiness.				
➢ **4.2.2.1** Evaluate management structures for the system.	High	**$0**	Implement	**SecDef**
9 4.2.2.2 Give Medical Treatment Facility **(MTF)** commanders and TRICARE regional **Lead** Agents the responsibility and **authority to** manage their organizations, and hold them accountable for measurable performance.	High	**$0**	Implement	**P&R**
9 4.2.2.3 Develop a local TRICARE management capability, strengthen incentives, and bring budgeting and information systems to private sector standards.	High	**$**	Implement	P&R
9 4.2.2.4 Redesign the managed-care support contracts to reflect best practices **and** the services now obtained from civilian providers, and to	**Med**	$0	Study	P&R (HA)

Cost: $0 is less than **$1M,** $ is tens of $M, **$$** is hundreds of **$M,** and $$$ is **$B.** Savings or returns **are** indicated a **plus** sign **(+).** SR is short-run, **LR** is long-run. Issues that require evaluation or funher study may impose costs not shown here.

ensure participation by civilian providers in all areas.

• 4.2.3 Develop an implementation plan for TRICARE for Life and TRICARE Prime Remote to ensure beneficiary needs are met at reasonable cost.				
➢ 4.2.3.1 Evaluate replacing TRICARE with comparable FEHBP benefits in remote areas, if feasible.	Med	**$0**	Study	P&R (HA)
➢ 4.2.3.2 Define the long-term benefit in TRICARE for Life.	High	**$$$**	Study	**P&R (HA)**
• 4.2.4 Reshape the health benefit for the families of deployed Guard and reserve personnel.	**Med**	**$**	**Study**	P&R (HA **&** **RA)**

4.3 Respond to Changing Family Demographics in the Military: An increasing number of service members have families. This includes dual career **couples** and a growing number of **single** parents. Additionally, service members and their families are increasingly better educated, with higher aspirations and expectations. The family support structure is not designed to address these changing demographics.

• 4.3.1 Enhance opportunities for military spouses to find employment, develop rewarding careers, and add to their training and education.				
➢ **4.3.1.1** Investigate agreements with private or public employers to increase spouse employment opportunities.	High	$0	**Implement**	P&R (FMP)
➢ 4.3.1.2 Explore agreements with local governments or other professional organizations to provide certification and **licensing** waivers to military spouses.	High	$0	Implement	**P&R (FMP)**

Cost: $0 is less than **$1M**, $ is tens of **$M**, $$ is hundreds of **$M**, and **$$$** is $B. Savings or returns are indicated a plus sign (+). SR is short-run, LR is long-run. Issues that **require** evaluation or further study may impose costs not shown here.

9 4.3. I .3 Consider providing distance learning technologies and distance work facilities.	**Med**	**$$**	Study	P&R (FMP)
4.3.2 Extend the child care system so that the domestic and overseas need is met, as appropriate, in child-development centers and family day care.				
9 4.3.2.1 Reevaluate **the** adequacy of childcare opportunities, to include capacity and **hours** of care available.	High	**$$**	Implement	P&R **(FMP)**
9 4.3.2.2 Subsidize Family Child Care (FCC) at a rate comparable to that for centers and review restrictions, including the ban on providing family day care in civilian housing.	High	$0	Study	P&R **(FMP)**
9 4.3.2.3 Improve pay and quality of care in overseas childcare programs.	High	**$$**	Implement	P&R **(FMP)**
• 4.3.3 Ensure that **military** children receive a high-quality education.				
➢ 4.3.3.1 Reassess the funding level and allocation formula for Impact Aid.	**Med**	$0	Implement	P&R (FMP)
9 4.3.3.2 Evaluate programs such as the Army's educational liaison/ombudsman that could provide educational transition assistance to families, coordinate installation partnership programs with schools, and serve as an information liaison between the schools and the installation commander.	**Med**	$0	Implement	P&R (FMP)
• 4.3.4 Strengthen the support networks for the families of active and reserve members who are deployed or on unaccompanied tours.				
➢ 4.3.4.1 Provide facilities for family support, to include **email** and teleconferencing capabilities to communicate with deployed forces.	**Med**	**$**	Implement	P&R (FMP **&** RA)

Cost: $0 is **less** than **$1** M, $ **is** tens of **$M**, $$ is hundreds of $M, and **$$$** is $B. Savings or returns are indicated a **plus** sign **(+)**. **SR** is **short-run, LR** is **long-run**. Issues that require evaluation or further study may impose costs not shown here.

➢ 4.3.4.2 Fund a family support capability to relieve the dependence upon uncompensated labor in the military community.	Med	$	Imp

4.4 Guarantee the right to vote: Service members and their spouses may be disadvantaged or disenfranchised from some state voting procedures.

• 4.4.1 Work with the states to modify registration and absentee voting procedures that disadvantage military members and spouses.	Med	$0	Imp
• 4.4.2 Develop a program to assist military members and spouses to register, become informed about candidates and issues, and vote by absentee ballot.	Med	$	Imp
• 4.4.3 Assure military practices, such as postmarking, are in compliance with state election laws.	Med	$0	Imp

Cost: $0 is less than $1M, $ is tens of $M, $$ is hundreds of $M, and $$$ is $B. Savings or returns are indicated a plus sign (+). SR is short-
Issues that require evaluation or further study may impose costs not shown here.

snowflake

April 30, 2001 4:03 PM

292

TO: Steve Cambone

FROM: Donald Rumsfeld

SUBJECT: Morale and Quality of Life Review

Do you think we ought to send these studies to the President, even though he may never read them? At least we would get them over there.

We could send Jeremiah's, Attached is a copy of it.

Attach.
3/30/01 Jeremiah ltr and report, "Improving Morale and Quality of Life"

DHR:dh
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OFFICE OF THE SECRETARY OF DEFENSE

ASSISTANT CHIEF OF STAFF

YES + 14 pg 3/30
(1) To
(2) other
(3)

Mr. Secretary,

Dave Jeremiah has provided an excellent package of interim results on Morale & Quality of Life. He has set a high bar for the Other studies.

Recommend that we agree to Jeremiah's suggestion to begin working w/ the Services to prepare a final package in time for your testimony in early May.

V/R.
Paul Gebhard

30 March 2001

The Honorable Donald H. Rumsfeld
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Mr. Secretary,

Attached are the current products of our Morale and Quality of Life Review. This submission completes the initial phase of our efforts. These documents by no means address all human resource issues. They are the "80% solution"—covering the most important aspects and are responsive to the topics raised in the National Security Presidential Directive 2.

As we have discussed in our progress briefings, we envision a direct role for you and your Executive Board in four key areas:

- Exercising leadership to reestablish trust with our workforces.
- Guiding the development of a total force personnel strategy.
- Capitalizing on public-private partnerships for better housing and work facilities.
- Reorganizing the military health system to strengthen medical management and readiness.

The attached documents outline a broad range of issues and initiatives for improving morale and quality of life. However, we have identified these four areas as cutting across functional responsibilities, and therefore, requiring integration at the highest level. Past efforts to address these issues have suffered from a lack of top-level direction, attention, and oversight.

We also seek your guidance in moving forward on all of the morale and quality of life initiatives. While many specific ideas are presented, we need to further refine the details of some proposals; others can be assigned for action now. As we enter into the second phase of this review, we ask that RAND be allowed to work with your staff as well as the Services to refine the subjects and address budget, legislative, and timing implications. Some of these recommendations are political hot buttons either within the Department or in other arenas. It would be helpful for our future work if you could indicate initiatives you are willing to expose to a larger audience and those you wish to hold privately for the moment. I believe this is consistent with the "rolling release" the press attributes to your spokesperson. Our overall review effort will work towards developing these more refined ideas.

As we have deliberated throughout this review, I am often concerned that the emphasis on morale and quality of life will be lost as a top administration priority. As you know, in the programming and budgeting cycles personnel issues rarely are fully integrated into acquisition decisions and readiness investments. Individually, personnel issues usually do not rise to the level of major budget items, although collectively, they

can be quite costly. Force structure changes are often couched in personnel terminology but rarely do they address the impact on force skill-mix requirements, training and development, or overall personnel policy and management.

We run the risk of achieving similar outcomes in this defense study process. The overall strategic review has significant implications for how we manage, train, deploy, and employ the diverse range of capabilities resident in our various defense workforces. If we are not attentive to integrating the personnel consequences of each review's recommendations, I fear we will fail to meet our tasking from NSPD 2 and improperly "price" the manpower implications of your force decisions. To overcome this problem, I recommend that this integration task be an area of primary focus for your Executive Board and that you include your top official for personnel matters in the board membership. Otherwise, our rhetoric on morale and quality of life will not be consistent with our actions—a central tenet of our proposals on leadership.

Finally, we have included the Coast Guard as an active member of our review as they face many of the same morale and quality of life issues confronting DoD. My team members are eager for me to brief the Secretary of Transportation on our review efforts. This is an opportunity to gain another strong advocate for meaningful change. With your approval, I will give that presentation.

Thank you for the opportunity to work on these issues that so directly affect the daily lives of our dedicated soldiers, sailors, airmen, marines, civilians, and contractors. I will return to Washington late on April 8. Should you have questions before then, my office can contact me in Hoquiam, Washington.

Very Respectfully,

David E. Jeremiah
Admiral, USN (Ret)

Improving Morale & Quality of Life

Overview

President Bush has made improving the quality of life for our Service men and women a top priority of his Administration, as has the Secretary of Defense. Steps to improve the management of the Department's workforce must be integrated with the development of a new national security strategy and the resulting changes in force structure. These requirements will be the basis for defining the roles and responsibilities of all of the Department's personnel.

The Department of Defense relies on a volunteer military. Recruiting, training and retaining personnel are essential to building and sustaining the Department's workforce. DoD faces a tremendous challenge in maintaining its force today – in terms of both quality and numbers. More young people are going to college, reducing the pool of quality high school graduates that could be recruited into military service. Competition in the private sector is increasing and lures many potential candidates from both military and civilian positions. Frequent military deployments, pay that lacks comparability to the private sector particularly for individuals with some college as is now typical of our enlisted force, and shortages of people, spare parts and equipment threaten morale. Managing and shaping the Department's work force to meet current and future needs and maintaining a force with high morale and quality of life is a challenging task in today's environment. It requires new tools, authorities and management attention.

Several observations underlie the Department's human resources management task:

- Today there is a new "total force" that includes military (both active and reserve), civilian and private sector personnel – all making important contributions to the Department's mission. The roles of and balance between the Department's civilian and military personnel have changed, and will continue to change as the national security strategy evolves, technology changes doctrine and tactics, and our demographic patterns shift over time.
- The Department has a wide range of tools for shaping its workforce, yet many of those available today are either not used or are no longer as effective as they need to be. Some of these tools tend to reflect a "one-size-fits-all" approach that is no longer well suited to the current needs of the workforce. We also need flexibility to respond to changing needs, not just different needs. Tools that allow for greater force shaping flexibility are essential.

The military Services have taken steps in recent years to improve their force management tools, respond to quality of life concerns within the force, and recognize the changing demands that today's military missions place on the troops. These many initiatives have addressed important concerns among the workforce but have been limited by the laws and policies constraining the management of today's forces and without a perspective of future force needs and requirements. The job is not yet complete and what is most needed is a more integrated, comprehensive approach – one that reflects a strategic and

11-L-0559/OSD/3456

sustained transformation of the Department's human resources management. Such an approach will help to improve morale and ensure a high quality of life for the Department's entire workforce. It will require the coordinated effort of OSD and the Services. The Department needs to take action in four priority areas:

LEADERSHIP

The President has pledged his support to our men and women in uniform with a message that conveys the nobility and value of military service. It is valuable for the chain of command, beginning with the President, to reinforce this message to both the Department's workforce, their families and to the American public. And we need to seek other means of engaging the American public as well. Benefits of this outreach will accrue in the form of enhanced morale and espirit de corps, improved recruiting and retention and enhanced support of the American people for the Administration's defense objectives. At the same time, the Administration can take actions to strengthen the leadership within the Department.

While these are not revolutionary concepts, they have enormous value. More importantly, they are measures that have been overlooked in the recent past, with impact on the morale of our workforce and support of the American public. The Department needs to place a high priority on reestablishing its connection with the workforce and with the American people. There is no simple fix. It will require continued attention through the following kinds of actions:

- Communicate Nobility and Value of Public Service. The profession of arms is a noble calling, not just another job. Leaders and managers in the chain-of-command must make it a priority to recognize our military and civilian workforce and to reinforce the relevance, importance and purpose of ongoing military operations on a regular basis. Members take pride in accomplishing tough but important missions. Respect and value for the workforce can be communicated by employing the workforce judiciously, providing meaningful training, rewarding their performance and recognizing their courage and idealism.
- Engage the American Public. The American public has high confidence in the military as an institution, but this does not translate into a willingness to serve in the Department. The Administration needs to establish a program of outreach to the American people that involves speeches about the value of public service, advertising programs for recruiting that emphasize patriotism and values, and a wide range of citizenship and community-level programs.
- Reinforce Integrity Throughout the Chain of Command building upon the example of the Commander-in-Chief. Through face-to-face communication, the leadership should emphasize the President's values, his insistence on integrity and his belief in the value of the force. The Department must insist on high standards of organizational and personal integrity. In addition, the Department's leadership must make and keep realistic commitments.

Deployment and other operational tempo promises have often been made and later abandoned. Moreover, these tasks can be made more difficult by insufficient manning and a lack of parts and equipment. Shortfalls in these areas send a powerful message about the value, or lack thereof, we place on our people. The message and actions from our leadership must be consistent and extend from high-level deployment commitments to integrity in readiness and maintenance reporting.

- Improve Command Climate. The command climate reflects the personality and style of the commander. High rates of turnover among commanders and senior staff officers contribute to an atmosphere of turbulence and instability in military organizations. In key policy jobs, rapid turnover impedes the sustained effort often required to achieve significant policy change. The command climate is improved when senior military leaders have sufficient time in command to execute a vision. At lower command levels, the need to master the demands of command comes first, leaving little time to mentor junior officers because of the current short duration of command tours. In general, the Services need to reinforce the value of service in command positions.

FORCE MANAGEMENT

The Department of Defense is engaged in transforming its military forces to meet the diverse challenges of the future strategic environment. Critical to success is transformation of the personnel structure of the Total Force to meet the Department's needs and fulfill the aspirations of the work force for productive careers. DoD's efforts to apply advanced technology in developing weapon systems to meet future defense challenges will require parallel efforts to apply the talents of its people in reshaping the force. Old approaches to personnel management are no longer viable. Transforming the Department's human resources management approach needs to be based on the following actions:

- Develop a Human Resources Strategic Plan. The Department and the military Services need to develop a strategic human resources plan encompassing all elements of the total force: military, civilian and private sector personnel. Such a plan is the necessary foundation for reforming human resources management within each Service and across DoD. The plan should define the roles of active and reserve military, civilian and contractor personnel. It should:
  - forecast human resource needs
  - forecast expected available personnel inventories
  - specify overarching goals, policies and resources
  - propose necessary changes in legislation and directives
  - develop the necessary management tools to:
    - enable the Department to attract people with the necessary skills and abilities

- shape careers to meet evolving personnel requirements.

- Determine DoD Personnel Requirements. A strategic plan cannot be comprehensive without a clear understanding of personnel requirements. Technological and organizational change and new military strategies point to different requirements for skills, capabilities and characteristics of the workforce. Changes to personnel requirements must be able to keep pace with rapidly changing technology. Such requirements must also be responsive to the changing demographics of our future forces—we must take actions now to both produce and develop culturally aware leaders 20 years down the road within both our officer and senior enlisted corps. Specific requirements will differ across Services, Commands and occupations, but consistent, department-wide personnel requirements system needs to be established. In the near term, a high-level assessment of requirements is needed in order to commence work on personnel management and compensation. A more detailed system should be developed over time.

- Design Flexible Career Management Systems. Career management approaches are needed for both military and civilian personnel that more effectively match the Department's needs with the desire of the individual for a more productive and satisfying career. New approaches need to respond to changing economic forces and the desires and expectations of today's youth. An effective program will require revision in the laws that govern personnel management (for both civilians and military), enhanced professional development and training programs – particularly for the Department's civilian personnel, and investment in human resources models.

- Redesign Recruiting and Accession Strategies. The military Services recognize that the motivation and rewards of military service are different for today's youth than their predecessors. New active, reserve and civilian recruiting and accession strategies need to be developed that enable more effective recruiting in today's competitive hiring environment. This will involve targeting different markets, such as the college market, wider use of lateral entry and other programs to attract experienced personnel, and streamlining the hiring process within the Department. For critical skill areas, where national shortages exist, the Department needs to partner with the private sector to attract, manage and transition individuals to meet both public and private needs.

- Provide Satisfactory Compensation. Compensation must be adequate to attract, retain, motivate and separate personnel. In the short run, DoD needs to improve elements of the current pay structure. This should focus on reforming the active-duty pay tables by raising military pay for all members and targeting grades that have fallen behind comparable civilian sector earnings. To be competitive, the pay structure must recognize changes in requirements and educational attainment of the workforce. In the long run, the compensation system needs to be modernized to enhance the attractiveness of a military career and provide the needed management flexibility to better shape the size and skill mix of the force. A comprehensive review, currently

underway, is addressing many aspects of military compensation to include pay, retirement (particularly the need for a portable system), special and incentive pays, and Guard and reserve compensation. However, compensation policy follows from the overall strategic plan and the accompanying force requirements. Such issues and their associated effects on compensation will need to be redressed in the context of overall force management decisions.

WORKPLACE

The Department's vast array of facilities and infrastructure – including those that support operational missions, logistics activities and training – are aging and we have not kept pace with needs for improvements, maintenance and repair. This condition will worsen in the years ahead as the Services attempt to spread limited construction and maintenance funds over the existing inventory of facilities, ranges and utility systems. Moreover, facilities have not been fully upgraded to meet the requirements for today's forces, and will be much less suitable for emerging requirements of future forces. Maintaining an effective workplace, that allows individuals to conduct their jobs efficiently and effectively, has a tremendous impact on morale and quality of work.

The Department cannot continue to manage its facilities and infrastructure in a business-as-usual fashion. Through bold steps and "smart" approaches, it is possible to dramatically reshape the Department's infrastructure without adding a tremendous bill to the budget. The following tasks, which can be pursued immediately, with the help of Congress and the President, will establish a successful framework within which our workplace operations can be improved.

- Size and Modernize Infrastructure. Efforts to determine the appropriate size of the Department's infrastructure to meet operational, training and support requirements need to be renewed. Excess facilities and installations need to be closed or eliminated, capitalizing on cross-Service utilization of facilities. The Department must also partner more closely with the private sector in its efforts to repair and modernize facilities in order to provide safe, efficient and quality working conditions. These steps will free up resources that can be used to maintain and modernize remaining facilities.
- Transform Business Processes. Modern business practices and processes must become part of normal operations. The Department has taken many steps in recent years to transform its business processes, but more aggressive action is needed to reduce infrastructure requirements, transform and improve logistics functions, and reduce the number of personnel involved in support activities. More efficient operations can save the Department substantial resources to support needed workplace initiatives.
- Improve Worker Quality of Life by reducing or eliminating excess requirements such as paper work, reports and inspections. Labor saving

technologies and expanded public-private partnerships can help reduce labor requirements and generate workplace efficiency. Moreover, the Department needs to take steps to expand its use of flexible work place approaches, such as telecommuting, that allow work to be accomplished during alternative times and at alternative locations. These approaches, popular in the private sector, can help to make public service a more appealing career option.

PERSONNEL AND FAMILY SUPPORT

President Bush has pledged our service men and women and their families "a decent quality of life. Problems, from low pay to poor housing, reach across our military . . .". As the rate of deployment and pace of work increase, effective support has become more critical to quality of life in the military. Changing demographics, most notably the increase in dual-career and single-parent families, have increased the demand for childcare and other programs. To be successful, we must recruit individuals and retain the family. The Administration must implement a comprehensive program of improvements in family support, to include housing, health care and other family support activities. The key tenets of this program will:

- Provide Better Housing Sooner. The commitment to ensure adequate housing for our men and women in uniform has not been met with the use of appropriated funds. Much of the military housing stock is still in need of revitalization. Privatization demonstrations have proven the effectiveness of public/private ventures, but have not been aggressively implemented. These demonstration activities need to be expanded and accelerated to complete revitalization efforts in housing and community facilities. Such increased goals require the explicit support of the Secretary of Defense to be accomplished.
- Continue to Improve Military Health Benefits. New TRICARE benefits keep the promise of a comprehensive lifetime health benefit for military personnel and eliminate inequity. But the benefit must be managed in a cost-effective way to minimize the drain on defense resources and ensure beneficiary needs are met. The total military medical and health system is in need of reorganization in order to strengthen its management and ensure readiness. Implementation plans are needed for benefits such as TRICARE for Life and TRICARE Prime Remote (including areas where the medical community will not accept TRICARE coverage). The Department must also focus on the needs of other cohorts such as families of deployed Guard and reserve personnel. The funding shortfalls that have consistently been a part of the military health program must be eliminated in the future.
- Respond to Changing Family Demographics in the Military. The family support system has not kept pace with the changing family structure. Nor has it kept pace with the higher aspirations and expectations of an increasingly better educated workforce and their families. Critical enhancements include

childcare; opportunities for military spouses to find employment and programs to develop careers and enhance education; education for military children; and family support networks.

- Address voting concerns. In cooperation with the states, steps need to be taken to modify registration and absentee voting procedures to ensure that service members and their spouses have a fair opportunity to participate in the political process. In addition, the military needs to improve programs to inform service members about voting procedures and ensure processes are in place to comply with state laws.

People are the Department's most important resource—properly trained and motivated individuals, providing the competitive edge and turning equipment and systems into world-class capabilities. Human resource management is the Department's most important resource management task. DoD must renew its investment in the men and women who make up the Department's workforce. Making the needed changes to support this investment will be difficult and complex. Some changes will take a few years, but it is essential to establish a plan and get started now. The four areas discussed above provide a blueprint for action.

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IMPROVING MORALE AND QUALITY OF LIFE

The military Services have taken steps in recent years to improve their force management tools, respond to quality of life concerns within the force, and recognize the changing demands that today's military missions place on the troops. These many initiatives have addressed important concerns among the workforce but have been limited by the laws and policies constraining the management of today's forces and without a perspective of future force needs and requirements. The job is not yet complete and what is most needed is a more integrated, comprehensive approach that transforms the Department's management of its human resources. Such an approach will help to ensure military morale and a high quality of life for the Department's entire workforce. It will require the coordinated efforts of OSD and the Services. This document identifies the OSD lead who will work with its Service counterparts on each issue.

Key Issues

1. Leadership
2. Force Management
3. Workplace
4. Personnel and Family Support

1. LEADERSHIP

"Nothing would be better for morale than clarity and focus from the commander-in chief." President Bush has consistently emphasized this top-down leadership theme of renewing the bond of trust between the presidency and the American military. His pledge of support to our men and women in uniform has conveyed a message of nobility and the inherent value associated with military service. Such ideas are important not only for the dedicated members of our Armed Forces and their families but also for the American public. These fundamental themes must be reflected throughout the entire chain of command, reinforced through consistency of words and actions, and applied to the Total Force-active and reserve military, civilians and contractors. The desired outcomes and benefits of thii consistent leadership message will be enhanced morale and esprit de corps, improved recruiting and retention, and enhanced support of the American people for the Administration's defense objectives. At the same time, the Administration can take actions to strengthen the leadership within the Department of Defense. Deployments, training exercises, and humanitarian missions have both positive and negative effects on service members and their families. On the one hand, members take pride in accomplishing tough but important missions; they expect challenges and accept personal sacrifice for a greater purpose. On the other hand, missions without apparent purpose, particularly when they are repetitive and fall unequally on different groups of personnel, can badly damage morale and, ultimately, retention. Equity, fairness, and judicious application of our forces will reap dividends for the Nation in the form of ready units with high morale.

Initiative	Priority	cost	Action	OSD Lead
1.1 Communicate Nobility and Value of Military Service. The profession of arms is a noble calling, not just another job. However, the mission of today's military and its importance to the nation are not well understood by the American public. Given our active role in responding to global demands, it is incumbent on the leadership—from the President down to the local commanders and even our elected officials--to effectively explain the value and validity of committing our military forces. Likewise, we must ensure that we respect and value our service members by employing them judiciously, providing them meaningful training, and recognizing their courage, idealism, and effort.				

Cost: $0 is less than $1M, S is tens of $M, $$ is hundreds of $M, and $$$ is SB. Savings or returns are indicated a plus sign (+). SR is short-run, LR is long-run. Issues that require evaluation or further study may impose costs not shown here.

• 1.1. 1 Reinforce Mission Relevance. The Administration should find opportunities to recognize service members' contributions to ongoing operations, reinforcing the relevance and importance of these missions. Similarly, military leaders at **all levels** should **frequently** reinforce why troops **are** doing what they are doing and how their mission supports **broad national purposes.**	High	$0	Implement	SecDef
• **1.1.2** Provide Tangible Recognition. The Administration can also send a strong message to **deployed** service members by supporting some special recognition of the value of the contributions they make and the personal costs **they** may bear while on deployments.				
➢ **1.1.2.1** Evaluate policies to recognize deployed members, such as favorable tax benefits.	**High**	**$$**	Implement	**P&R (FMP)**
1.2 Engage American Public. The American **public** has high confidence **in** the military as an institution. However, such perceptions **do** not necessarily translate into a national understanding of the military's roles and missions or a strong willingness of youth to consider military service. Consequently, the Defense Department must make a conscious effort to educate the public on national security needs and importance.				
• 1.2.1 Direct **all** Administration leaders to speak about the **value** of public service and the Defense leaders to speak about the value of the mission of **DoD.**	High	$0	Implement	**POTUS SecDef**
• 1.2.2 Implement recruit advertising programs that **emphasize** patriotism and **values.**	**Med**	**$**	**Study**	P&R
• 1.2.3 Expand citizenship and community outreach programs to increase military presence and emphasize patriotism and military **values; these**	Med	**$**	Study	P&R

Cost: $0 is less than $1 M. $ **is** tens of **$M, $$** is hundreds of **$M,** and **$$$** is **$B.** Savings or returns are indicated a plus sign **(+).** SR is short-run, LR is long-run. Issues that require evaluation or further study may impose costs not shown here.

programs include JROTC, Civil Air Patrol, National Guard ChalleNGe, tutoring, coaching, soldier-to-teacher, guest speakers, and home town visits.

1.3 Reinforce Integrity Throughout Chain of Command. Integrity begins at the top of an organization and permeates down through the ranks. The President and SecDef must demand and expect only the most exemplary behavior from their leaders. Operationally, integrity is demonstrated through consistency of words and deeds. Through face-to-face communication, the leadership should emphasize the President's values, his insistence on integrity, and his belief in the value of the force and the Secretary's commitment to focus on mission.

• 1.3.1 Insist on high standards of integrity for civilian and uniformed leaders, throughout the chain of command.	High	$0	Implement	SecDef
• 1.3.2 Make and keep realistic commitments. Deployment and other operational tempo promises have often been made and then abandoned. The message from and actions of our leadership must be core-value based and consistent; thii must permeate our structure from high-level deployment commitments to integrity in reporting readiness and maintenance needs.	High	$0	Implement	SecDef

1.4 Improve Command Climate. The commander sets the command climate. High rates of turnover among commanders and staff officers at all levels contribute to an atmosphere of turbulence and instability in military organizations. Further, in key policy jobs, relatively rapid turnover among general officers impedes the sustained effort often required to achieve significant policy change. The emphasis is on development of personnel rather than policy attainment. The chain of command must strive to keep military service challenging and satisfying. Command climate is improved when leaders convey vision and purpose, set clear specific goals, and lead from appropriate sets of values. Taking prudent risk should be valued; care and concern for troops is p&mount; empowering subordinates pays dividends; teamwork

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and trust are essential; predictability in schedules and deployments are to be sought. Active mentoring of junior officer and enlisted personnel should instill and reinforce these qualities.

• 1.4.1 Increase stability and tenure for senior **officers** and commanders to allow for follow-through on commander initiatives and effective **mentoring,** e.g., increase tenure of O-5 command tours.	Med	**$**	Study	P&R **(FMP)**
• 1.4.2 Direct services to review performance **evaluation** and promotion procedures to reduce the **zero-defect** climate.	Med	**$**	Study	P&R **(FMP)**

Cost: $0 is less than **$1M,** $ is tens of **$M,** $$ is hundreds of **$M,** and **$$$** is **$B.** Savings or returns are indicated a plus, sign **(+).** SR is short-run, LR is long-run. Issues that require evaluation or further study may impose costs not shown here.

2. FORCE MANAGEMENT

The Department of Defense is engaged in transforming military forces to meet the diverse challenges of the future strategic environment. In President Bush's words: 'Eleven years after the Cold War, we are in a time of transition and testing. We're witnessing a revolution in the technology of war; power is increasingly defined not by size, but by mobility and swiftness. Advantage increasingly comes from information. Our goal is to move beyond marginal improvements to harness new technologies that will support a new strategy." Old approaches to personnel management are no longer viable. Critical to success is transformation of the personnel structure of the Total Force so that it meets the needs of the service and fulfills the aspirations of the members for productive careers. DoD's efforts to apply advanced technology to meet future defense challenges will require parallel efforts to apply the talents of its people in reshaping the force. DoD should implement the specific recommendations of the Defense Science Board and several other compensation review panels that focuses on establishing a strategic human resources plan encompassing all elements of the Total Force: active and reserve military, civilian, and private-sector personnel

Initiative	Priority	cost	Action	OSD Lead
2.1 **Develop Human** Resources Strategic **Plan:** During the past decade, the uses of all types of personnel have changed as the military has been asked to carry out new missions. Transformation of the force in terms of missions, doctrine, and equipment will necessitate a fundamental rethinking of a total human resource strategy. Without a new strategy, transformation can not achieve its full potential				
• 2.1.1 Develop a strategic plan that defines the roles of active and reserve military personnel, civilians, and contractor personnel and establishes principles of military and civilian personnel management in a transformed force.	High	$	Implement	SecDef

Cost: 50 is less than $1M, $ is tens of $M, $$ is hundreds of $M, and $$$ is $B. Savings or returns are indicated a plus sign (+). SR is short-run, LR is long-run. Issues that require evaluation or further study may impose costs not shown here.

• **2.1.2** Direct each Service to develop a strategic plan, tailored to its specific requirements in organizing, training, and equipping forces-consistent with the guidance and principals in the **DoD** plan.	High	**$**	Implement	**SecDef**
2.2 Determine **DoD** personnel **requirements:** Work is evolving. Technological and organizational change and new military strategies point to different requirements for people and to new characteristics for the workforce. These will include enhanced skills and leadership capabilities. Specific requirements will differ across services, occupations, and commands.				
• 2.2.1 Broadly determine future personnel requirements in order to commence work on personnel management and compensation in the near-term.	High	**$**	Implement with quick report	P&R
• 2.2.2 Design and implement a more detailed **personnel** requirements system consistent across the services and capable of mapping specific needs by skill and experience to the needs of a transformed force; specify requirements for all types of personnel.	**High**	**$$**	**Implement** over longer **term,** in greater detail	P&R
2.3 Design **Flexible** Career Management Systems: **Current** human resource practices do not match **DoD's** new strategies or the changing external demographic and economic forces. The challenge is to balance the needs of the military services and the expectations of workforce members for a productive and satisfying career. Fundamental changes are needed in accession, assignment, development, and career tenure policies for military personnel. Reform of **DoD's** business practices and support functions depends **critically** on a **high-quality,** productive civilian workforce. Currently, insufficient **DoD** control and excessive regulation prevent effective civilian personnel management and integration of the civilian **workforce** into total force planning.				

Cost: $0 is less than **$1M,** $ is tens of **$M, $$** is hundreds of **$M,** and **$$$** is **$B.** Savings or returns are indicated a plus sign (+). SR is short-run, LR is long-run. Issues that require evaluation or further study may impose costs not shown here.

• 2.3.1 Propose revisions in the laws and policies that govern personnel management to allow for greater flexibility (e.g., DOPMA, Goldwater-Nichols, and Defense Acquisition Workforce Improvement Act). In many ways, today's rules force the service member to make a premature decision to leave the military or discourage retention.				
➢ 2.3.1.1 Propose legislative changes and establish new DoD-wide policies and regulations that allow the Services to tailor officer and enlisted careers to their varying needs for experienced personnel.	High	$0	Implement	P&R (FMP)
9 2.3.1.2 Grant regular commissions for all entering officers to stress continuing service.	High	$0	Implement	P&R (FMP)
• 2.3.2 Overhaul education and training opportunities for defense personnel.	Med	50	Study	P&R
• 2.3.3 Transfer authority for the department's civilian workforce from the Director of the Office of Personnel Management to the Secretary of Defense.				
9 2.3.3.1 Propose legislation to transfer civilian personnel management authority to DoD.	High	$0	Implement	SecDef
9 2.3.3.2 Reform civilian personnel policies and programs for recruiting, professional development, career advancement, compensation, and separation.	Med	$0	Study	P&R (CPP)
9 2.3.3.3 Streamline and accelerate the political appointment process.	LOW	$0	Implement	Deputy SecDef
• 2.3.4 Fundamentally reform Guard and Reserve career management practices, compensation, and benefits to facilitate seamless force integration and movement of individuals between active and reserve statuses (e.g., duty	High	$0	Study	P&R (RA)

Cost: 50 is less than 5 1M, 5 is tens of $M, 55 is hundreds of SM, and 555 is 5B. Savings or returns are indicated a plus sign (+). SR is short-run, LR is long-run. Issues that require evaluation or further study may impose costs not shown here.

status, end strength management, promotion practices).				
• 2.3.5 Revitalize human resources models and data. Build new and retool existing models that simulate the effects of changes in personnel policies on force inventories and costs. Construct appropriate databases and management information systems.	**Med**	**$**	Implement	P & R
2A Redesign recruiting and accession strategies: The military services need to develop new active, reserve, and civilian recruiting and accession strategies as they struggle to meet goals, attract **the** people **who** will make a transformed force **successful,** and adapt to a dramatic increase in college attendance and private sector hiring practices.				
• **2.4.1** Expand the active and reserve, officer and enlisted, applicant pools.				
9 2.4.1 **.1** Pursue non-traditional recruit and accession markets such as greater use of the Internet, exploration of two-year community **colleges,** individuals who do not complete four-year universities, and underrepresented minorities.	**Med**	55	Implement	**P&R (FMP)**
9 **2.4.1.2** Rely on greater re-entry and lateral entry of experienced personnel.	**Med**	5	Implement	P&R **(FMP)**
9 2.4.1.3 Consider the use of warrant officer entry status to attract and retain individuals with critical technical skills.	**Med**	$0	Study	P&R **(FMP)**
• **2.4.2** Partner with the private sector to attract, manage, and transition individuals for occupations with critical shortages and limited supply (e.g., pilots, aviation mechanics, and air traffic controllers).	High	$0	Study	P&R **(FMP)**

Cost: 50 is less **than $1** M, 5 is tens of **$M,** 55 is hundreds **of $M,** and **$$$** is **$B.** Savings or returns are indicated a plus sign **(+).** SR is short-run, **LR** is long-run Issues that require evaluation or further **study may impose** costs not shown here.

2.5 Compensate workforce members **satisfactorily:** Compensation must be adequate to attract, retain, motivate, and separate personnel; to support an acceptable standard of living; and to be commensurate with members' increasing levels of education and responsibility. In the short-run, **DoD** should improve elements of the current pay structure. In the bng run, it **needs** to redesign **the** compensation system to provide the needed management flexibility to better shape the force.

• 2.5.1 Develop a long-term plan for fundamental change to **all** aspects of military compensation, including active and reserve				
➢ **2.5.1.1 Reform the** active-duty pay tables so that pay raises reward performance and rise with rank. Raise military pay for all members, **and** target grades that have fallen behind comparable civilian sector earnings.	High	**SR: $$$** LR: **TBD**	**SR:** Implement **LR:** Study	P&R **(FMP)**
➢ **2.5.1.2** Increase special and incentive pay budgets to target critical occupations in **all** components.	High	**SR: $$$** **LR: TBD**	SR: Implement LR: Study	P&R **(FMP)**
➢ 2.5.1.3 Modernize the military retirement system to include early vesting (before 20 years of service), matching contributions by **DoD** to the Thrift Savings Plan, portability of benefits at separation from service, and the recognition of careers of varying lengths.	High	$0	Study	P&R **(FMP)**
• 2.5.2 For senior military and civilian positions, propose legislation to lift pay caps that result in pay compression and may discourage highly capable individuals **from** serving in positions of responsibility and leadership.	**Low**	**$**	Study	P&R **(FMP)**
• **2.5.3** Change Guard and Reserve compensation and benefits to ensure equitable treatment between the active and reserve components.	**Med**	$0	study	P&R (FMP & RA)

Cost: $0 is less than **$1M**, $ is tens of **$M**, **$$** is hundreds of **$M**, and **$$$** is $3. Savings or returns are indicated a plus sign (+). SR is short-run, LR is long-run. **Issues** that require evaluation or further study may impose costs not shown here.

3. WORKPLACE

The infrastructure that supports operational missions, including logistics support and training facilities, is old and in poor shape. There is excess infrastructure, deteriorating facilities, and a substantial backlog of building maintenance and repair. The condition and readiness of the workplace infrastructure will worsen in the future as the Services attempt to spread limited construction and maintenance funds over the existing inventory of facilities, ranges, and utility systems. But this is more than an issue of excess capacity, it is also an issue of quality of facilities. In many cases, current facilities were designed for earlier generations of equipment. They have not been fully upgraded to the requirements for today's forces, much less suitable for addressing the emerging requirements of future forces. Maintaining an effective workplace, that allows our workforce to conduct their jobs efficiently and effectively, has a tremendous impact on morale and quality of work

Initiative	Priority	Cost	Action	OSD Lead
3.1 Right-size and modernize infrastructure: Size the infrastructure to meet operational, training, and support requirements.				
• 3.1 .1 Identify core installations and facilities. Determine the size of the required workplace infrastructure and ensure that the required infrastructure is modernized to provide safe, efficient, and quality working conditions.	High	$0	Implement	AT&L (I)
• 3.1.2 Seek authority to close/eliminate excess facilities and installations, capitalizing on cross-Service utilization of facilities. properly resource the necessary up-front investments needed to realize long-term gains, determine accounting mechanisms to provide incentives for aggressively pursuing this strategy, consider intermediate alternatives to an all-or-nothing approach (e.g., shared-use arrangements with private sector, lease-back operations).	High	SR: $$$ LR: +$$$	Implement	AT&L (I)

Cost: $0 is less than $1 M, $ is tens of $M, $$ is hundreds of SM, and $$$ is $B. Savings or returns are indicated a plus sign (+). SR is short-run, LR is long-run. Issues that require evaluation or further study may impose costs not shown here.

• 3.1.3 Partner with the private sector to reduce operational and maintenance (O&M) as **well** as modernization costs while improving efficiency and quality of life.	High	$0	Study	AT&L (I)
• **3.1.4** Address specific needs of the operational workplaces such as ships, hangars, maintenance bays, armories, etc. Ensure adequate working conditions, proper equipment and tools, and **sufficient** flow of repair material and spare parts.	**High**	$0	Study	AT&L
3.2 Transform business processes: Identify and adopt business practices and processes to reduce infrastructure requirements, to reform the conduct of defense business, to streamline the number of personnel involved in support activities, and to ensure defense personnel have the material they need to do their work				
• 3.2.1 Streamline support activities to foster more efficient use of existing material resources.	High	**SR:** $ **LR:** +$	**Implement**	**AL&T**
9 3.2.1.1 Introduce labor saving-technologies	**High**	**SR: $ LR:** +$	Implement	AL&T
9 3.2.1.2 Maximize use of private sector	High	**$**	Implement	AL-&T
9 3.2.1.3 Implement logistics velocity management department-wide	High	**SR: $ LR: +$**	Implement	AL&T

Cost: $0 is less than $1M, $ is tens of **$M, $$** is hundreds of $M, and **$$$** is **$B**. Savings or returns are indicated a plus sign (+). SR is short-run, LR is **long-run.** Issues that require evaluation or **further** study may impose costs not shown here.

3.3 Improve worker quality of life: Improve the working conditions and processes by reducing or eliminating excess paper work, reports, and inspections. Provide mechanisms, where appropriate, that allow the required work to be accomplished during alternative times and at alternative locations (e.g., telecommuting) while increasing quality of life and maintaining or improving efficiency.

• **3.3.1** Reduce administrivia and unit inspections (e.g., eliminate PERSTEMPO rules and accounting).	High	$0	Implement	P&R
• **3.3.2** Develop alternative work schedules and locations.	Low	$0	Implement	P&R

Cost: $0 is less than $1M, $ is tens of $M, $$ is hundreds of SM. and $$$ is $B. Savings or returns are indicated a plus sign (+). SR is short-run, LR is long-mn. Issues that require evaluation or further study may impose costs not shown here.

4. PERSONNEL AND FAMILY SUPPORT

At the core of our military strength is the individual Service Member-the men and women in uniform, both active and reserve, who serve our nation. To be effective, members of the Armed Forces must be highly motivated, and a key element of motivation is their personal and family quality of life. President Bush described the need for improved personnel and family support in his speech at Fort Stewart: 'We owe you and your families a decent quality of life. Problems, from low pay to poor housing, reach across our military and the result is predictable. This is not the way a great nation should reward courage and idealism. [Service members] deserve a military that treats them and their families with respect." As the rate of deployment and pace of work has increased, effective support has become more critical to quality of life in the military. With the increased usage of our reserve forces, similar quality of life concerns are also becoming major issues for the Reserve Component. Changing demographics, including the growth in dual-career and single-parent families, have increased the demand for childcare and other programs.

Initiative	Priority	cost	Action	OSD Lead
4.1 Provide better housing sooner: The commitment to ensure adequate housing has not yet been met. Much of the military housing stock is substandard and still needs revitalization. Trying to meet housing needs with appropriated funds has not worked and DoD should focus on implementation of the Military Housing Privatization Initiative (PL 104-106).				
• 4.1 .1 Provide clear and accurate information about the benefit and the commitment to provide housing or allowances for adequate housing, based on a standard	High	$0	Implement	P&R (FMP), AT&L (I)
• 4.1.2 Accelerate the use of public/private ventures to complete the revitalization of military housing and other community facilities.	High	$0	Implement	SecDef

Cost: $0 is less than $1M, $ is tens of $M, $$ is hundreds of $M, and $$$ is $B. Savings or returns are indicated a plus sign (+). SR is short-run, LR is long-run. Issues that require evaluation or further study may impose costs not shown here.

• 4.1.3 Complete revision of housing requirement determination processes and resolve difference between on- and off-base standards to enable realistic programming and budgeting.	High	$0	Implement	**P&R** AT&L(I)
4.2 Continue to improve health benefit: New **TRICARE** benefits keep the promise of a comprehensive lifetime **health** benefit for military personnel and eliminate inequity. To minimize **the** drain on defense resources and ensure beneficiary needs are met, **DoD** must manage the benefit cost-effectively. Further, the current policy of enrolling the families of deployed Guard and reserve personnel in **TRICARE** disrupts continuity of care and is administratively unwieldy.				
• 4.2.1 **Fully** fund **TRICARE.**	High	**$$$**	Implement	P&R (HA)
• 4.2.2 Reorganize **the** military health system to strengthen medical management and ensure readiness.				
9 4.2.2.1 Evaluate management structures for the system.	**High**	$0	Implement	**SecDef**
9 4.2.2.2 Give **Medical** Treatment Facility (MTF) commanders and TRICARE **regional** Lead Agents **the** responsibility and authority to manage their organizations, and **hold** them accountable for measurable performance.	High	$0	Implement	P&R
9 4.2.2.3 Develop a **local** TRICARE management **capability,** strengthen incentives, and bring budgeting and information systems to private sector standards.	High	**$**	Implement	P&R
9 4.2.2.4 Redesign the managed-care support contracts to reflect best practices and the services now obtained from civilian providers, and to	**Med**	$0	Study	P&R (HA)

Cost: $0 **is less than $1M,** $ is tens of **$M,** $$ is hundreds of **$M,** and **$$$** is $B. Savings or **returns** are indicated a **plus sign (+). SR** is **short-run, LR** is **long-run.** Issues that require evaluation or further study may impose costs not shown here.

ensure participation by civilian providers in all areas.				
• 4.2.3 Develop an implementation plan for TRICARE for Life and TRICARE Prime Remote to ensure beneficiary needs are met at reasonable cost.				
9 4.2.3.1 Evaluate replacing TRICARE with comparable FEHBP benefits in remote areas, if feasible.	Med	$0	Study	P&R (HA)
9 4.2.3.2 Define the long-term benefit in TRICARE for Life.	High	$$$	Study	P&R (HA)
4.2.4 Reshape the health benefit for the families of deployed Guard and reserve personnel.	Mid	$	Study	P&R (HA & RA)
4.3 Respond to Changing Family Demographics in the Military: An increasing number of service members have families. This includes dual career couples and a growing number of single parents. Additionally, service members and their families are increasingly better educated, with higher aspirations and expectations. The family support structure is not designed to address these changing demographics.				
• 4.3.1 Enhance opportunities for military spouses to find employment, develop rewarding careers, and add to their training and education.				
9 4.3.1.1 Investigate agreements with private or public employers to increase spouse employment opportunities.	High	$0	Implement	P&R (FMP)
9 4.3.1.2 Explore agreements with local governments or other professional organizations to provide certification and licensing waivers to military spouses.	High	$0	Implement	P&R (FMP)

Cost: $0 is less than $1 M, $ is tens of $M, $$ is hundreds of $M, and $$$ is $B. Savings or returns are indicated a plus sign (+). SR is short-run, LR is long-run. Issues that require evaluation or further study may impose costs not shown here.

9 **4.3.1.3** Consider providing distance learning technologies and distance work **facilities.**	**Med**	**$$**	**Study**	P&R **(FMP)**
• 4.3.2 Extend the child care system so that the domestic and overseas need is met, as appropriate, in **child-development** centers and family day care.				
9 4.3.2.1 Reevaluate the adequacy of childcare opportunities, to include capacity and hours of care available.	High	**$$**	Implement	**P&R (FMP)**
9 4.3.2.2 Subsidize Family Child Care (FCC) at a rate comparable to that for centers and review restrictions, including the ban on providing family day care in civilian housing.	High	**$0**	Study	P&R (FMP)
9 4.3.2.3 Improve pay and quality of care in overseas **childcare** programs.	High	**$$**	Implement	P&R **(FMP)**
• **4.3.3** Ensure that military **children** receive a **high-quality** education.				
9 4.3.3.1 Reassess the funding level and allocation formula for Impact Aid.	**Med**	**$0**	Implement	P&R (FMP)
9 4.3.3.2 Evaluate programs such as the Army's educational liaison/ombudsman that could provide **educational** transition assistance to families, coordinate **installation** partnership programs with schools, and serve as an information liaison between the schools and the installation commander.	**Med**	**$0**	Implement	P&R (FMP)
• 4.3.4 Strengthen the support networks for the families of active and reserve members who are deployed or on unaccompanied **tours.**				
9 4.3.4. I Provide facilities for family support, to include **email** and teleconferencing **capabilities** to communicate with deployed forces.	Med	**$**	Implement	P&R (FMP **&** **RA)**

Cost: $0 is less than $1 M. $ is tens of **$M, $$** is hundreds of **$M,** and **$$$** is **$B**. Savings or returns are indicated a plus sign **(+)**. SR is **short-run, LR** is long-run. Issues that require evaluation or further study may impose costs not shown here.

9	4.3.4.2 Fund a **family** support capability to relieve the dependence upon uncompensated labor in the **military** community.	**Med**		Implement	**P&R (FMP & RA)**

4.4 Guarantee the **right** to vote: Service members and their spouses may be disadvantaged or disenfranchised from some state voting procedures.

-	**4.4.1** Work with the states to modify registration and absentee voting procedures that disadvantage military members and spouses.	**Med**	**$0**	Implement	**P&R (FMP)**
-	4.4.2 Develop a program to assist military members and spouses to register, become informed about candidates and issues, and vote by absentee ballot.	**Med**	**$**	Implement	**P&R (FMP)**
•	4.4.3 Assure military practices, such as postmarking, are in compliance with state election laws.	Med	**$0**	Implement	**P&R (FMP)**

Cost: $0 is less than $1 M, $ is tens of **$M, $$** is hundreds of **$M,** and **$$$** is $B. Savings or returns are indicated a plus sign (+). SR is short-run, LR is long-run. Issues that require evaluation or further study may impose costs not *shown* here.

snowflake

April 30, 2001 4:42 PM

TO: Dov Zakheim

FROM: Donald Rumsfeld DR

SUBJECT: Financial Management Paper

Please take a look at this paper. I think you ought to think about moving on it as soon as you are confirmed.

Thanks.

Attach.
4/13/01 IDA paper, "A Strategy for Change"

DHR:dh
043001-40

100.5

30 Apr 01

OFFICE OF THE SECRETARY OF DEFENSE

① FYI
② Paul Gebhard
③ Director - implement what makes sense
④ be sure to think through
⑤ Bob Hill
⑥ Tom Fox
4/23

Mr. Secretary,

Per your request, attached is the final report from Steve Friedman et al on Financial Management.

V/R
Paul Gebhard

4/23
6:20 pm
D.H.

IDA
STRATEGY, FORCE, AND RESOURCES DIVISION

INSTITUTE FOR DEFENSE ANALYSES
1801 N. Beauregard Street, Alexandria, Virginia 22311-1772 • Telephone (b)(6)

The Honorable Donald H. Rumsfeld

April 13, 2001

Dear Mr. Secretary:

At your request, the Department of Defense contracted with the Institute for Defense Analysis to conduct a study:

> To design a transformation plan which, when implemented, will systematically deliver relevant, reliable and timely financial information on a routine basis in support of the Department's decision-making.

Relevant financial information will tell managers the costs of the forces or activities they manage and the relationship of funding levels to the output, capability, and performance of those forces or activities. Reliable financial information will provide an accurate basis for decisions and be affirmed by a clean audit opinion.

Suffice it to say that, in most cases, the current DoD financial and feeder systems cannot meet a financial information test of relevancy, reliability and timeliness. Nor is "support for management decision-making" an objective of many of the financial information systems currently in existence or planned.

The attached report presents a plan in two tracks: Track 1 deals with longer term structural change requiring a multi-year strategy for implementation; and Track 2 provides a plan for close-in actions to improve accountability and cost efficiencies in the interim.

On the structural level, the key take-aways are:

1. SecDef leadership, as implemented through an empowered Comptroller's office, is required to establish momentum for change,

2. Standardizing core accounting and data classification elements on a DoD-wide basis is the critical underpinning of an integrated information network,

3. Implementing a DoD-wide system architecture including financial, accounting and feeder systems is key to achieving reliable and timely financial and management information,

11-L-0559/OSD/3483

4. Providing DoD management, including CINC's, with financial information, analysis capabilities and result oriented metrics and incentives is fundamental to altering the relationship among mission-related priorities, and supply and support component budgets (the underlying premise is that better informed managers will seek to improve productivity), and

5. Congress and OMB must be engaged as partners to a) simplify reporting and record-keeping requirements, b) remove impediments to a more efficient infrastructure management and c) encourage adoption of private industry partnering and practices.

The path to achieving our objective is an extended one, but interim success enabled by steadily improving quality of financial information will be measurable.

In the meantime, close-in actions driven by the Comptroller can produce meaningful efficiencies over the next twenty-four months using financial tools that can be applied to currently available data:

1. Cost measurement techniques (i.e., activity based costing) can be used to identify targets of opportunity for increased financial efficiency and plans can be implemented and tracked to achieve increased productivity; and

2. Management metrics supporting the Secretary's critical success factors, with appropriate short and long term goals, can be integrated into DoD management processes to focus on execution of key initiatives. As an outside group, it was not feasible to develop these metrics; however, we have recommended a practical process using the Secretary's critical success factors to develop these management tools.

An important challenge to all of these initiatives is making financial inputs more relevant to the way DoD is managed. Setting Secretarial targets for DoD-wide cost and performance improvements will be an important tool whose efficacy will increase as the standardization and systemization of data come on stream.

The DoD's relationship with Congress represents the most significant challenge to structural change in the Department. Complex oversight rules, impediments to private sector partnering and reporting requirements in support of the budget/appropriation processes impede progress toward improved financial management at DoD. This relationship should become more of a partnership for structural change.

Many of the issues uncovered in our interviews and research have been dealt with effectively in private industry due largely to the competitive forces of the marketplace and the focus on shareholder value. No similar external push exists with DoD. It is important to note that a recurring theme of our interviews is the critical importance of leadership from the Secretary and his deputies. We trust that the attached plan provides an appropriate framework for your initiatives in this area.

We wish to acknowledge the support we received from DoD personnel, particularly Nelson Toye, Carmen Covey, Ed Harris and Ron Brooks. Our group was impressed by the dedication, experience, intelligence and commitment of DoD personnel as exemplified by these individuals.

Respectfully submitted,

Stephen Friedman, Chmn
James M. Denny
Donald H. Haider
William E Kelvie
Richard S. Friedland
Robert J. Hermann

Encl. Report

11-L-0559/OSD/3485

Transforming Department of Defense Financial Management

A Strategy for Change

Final Report **April 13, 2001**

11-L-0559/OSD/3486

Table of Contents

Executive Summary i
1.0 Introduction 1
Vision 2
3.0 Cnrrent Situation 3
4.0 Elements of Transformation 10
Leadership 10
Incentives 11
Accountability 11
Organizational Alignment 11
Changing Certain Rules 12
Changing Enterprise Practices 13
5.0 Financial Transformation Framework 15
Twin Track Approach – High Level Overview 15
Twin Track Program Implementation 16
Significant Challenges 18
Catalyst for Change 18
Appendix A. Current Situation Examples 26
Appendix B. Recent Financial Management Audit Issues 31
Appendix C. Related Audit Reports and Testimony 36
Appendix D. Individuals Interviewed During the Study 38

Executive Summary

At the request of the Secretary of Defense (SECDEF), the Department of Defense (DoD) contracted with the Institute for Defense Analyses to conduct a study to recommend a strategy for financial management improvements within the Department. **The Study Group envisions a future in which relevant, reliable and timely financial information[1], affirmed by a clean audit opinion, is available on a routine basis to support management decision-making at all levels throughout DoD.** Relevant financial information will tell managers the costs of forces or activities that they manage and the relationship of funding levels to output, capability or performance of those forces or activities. Reliable financial information will provide a more accurate basis for decision-making and be affirmed by a clean audit opinion. Such financial information will be available to managers at all pertinent levels, from those charged with carrying out DoD's missions at the theater and national levels down to the managers of supporting activities.

Current DoD financial, accounting and feeder/operational management systems do not provide information that could be characterized as relevant, reliable and timely. Nor is the "support of management decision-making" generally an objective of the financially based information currently developed or planned for future development. Front-end investment and much work need to be done to accomplish a necessary transformation. Many positive projects are currently underway in DoD; however, they are narrowly focused, do not have sufficient senior leadership and urgency behind them, and are not part of an integrated DoD-wide strategy.

Vision

Financial management in DoD should be focused on a single objective: Delivering relevant, reliable and timely financial information on a routine basis to support management decisions. Appropriate focus on improved financial information will markedly improve the opportunities to:

- **Provide visibility to cost incurred** which is a critical underpinning of efficiency improvement;
- **Institutionalize the use of performance metrics that are tied to cost and relevant** to the mission of DoD in the management process of the Department. This is a process that is key to establishing benchmarking standards and raising the level of performance;
- **Identify and take action, on an on-going basis, on performance improvement** (cost and effectiveness), **including private sector partnering as** appropriate;

[1] For purposes of this report, financial information includes: accounting records and reports; financial records and reports; cost-based performance metrics related to mission; and budget and appropriation data.

11-L-0559/OSD/3488

- **Ensure clean audits and routine compliance with Federal financial standards** and related accounting and financial regulations; and

- **Increase the credibility of DoD's financially based information with** Congress, the Office of Management and Budget (OMB) and other oversight agencies that have critical input into DoD operations.

Current Situation

Many studies and interviews with current and former leaders in DoD point to the same problems and frustrations. Repetitive audit reports verify the systemic problems; while they indicate some improvement, they illustrate the need for radical transformation in order to achieve real progress. As a result, DoD has developed a credibility problem with Congress, OMB, the General Accounting Office (GAO) and itself, when it comes to financial information. **Situations and problems associated with the current DoD environment include:**

- Inability to consistently provide reliable financial and managerial data for effective decision-making;
- Lack of an overarching approach to financial management – disparate systems (accounting, financial and feeder) hampered by lack of integration and standardization;
- Overly complex data requirements driven by appropriation funding rules, elaborate policies and procedures, and outdated guidelines for excessively detailed tracking of expenditures;
- "Convoluted" business processes which fail to streamline excessive process steps – sometimes driven by accounting, operational, and organizational structures, further complicated by aged and disparate systems;
- Changing federal financial management standards that have provided a moving target for compliance;
- Difficulty in obtaining financially based, outcome-oriented management metrics. Many metrics reflect yearly goals and outputs with little link between financial management and DoD Goals;
- Inability to produce Chief Financial Officer (CFO) Act compliant annual financial statements;
- Disproportionate budget dollars appear to support non-value added activities – since useful information is hard to extract, useful corrective action is difficult to implement – with a lack of wide-spread understanding of how financial information can help;
- Cultural bias toward status quo – driven by disincentives for change, and short timeframes of political appointees who otherwise might serve as agents of change; and
- Requires an infusion of personnel with technical and financial skill sets necessary to achieve integrated financial management systems.

To date, DoD's efforts to improve financial information have focused primarily on obtaining reliable information, and a protracted effort involving people, systems and data

still is required to reach the goal. But it is possible to reach the goal of reliable financial information and a clean audit opinion and still not have information that is relevant to managers. A complementary effort is needed to ensure that DoD's management information systems also provide relevant information. This includes selecting performance metrics, linking them to costs and institutionalizing their use in management and decision-making.

Elements of Transformation

Past studies have given significant attention to such matters as: achievable cost savings, productivity improvements, private sector partnering and other operating efficiencies. While useful projects are being carried out, few of the recommendations contained in these reports (reference *Appendix A, Current Situation Examples, Figure A-1,* for selected recent studies) have been implemented on a wide-scale basis. **We believe that the absence of relevant, reliable and timely financial information (('financial intelligence") and the need for an accelerated pace and a more assured outcome in improving DoD efficiency are related.** Each can be traced to similar origins within DoD's operating fabric.

Accordingly, we recommend an integrated twin-track program to implement a financial transformation. It includes six broad elements that we believe are central to substantially improving the financial management within DoD and providing a foundation for change. These **Elements of Transformation are:**

1. **Leadership** – establishing a SECDEF and senior leadership high priority for financial information transformation;
2. **Incentives** – addressing the current disincentives within DoD for engaging in financial reform;
3. **Accountability** – establishing a transformation framework with clear measurements, timeframes and assigned personal responsibilities and authority;
4. **Organizational Alignment** – SECDEF empowerment of the DoD Comptroller to act as the focal point for implementing an integrated DoD-wide program for financial management transformation;
5. **Changing Certain Rules** – directly addressing with Congress and OMB regulations and legal issues that hinder innovation and private sector partnering; and
6. **Changing Enterprise Practices** – modifying current overemphasis on Component process "uniqueness" that hinders forward progress, by standardization of core accounting requirements[2] and establishing a bias towards commercial off-the-shelf software (COTS) systems.

[2] Standardization of "core accounting" is intended to include only a subset of data (standard general ledger transaction level accounting events and data elements for reporting) required for DoD financial information management and does not include genuinely unique military data requirements.

11-L-0559/OSD/3490

Financial Transformation Framework

A program is needed that will incorporate the elements described above and provide for a functional and technical architecture for achieving integrated financial and accounting systems in order to generate relevant, reliable and timely information on a routine basis and, ultimately for obtaining a clean opinion. **The Study Group recommends a framework for a twin-track program for financial information transformation.** The recommended framework would not only take advantage of certain on-going improvement actions within the DoD but also provide specific direction for a more coordinated, managed and results-oriented approach. The recommended framework includes:

Track 1 -Strnctnral Change

Employ a coordinated DoD-wide management approach to developing standard integrated systems, obtaining relevant, reliable and timely financial intelligence (and ultimately a clean audit opinion) and aligning, incentivizing and authorizing the Department to utilize financial intelligence in an efficient and effective way.

Structural Change (Track 1) will require a longer timeframe and will include establishing a centralized oversight process under the Comptroller for implementing the recommended structural changes and developing standard, integrated financial intelligence systems. A phased approach should be taken which will allow for important incremental success yearly (e.g., with defined systems architecture and incremental improvements).

Track 2 – Close-in Success

Target, select and oversee implementation of a limited nnmber of intra-Service/cross-Service projects for major cost savings or other high-valne benefit under a process led by the Comptroller; assist the SECDEF in estahlishing and managing with a set of "Dashboard Metrics". Dashboard metrics should be derived from the SECDEF's Critical Success Factors. **Track 2 should be used as a learning experience on using financial information to drive decision-making.**

Prime tools of such improvements would include activity based costing (ABC) and benchmarking/best practices analysis to identify cost savings opportunities. A series of key management metrics will be identified, tracked and reported to those with senior managerial responsibility, including mission related-departments.

(During our interview process, logistics throughout DoD was mentioned numerous times as an area where progress has been made in recent years, but opportunities still exist for high-value improvements. While our timeframe did not allow us the opportunity to analyze the costs and benefits of this particular reengineering prospect, it deserves active consideration by the proposed Management Initiatives Office described below.)

Critical to the success of both tracks of the recommended program is the establishment within the OUSD(C) of two new functions represented by distinct offices, Through these two offices – the Financial and Management Information Integration Office and the Management Initiatives Office – the Comptroller would provide executive control over processes, policies and resources for financial management and related systems transformation. Current structure does not provide for an authoritative focal point for DoD-wide financial management transformation. Lean but full-time staffing is essential to the success of both offices. At the Comptroller's discretion, these two organizations could be created with some newly recruited talents as well as existing DoD staff; they are intended to fill a void as discussed above, not to duplicate or create additional layers. These two offices would (working with the Components) develop options for approval, monitor progress and regularly report to the SECDEF on progress, problems, and possible solutions. They would control resources for financial management, systems transformation (although the Components would manage such programs), and take a leadership role in developing incentives. Each function must be headed by an individual who has sufficient stature and empowerment to act as an effective change agent. Led by the Comptroller, the heads of these two offices should reach out to the Services and DFAS, as well as Congress, to coordinate the development of a strategy and effective implementation. Each office is described below:

Financial & Management Information Integration Office – accountable for effective implementation and coordination of overall financial and related systems architecture [in consultation with the Services, the Assistant Secretary of Defense for Command, Control, Communications and Intelligence (ASD(C3I)) and others], systems integration, core accounting standardization and CFO compliance issues on an intra- and cross-Service basis; develop a phased plan for progressively increasing the number of individual statements on which a clean audit opinion can be obtained; and over time, institutionalize in DoD's financial management information systems the ability to routinely generate the Dashboard Metrics established by the Management Initiatives Offices and DoD senior leadership.

Management Initiatives Office – responsible for the process of establishing and initially reporting on Dashboard Metrics; and on an intra- and cross-Service basis, work with the DoD Components to select projects for major cost and operational improvements, providing initial funding for a limited number of projects per year and overseeing implementation with use of consultants and private sector partnering, as appropriate.

The path to full transformation is a long one. We recognize that the complete solution is key to ensuring that the transformation has a permanent impact on DoD operating policies; however, important nearer term improvements in operating efficiency and effectiveness can be achieved. The recommended twin track approach allows for near-term successes while working towards the longer-term objective of delivering relevant, reliable and timely financial information.

11-L-0559/OSD/3492

Significant Challenges

We believe the most difficult challenges to be addressed in implementing our recommended program are:

- Developing an integrated system architecture including financial, accounting and feeder systems;
- Standardizing a DoD-wide "core" accounting and data classification;
- Engaging Congress and OMB to ameliorate certain rules: simplify record keeping and accounting requirements, remove impediments to a more efficient infrastructure management, and reduce hurdles to private sector partnering;
- Providing DoD management, including the Commanders in Chief (CINCs), with enhanced financial intelligence, incentives and tools; and encouraging them to maximize the efficiencies and effectiveness of their operations and suppliers; and
- Imbuing the culture with a sense of urgency for a DoD-wide financial management information transformation, similar to Y2K.

Catalyst for Change

The catalyst for effectively implementing these recommendations will be the leadership provided by the SECDEF and his senior management team. A vision for financial information, such as that described herein, has been accomplished in the private sector on a widespread basis, through the development of financial intelligence and the reporting, analysis and measurement of business process reengineering results, using such intelligence. Our interviews and discussions with senior representatives of DoD, both current and past, lead us to believe that the organization is ripe for this financial management leadership change. The DoD needs better financial information if it is to follow Deputy Secretary of Defense Wolfowitz's admonition "to engage our brains before we open the taxpayer's wallet". This proposed transformation program will provide the needed leadership, accountability and structure to re-engineer financial management within DoD.

"That which you require be reported on to you will improve, if you are selective. How you fashion your reporting system announces your priorities and sets the institution's priorities."

Rumsfeld's Rules

11-L-0559/OSD/3493

	Track 1 – Structural Change Recommended Implementation Actions	Responsibility
Leadership	SECDEF Leadership – one of SECDEF's and senior leaderships' highest priorities Establish, empower and fund the Financial and Management Information Integration Office – reporting to USD(C)	SECDEF – Sr Leadership SECDEF/OUSD(C)
Incentives	Create DoD-wide awareness and reward system in support of increased efficiency and improved productivity – money saver keeps a portion of savings within his/her organization for high value added purposes Work (with Congress as required) to change the Personnel recognition and reward system to reinforce achievement in this financial information transformation initiative	SECDEF – Sr Leadership SECDEF
Accountability	Institutionalizing in DoD's financial management information systems the ability to routinely generate the Dashboard metrics established by the Management Initiatives Office and DoD senior leadership	SECDEF – Sr Leadership; OUSD(C)

11-L-0559/OSD/3494

	Track 1 – Structural Change Recommended Implementation Actions	Responsibility
Organizational Alignment	Emphasize Comptroller (CFO) leadership role in transformation program: ▪ Reorganize and fund OUSD(C) to set clear lines of authority under the Comptroller, and allow ample time to the Comptroller to manage initiatives ▪ Use outside consultants as necessary (e.g., system inventorying, mapping systems and developing overarching plan for DoD) ▪ Provide regular briefings to SECDEF on progress, at least every 30 days ▪ Strengthen DoD's CIO capacities in systems planning, architecture and oversight	SECDEF – Sr Leadership
	Hire, train or partner with the private sector for financial and IT personnel to augment skill sets not in adequate supply within DoD – provide financial analysis capability to mission-related departments	OUSD(C); Working Level
	Consider IG partnering with private sector auditing firms	SECDEF/ OIG

Changing Certain Rules	Track 1 – Structural Changes: Recommended Implementation Actions	Responsibility
	Seek increased flexibility from Congress, OMB, Office of Personnel Management (OPM) and others to: . Reallocate and reinvest saved dollars . Remove outmoded impediments to a more efficient infrastructure – Simplify appropriations accounting requirements – Establish a cost-benefit analysis process for dealing with low value write-offs (e.g., unmatched disbursements below a minimum threshold, including elimination of accounting for cancelled accounts) – Consider "sunsetting" burdensome past mandates of reporting requirements . Utilize more commercial practices in the process for private sector partnering · Negotiate a phased approach to achieving a clean audit opinion (e.g., can start with Statement of Budgetary Resources) · Seek authorization to break pay grades to hire and retain financial and technology talent (use IRS as example) ▪ Personnel initiatives – Capitalize on looming large scale retirements as an opportunity to upgrade necessary skill sets – Enable DoD to match capabilities to needs rather than retention of staff by longevity (i.e., achieve rightsizing with the needed skill sets) – Establish personnel incentives related to achieving increased organization efficiency	SECDEF – Sr Leadership

	Track 1 – Structural Change Recommended Implementation Actions	Responsibility
Commercial Enterprise Practices	Develop and implement DoD-wide integrated systems architecture strategy – implement a streamlined "life cycle management process" to expedite the development of financial and related feeder systems	OUSD(C); ASD(C3I)
	▪ Build a bias toward commercial off-the-shelf software systems	
	. Avoid excessive customization of software – measure against private sector practices	
	Mandate standardization of "core" financial information in feeder, accounting and financial systems	OUSD(C)
	Provide DoD management, including the CINCs and other customers, with enhanced financial intelligence, analysis tools and incentives to better enable them to monitor and encourage the efficiency and effectiveness of their operations and suppliers (Institutional "wisdom" will question the feasibility of this proposal but the potential long term payback is significant and the attempt, therefore, is worthwhile.)	OUSD(C)

11-L-0559/OSD/3497

	Track 2 – Close-in Successes Recommended Implementation Actions	Responsibility
Leadership	SECDEF Leadership – one of SECDEF's and senior leaderships' highest priorities	SECDEF – Sr Leadership
	Establish, empower and fund the Management Initiatives Office – reporting to USD(C)	SECDEF/OUSD(C)
Incentives	Create DoD-wide awareness and reward system in support of increased efficiency and improved productivity – money saver keeps a portion of savings within his/her organization for high value added purposes	SECDEF – Sr Leadership
	Work (with Congress as required) to change the personnel recognition and reward system to reinforce importance of close-in actions	SECDEF – Sr Leadership
Accountability	Identify and institutionalize SECDEF Critical Success Factors and Dashboard Metrics	SECDEF – Sr Leadership;
	SECDEF's senior subordinates establish more granular Critical Success Factors and related metrics to achieve SECEF priorities	SECDEF – Sr Leadership
	Integrate metrics into the management of DoD, monitor and regularly report on performance to SECDEF and senior leadership	SECDEF – Sr Leadership
	Benchmark to similar private industry operations	OUSD(C)

11-L-0559/OSD/3498

	Track 2 – Close-in Successes Recommended Implementation Actions	Responsibility
Organizational Alignment	Emphasize Comptroller (CFO) leadership role in transformation program: • Use outside consultants as necessary • Provide regular briefings to SECDEF on progress, at least every *30* days • Provide initial funding for a limited number of projects each year	SECDEF/OUSD(C)
Changing Certain Rules	Work with Congress and OMB to facilitate close-in cost and effectiveness improvement programs (e.g., enable more private sector partnering in processes that are inherently commercial)	SECDEF – Sr Leadership
Implementing Tools/Choices	Develop and implement close-in major cost and **efficiency** improvement programs ▪ Utilize cost management tools (e.g., Activity Based Costing and Management) ▪ Select a limited set of intra-Service and cross-Service cost and/or process improvement targets of opportunity (e.g., consider **DoD-wide** logistics) ▪ Benchmarking/best practices ▪ Expand and continue successful efforts	OUSD(C)

1 .O Introduction

The Department of Defense (DoD) is challenged by an inferior financial management information systems infrastructure. **Large, complex U.S. companies are able to leverage technology to streamline processes and integrate sophisticated personnel and logistics systems with their financial systems. However, the DoD finds itself hampered with a financial management structnre that is in large part aged.** Beyond the multiplicity of disparate financial management systems throughout each of the Components, the information systems infrastructure is further hampered by the lack of functional and technical integration[3].

Many studies and interviews with current and former leaders in DoD point to the same problems and frustrations. **Repetitive audit reports verify the systemic problems; while they indicate some improvement, they illnstrate the need for radical transformation in order to achieve real progress.** As a result, DoD has developed a credibility problem with Congress, the Office of Management and Budget (OMB), the General Accounting Office (GAO) and itself, when it comes to financial information.

Further, past studies have given significant attention to such matters as: achievable cost savings, productivity improvements, private sector partnering and other operating efficiencies. While useful projects are being carried out, few of the recommendations contained in these reports (reference *Appendix A, Current Situation Examples, Figure A-1* for selected recent studies) have been implemented on a wide-scale basis. **We believe that the absence of relevant, reliable and timely financial information ("financial intelligence") and the need for an accelerated pace and a more assnred outcome in improving DoD efficiency are related,** Each can be traced to similar origins within DoD's operating fabric.

The systemic problems addressed in this report are not strictly "financial management" problems and cannot he solved by the financial commnnity alone. The solntion will require the concerted effort and cooperation of cross-functional communities throughout the Department.

At Secretary Rumsfeld's request, DoD contracted with the Institute for Defense Analyses (IDA) to address financial management transformation. Specifically, the IDA Study Group, comprised of experienced business people, supported by a private sector professional services firm under separate contract, was **tasked to develop the framework for an effective transformation of financial management throughont the DoD.**

This report was developed based on multiple sources of information – relevant reports and studies on the DoD and an interview process that generated past and present senior leader perspectives throughout DoD and other key governmental agencies.

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[3] Integration throughout this document is intended to imply both functional (definitional) standardization and technical compatibility in order that systems are interoperable. It is not intended to imply standardized business processes.

2.0 Vision

The Study Group envisions a future in which relevant, reliable and timely financial information[4], affirmed by a clean audit opinion, is available on a routine basis to support management decision-making at all levels throughout DoD. Relevant financial information will tell managers the costs of forces or activities that they manage and the relationship of funding levels to output, capability, or performance of those forces or activities. Reliable financial information will provide a more accurate basis for decision-making and be affirmed by a clean audit opinion. Such financial information will be available to managers at all pertinent levels, from those charged with carrying out DoD's missions at the theater and national levels down to the managers of supporting activities.

Current DoD financial, accounting and feeder/operational management systems do not provide information that could be characterized as relevant, reliable and timely. Nor is the "support of management decision-making" generally an objective of the financially based information currently developed or planned for future development. Front-end investment and much work need to be done to accomplish a necessary transformation. **Many positive projects are currently underway in DoD; however, they are narrowly focused, do not have sufficient senior leadership and urgency behind them, and are not part of an integrated DoD-wide strategy.**

Financial management in DoD should be focused on a single objective: Delivering relevant, reliable and timely financial information on a routine basis to support management decisions. **Appropriate focus on improved financial information will markedly improve the opportunities to:**

- **Provide visibility to cost incurred** which is a critical underpinning of efficiency improvement;
- **Institutionalize the use of performance metrics that are tied to cost** and relevant to the mission of DoD in the management process of the Department. This is a process that is key to establishing benchmarking standards and raising the level of performance;
- **Identify and take action, on an on-going basis, on performance improvement** (cost and effectiveness), **including private sector partnering** as appropriate;
- **Ensure clean audits and routine compliance with Federal financial standards** and related accounting and financial regulations; and
- **Increase the credibility of DoD's financially based information with** Congress, OMB, and other oversight agencies that have critical input into DoD operations.

[4] For purposes of this report, financial information includes: accounting records and reports; financial records and reports; cost-based performance metrics related to mission; and budget and appropriation data.

3.0 Current Situation

More than ten years ago, the U.S. Congress passed the Chief Financial Officers (CFO) Act, mandating that the Federal agencies prepare annually a set of auditable financial statements detailing assets and liabilities and the results of their annual operations. Selected agencies, including parts of DoD, were included as pilots for this program. In 1994, Congress passed the Government Management and Results Act, mandating that the CFO Act applies to all agencies. For FY 2000, DoD, once again, was unable to meet the requirements of the CFO Act. Even more troublesome is the awareness that compliance with the CFO Act remains out of reach, far over the horizon.

In the current environment, DoD has a serious credibility problem in financial management. On January 11, 2001, in the confirmation hearing of the Secretary of Defense (SECDEF), Senator Byrd questioned the Defense Department's inability "to receive a clean audit opinion in its financial statements". He went on to say, "I seriously question an increase in the Pentagon's budget in the face of the department's recent (inspector general) report. How can we seriously consider a $50 billion increase in the Defense Department's budget when the (Department of Defense's) own auditors--when DoD's own auditors--say the department cannot account for $2.3 trillion in transactions..."

In subsequent Senate testimony of February 13, 2001, Senator Grassley referenced these questions and continued, "...these reports show that DoD has lost control of the money at the transaction level. With no control at the transaction level, it is physically impossible to roll up the numbers into a top-line financial statement that can stand up to scrutiny and, most importantly, audit."

While DoD may debate some of the criticisms of its financial statements and the size and components of the $2.3 trillion issue, we think that corrective action requires radical financial management transformation. For the FY 1999 financial statements, the auditors concluded that $2.3 trillion transactions of the $7.6 trillion entries to the financial statements were "unsupported". DoD notes that many of these entries included end-of-period estimates for such items as military pension actuarial liabilities and contingent liabilities, and manual entries for such items as contract accounts payable and property and equipment values. DoD would further note that the "unsupported" entries are "not necessarily improper" and that documentation does exist in many cases, albeit, not adequate for the auditing standards imposed.

To date, DoD's efforts to improve financial information have focused primarily on obtaining reliable information, and a protracted effort involving people, systems and data still is required to reach the goal. But it is possible to reach the goal of reliable financial information and a clean audit opinion and still not have information that is relevant to managers. A complementary effort is needed to ensure that DoD's management information systems also provide relevant information. This includes selecting performance metrics, linking them to costs, and institutionalizing their use in financial management information systems and management decision-making.

Situations and problems associated with the current DoD environment include:

Issue 1 – Inability to consistently provide reliable financial and managerial data for effective decision-making

DoD cannot produce, on a consistent basis, reliable financial and managerial information to guide effective decision-making. This is reflected in the inability to produce clean financial reports automatically and to generate succinct management cost information consistently on demand. Management must be capable of acting with agility and responding rapidly to opportunities and challenges. When relevant financial information is needed, management cannot always afford to wait days or even weeks for data calls. Further, management cannot operate effectively with frequently unreliable information. Interviewees cited multiple examples of the manual calls for key managerial data and the need for tracking off-line their expenditures on program areas (due to the unreliability and lag time in obtaining data required to manage day-to-day operations).

Much of the financial data used to develop financial statements and provide the basis for management decisions is unreliable. Currently, about 91 critical operating systems feed information to approximately 61 critical accounting systems.[5] Few of these systems speak the same language (charts of account, data elements) and fewer still provide automatic data feeds upstream. Many work-arounds and off-line records are maintained to translate data from one system to another and to feed data up the financial chain. Currently, balance sheet information is not maintained on a widespread scale, resulting in significant manual adjustments in many areas, including property accounts.

Issue 2 – Lack of an overarching approach to financial management – disparate systems (accounting, financial and feeder) hampered by lack of integration and standardization

The current environment is supported by a systems infrastructure that DoD categorizes by primary function – respectively, accounting[6], finance[7], and feeder[8] systems. No single authoritative source is currently addressing, from a strategic and programmatic level, the key issues from *an end-to-end approach.* This includes addressing incompatible and technologically-dated systems, and defining and standardizing the financial requirements and managerial data needed for reporting and decision-making.

A void exists in the organizational structure with respect to developing and implementing an overall financial management strategy. Two chains of command within DoD perform

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[5] Source: DoD Financial Management Improvement Plan (FMIP), January 200 1

[6] According to the DoD FMIP, 61 critical accounting systems process event transactions for Defense Working Capital Fnnds, General Funds, Security Assistance, Departmental Reporting, Cash Accountability, and others.

[7] According to the FMIP, 15 critical finance systems process payment transactions for Civilian Pay, Debt Management, Military Pay, Contract/Vendor Pay, Disbnrsing, Transportation, and Travel.

[8] According to the FMIP, 91 critical feeder systems capture financial management events related to functions such as Acquisition, Personnel, Cost Management, Property Management, and Inventory Management at DoD Component levels.

finance and accounting functions[9]. The Defense Finance and Accounting Service (DFAS), reporting to the Office of the Under Secretary of Defense (Comptroller) [OUSD(C)], is responsible for improving compliance of the General Fund and Working Capital Fund accounting and finance systems and the production of the Service financial statements. The Services, reporting directly up the chain to their respective Secretaries, are responsible for all data in their systems and for improving their feeder systems.

The development of systems is reflective of both the functional and budgetary structure of the Services. Historically, systems were developed within functional areas at the Service level, or even lower levels, as a means to automate existing processes, with little thought given to end-to-end processing. Consolidation and interface development to integrate systems has been a focus of the 1990s. But to a large extent, the relationships among feeder, accounting and financial systems are still "detached" from the perspective of data standardization, transactional standardization, and system compatibility. This detachment causes much re-entry of data, "crosswalking" or matching of data through elaborate edit processes and conversion tables, creating timing delays – all of which contribute to an inability to determine the status of financial information on a routine basis.

Much work has been done with the development of the annual Financial Management Improvement Plan (FMIP), but it is a work in process and, has been cited as being "perpetually out of date". The FMIP only identifies critical systems for financial reporting and is not intended to include the complete inventory of systems. There appears to be no overarching plan or coordinated planned strategy against which each DFAS and Component initiative is evaluated. Under the guidance of a future-focused plan and strategy, the investments already made under the FMIP would have longer-term benefit.

In January 2001, a Senior Financial Management Oversight Council was established to address CFO compliance. The announcement of this council notes that it was modeled on a similar approach within DoD that successfully addressed the Y2K issue by engaging senior leaders across the organization in a coordinated effort. The Comptroller should review the charter of this new council, its make-up and approach to determine if they are consistent with the financial management transformation framework described later.

Issue 3 – Overly complex data requirements driven by appropriation funding rules, elaborate policies and procedures, and outdated guidelines for excessively detailed tracking of expenditures

Financial, accounting and feeder systems and processes are rife with incredible complexities caused by inconsistent data elements[10]. Due to its complexity,

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[9] Source: DoD FMIP, January 2001

[10] Systems often carry with each transaction upwards of 60 to 100+ populated data fields to identify a transaction according to the internal and external reporting requirements. In general, this is substantially more than the private sector model. Efforts to standardize using the DFAS Budget Accounting Classification Code or Standard Fiscal Code have projected the total number of standardized data elements to exceed 250+. A substantial number of excessive fields severely hamper interoperability.

appropriation funding rules, and a number of disparate systems, DoD has a more complex problem than civilian agencies. Attempts to streamline data requirements often get bogged down by definitional issues and difficulties associated with modifying aged systems. **Elaborate policies and procedures, many of which are ontdated bnt remain "on the books," complicate the elimination and/or changing of reqnirements or processes. Attempts at standardization of data elements and standard general ledger postings often are met with differing accounting interpretations.**

Issue 4 – "Convoluted" business processes which fail to streamline excessive process steps – sometimes driven by accounting, operational, and organizational structures, further complicated by aged and disparate systems

The DoD is currently supported by a financial infrastructure that is not fully integrated in its end-to-end processing either from a technology perspective or from a functional process perspective. *(See Appendix A, Current Situation Examples,* for an example of a DoD Service travel process, which is one example of the complexities of processes.) Current processes are supported by multiple systems at various stages of technological innovation. **Many processes are duplicated due to non-interfaced systems along the business process chain, often requiring new inpnt of data hy hand, therehy increasing the probability for inpnt errors and errors created by a lack of overall process knowledge.** Coordination of process hand-offs and shared process steps are specific targets for process congruence and functional and technological improvement. **Budget and appropriation systems are the primary driver for the vast majority of DoD's present financial system users. These systems add complexity but, more importantly, preclude, in many cases, the nse of commercial off-the-shelf software (COTS) systems, without a reworking of the process.** In contrast, modern enterprise systems are developed to facilitate end-to-end seamless processing.

Attempts to charge the Services for overhead expenses (i.e., Working Capital Fund and reimbursables), while directionally correct, suffer from bad data and, as a result, add complexity that exceeds benefit. Differing practices by the Military Services (and difficulty in streamlining because of stovepipes, cultural issues, and funding streams) represent roadblocks to standardization. Much of the DoD information technology manpower is dedicated to "crosswalking" different inputs. **When reporting requirements change, new data fields must be developed at the various relevant sources, and new interface crosswalks laboriously developed among systems.**

Many requirements have accumulated over the years from congressional mandates without sunset. **One of the first priorities in the transformation process should be to identify reqnirements that conld be streamlined or eliminated.**

Issue 5 – Changing federal financial management standards that have provided a moving target for compliance

Since the CFO Act of 1990, financial standards (new guiding principles) have been in a state of flux [Federal Accounting Standards Advisory Board (FASAB) Statements of

Federal Financial Accounting Standards (SFFAS), OMB Form and Content, etc.] as the Federal government moved to the development of private sector-like financial statements. Implementation of a policy frequently has been dependent on the interpretation of the system owner at the DFAS and Service level. Often, system structure and processing constrain or limit correct implementation. Compounding the effect of a change is the multiple number of systems that need to be modified each time a standard is modified. Many of the changes to date have centered on the issues of Real Property and Property, Plant and Equipment –high priority areas for CFO compliance and a source of much resource investment by DoD within the past two years to solve this problem. However, some senior financial leaders note that the time and effort devoted to property values for financial statement purposes could be better spent elsewhere and that the CFO auditing policy should be made more relevant to the realities of the DoD environment.

All Federal agencies have faced this evolution of requirements. However, its impact across DoD where systems are disparate and cross-Service has made the moving target for compliance more problematic. (In *Appendix A, Current Situation Examples, Figure A-4* arrays these requirements of various legislation and pronouncements on a timeline as they have evolved from the enactment of CFO legislation to today.) Consideration should be given to working with the appropriate parties to enable a moratorium for DoD's attempting to meet certain selected standards, to better focus its efforts on actual forward progress.

Issue 6 – Difficulty in obtaining financially based, outcome-oriented management metrics. Many metrics reflect yearly goals and outputs with little link between financial management and DoD goals.

In 1999, the Under Secretary of Defense (Comptroller) [USD(C)] conducted a study of cost accounting capabilities. Certain challenges identified were: (1) DoD must decide what data element and program information it must collect in support of its Government Performance and Results Act (GPRA) performance measures; (2) DoD must decide how much autonomy the Services will have in implementing the strategy and how much will be directed; (3) DoD must decide on a scope and framework for the solution beyond regulatory reporting requirements; and (4) DoD must recognize that new data collection requirements may be necessary and that business process changes may result (within the cost benefit framework). These issues are yet unaddressed.

DoD uses a wide variety of metrics throughout the organization. The Department's current financial performance measurements generally reflect high-level yearly goals and outputs, not operational day-to-day financial managerial metrics. Amid a wide variety of published measurements throughout the Department, there is typically an inability to routinely generate cost-based metrics related to performance.

Issue 7 – Inability to produce CFO compliant annual financial statements

Audit reports issued by the Inspector General's staff highlight weaknesses in accounting records and processes required to achieve audited financial statements. **There is a need to review priorities for bridging the gaps in CFO Act audit compliance.** Several

interviewees even suggested a three or so year moratorium on attempting to obtain a clean opinion – using the associated dollars to address needed corrective actions rather than just generating numbers for the financial statements purposes alone.

An analysis of the FY 2000 audit reports, identifying the critical issues affecting the achievement of a clean audit opinion, is provided in *Appendix B, Recent Financial Management Audit Issues*. Most problems have been noted in prior year audit reports and are so overwhelming and the costs to fix them so large that the DoD, absent a financial management strategy, year after year finds itself moving from one priority to another – usually, to the one that received the most recent visibility.

Issue 8 – Disproportionate budget dollars appear to support non-value added activities – since useful information is hard to extract, useful corrective action is hard to implement -with a lack of widespread understanding of how financial information can help

Much debate has been generated around what percentages and dollar amounts should be concentrated in the operations and mission areas (sometimes referenced as "tooth") versus the support areas (referenced as "tail"). **But, proceeding down this "tooth-to-tail" semantic path has typically resulted in getting stuck in the quagmire of definitions. A better approach may be to target those functions where more efficient resource use could provide reallocations to operations and mission areas. For example, target functions that are "inherently commercial", identify their costs, and compare and benchmark them against private sector data to determine what performance improvements need to be made.** Even in functions considered to be "tooth", there may be low value added or redundant processes identified by more useful financial information, which would be candidates for reengineering.

Issue 9 – Cultural bias toward status quo – driven by disincentives for change, and short timeframes of political appointees who otherwise might serve as agents of change

The effect of the current budget rules – "use or lose" – creates an environment of disincentives for finding cheaper, faster ways of doing things. Reallocation of funds (money, people, programs and projects) under the control of the current users for investing in improvements is quite limited. Requirements to manage to the budget (established two years in advance) and the budget process cause managers to continuously be "out of sync" with current needs.

Many of the issues uncovered in our interviews and research have been dealt with effectively in private industry, largely because of the competitive forces of the marketplace and the focus on shareholder value. No similar external push exists within DoD. The Department needs change agents and drivers analogous to those agents and forces that have made the private sector competitive and efficient.

Issue 10 – Requires an infusion of personnel with technical and financial skill sets necessary to achieve integrated financial management systems

In the course of DoD's downsizing in recent years, longevity was often a major criterion for retention and not typically the private sector model of functional and performance value. As a result, new ideas, skill sets, and modernized ways of thinking are not sufficiently available to enhance DoD performance. Pay scales and reward packages available to technology workers, certified public accountants, and financial professionals in private industry have far outstripped the government's, thereby limiting the ability to attract and retain the required skills. As a result, many note that DoD has "lost a generation" of workers. This turnover is expected to continue over the next five years as nearly half of senior government executives are expected to retire in this timeframe. The choices are few, including raising pay scales to be competitive and/or engaging in substantial private sector partnering to deal with obvious skill set deficiencies.

4.0 Elements of Transformation

We believe that the absence of relevant, reliable and timely financial information ("financial intelligence") and the need for an accelerated and a more assured pace in improving DoD efficiency can each be traced to similar origins within DoD's operating fabric. **Accordingly, we recommend an integrated twin-track program to implement a financial transformation. It includes six broad elements that we believe are central to substantially improving the financial management within DoD and providing a foundation for change.** A lack of, or insufficient emphasis on, many of these elements perpetuates the current environment.

These Elements of Transformation are:

1. **Leadership** – establishing a SECDEF and senior leadership high priority for financial information transformation;
2. **Incentives** – addressing the current disincentives within DoD for engaging in financial reform;
3. **Accountability** – establishing a transformation framework with clear measurements, timeframes and assigned personal responsibilities and authority;
4. **Organizational Alignment** – SECDEF empowerment of the DoD Comptroller to act as the focal point for implementing an integrated DoD-wide program for financial management transformation;
5. **Changing Certain Rules** – directly addressing with Congress and OMB regulations and legal issues that hinder innovation and private sector partnering; and
6. **Changing Enterprise Practices** – modifying current overemphasis on Component process "uniqueness" that hinders forward progress, by standardization of core accounting requirements[11] and establishing a bias towards COTS systems.

Leadership

Working with Congress, OMB, GAO, and Others. **We believe that the Secretary and the DoD Comptroller should begin now by presenting the financial management transformation framework, as a work in progress, to the appropriate congressional committees, GAO, OMB, and other key influencers.** Much of what is needed cannot be accomplished without congressional understanding and assistance in implementing change. For example, elements of the human capital strategy, the CFO Act implementation plan, private sector partnering, budget reallocation transactions and related incentives, may require congressional approval or at least concurrence. If there are limits on their support in various areas, these should be addressed early in the program lifecycle.

[11] Standardization of "core accounting" is intended to include only a subset of data required for DoD financial information management and does not include genuinely unique military data requirements. Typically, core requirements would include standard general ledger and related attributes and other data elements for recording accounting events at the transaction level and summarizing at correspondingly higher levels for financial management reporting.

Generating the Change Management Strategy. The DoD must recognize that the initiatives outlined here require doing business in a way different from before. **This effort requires that the Department adopt change management strategies and a strategic communication approach that convey to the Department why this is important to the Secretary and DoD, how it will be implemented and measured, and the incentives to be utilized,** Many well-intended initiatives fail because of insufficient processes and communications to share objectives and purpose with the larger organization. The emphasis of messages may be different for different audiences but the themes must be consistent. SECDEF priorities must be clearly defined in these messages.

Incentives

Building Incentives for Information and Financial Management Transformation. In the current environment, position, prestige, influence, etc. are measured by traditional elements such as number of people managed, the size of the budget or the information controlled. In this scenario, there is little focus on major operational improvement and cost savings. **A new incentive system must he developed that encourages performance improvement and information management transformation, while rewarding efficiencies and cost savings.** This incentive system must address personnel issues in addition to allowing organizations to take advantage of cost savings by retaining some portion of the money saved for matters accorded a high priority by the SECDEF or the respective Service Secretary. The incentive system should also recognize top individual performance/promotions by the accomplishments or results achieved -- not by the traditional view of managing to budget.

Accountability

Critical Success Factors. **Providing a framework to establish accountability begins with communicating SECDEF strategic goals and Critical Success Factors.** Critical Success Factors are "the 5-6 things that must go right" in the Secretary's view if DoD is to achieve its mission. In support of his Critical Success Factors, senior leadership under the SECDEF would then organize their own objectives. Establishing the SECDEF Critical Success Factors is key to initiating the "cascading effect" whereby his subordinates establish supporting objectives and related measurements.

Developing Metrics. A set of financially based metrics needs to be developed to correspond with the SECDEF Critical Success Factors, goals and outcomes and the supporting objectives of his subordinates. Monitoring performance should happen through a forum of regular briefings given directly to the SECDEF leadership, utilizing a set of well-developed metrics to measure progress.

Organizational Alignment

Organizational Roles and Responsibilities. **Information and financial management transformation require some changes in the organizational roles and responsibilities**

within DoD. To achieve this transformation, the responsible individual must exercise authority and be accountable. The individual should have greater authority over budgets and requirements related to information and financial management in DoD. **Taking into account the OUSD(C) broadly-defined responsibilities in the Department, we believe that the Comptroller should be the responsible party with corresponding control of budgetary decisions and dollars affecting the improvement of financial management information.** The Comptroller should develop a strong relationship with the Assistant Secretary of Defense (Command, Control, Communications and Intelligence) [ASD(C3I)]. It is important to strengthen DoD's Chief Information Officer (CIO) capacities in systems planning, architecture and oversight.

Our interviews with senior leadership across the organization confirm a widespread desire for a clear vision and for someone to be in charge, to make the decisions necessary to achieve relevant and reliable data. Repeatedly, senior leadership across the organization notes that priorities must be established and then enforced—and the number of priorities must be manageable and funded (past history has shown that having 50+ priorities, which are not integrated, is not workable). These interviews also noted repeatedly that the current structure simply does not promote or support integration.

Create a Human Capital Strategy. People with the necessary skill sets are absolutely critical to DoD's ability to achieve financial management transformation, and currently DoD does not have an adequate supply of such skill sets. Additionally, there is no comprehensive human resource strategy in place today to address this issue. In fact, most discussions of human capital or human resources focus on the attraction, development, and retention of internal staff. However, in the private sector as well as in more entrepreneurial government practices, leaders have recognized that effective human capital strategies include alternative sources of skills, including the use of private sector partnering, contracting, and shared service arrangements. They look at human capital strategy as including the full range of available people because they cannot afford to limit themselves to who they can hire and retain. **DoD must build a financial management human capital strategy that includes both internal and external elements.**

Changing Certain Rules

Streamline and Simplify. **Current requirements for tracking funding and providing reports to various Federal entities (Congress, OMB, Treasury, etc.) place an inordinate amount of complex information requirements on the DoD** that do not contribute to the performance of its mission. These complex requirements often drive impractical business processes and make it harder to align processes to private sector-like practices. Further complicating this requirement is the number of disparate systems operating in DoD that must be modified or maintained to track this information. Additionally, **many such requirements are self-imposed by DoD.** A focused effort aimed at eliminating self-imposed, non-value added requirements and working with regulatory agencies and Congress to simplify their requirements will ease the burden and shift the focus to more mission related information.

Reallocating Dollars. We believe that proper categorization and costing can provide DoD managers across the Department with the financial information to manage resources more efficiently and, therefore, reallocate dollars where appropriate. Budgets that are developed two years in advance of activity allow only a limited amount of flexibility to adjust to changing requirements. Moreover, unreliable data often inhibits the justification of such reallocations. We are proposing a greater emphasis on having the management information necessary to make informed decisions regarding the reallocation of dollars and working with Congress and within DoD to change policies and procedures which inhibit such reallocations.

Auditable Financial Statements – Getting the "Clean" Opinion for ***DoD.*** Given the current state of financial management operations, this is a long-term process. Full CFO Act compliance may take eight to ten years. A plan must be built based on a gap analysis – what has to be fixed to get a clean opinion. Working with the GAO, the DoD Inspector General and the Service audit agencies is critical. **The DoD should adopt the private sector model of teaming with the audit teams "year round" to resolve issues and not simply wait for the annual audit "test".** The recent efforts in the area of Real Property valuation are a useful attempt that may serve as a model for coordination across DoD.

A plan should be negotiated to provide for interim successes. For example, we believe that the Statement of Budgetary Resources, with focus, could receive a clean audit opinion in a much shorter timeframe. It may also be possible for other Department Components to receive a clean opinion long before the whole agency. **Building intermediate success stories demonstrates progress and the Department's willingness to meet the spirit of the CFO Act,**

Changing Enterprise Practices

Building Standards in Core Accounting and Attribute Data Elements. Standardization is the key to the interoperability of financial management and feeder systems. Standard data for "core accounting" elements enable systems to communicate with each other; also, they facilitate the auditing process when transactions must be traced from the general ledger to the originating accounting event and vice-versa. **The current systems plan, as articulated in the FMIP, often takes the path of least resistance by allowing the Services and Defense Agencies to keep their own "traditional" standards and, through the use of translation tools and systems interface programs, turn them into DoD standards.** Unfortunately, this approach encourages the continuation of old and potentially inefficient business practices and creates a very expensive systems maintenance problem down the road. **DoD must stop that practice and drive core accounting transaction standards from the new DoD Comptroller organization, described later, through the DFAS and the Services into all financial management and feeder systems.** According to the January 2001 FMIP, DoD is intending to invest at least $4–6 billion in various financial management and feeder system initiatives. With occasional exception, DoD should stop the practice of investing in systems that do not incorporate standardization.

Building a Bias toward Commercial-Off-the-She&f (COTS) Software Solutions. The Department generally cannot afford to custom build and maintain new financial management systems. We agree that the DoD has many unique elements and process issues. However, we also believe that the reluctance to accept COTS is as much a reluctance to accept the inevitable business process changes that are mandated by this approach. **We see a double benefit here for the Department: first, cost savings through the implementation of best business practices imbedded in COTS products; and second, cost savings through less expensive and faster systems implementations.** The application of return on investment (ROI) analysis should also be adopted in all software implementation decisions.

Driving Near-Term Improvements and Savings. While many components of the financial management transformation initiative will take years to accomplish, the Department cannot afford to wait that long to see tangible and dramatic cost improvements. **We believe that there are many opportunities to demonstrate the power of financial transformation without having to wait for auditable financial statements. There are tools and methods that will enable the DoD to implement process improvements and, possibly, reallocate dollars.**

Activity based costing (ABC) is one of the most widely accepted methods in use by both the private and public sector today. It provides the ability for an organization to understand what it costs to do what it does (e.g., repair F15 engines, provide accounting services to the Services, manage the logistics supply chain) and then make informed decisions of how and where to reduce costs. ABC is the front-end of a thoughtful, and relatively quick, assessment of an organization's operations. For example, the Naval Air Systems Command (NAVAIR) conducted a comprehensive ABC assessment that rolled directly into a business process reengineering solution, ultimately driving millions of dollars out of the organization cost structure over a relatively short period. ABC does have limits. For example, if organizational leadership is not supportive of the process and committed to delivering a streamlined operation as a result of the analysis, nothing will change.

Another target for potential savings and cost avoidance is in problem disbursements and the related areas of contract close-out. They have high visibility and may have prospects for near-term cost avoidance and savings, depending on the appropriate write-down or closure decisions driven by cost/benefit analysis. With leadership, much can change and DoD can use methodologies such as ABC and cost/benefit analysis comparisons to review more carefully its overhead structure and introduce process improvements.

It would also be useful to provide the Commanders in Chief (CINCs) and other "customers" with enhanced financial intelligence, analysis tools and incentives to better enable them to monitor and encourage the efficiency and effectiveness of their operations and suppliers.

5.0 Financial Transformation Framework

A program is needed that will incorporate the elements described above and provide for a functional and technical architecture for achieving integrated financial and accounting systems in order to generate relevant, reliable and timely financial information on a routine basis and, ultimately for obtaining a clean opinion. **The Study Group recommends a framework for a twin-track program for financial information transformation.** The recommended framework would not only take advantage of certain on-going improvement actions within the DoD but also provide specific direction for a more coordinated, managed, and results-oriented approach. The recommended framework includes:

Twin Track Approach – High Level Overview

Track 1 – Structural Change

Employ a coordinated DoD-wide management approach to developing standard integrated systems, obtaining relevant, reliable and timely financial information (and ultimately a clean audit opinion) and aligning, incentivizing and authorizing the Department to utilize financial intelligence in an efficient and effective way.

Structural Change (Track 1) will require a longer timeframe and will include establishing a centralized oversight process under the Comptroller for implementing the recommended strnctural changes and developing standard, integrated financial intelligence systems. A phased approach should be taken which will allow for important yearly incremental success (e.g., with defined systems architecture and yearly incremental improvements).

Track 2 – Close-in Success

Target, select and oversee implementation of a limited number of intra-Service/cross-Service projects for major cost savings or other high-value benefit under a process led by the Comptroller; assist the SECDEF in establishing and managing with a set of "Dashboard Metrics". Dashboard metrics should be derived from the SECDEF's Critical Success Factors. **Track 2 shonld be used as a learning experience on nsing financial information to drive decision-making.**

Prime tools of such improvements would include ABC and benchmarking/best practices analysis to identify cost savings opportunities. A series of key management metrics will be identified, tracked and reported to those with senior managerial responsibility, including mission related-departments.

(During our interview process, logistics throughout DoD was mentioned numerous times as an area where progress has been made in recent years, but opportunities still exist for high-value improvements. While our timeframe did not allow us the opportunity to

analyze the costs and benefits of this particular reengineering prospect, it deserves active consideration by the proposed Management Initiatives Office described below.)

Twin Track Program Implementation

Critical to the success of both tracks of the recommended program is the establishment within the OUSD(C) of two new functions represented by distinct offices. Through these two offices – the Financial and Management Information Integration Office and the Management Initiatives Office – the Comptroller would provide executive control over processes, policies and resources for financial management and related systems transformation. Current strncture does not provide for an authoritative focal point for DoD-wide financial management transformation. Lean but full-time staffing is essential to the success of both offices. At the Comptroller's discretion, these two organizations could be staffed with newly recruited talent as well as existing DoD staff; they are intended to fill a void as discussed above, not to duplicate or create additional layers. These two offices would (working with the Components) develop options for approval, monitor progress and regularly report to the SECDEF on progress, problems, and possible solutions. They would control resources for financial management, systems transformation (although the Components would manage such programs), and take a leadership role in developing incentives. Each function must be headed by an individual who has sufficient stature and empowerment to act as an effective change agent. Led by the Comptroller, the heads of these two offices should reach out to the Services and DFAS, as well as Congress, to coordinate the development of a strategy and effective implementation. Each office is described below:

Financial & Management Information Integration Office – accountable for effective implementation and coordination of overall financial and related systems architecture [in consultation with the Services, the ASD(C3I) and others], systems integration, core accounting standardization and CFO compliance issues on an intra- and cross-Service basis; develop a phased plan for progressively increasing the number of individual statements on which a clean audit opinion can be obtained; and over time, institutionalize in DoD's financial management information systems the ability to routinely generate the Dashboard Metrics established by the Management Initiatives Offices and DoD senior leadership.

The major program components envisioned for this office are:

- Develop and "dictate" core accounting requirements (accounting transactions, Standard General Ledgers, attributes, and data elements) and manage a comparison ("gap analysis") to this core for each system slated to be part of the integrated network of CFO systems to determine funding priorities. Have the final decision-making authority for trade-offs and cost benefit decisions based on the gap analysis.

- **Develop a systems integration strategy and monitor on a regular basis in coordination with DFAS and the Services.** The strategy should consider both the needed integration for the development of core accounting and accurate financial statements as well as the requirements for managerial cost accounting.

- **Initiate a review to determine which burdensome rules/regulations should be eliminated or streamlined,** and a strategy to obtain necessary approval, identifying: (1) existing data elements that are no longer needed; and (2) reports that should be discontinued.

Management Initiatives Office -- responsible for the process of establishing and initially reporting on Dashboard Metrics; and on an intra- and cross-Service basis, work with the DoD Components to select projects for major cost and operational improvements, providing initial funding for a limited number of projects per year and overseeing implementation with use of consultants and private sector partnering, as appropriate.

The major program components envisioned for this office are:

- Integrate Dashboard Metrics based on the SECDEF's Critical Success Factors into the management of DoD, monitor and regularly report on performance to SECDEF and senior leadership. Benchmark to similar private industry operations.

- Work with DoD Components to identify target areas for high-value cost savings and efficiency improvements, and entertain proposals from Components throughout DoD. A limited number of projects would be selected each year. Initial high target areas of opportunities should be projects for applying ABC or other process improvement initiatives.

The costs to initiate these two functions will include necessary funding for the salaries and related costs of the respective heads of the Financial & Management Information Integration Office and the Management Initiatives Office with full-time staff for each, as well as seed money to: (1) implement priorities for the Financial and Management Integration Office; (2) provide for selected cost savings projects within the Management Initiatives Office; and (3) hire consultants as necessary to perform specific tasks in support of the offices. Beyond the funding to initiate the two offices, we think that the transformation framework described herein will allow DoD to use the existing quantum of dollars spent on finance and accounting more efficiently.

The path to full transformation is a long one. We recognize that the complete solution is key to ensuring that the transformation has a permanent impact on DoD operating policies; however, important nearer term improvements in operating efficiency and effectiveness can be achieved.

Contained in the tables on pages 19-24 is a high-level end-to-end financial management transformation strategy mapped to the elements of transformation described previously. Many of the elements require more granularity, which can only be developed at the discretion of the SECDEF, Comptroller, and other senior leadership.

Significant Challenges

We believe the most difficult challenges to be addressed in implementing our recommended program are:

- Developing an integrated system architecture including financial, accounting and feeder systems;
- Standardizing a DoD-wide "core" accounting and data classification;
- Engaging Congress and OMB to ameliorate certain rules: simplify record keeping and accounting requirements, remove impediments to a more efficient infrastructure management, and reduce hurdles to private sector partnering;
- Providing DoD management, including the CINCs, with enhanced financial intelligence, incentives and tools; and encouraging them to maximize the efficiencies and effectiveness of their operations and suppliers; and
- Imbuing the culture with a sense of urgency for a DoD-wide financial management information transformation, similar to Y2K.

Catalyst for Change

The catalyst for effectively implementing these recommendations will be the leadership provided by Secretary Rumsfeld and his senior management team. A vision for financial information, such as that described herein, has been accomplished in the private sector on a widespread basis, through the development of financial intelligence and the reporting, analysis and measurement of business process reengineering results, using such intelligence. Our interviews and discussions with senior representatives of DoD, both current and past, lead us to believe that the organization is ripe for this financial management leadership change. The DoD needs good financial information if it is to follow Deputy Secretary of Defense Wolfowitz's admonition "to engage our brains before we open the taxpayer's wallet". This proposed transformation program will provide the needed leadership, accountability and structure to re-engineer financial management within DoD.

"That which you require be reported on to you will improve, if you are selective. How you fashion your reporting system announces your priorities and sets the institution's priorities."

Rumsfeld's Rules

****

	Track 1 – Structural Change Recommended Implementation Actions	Responsibility
Leadership	SECDEF Leadership – one of SECDEF's and senior leaderships' highest priorities	SECDEF – Sr Leadership
	Establish, empower and fund the Financial and Management Information Integration Office – reporting to USD(C)	SECDEF/OUSD(C)
Incentives	Create DoD-wide awareness and reward system in support of increased efficiency and improved productivity – money saver keeps a portion of savings within his/her organization for high value added purposes	SECDEF – Sr Leadership
	Work (with Congress as required) to change the Personnel recognition and reward system to reinforce achievement in this financial information transformation initiative	SECDEF
Accountability	Institutionalizing in DoD's financial management information systems the ability to routinely generate the Dashboard metrics established by the Management Initiatives Office and DoD senior leadership	SECDEF – Sr Leadership; OUSD(C)

	Track 1 – Structural Change Recommended Implementation Actions	Responsibility
Organizational Alignment	Emphasize Comptroller (CFO) leadership role in transformation program: • Reorganize and fund OUSD(C) to set clear lines of authority under the Comptroller, and allow ample time to the Comptroller to manage initiatives • Use outside consultants as necessary (e.g., system inventorying, mapping systems and developing overarching plan for DoD) • Provide regular briefings to SECDEF on progress, at least every 30 days • Strengthen DoD's CIO capacities in systems planning, architecture and oversight	SECDEF – Sr Leadership
	Hire, train or partner with the private sector for financial and IT personnel to augment skill sets not in adequate supply within DoD – provide financial analysis capability to mission-related departments	OUSD(C); Working Level
	Consider IG partnering with private sector auditing firms	SECDEF/ OIG

Change Certain Rules	Track 3 – Structural Change Recommended Implementation Actions	Responsibility
	Seek increased flexibility from Congress, OMB, Office of Personnel Management (OPM) and others to: ▪ Reallocate and reinvest saved dollars ▪ Remove outmoded impediments to a more efficient infrastructure – Simplify appropriations accounting requirements – Establish a cost-benefit analysis process for dealing with low value write-offs (e.g., unmatched disbursements below a minimum threshold, including elimination of accounting for cancelled accounts) – Consider "sunsetting" burdensome past mandates of reporting requirements . Utilize more commercial practices in the process for private sector partnering ▪ Negotiate a phased approach to achieving a clean audit opinion (e.g., can start with Statement of Budgetary Resources) ▪ Seek authorization to break pay grades to hire and retain financial and technology talent (use IRS as example) ▪ Personnel initiatives – Capitalize on looming large scale retirements as an opportunity to upgrade necessary skill sets – Enable DoD to match capabilities to needs rather than retention of staff by longevity (i.e., achieve rightsizing with the needed skill sets) – Establish personnel incentives related to achieving increased organization efficiency	SECDEF – Sr Leadership

	Track 1-A Structural Change Recommended Implementation Actions	Responsibility
Changing Enterprise Practices	Develop and implement DoD-wide integrated systems architecture strategy – implement a streamlined **"life cycle management process" to expedite the development of financial and related feeder systems** ▪ Build a bias toward commercial off-the-shelf software systems ▪ Avoid excessive customization of **software** – measure against private sector practices	OUSD(C); **ASD(C3I)**
	Mandate standardization of "core" financial information in feeder, accounting and financial systems	OUSD(C)
	Provide **DoD** management, including the **CINCs** and other customers, with enhanced financial intelligence, analysis tools and incentives to better enable them to monitor and encourage the **efficiency** and effectiveness of their operations and suppliers (Institutional "wisdom" will question the feasibility of this proposal but the potential long term payback is significant and the attempt, therefore, is worthwhile.)	OUSD(C)

	Track 2 – Close-in Successes Recommended Implementation Actions	Responsibility
Leadership	SECDEF Leadership – one of SECDEF's and senior leaderships' highest priorities	SECDEF – Sr Leadership
	Establish, empower and fund the Management Initiatives Office – reporting to USD(C)	SECDEF/OUSD(C)
Incentives	Create DoD-wide awareness and reward system in support of increased efficiency and improved productivity – money saver keeps a portion of savings within his/her organization for high value added purposes	SECDEF – Sr Leadership
	Work (with Congress as required) to change the personnel recognition and reward system to reinforce importance of close-in actions	SECDEF – Sr Leadership
Accountability	Identify and institutionalize SECDEF Critical Success Factors and Dashboard Metrics	SECDEF – Sr Leadership;
	SECDEF's senior subordinates establish more granular Critical Success Factors and related metrics to achieve SECEF priorities	SECDEF – Sr Leadership
	Integrate metrics into the management of DoD, monitor and regularly report on performance to SECDEF and senior leadership	SECDEF – Sr Leadership
	Benchmark to similar private industry operations	OUSD(C)

	Track 2 – Close-in Successes Recommended Implementation Actions	Responsibility
Organizational Alignment	Emphasize Comptroller (CFO) leadership role in transformation program: . Use outside consultants as necessary • Provide regular briefings to SECDEF on progress, at least every 30 days • Provide initial funding for a limited number of projects each year	SECDEF/OUSD(C)
Changing Certain Rules	Work with Congress and OMB to facilitate close-in cost and effectiveness improvement programs (e.g., enable more private sector partnering in processes that are inherently commercial)	SECDEF – Sr Leadership
Enabling Enterprise Practices	Develop and implement close-in major cost and efficiency improvement programs • Utilize cost management tools (e.g., Activity Based Costing and Management) • Select a limited set of intra-Service and cross-Service cost and/or process improvement targets of opportunity (e.g., consider DoD-wide logistics) • Benchmarking/best practices . Expand and continue successful efforts	OUSD(C)

Appendices

Appendix A. Current Situation Examples

Appendix A includes:

- Figure A-1: Recent Studies and Reports on DoD Financial Management
- Figure A-2: DoD Service Travel Disbursement Process – Before Revision
- Figure A-3: DoD Service Travel Disbursement Process – After Revision
- Figure A-4: Timeline of Federal Accounting Legislation and Pronouncements

Figure A-I: Recent Studies and Reports on DoD Financial Management

In defining the current situation, we have drawn heavily on information gathered from prior reports and studies (see *Figure A-I* below). This information was supplemented through interviews of current and former DoD leaders.

Organization	Title	Date
Business Executives for National Security	Tail-to-Tooth Commission A Call to Action	(Not Dated)
Defense Science Board	More Capable Warfighting through Reduced Fuel Burden	January 2001
Defense Science Board	Achieving an Innovative Support Structure to Enhance Early 21st Century Military Operations	November 1996
Defense Science Board	Outsourcing and Privatization	August 1996
General Accounting Office	DoD Financial Management: More Reliable Information Key to Assuring Accountability and Managing Defense Operations More Efficiently	April 14, 1999
General Accounting Office	Various Financial Management audit reports	*1999-2000*
Office of the Inspector General, DoD	Various Financial Management audit reports	*1999-2001*
Department of Defense	Financial Management Improvement Plan	January 2001

Figure A-I: Recent Studies and Reports on DoD Financial Management

Figures A-2 and A-3: Examples of "Convoluted" Business Processes

These two charts depict a DoD Service travel process illustrated in before and after pictograms. As representative of convoluted and complex processes please note in the "Before" example, *Figure A-2,* the following: number of process steps; number of organizations involved; number of systems involved; and number of times the data must be re-keyed into a new system. As representative of how DoD does make positive strides toward streamlining (while further streamlining could occur), please note in the "Revised Process" pictogram, *Figure A-3,* the reduced number of process steps and the number of increased data that are edited - thereby reducing errors.

Travel Disbursement Process Map

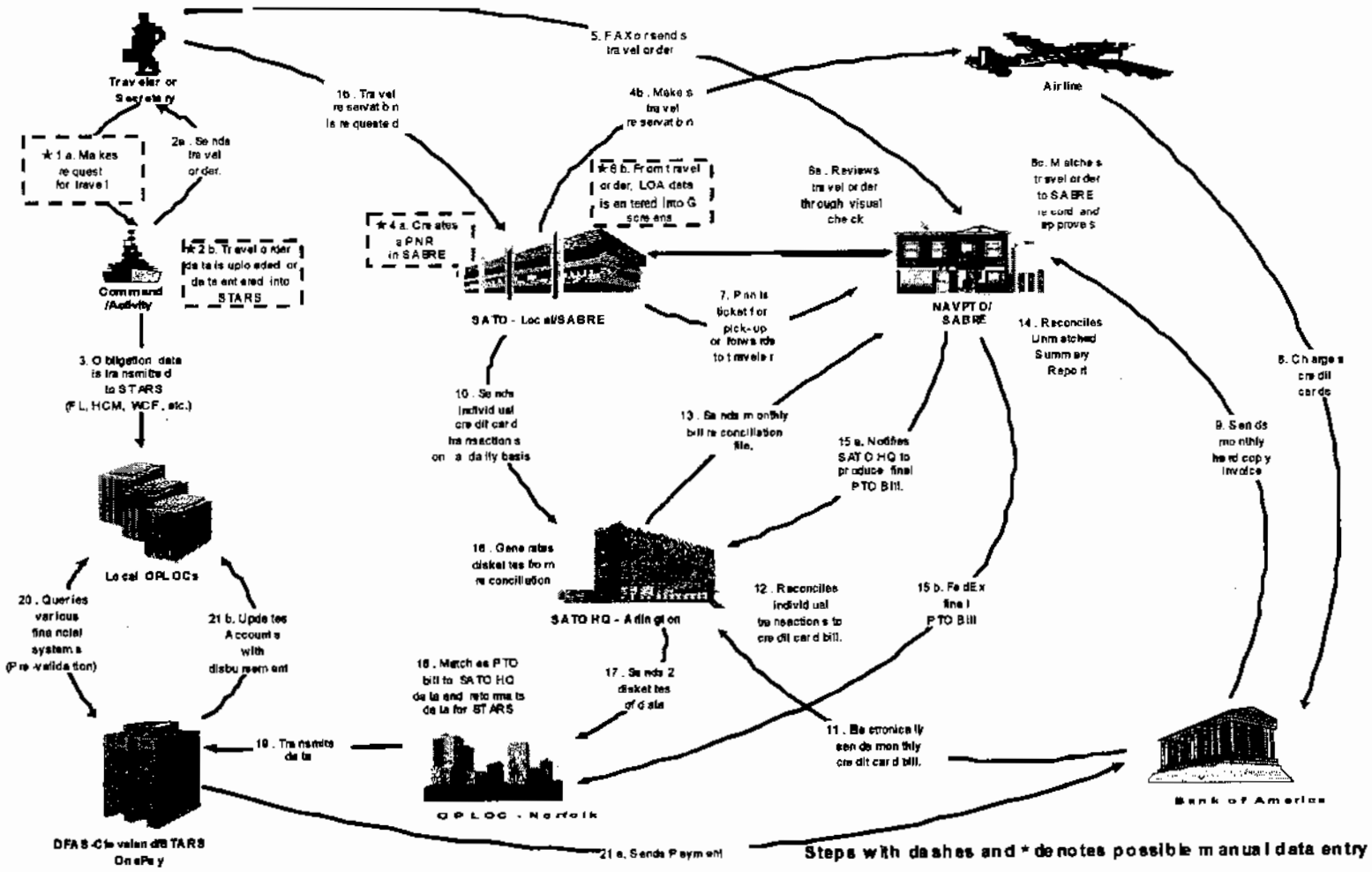

*Figure A-2: DoD Service Travel Disbursement Process – **Before** Revision*

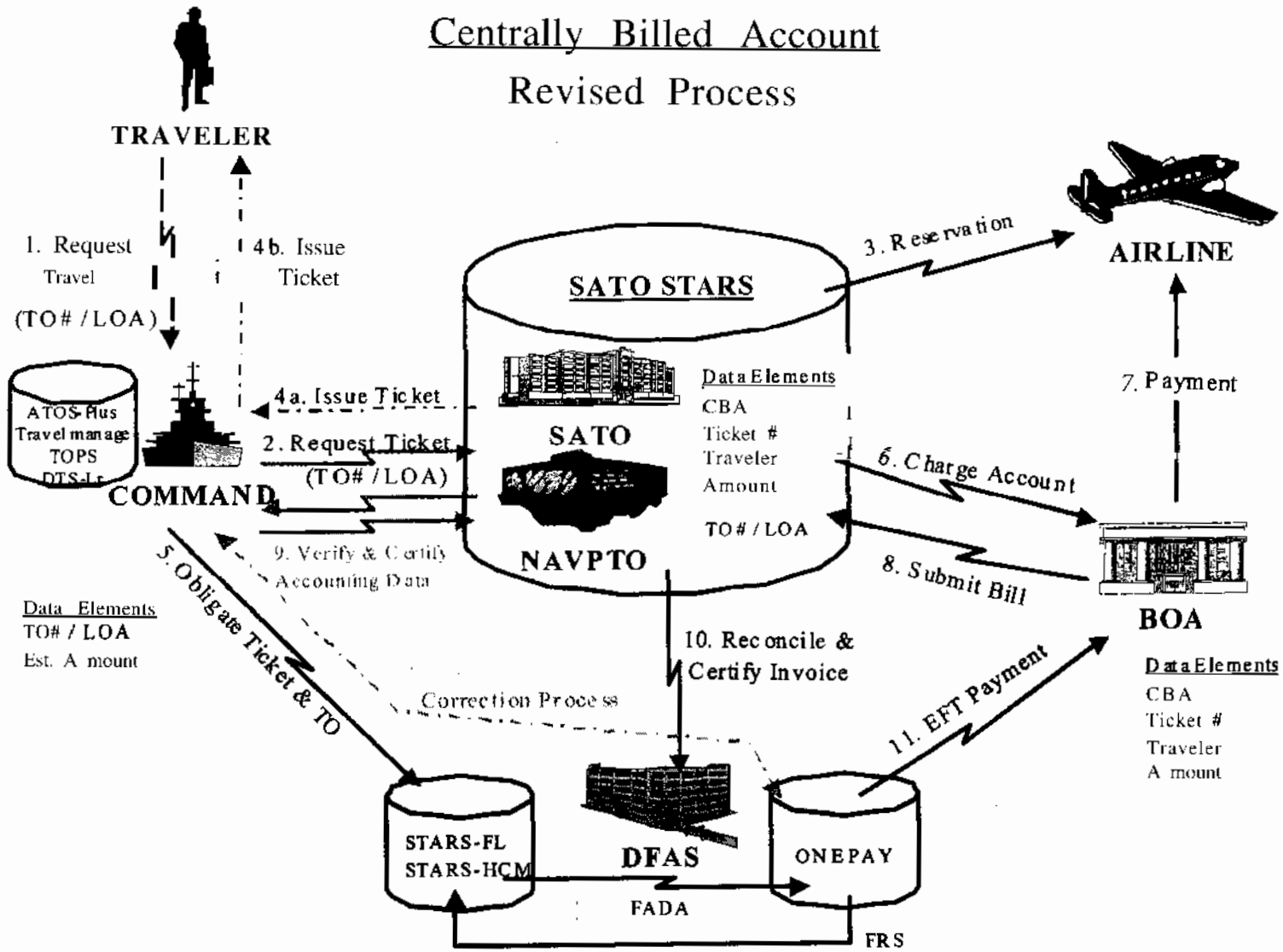

Figure A-3: DoD Service Travel Disbursement Process -After Revision

Figure A-4: Timeline of Federal Accounting Legislation and Pronouncements

Since the CFO Act of 1990, financial standards (new guiding principles) have been in a state of flux [Federal Accounting Standards Advisory Board (FASAB) Statements of Federal Financial Accounting Standards (SFFAS), OMB Form and Content, etc.] as the Federal government moved to the development of private sector-like financial statements. Below is a timeline of the legislation and pronouncements by issue date. The implementation date for many of the SFFASs follows the issue date by several years. Of the 18 SFFASs, ten had implementation dates of FY 1999 through FY 2001.

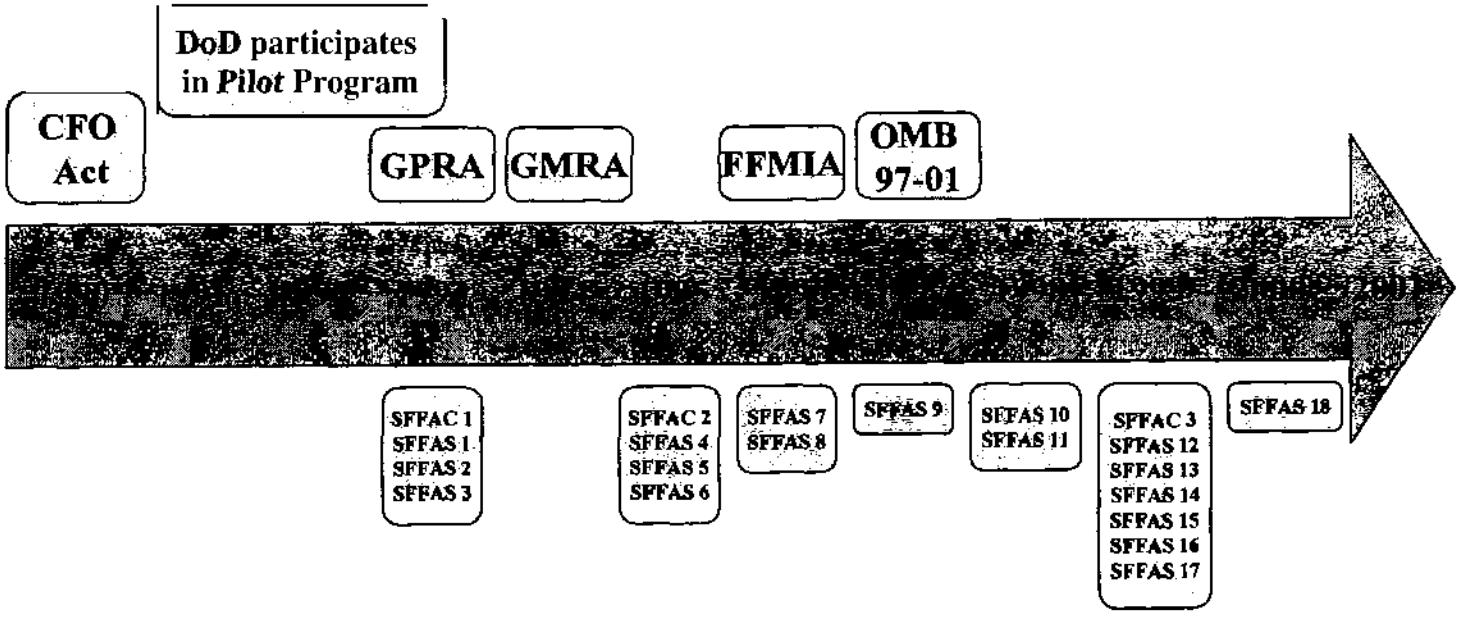

*Figure A-4: **Timeline** of Federal Accounting **Legislation and** Pronouncements*

CFO Act – Chief Financial Officers Act
GPRA – Government Performance and Results Act
GMRA – Government Management and Results Act
FFMIA – Federal Financial Managers Integrity Act
OMB 97-01 – Office of Management and Budget Form and Content
SFFAC – Statement of Federal Financial Accounting Concept
SFFAS – Statement of Federal Financial Accounting Standard

Appendix B. Recent Financial Management Audit Issues

This appendix presents the fmdings noted in the audit reports without further clarification by DoD. Often, upon more careful review, one will find that confusion exists regarding the finding or that an issue has subsequently been addressed. A part of the financial management transformation strategy proposed in *Section S.0, Financial Transformation Framework,* should be to establish priorities, based on defined criteria and an agreed-upon understanding of each issue.

Issue	Dollar Amount	Significance
Plans to Improve Financial Management		
DoD lacks adequate financial management and feeder systems for compiling accurate and reliable financial data		Three major efforts to improve financial management: ▪ DoD Financial Management Improvement Plan (FMIP) ▪ DoD Critical Financial and Feeder Systems Compliance Process ▪ DoD Implementation Strategies
DoD Guidance – Intragovernmental *Eliminations*	$89.5 billion revenue/expense eliminations $5.9 billion A/P and A/R eliminations	The inability of DoD to properly account for and disclose intragovernmental transactions and report trading partner eliminations is a major impediment to obtaining a favorable audit opinion on its financial statements. Since FY 1996, the Department has been slow to initiate improvements needed to ensure that all of the intragovernmental transactions were captured and the amounts were accurate.
Guidance Issued by DFAS	$1,200 billion	Journal Voucher Guidance issued by DFAS was not in agreement with generally accepted accounting principles. DFAS Centers processed 5,654 unsupported or improper department-level accounting entries, valued at $1.2 trillion. One of the reasons that the department-level accounting entries were unsupported is that they were made to force general ledger data to agree with data from other sources without adequate research and reconciliation.

Issue	Dollar Amount	Significance
Overarching Financial Management Problems		
Changes to Financial Statements		The published DoD Agency-Wide financial statements for FY 2000 differed materially from the financial statements presented for audit.
Problem Disbursements	$4.4 billion	As of September 30, 2000, DoD reported $1.7 billion of unmatched disbursements, $1.2 billion of negative unliquidated obligations and $1.5 billion (absolute value) of in-transit disbursements. The lack of integrated finance and accounting systems causes disbursing stations to make disbursements that were accounted for by stations that were not collocated with the disbursing stations.
Basis for Accounting		DoD generally records transactions on a budgetary basis and not on an accrual basis as required by accounting standards. This is particularly true of the accounting for the general funds, which generally record transactions on a cash basis.
Inadequate Audit Trail	*Supported entries* $2,808 billion	The departmental-level accounting entries were processed to force financial data to agree with various data sources, to correct errors, and to add new data. Of the $4.5 trillion, proper research, reconciliations, and adequate audit trails supported $2.8 trillion of the department level &counting entries for FY 2000. DoD could improve the accuracy of its financial data by following accounting principles and including the proper support for any accounting entries made to the accounting records.
	Unsupported entries $1,114 billion	
	Improper entries $107 billion	
	Entries not reviewed $477 billion	

Issue	Dollar Amount	Significance
Balance Sheet		
Fund Balance With Treasury (FBWT)	$28.4 billion	The DoD Components and DFAS did not resolve financial and accounting disparities of $28.4 billion, and the disparities continue to affect the accuracy of the FBWT account. Auditors were unable to assess the reliability of the $177.5 billion reported for FBWT on the DoD Agency-Wide financial statements for FY 2000 ($1.2 billion).
Inventory and Related Property, including Operating Materials and Supplies		DoD financial management systems were unable to accurately report amounts for inventory and related property on the DoD Agency-Wide financial statements for FY 2000. Internal controls over inventory were inadequate.
General Property, Plant and Equipment (PP&E)	$112.5 billion	Auditors were unable to verify the $112.5 billion reported for DoD General PP&E because of a lack of supporting documentation. Previously identified problems still exist that affect the accuracy of amounts reported for real property.
Military Retirement Health Benefits Liability	$192.4 billion	DoD continued to have problems with accurately reporting its Military Retirement Health Benefits Liability. The FY 2000 estimate of $192.4 billion was based on unreliable data.
Environmental Liabilities	$63.2 billion	For FY 2000, $63.2 billion reported for DoD Environmental Liabilities could not be verified because of insufficient controls and inadequate audit trails. As a result, the Environmental Liabilities reported on the DoD Agency-Wide financial statements for FY 2000 were unreliable.

Issue	Dollar Amount	Significance
Statement of Net Cost		
Program Cost Categories		The program categories used for the DoD Agency-wide and DoD Components' Statements of Net Cost were not consistent with the DoD performance goals and measures outlined in the DoD Government Performance and Results Act of 1993 (GPRA) strategic and annual performance plans. DoD guidance incorrectly specified the use of appropriation categories, such as military personnel and operations and maintenance.
Statement of Financing		
Agency-Wide		DoD does not have the processes and financial systems in place to prepare a reliable Statement of Financing. The Statement of Financing reconciled $454.1 billion of obligations reported on the Statement of Budgetary Resources with the $347.5 billion net cost of operations reported on the Statement of Net Cost of the DoD Agency-Wide financial statements. However, this information was unreliable because DoD made adjustments to force budgetary and proprietary information to agree and did not disclose eliminating entries.
Statement of Budgetary Resources		
Agency-Wide		Auditors were unable to express an opinion on the Statement of Budgetary Resources because of deficiencies in internal controls and accounting systems related to the Statement of Budgetary Resources.

Issue	Dollar Amount	Significance
Information Security/Internal Controls		
Agency-Wide		Security and application controls over financial management systems are critical to ensuring the integrity of data reported on the DoD Agency-Wide financial statements for FY 2000. DoD has become increasingly dependent on automated information systems to carry out its operations and to process, maintain, and report information in the annual financial statements. Auditors issued three reports and the General Accounting Office issued one report that identified security and application control weaknesses over systems that affected the amounts reported on the DoD Agency-Wide financial statements for FY 2000.

Appendix C. Related Audit Reports and Testimony

General Accounting Office

GAO/T-AMID/NSIAD-00-264, Statement of Jeffrey C. Steinhoff, Assistant Comptroller General, before the Task Force on Defense and International Relations, House Committee on the Budget, "DoD: Implications of Financial Management Issues," July 20, 2000.

GAO/T-AMID/NSIAD-00-163, Statement of Jeffrey C. Steinhoff, Assistant Comptroller General, before the Subcommittee on Government Management, Information and Technology, House Committee on Government Reform, "DoD: Progress in Financial Management Reform," May 9, 2000.

GAO/T-AIMD-00-137, Statement of David M. Walker, Comptroller General of the United States, before the Subcommittee on Government Management, Information and Technology, House Committee on Government Reform, "Auditing the Nations Finances: Fiscal Year 1999 Results Continue to Highlight Major Issues Needing Resolution," March 31, 2000.

GAO/T-AIMD-99-131, Statement of David M. Walker, Comptroller General of the United States, before the Subcommittee on Government Management, Information and Technology, House Committee on Government Reform, "Auditing the Nations Finances: Fiscal Year 1998 Results Highlight Major Issues Needing Resolution," March 31, 1999.

Office of the Inspector General, Department of Defense

OIG, DoD, Report No. D-2001-070, "Internal Controls and Compliance with Laws and Regulations for the DoD Agency-wide Financial Statements for FY 2000," February 28, 2001.

Statement of Robert J. Lieberman, Assistant Inspector General for Auditing, DoD, before the Task Force on Defense and International Relations, House Committee on the Budget, "Department of Defense Financial Management", July 20, 2000.

OIG, DoD, Report No. D-2000-123, "Disclosure of Differences in Deposits, Interagency Transfers, and Checks Issued in the FY 1999 DoD Agency-wide Financial Statements," May 18, 2000.

Statement of Robert J. Lieberman, Assistant Inspector General for Auditing, DoD, before the Subcommittee on Government Management, Information and Technology, House Committee on Government Reform, "DoD Financial Management," May 9, 2000.

OIG, DoD, Report No. D-2000-091, "Internal Controls and Compliance with Laws and Regulations for the DoD Agency-wide Financial Statements for FY 1999," February 25, 2000.

Appendix D. Individuals Interviewed During the Study

Office of the Secretary of Defense

Allen Beckett, Acting Under Secretary of Defense (Acquisition, Technology and Logistics)
Karen Grosso, Attorney, Office of the General Counsel
Dr. John Hamre, Former Deputy Secretary of Defense and Former Under Secretary of Defense (Comptroller)
Doug Larsen, Deputy General Counsel
Alice Maroni, Former Principal Deputy Under Secretary of Defense (Comptroller)
Dr. David McNichol, Deputy Director, Resource Analysis, Program, Analysis and Evaluation
Philip Odeen, Vice Chairman, Defense Science Board
Roger Pitkin, Attorney, Office of the General Counsel
Robert Soule, Director, Program Analysis and Evaluation
Karen Yanello, Deputy General Counsel

Department of the Army

Dave Borland, Vice Director, Information Systems for Command, Control, Communications and Computers/Deputy Chief Information Officer
Ernie Gregory, Deputy Assistant Secretary of the Army (Financial Operations)
GEN John Keane, Vice Chief of Staff of the Army
Jan Menig, Deputy Assistant Chief of Staff for Installation Management

Department of the Navy

Deborah Christie, Former Assistant Secretary of the Navy (Financial Management and Comptroller)
Wes McNair, Director, Program/Budget Coordination Division, Office of the Assistant Secretary of the Navy (Financial Management and Comptroller)
Dr. Bob Roarke, Comptroller, Naval Facilities Engineering Command
Charlie Nemfakos, Senior Civilian Official, Office of the Assistant Secretary of the Navy (Financial Management and Comptroller)

Department of the Air Force

Gen John Handy, Vice Chief of Staff of the Air Force
Terry Keithley, Chief Financial Officer, Air Force Materiel Command
Ron Orr, Assistant Deputy Chief of Staff for Installations and Logistics
Earl Scott, Deputy Auditor General of the Air Force
James Short, Associate Deputy Assistant Secretary (Financial Operations)

11-L-0559/OSD/3537

Ron Speer, Acting Assistant Secretary of the Air Force (Financial Management and Comptroller)

Defense Finance and Accounting Service

Tom Bloom, Director, Defense Finance and Accounting Service
Audrey Davis, Director, Information and Technology
Joanne Kelley, Chief Field Assistant and Support Division, Accounting Directorate
Kathy Noe, Director for Systems Integration
Jack Nutter, Branch Chief, External Applications and DoD Initiatives Branch

Other Defense Agencies/DOD Field Activities

Jay Lane, Director, Finance and Accounting, Office of the Inspector General, DoD
Robert Lieberman, Deputy Inspector General, DoD
David Steensma, Assistant Inspector General for Auditing, DoD

Congressional Committees

Dionel Aviles, Professional Staff Member, House Committee on Armed Services
Larry Lanzillotta, Professional Staff Member, Senate Committee on Armed Services
Peter Levine, Professional Staff Member, Senate Committee on Armed Services

Other Federal Departments/Agencies

Sean O'Keefe, Deputy Director, Office of Management and Budget, Nominee

Private Sector

Gen (Retired) Richard Hearney, President, Chief Executive Officer, Business Executives for National Security
Arnold Punaro, SR VP Corporate Development, SAIC

snowflake

April 30, 2001 5:24 PM

TO: Paul Wolfowitz
Doug Feith
Steve Cambone

FROM: Donald Rumsfeld

SUBJECT: Summary

310.1

Attached is a paper-I don't know where it came from-it begins "Summary." It is a draft. I read it; I agree with a lot of it.

Steve, how do you think we ought to coordinate it throughout the folks here'?

That first paragraph might be used in testimony.

Please respond.

Thanks.

Attach.
2/6/01 predecision draft Addendum, "Summary"

DHR:dh
043001-43

30 Apr 01

1108410 /01

Summary

In 1997 the Defense Reform Task Force consulted a world-renowned management expert on how to reform the Department of Defense (DOD). After a short pause, he stated, "You of course realize that the most difficult problem in the entire world right now is the transformation of Russia into a democratic, free-market economy. You may not realize that the second most difficult problem I can possibly envision is that of reforming the Defense Department."

This vignette underscores the magnitude of the task and should disabuse those who see simple solutions that underestimate the complexities of the issue. Entrenched bureaucracies within the defense community, which either see no problem or which approach every solution with requests for increased funding, constitute a major component of the defense reform problem. A GOSPLAN mentality persists within the Department. Inevitably, prior Defense reform efforts have focused on the margins. They *rewire* organizations and *adjust* existing processes, but refuse to articulate a vision of how the Department might operate and what military capabilities it needs to produce-in other words, the desired *outcomes.*

This Addendum offers recommendations that focus on structure and process, but here the Commission also clearly states a vision-a set of desired outcomes-if the Department is to implement these recommendations. Thus, this summary aims to avoid a stovepiped examination of individual recommendations. Rather it offers an overview of the major recommendations and how they mutually reinforce each other. This effort suggests six future DoD outcome-oriented objectives worthy of pursuit that, if implemented, would make a remarkable difference in America's national security posture.

- **Objective One:** *A leadership function within the Office of the Secretary of Defense (OSD) focused on strategic direction, resource allocation, mission assignment and management oversight, while it eschews direct ownership and daily supervision of operational agencies.*

No OSD staff function or responsibility is more important than establishing policy. That task should be the basis of everything OSD does. However, the Department now performs that task far less effectively than it should. Strategic direction suffers from a serious lack of overall focus, an absence of direction from a coherent national security process, and poor coordination of national security policy among the instruments of government-particularly at the interagency level-where OSD should take the lead and orchestrate defense issues, but largely does not.

OSD has fallen well short in its responsibility to lead and direct overall resource allocation. It has left this critical function to a Service-driven, bottom-up process that OSD and the Joint Staff belatedly paw over, but is left largely unchanged by OSD leadership (less than 1 percent of overall impact by OSD on Service budgets). Moreover, OSD has studiously avoided the assignment of missions, another core responsibility of leadership. That failure of OSD leadership has defaulted the task to the Services (who argue over missions), to periodic commissions (which "survey" the problem), and to the Congress (which interferes and steers the process). Moreover, there has been little improvement over thirty to forty years of Service "turf" wrangling.

OSD has fallen well short in its responsibility to lead and direct overall resource allocation.

Management oversight by DoD is almost completely lacking. In fact the General Accounting Office (GAO) has largely inherited the role of commenting on management flaws, while the Services and OSD have been left the role of responding to outside criticism. This is an area where OSD should lead by setting goals and establishing broad output metrics, and then holding subordinates accountable for outcomes: in other words, the basic blocking and tackling responsibilities of corporate leadership.

This Commission also strongly advocates that OSD must divest itself of activities not involved in providing strategic direction, resource allocation, mission assignment or management oversight. This is a sensitive matter, since it would immediately terminate OSD's growing practice of establishing and running operating agencies that report to staff bureaucrats. DoD must assign some Defense Agencies to leaders and commanders accountable for producing results, along with the responsibility to justify budgets, programs, and practices. Others, the Department should outsource or privatize.

- **Objective Two:** *Redesign Departmental infrastructure support functions to meet core military needs, but operate them under sound business principles that intelligently leverage the commercial sector-including outsourcing and privatization.*

This functional area is probably second only to resource allocation in its Service-associated sensitivities. In fact, much of the infrastructure problem is properly the Services' responsibility. At the same time, the Services confront a heavy burden of excess facilities, poorly focused procurement and stocking policies, and duplicative and repetitive support capabilities. Because the emphasis, core talent, leadership, and training in the Services concentrates on "operations," "support" takes a second seat., Lacking pride of place, it is nonetheless the primary consumer of defense resources-a dangerous combination.

Infrastructure support functions are a fertile field for substantial savings and efficiencies, estimated at a recurring $30 to $50 billion per year, according to every study and commission that has examined the problem. Even if the numbers are less than predicted, they are substantial even if only half that much in these times of constrained funding and unfavorable "tail-to-tooth" force ratios. The fiscal savings associated with Base Realignments and Closures (BRACs) are well known, and more BRACs are crucial to further streamlining, outsourcing, and privatization.

Infrastructure support functions are a fertile field for substantial savings and efficiencies.

Other areas with the prospect of substantial savings and improved effectiveness lie in mastering the oversight, accountability, reporting, structuring, functions, and products of Defense Agencies. While OSD must retain its policy functions, it must give up all its agencies and their daily supervision must be placed under accountable leadership. Defense Agencies and field activities all need reinvention, with some actually candidates for elimination; some vastly modified in function; some substantially reorganized into a sensible military/commercial product/output mix; and some reoriented into new organizational structures designed to meet output user needs, not internally focused on a process. The only agency under OSD control that the Commission endorses in its present form is the Defense Advanced Research Projects Agency (DARPA). This is an exception to the general rule, because of its role to peer into the future and examine conceptual feasibility and visionary/revolutionary technologies that the Department can feed into the processes of developing future strategy, policy, and acquisition.

- **Objective Three:** *An OSD fiscal function armed with the necessary management tools that would allow leadership to correlate the allocation of resources and budget with achievement of desired policy objectives more coherently and in a more timely fashion.*

Today, the Department's planning and programming process and fiscal functions are at best a poorly structured ledger entry and journal-oriented accounting system. It knows the *cost* of countless disconnected and unrelated pieces (program elements) but not the *value* of the various purposes of the enterprise. This state of affairs results from the Department's focus on "inputs" versus "outputs." Then Secretary of Defense Robert McNamara took a first cut at the problem in 1961 by setting up the basic Planning, Programming, and Budgeting System (PPBS) with its various program elements, but the Department stopped there. This archaic, industrial-age accounting system has persisted, still mired in the 1960s. For example, the Department can point to any number of program element codes associated with tactical systems, but it cannot evaluate the price of tactical operations-it does not think that way, nor does is it set up and aggregate program accounts in that fashion. Nor does the Department possess the means to measure progress toward achieving any objectives. The current Defense Planning Guidance (DPG) does not specify objectives or priorities, nor do the current Major Force Program categories in the PPBS process lend themselves to analysis by useful mission area. Without missions or objectives specified, the Department cannot measure meaningful "outputs."

PPBS is an archaic industrial-age accounting system, still mired in the 1960s

Several years ago, a Defense Science Board (DSB) Study suggested that the Department establish an "input-output" style resource table. Such a table would have the various DoD (e.g., military Service) organizations arrayed along the ordinate, and the various output organizations (CINCs) along the abscissa, with the right vertical column totaling to the overall DoD budget at the bottom. The DSB's notion was to construct better methods to grasp the true costs of task execution, with further potential drill-downs contemplated to peel away the layers and improve understanding. When this idea was carried forward, the Services and the Joint Staff uniformly recoiled from such a relatively small change. Admittedly, the effort would have been difficult—no question-but that was certainly not justification for rejecting the proposal. In many ways, the Services do not want to know the answer, because such an answer would eventually pull together the true cost of providing particular functional outputs to the field. Once known, the door might be open to find newer, cheaper, and better ways to accomplish military tasks. As long as costs remain input-collected and functional costs are obscured, *military judgment* remains the sole entering argument-further assistance neither required nor desired.

seems deliberately, or

This is a paradigm on its head. Every business wants to know what it costs to accomplish a task, produce a product, or provide a service-but DoD deliberately chooses not to know. Despite institutional resistance, the Department needs to work diligently to change this situation. DoD needs to better understand what it costs to achieve desired outcomes effectively. To do this, it must determine if the envisioned military capability-related "outputs" justify the various attributed costs of the "input" functions. Such a tool would provide senior leaders the needed visibility over investments, and an understanding of current resource allocation effectiveness. It would create a useful mechanism to compete and adjust resource allocations in order to achieve improved outcomes.

- **Objective Four:** *An OSD tasking function, which ensures that departmental "input" elements (the four military Services) have clear cut lines of responsibility and authority for organizing, training and equipping forces, as well as ensuring that the* ***"output"*** *elements (Joint* ***Staff and*** *CINCs) have the authority, capability, resources and means to assure successful mission execution.*

If there is a first-order sensitive nerve in the Department, this is it. One can best describe DoD's fifty-three year history as a titanic struggle to reallocate the authorities of the military Services-budgetary as well as operational-among the supervising OSD staff, Service secretariats, military departments, Joint Staff, and the CINCs. Nothing absorbs more Departmental energy than this issue. While incremental progress towards clear lines of responsibility has occurred over time, the ball has not moved down the field to any significant extent since Goldwater-Nichols in 1986. The reasons are evident: too hard to do; causes huge fights; involves the Congress; takes on entrenched constituencies... and so on,

However, the attack plans for reforms have never been sound. Attempts to alter the status quo have most frequently occurred through the plans and policy route. However, a more effective attack axis would be through the ultimate OSD weapon, the resource allocation tool-by leveraging the Golden Rule: "He who controls the gold sets the rules." If OSD truly controlled the allocation of resources, and performed that task in a visionary up-front fashion linked to OSD's responsibility for strategic direction, the budgeting entities would be obliged to conform to the established direction.

This Commission is not naive enough to believe this could happen overnight. Quite the contrary, we appreciate that it cannot. There would be substantial resistance to such an approach, but this proposal would set changes in motion, which, over time, would gain traction. With the OSD policy and planning function setting forth outcome objectives, the resource allocation processes could both establish financial "guidelines" and use "competition" to leverage innovative change. For example, OSD could hold back portions of the Defense budget, and allocate different percentages of funding to research and development (R&D) or to space. Moreover, such a system would force the Services to compete for different shares of the budget during the Quadrennial Defense Review (QDR) process for certain capabilities and systems. OSD could use reallocation and competition to better balance operations, readiness, sustainability, and modernization needs throughout defense programs. It also might begin producing the future capabilities this nation needs.

Alteration of the financial investment and expenditure guidelines should be the focus of the QDR debate among the Services, the Joint Staff, and the CINCs, with OSD retaining ultimate control. Once OSD has settled the debate, the Services would then compete for resource allocations by designing fiscally constrained programs and proposals within their assigned mission areas to "capture" the funds required to sponsor and execute desired policy outcomes.

The QDR should focus on altering resource investment and expenditure.

Part of this outcome objective proposes that the Joint Staff and CINCs possess "*... the authority, capability, resources and means to assure successful mission execution...* ". This is a highly controversial issue among the Services—empowering the "output" function by providing them direct access to resources. In DoD, the current approach provides money and resources only to the "input" functions, while the business world does just the opposite. In the latter case, the function that produces the product and/or service-the purpose of the enterprise—drives the

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11-L-0559/OSD/3543

various corporate inputs to hew to its needs. If DoD were to adopt such a system, the Services would still remain the stewards of force structure and most of the resources. The Services take the long view of requirements and force modernization because they support force structures over the full life cycles of personnel and equipment. As currently structured in DoD however, only the Services determine what the executor will have-in organization, training, and equipment-and OSD largely looks on as a spectator rather than a referee.

At the same time, the Commission is not suggesting a revolution but rather a series of sensible modifications to the current policies and processes. Stated simply, fund output entities to execute some of the functions for which they are directly accountable. In the case of the Joint Staff, the budget/funding list is short, mainly: the funding of the staff and those output functions assigned, such as standardization, interoperability, joint education, and joint testing. CINCs must also receive sufficient resource authority to carry out their uniquely assigned tasks, primarily the command and control of joint forces at the strategic and theater level, and preparation of those forces for potential employment through the design, planning, control, and execution of joint exercises. Placing the control of standardization and interoperability resources in the hands of the Chairman and exercise funds in the hands of the CINCs would over time enormously improve warfighting capabilities.

- **Objective Five:** *A Departmental acquisition system that puts high technology capability in the hands of the U.S. warfighter more quickly than the development, decision, and execution cycle ofpotential adversaries.*

For the past decade, the focus of acquisition reform has been on improved process, not better outcomes. We now have: fewer, but larger suppliers; a greater concentration of funding going to system-of-system companies larded with growing overhead and institutionalized methodology (oriented on evolution, not revolution); a declining ability of OSD and the Services to manage programs competently; and much slower technology-to-shooter developmental times. The latter is a dangerous characteristic for a nation committed to substituting high technology for "mass" in warfighting, and intent on reducing risks to the fighting forces.

Defense acquisition is an area ripe for implementing incredible improvement.

Defense acquisition is an area ripe for implementing incredible improvement. The Commission's recommendations intend to shift acquisition investment policy to the perspective of a "going concern." That is, to develop and execute long-term funding strategies for major defense accounts—modernization, readiness, force structure, and supporting infrastructure. The current year-to-year expenditure pattern lacks coherence and vision, results in substantial sector instabilities (e.g. spotty readiness funding profile), damaging funding "holidays" (e.g. R&D, procurement/ modernization), and creates burgeoning bow waves (e.g. infrastructure renewal).

The Commission's recommendations look to the marketplace to solve the value proposition---cost, performance, timeliness, need, and mission functionality. To break down barriers to innovation, the Department needs to focus its effort on providing improved product "outcomes," rather than simply justifying accumulated costs and rescheduling programs. A new approach must include restructuring existing centralized and arguably inefficient agencies, many-if not most—of which the Department can outsource, privatize, or operate on a business model to promote management responsiveness and accountability.

The Department must shift its acquisition perspective to one that focuses on defining the required system capabilities that contractors must produce by a certain time to function within increasingly rapid technology development cycles. The Department should accept more tradeoffs, rather than insisting on specific performance for a fixed fee during a time when technology is advancing rapidly-as is happening in the commercial sector. Failing to pursue such a policy would deny a unique American strength-technology to deliver decisive battlefield outcomes at minimum loss in U.S. lives.

The Department must incentivize innovation, bolster industrial base sustainment, and leverage free market strengths by embracing the principle of continuous competition (more than one supplier) as much as practical. In selected circumstance, it may be necessary to grant waivers in competition due to the low quantity under order (e.g. aircraft carriers); unfeasibility of provisioning a second supplier (submarines); or unique but narrow technology applications (nuclear power plant). *But, in the main,* the Department must embrace the principle and practice of continuous competition as the soundest way to procure major defense articles at best value and, overall, best price.

Embrace the principle of continuous competition as the soundest way to procure major defense articles at best value and best price.

The Department should underpin, stabilize, and focus modernization planning by directing sustained year-to-year "level of effort" funding for: research and development; prototyping/capability demonstration; and upgrades to platforms, systems and capabilities. Such an approach entails a commitment to the principle of sustained low-rate stream production schemes, that stabilize production costs, improve price predictability, utilize resources and facilities more efficiently, but most importantly, facilitate the timely and rapid insertion of technology.

The Commission's objective is a broad "industrial base for defense," rather than today's discreet "defense industrial base." The Department can accomplish this goal by designing and strongly advocating a procurement system characterized by the lowest possible barriers for new entrants to government business by new, agile, technologically innovative companies. Today's commercial marketplace increasingly relies on intellectual power and timely market presentation to compete successfully—characteristic strengths of smaller rather than larger firms. The Congress and the Department should embark on a course that rewrites current acquisition legislation in a fundamental fashion that *scraps* the current Federal Acquisition Regulations. Like welfare reform in the 1990s, such a revolutionary approach has a better chance for success because it would be easier to start over than amend the current mountain of laws and regulations. In the interim, the Commission recommends simplifying the acquisition process from a four-phase to a three-phase system, providing waivers more easily, and reducing the overwhelming auditory and oversight requirements that inhibit business with DoD. The present practices currently bias procurement to select larger, evolutionary-oriented companies, rather than small, revolutionary-oriented firms marketing fast moving technologies. The Department is now incorporating technology at a slower pace than ever before, while the commercial sector has solved this challenge and is moving even faster because of its entrepreneurial spirit, the power of new ideas, and its ability to manage risk.

The Congress and the Department should rewrite current acquisition legislation in a fundamental fashion that *scraps* the current Federal Acquisition Regulations.

The government should retain proprietary title to all contractor work fully funded at taxpayer expense. The goal should be the protection of taxpayer valuables purchased with government funds, whether it is in R&D, processes, or products. The purpose should be to facilitate constant competition. Such an approach also promotes standardization and interoperability, while at the same time, it moves away from proprietary procurement practices where, in effect, the taxpayer pays twice... and sometimes three times for the same taxpayer-financed development. The policy of retaining proprietary rights-along with the policies of constant competition, evolutionary step upgrades, and funded and stabilized R&D-would eliminate some important contractor needs to "game" the current system. Namely, the system drives many to underestimate R&D risks or to understate first article procurement costs, which, in turn, forces them to present sharp price increases during follow-on contracts to recover expsnses.

- **Objective Six:** *Develop DoD mechanisms that constantly adopt to change and produce different military capabilities that support future force structure requirements better suited to the emerging national security environment, rather than replicating legacy forces and missions.*

With a radically altered vision and mindset-an empowered and policy-focused OSD staff; fiscal authority and accountability; a reformed infrastructure support system; a PPBS process oriented on objectives; and a technologically driven, output focused, and lean acquisition system-the Department could solve some very tough force structure challenges. Namely, how to evolve the pace and scale of change over the next few years, and how to decide what entities are responsible and accountable for existing and emerging missions-particularly for homeland security and rapid expeditionary capabilities. This entails breaking the Two Major Theater War (2MTW) paradigm and reallocating modernization resources to transform the force.

As the Commission indicated in its Phase II report, the concept of fighting near-simultaneously two major theater wars-the current basis for US military force structure planning-is not producing the capabilities this nation requires. The present commitment to readiness for all-out engagement in two regions of the world at the same time, without strategic prioritization and sequencing of campaigns, is by itself an extraordinary notion. To envision at present, two opponents capable or willing to challenge the United States in a theater-wide conflict simultaneously is indeed an extraordinary notion. Far more likely is the need to retain readiness for a major conflict while also securing the homeland and responding to small-scale conflicts, international terrorism, peacekeeping, humanitarian actions, and other commitments requiring U.S. support. Failure to plan for the more likely scenarios impedes the *transformation* process needed to produce capabilities better suited to the actual security environment.

The Commission clearly emphasizes that the current 2MTW construct is a force sizing tool, not a strategy. As a sizing tool, it is utterly inadequate for any sensible strategy. It fails to support transformation and over-invests in the past. A useful force sizing tool must both *shape* and *size* the force, but the present method only preserves *size*, by assuming that complex contingency requirements are "lesser included demands" satisfied by the current force. The Commission contends that force capabilities are not infinitely flexible and fungible, and emphasizes a basic need *to* also *shape* military forces to ensure they are prepared for a wider range of operations with extremely deployable, lethal, and agile units. One cannot train military forces and hold them ready for an array of fundamentally

A useful force sizing tool must both *shape* and *size* the force.

different missions without degrading their readiness to perform core war fighting tasks. The Commission also recognizes the high opportunity costs of the current force posture: sub-optimizing for contingencies; deferring modernization; and crowding out transformation. Worse still, the precipitous readiness erosion inside today's armed forces will accelerate unless the Department realistically matches forces to anticipated uses.

The key to producing such a shift lies with altering the Department's current threat-based force sizing metric into a capability-based force sizing tool. This proposed process would measure requirements against recent operational activity trends, actual intelligence estimates of potential adversary's capabilities, and the national security objectives as defined in a new national security strategy and national military strategy. U.S. military force planning should both *size* and *shape* U.S. forces against a strategy of deterring war, precluding crises from evolving into major conflicts, and winning wars rapidly and decisively when necessary.

During the transformation to a capability-based force, the Commission recommends retention of current near-term capabilities to fight one major theater war. As the transformation process advances, the primary focus would emphasize multiple complex contingencies and homeland security. Noting that U.S. overseas bases and force structure have decreased dramatically over the last decade, while the frequency and duration of commitments have increased, the transformation process must concentrate on fielding fast, agile, and rapidly deployable forces.

It would be inappropriate for the Commission to dictate the exact number and type of divisions, wings, and naval battle groups this nation needs to execute its strategy, however it can provide guidance and a *mechanism* to help the Department move in the necessary direction. Accordingly, the Commission recommends that the Secretary should revise the categories of Major Force Programs (MFPs) used in the Defense Program Review to focus on a different mix of military capabilities, and use the MFPs to capture mission-oriented functional outputs. New MFPs should be created corresponding to the five military capabilities the Commission deemed essential in its Phase II report-namely: Strategic Nuclear Forces; Homeland Security Forces; Conventional Forces; Expeditionary Forces; and Humanitarian Relief and Constabulary Forces.

This Commission recognizes the transformation process will produce these five capabilities over time, yet some must mature at a faster rate. Ultimately, the transformation process should render the distinction between expeditionary and conventional forces moot, as both types of capabilities will eventually possess enhanced mobility, survivability, and lethality. For the near term, however, expeditionary capabilities are the most critical to the existing and future security environments. Consequently, the Commission recommends that the Department should devote its highest priority to improving and further developing its expeditionary capabilities, which implies the need for theater missile defense.

Ultimately, the transformation process should render the distinction between expeditionary and conventional forces moot.

From a Departmental perspective, there will be heavy lobbying by all the Services for these missions including homeland security and National Missile Defense. By achieving dominance in any area, a Service could achieve preeminence for up to a decade with major control of resources and significant force structure. If OSD fails to exercise strong policy direction or control of the resource allocation process, these issues alone will consume all the available bureaucratic energy, while obscuring sound transformation of the force.

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This Commission has identified what the Departmental vision should look like-a set of desired outcomes-to meet this nation's military needs for the future. How to get there is best left to the responsible experts. The Department must concentrate on internal reform. It must empower OSD and restructure the other Pentagon staffs along core roles and responsibilities. The Department must consolidate, outsource, and privatize defense infrastructure to free up resources. It must institute a strategy-driven planning and resource allocation process that focused on mission outputs. The Department must streamline the acquisition process to place high technology capabilities in the hands of warfighters more swiftly and at lower cost. Lastly, the Department must use these reforms to transform military capabilities to meet future requirements.

This nation may discover that a transformed U.S. force structure will require even more resources. It may result in a capability baseline that is actually higher than that possessed by the current 2MTW construct. The transformation process will require a reprioritization of current resources. Ultimately, the result may be a larger force, or a smaller one, but the Commission is confident that it will be a *better* force. That is the crucial issue.

snowflake

April 30, 2001 5:30 PM

CC: Paul Wolfowitz
Steve Herbits

FROM: Donald Rumsfeld DR

SUBJECT: Strategic Business Model

Please take a look at this strategic business model for DoD. It is an acquisition reform proposal. Let me know if you think it is useful.

Thanks.

Attach.
3/3 I/O 1 "Read Ahead: A Strategic Business Model for DoD"

DHR:dh
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30 Apr 01

Read Ahead: A Strategic Business Model for DoD

March 31, 2001

Preface: The market/pricing system is the incentive that drives commercial corporate organizational models to achieve favorable return on investment. Similarly, achieving real military capabilities through direct correlation of capabilities/effects to acquisition strategy, programming to funding can be an equally effective incentive to drive a successful OSD/DoD business model.

Infrastructure Baseline

- Today - No recurring data to measure ratios or changes over time
- Selected additional outsourcing highly desirable (*working with* Financial *Committee*)
- Solution - Integrate selected infrastructure (employment and budget) data into enhanced annual PPBS/FYDP system. Includes strong new Activity Based Costing capability
- Enabler - Annual summary report to identify areas of reduction & measure progress on a regular basis

Baselining OSD According to Supply, Demand and Integration

Corporate Board-Style Structure

Chairman & CEO and COO: SecDef and DepSecDef

Board Members: OSD Undersecretaries, Service Secretaries, Chairman and Chiefs

Principal Staff: PA&E. OT&E. IG (Internal Audit): GC, Knowledge management

Major Business Units: Military Departments

Other Business Units: Defense Agencies

Major Operating Units: CINCs

Operating Principle: Maximum delegation of authority, accountability, resources to lowest possible level

Industry examples .

Make PPBS a Follower, Not a Leader - and Make it Work for You

Reform Rules

- Reestablish trust
- Implement 2 year budget (Multi-year even better)
- Direct complete (all years) budget, including "reserves"
- Change execution practices from proportional cuts to "exception only" arrangements
- Change Congressional and Comptroller activities
  - Examine Financial and Program Execution reviews

Acquisition Approaches for a Weapon System Program

- Traditional Acquisition Approach
- Evolutionary and Spiral Acquisition Approach

Modern Information System is Required

- **Single** thread
- Follow Activity Based Costing principals
- Meets needs of supply, integration and demand
- Consistent with PPBS

ACQUISITION REFORM NARRATIVE

Acquisition Reform'

A Strategic Business Model for DoD

March 31, 2001

Our new strategy requires a much more responsive and agile acquisition system to assure our forces can cope with the rapidly changing world threat environment. Our goal is an acquisition transformation that goes beyond reform— one based on best commercial practices and designed to keep our warfighting capabilities current with the latest technological advances.

We must have the ability to effectively face future challenges, both known and unknown. The keys to this include speed, or the reduction in the times required to develop and field new systems; technology insertion, or the means to seek out, adopt and adapt technologies capable of meeting new threats; and organization, a retooled DoD acquisition structure with clear lines of authority, responsibility, and accountability, sound metrics to provide direction and measure progress, and a reinvigorated acquisition workforce with the requisite education and skills.

Commercial firms respond to the pressures of the marketplace to drive their transformation efforts. The market/pricing system is the incentive that drives these organizations to achieve favorable return on investment. Similarly, achieving superior military capabilities by directly correlating capabilities/effects (requirements) to each phase in the acquisition strategy-programming-funding-execution sequence can be an equally effective incentive to drive a successful DoD business model.

The following table lists the principal elements of our new strategy and illustrates the consistency of these with the key recommendations of previous commissions and studies.

SUMMARY OF ACQUISITION REFORM STUDIES

RECOMMENDATION	SUMMARIES		SPECIFIC STUDIES					
Acquisition Reform Study Group	112 Studies 1949-95*	16 Studies 1995-Present**	Carlucci 1981	Grace 1983	Packard 1986	Cheney 1989	DSB 1998	Hart/ Rudman 2001
Streamlined Organization	●	●	●		●	●		●
Commercial Practices & Metrics	●	●	●	●	●	●	●	
Increased Outsourcing	●	●	●		●	●	●	●
Acquisition Workforce Improvements	●	●	●	●	●	[redacted]	[redacted]	●
Evolutionary/Spiral Process	●	●	●			[redacted]	[redacted]	●
Financial Reform/PPBS/ABC	●	●	●	●		●		●
Funding Stability	●	●	●	●	●	●	●	●
Execution	●	●	●	●		●		
Risk Management	●	●	●	●		●		
Remove Regulatory Roadblocks	●	●	●	●	●	●	●	●

*RAND Acquisition Database
**BENS

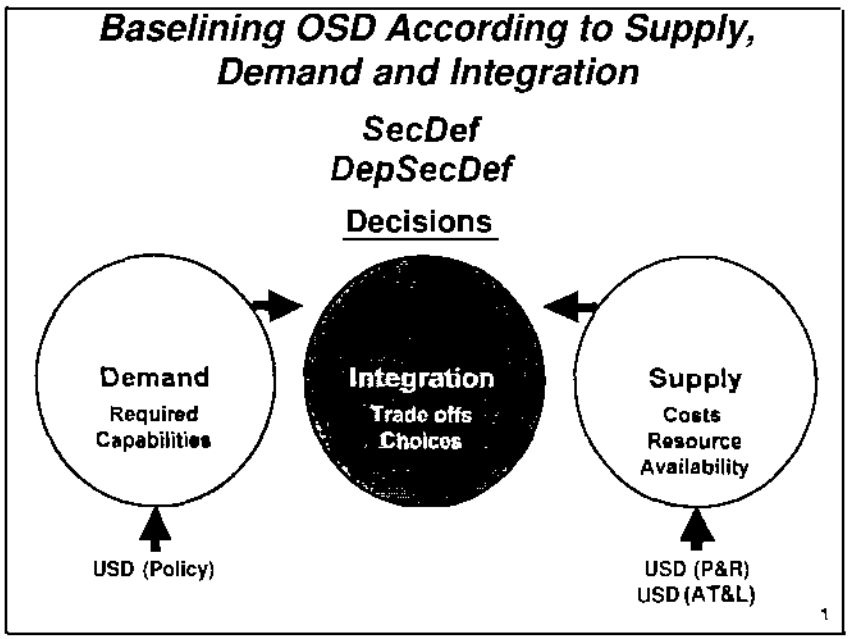
Infrastructure Baseline

The extensive supporting DoD infrastructure is seen as one source of resources for this transformation. Attempts to generate savings by cutting infrastructure have met with limited success for several reasons. One is the inability to measure and track efforts to change. Without relevant metrics to provide compelling rationale, it is impossible to sustain unpopular efforts in the face of resistance. And, DoD currently does not routinely collect data that it can use to measure infrastructure ratios and change over time. Integrating infrastructure employment

and budget data into an enhanced annual PPBS/FYDP system is needed to solve this problem, Similarly, a modern system of linking the actual costs of the activities of the Department with expected and actual outcomes (Activity Based Costing, or ABC) is needed. For further savings, opportunities for outsourcing non-core activities will be identified and pursued vigorously.

Baselining OSD According to Supply, Demand and Integration

Successful commercial firms respond to demand-the desires of their customers-by focusing on supply-the elements of the firm that can meet customer desires. *Integration* of these activities is the function of senior management. DoD does not operate in a market in this traditional sense. However, it must take advantage of supply and demand in the creation of the "defense" product. "Demand" derives from threats and from the strategy required to meet those threats. Alternatives with different costs and capabilities are developed to respond to these threats, constituting the "supply." Integration, where tradeoffs are compared, decisions are made. and resources are allocated, is the function of the DoD "corporate board."



Illustrative Organization

Corporate Board-Style Structure

The new DoD team brings significant commercial experience to DoD, which we will use to increase the overall effectiveness of the enterprise similar to that of the best commercial firms. A main operating principle of the new organization will be *delegation of authority, accountability,* and resources to the lowest possible level. By focusing senior leaders' attention on top-level policy and decision making, the oversight burden at the highest levels of DoD will be reduced.

A key function of this senior leadership is the integration of *what* to buy, which will rest at the top level-the Secretary of Defense and the governing board. Integration of acquisition will be delegated to USD(AT&L), and the mission of organizing, training, and equipping the forces will remain with the Services.

Improve the PPBS System, and Make it Support the Goals of the DoD

The PPBS system and its associated operations and requirements are characterized by features that have diminished its credibility over time. The system is opaque to many. Changes and program alterations occur without debate. It takes excessive time to get changes approved via the formal process. Many of the processes have taken on an unproductive adversarial nature that undermines the outcomes, We aim to reestablish a culture of trust and mutual respect among all the stakeholders, a requisite for significant improvement in the operations of the DoD.

Specific avenues for improvement include implementing a two year (even better, a multi-year) budget. Continual threats of, and actual reprogrammings negatively affect cycle times for development as well as the ability to integrate new technologies. To promote stability, programs should be defined for all years of the acquisition cycle and funded fully in DoD and by Congress. Typically, cuts are assigned proportionally across all programs, without regard to their integrity or executability. This practice will be prohibited. Finally, to better assure that programs are being

executed according to direction, formal reviews of progress against approved acquisition baselines will be standard procedure.

Acquisition Approaches for a Weapon System Program

Acquisition policies and processes in place today were designed to deliver new system designs that were ready to be produced at high rates in large quantities of a fixed configuration. Such processes were appropriate in times of fixed threats and slower technological change. This traditional acquisition approach does not accommodate today's pace of change in technology and the unpredictable nature of threats. Advances in precision munitions have multiplied the effectiveness of individual weapons and launch platforms, increasing their sophistication but reducing the quantities required of versions of some weapon systems. Our goal is to speed up the acquisition process using the agile tools of "evolutionary acquisition" or "spiral development." Under this model, an initial delivery of core capability is followed by insertion of technological enhancements, which increase the capability of the system. Stakeholder involvement during each spiral increment assures that the capabilities meet their needs, Consideration of risks total ownership costs, requirements and technology insertion opportunities during each increment define subsequent design evolutions.

Modern Information System is Required

A critical feature of a modern management process is a relevant information system. It should be a single system that relates activity levels to resources and costs using Activity Based Costing principles. It must support top-level decision making for the supplier of capabilities, like the Military Departments and the users, the CINCs. Finally, it must be consistent with the PPBS.

Conclusion and Implementation with Congress

To achieve these ambitious goals, which I have just described, I need the fullest cooperation of the Congress. My streamlining objectives can only be achieved by a transformation. And, I do plan to change how the Department of Defense does business. I will be proposing a series of "enablers" in such areas as reprogramming thresholds, multiyear authorization and appropriation, restructuring and breakout of program elements, and appropriation funding breakout. Transforming the way of doing DoD business depends fundamentally on a successful partnering with Congress in these matters, This may require revisiting legislation relevant to our goals. I need your help to improve our performance.

snowflake

April 30, 2001 3:24 PM

381

TO: Paul Wolfowitz
William Schneider, Jr.
Steve Cambone
Andy Marshall

FROM: Donald Rumsfeld

SUBJECT: Threat v. Capabilities

Attached is an excellent paper by Howell Estes, which I think ought to be factored in. When we think about how we are going to arrange ourselves, his suggestions on page 2 are particularly interesting, as well as at the top of page 3.

Let's try to do this.

Thanks.

Attach.
4/17/01 paper: "U.S. Strategy – The Dawning of a New Age"

DHR:dh
043001-35

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April 18, 2001 12:05 pm

MEMORANDUM FOR THE SECRETARY OF DEFENSE

FROM: Stephen Cambone

SUBJECT: Estes Paper

Attached is a paper from Howell Estes on the "Threat v. Capabilities" approach written in response to questions raised with the Moorman group.

I think GEN Estes has caught the spirit of the review and has made an interesting suggestion in the middle of page 3.

The difficulty we face for the FY 01/02 budget drill is that we have neither the time nor the models to develop a coherent package of capabilities. That will need to await FY 03.

I continue to believe, however, that on a qualitative basis we can justify FY 01/02 investments in capabilities that will be needed irrespective of quantitative analysis. We have done so already for missile defense. We have a feel for intelligence needs. I believe we will have suggestions for offensive forces. Bill Schneider can develop a representative set of conventional force programs.

When we add "must pay" bills, we will raise the budget base line at least $20-$30B for FY 02,

Yes

4/18 4:15 pm

'U.S. STRATEGY – THE DAWNING OF A NEW AGE

Strategy is defined by Webster's as the science and art of military command aimed at meeting the enemy under conditions advantageous to one's own force. Two elements of this definition have always been key to the way the US shapes its military forces to support its interests. The first is defining the "enemy," The second is determining what constitutes an "advantage." As the US looks to the future and strives to redefine its military strategy, these same two elements – "threats" and "advantage" - should play an important but changing role.

In the past military strategy has been articulated in terms of our ability to deal with specific threats to our national interests. As such we have relied on a threat-based strategy. During the cold war years it was the Warsaw Pact threat. Post cold war it was the ability to fight two near simultaneous Major Regional Contingencies. Most recently our strategy has been to fight to win in one Major Theater War (MTW) while providing sufficient force to "hold" in a second, near simultaneous MTW. Once the first MTW was won, forces would "swing" from the first to the second to win the second MTW. Small Scale Contingencies also played a role in the strategy and contributed to sizing the force.

However, to most watching the "kabuki" dance that goes on from one strategy review to another, the process looks like nothing but a force reduction exercise. The rank and file has lost confidence in strategy reviews, because in the recent past every time one has taken place, we have used the guise of 3 new strategy to simply cut the force. So what most believe happens is that the US decides how much money it is willing to spend on defense, builds the force based on available money and then decides what the strategy will be. Even then there are major disconnects between the strategy and forces available to carry out the strategy. We have never had sufficient force to execute the strategy to which we subscribe. Some would say, "of course we don't. There is always an element of risk associated with the ability of any force to carry out the strategy," However, when there is medium to high risk that we cannot execute our strategy as has been the case recently, the rank and file sees this as not only a strategy-force mismatch but also as a credibility issue. This is simply to say, whatever we do with our new strategy it has to be credible not only to our adversaries but also to the people who have to execute the strategy.

It is time to shed the past methodology for strategic reviews and enter a new age. Why? The answer is fairly straightforward. Following the practices of the past will only beget more of the same with small changes at the margin when it comes to our farces. What we face in the future requires forces capable of meeting a different range and scope of threats than the past. We have a window of opportunity to conduct the required transformation. To begin with, rather than trying to define a new strategy we need to define a new process for developing the strategy in the first place. What is the best way to build a strategy that will address the threats we will face in the years ahead and be credible to both friend and foe'?

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In the past our process for strategy development has attempted to define the major threats and design specific forces to meet those threats. As mentioned earlier we have had a "threat-based" strategy. In the future it seems more prudent to have a process that decides what capabilities we need and can afford as a nation to cope with the broad array of threats we expect to face. This would be more in line with a "capabilities-based" strategy. If we follow this new approach we have to avoid the pressure to size the force based on specific threats. To do so would only be a return to a "'threat-based" strategy and another rendition of the "kabuki" dance. We should size the force based on the array of broad threats, not specific threats. Avoid getting stuck in the MTW/SSC mire, which has captured us in the recent past.

For example, the first step in the new process to redefine our military strategy might be to define a broad array of threats against which we need military capabilities:

- A large contingency
- A small. contingency
- Missile threats
- WMD threats
- Space threats
- Information threats
- Homeland threats
- Terrorists threats
- Threats to US citizens abroad

The next step could be to articulate the range and size of capabilities required to create an "advantageous condition" for our forces given this array of threats. The range of capabilities should. be fairly straight forward, but the size will tend to drives us back to defining a specific threat on which the size will be based. Something must be done to break the mold. One approach consistent with a capnbilities-based strategy might be to genetically define each of the threats above given the world we expect to face, but avoid tying any to a specific threat scenario.

To avoid criticism that the forces designed lo carry out this new strategy will be all things to all people and, therefore, really will not capable of doing anything well, training the force would be particularly critical. At the first tier all the forces could be trained to conduct operations in a major contingency. At the second tier many could receive specialized training to meet another less complex but more likely task. Recall the forces we sent to Bosnia were trained to fight in a MTW but were also given specific training to prepare them to deal with the Bosnian situation.

This new approach which stays more genetic at the strategy level should permit more flexibility to shape the forces to deal with the wider range of threats to national interests we expect to face in the future. As long as the defense budget remains constant or better yet increases slightly, this change in process and ultimately strategy will not be viewed as a cover for another force reduction.

Difficult days are ahead in any case as the call to fix today's force first becomes louder. To do so, however, would undermine the essence of transformation. A much better approach would be to determine what part of today's force would be effective against the array of future threats we face. Then and only then should we spend valuable defense dollars to fix and modernize the force. That part of the force, which is not relevant, should be transformed and not fixed or modernized.

The thoughts in this paper are at the highest level and clearly require refinement, but they do offer a new approach to building a credible, achievable strategy that will serve the defense needs of our country in a world of changing threats to our national security. Most importantly this approach should avoid the pretense of being yet another force reduction. To not develop a new strategy that permits the creation of conditions advantageous to our military forces against the array of tomorrow's threats when we had the chance to do so runs the unacceptable risk of being ill prepared to maintain our position among nations of the world and at the extreme to sustain our way of life.

3.

snowflake

April 30, 2001 5:46 PM

313.24

TO: Steve Cambone

cc: RDML Quinn

FROM: Donald Rumsfeld

SUBJECT: Aero Space Fusion Center

Let's talk about this attached memo from Jay Garner. RDML Quinn, please set an appointment.

Thanks.

Attach.
4/19/01 Garner memo to SecDef

DHR:dh
04300 1-49

30 APR 01

U08413 /01

S.C. Dual

April19, 2001

Mr. Secretary,

I just finished visiting the Aero Space Fusion Center at Schiever AFB in Colorado Springs. The office is composed of about 8-10 very technical civilian employees (excellent engineering skills) lead by an extremely competent and technically proficient Air Force Lieutenant Colonel.

This is an amazing group.. . they have written fusion algorithms for IR and Radar; what they are actually doing is multi-service integration of sensor assets and data level fusion, in real time. They can also bring in ELINT data for enemy air-breathing tracks. This allows them to bring together, in real time, a Single Integrated Air Picture (SIAP), which is absolutely a must if we are to have a world-wide netted missile defense consisting of multi-service and allied missile systems If you or Steve are interested, their leader Lt. Col Bob Reehom could provide you/Steve and/or the Missile Defense Transition Panel a very compelling briefing with the results of some of the latest missile flights. The ability to accurately fuse the data allows us to tackle another Missile Defense problem that has continually alluded us --- discrete in-theater missile warning. We warn now through DSP, and in the future, SBIR. However, this warming stops at the Theater giving us the choice to warn everyone or no one, when it should actually be to only those affected.

With IR/Radar fusion we get an accurate impact point (to within 2-3km's). We now have several programs which are capable of Blue Force tracking to whatever level we're prepared to fund (for Land Forces I would track the battalion level; for Air and Sea Forces I would track to the entity level, e.g. aircraft, ships, etc.), So with Blue Force Tracking, we know where the troops are, and with sensor fusion we know an accurate impact point. (Fusion will also classify the type missile, giving us an idea of the warhead type). To this data we add, in real time, the weather effects i.e., wind, fog, rain, etc and compute the blast, radiation and downwind envelope produced by the type warhead(s). We have software programs that will place this envelope over the Blue Force, which will allow us to alert only those within the envelope (I would do this through an automatic paging system). The result is that warning becomes discriminate.. . not theater-wide,

Thanks for the opportunity to correspond,

Say

snowflake

April 30, 2001 6:02 PM

413.51

TO: William Schneider, Jr.

FROM: Donald Rumsfeld DR

SUB SECT: Cyberwar

Please take a look at this article, "The US Is Not Safe in a Cyberwar" and tell me what you think I ought to do about it.

Thanks.

Attach.
9/12/00 Staniford, Saydjari, Williams paper, "The US Is Not Safe in a Cyberwar"

DHR:dh
043001-52

30 APR 01

The US is not Safe in a Cyberwar

Stuart Staniford
Silicon Defense
stuart@silicondefense.com

O. Sami Saydjari
SRI International
*ssaydjari@csl.sri.*com

Ken Williams
Zel Technologies
Kwilliams@ZELTECH.com

September 12, 2000

This paper is unclassified and uses only open source material, but it should not be distributed publically at this time. Do not give it to anyone who does not have an essential need for it until further notice.

11-L-0559/OSD/3566

Abstract

The United States is becoming vulnerable to suffering very serious harm in a cyberwar fought with a moderately funded enemy. In this paper, we lay out what we believe would be the enemy's most certain and effective strategy to inflict damage. We think that is to use a series of well engineered worms to gain control of several million Internet connected computers within the United States, and then use those to launch distributed denial of service attacks of various kinds against Internet sites critical to the economy, or to US ability to analyze and contain the problem. Recent events show that the nation does not understand how to respond effectively to this kind of threat

We believe that a determined and competent enemy could cause significant harm to the US economy now, and that the problem is likely to become rapidly more critical over the next several years. An attack could be carried out in a way that would make it extremely difficult to identify which enemy was responsible. A number of ongoing policy and market trends are making this problem worse. In essence, our society is becoming too dependent on the Internet without an adequate understanding of the national security implications. This is becoming the worst threat the United States faces.

The authors of this paper are concerned that US leadership, and other decisionmakers about Internet use, do not fully appreciate the potential consequences of the current situation. Although we believe that the scenarios we describe could be inferred from the history of events that have already taken place, we feel it is necessary to make these inferences explicit. We do so in an attempt to influence policy-makers toward a safer posture.

We also lay out our best thinking on approaches to make the situation safer. We do this on several time-scales. We discuss what could be done in the very near term to help manage an emergency response to a serious cyberwar attack on the US. We then discuss policy measures that we think could significantly reduce national vulnerability over a period of several years. Finally, we discuss technical research and engineering areas that should be explored further.

1 Introduction

War seems 1.0 be as old as humanity, and to be an inescapable part of the human condition. Hunter gatherer tribes often fight. with neighboring tribes. the Old Testament details many wars the Israelites fought. and history is punctuated at regular intervals with wars great and small.

The psychological dynamic of war is that of two peoples who's desires and view of the world are very different. The!; are unwilling or unable to imagine the other's condition and to see the world from the other's perspective. When empadhy is absent, congeniality dies, and fear and dislike set in. An escalating cycle of increasing hostility takes place, until anger and hatred of the other is all-consuming. Thus war should be conceptualized first as a matter of the passions, not as rational actors pursuing reasonable but differing goals.

These dynamics do not heal quickly. The Balkans are still mired in anger and mutual hatred from centuries past. The ongoing troubles between England and Ireland have their roots in the invasion of Ireland by King John in the early 1200s. Pathologies in the individuals who lead the respective societies can greatly increase the potential for hostility.New communication or transport technologies do not prevent the basic psychological dynamic of war. Thus they do not end it, they only change the way it is fought. For example, the development of ocean going ships allowed for increased trade. and increasing understanding of foreign countries. But that did not prevent wars; instead it meant that there were naval wars as well as land wars. Similarly, the invention of the airplane has allowed unprecedented opportunities for ordinary people to visit other lands and appreciate their experience. But its implication for warfare was strategic bombing and dogfights, not an end to the battles.

Similarly, the invention of the written word, the printing press, the telephone: the television, have all changed the way the world thinks about and carries on wars. but have not changed the fact that it fights them.

So we think it is extremely unlikely that the Internet will end war. But, of course, it will change it. Internet technology will be used to co-ordinate warfighting, and cyberwars will be fought over the Internet. The purpose of this paper is to suggest how that might happen: and also to suggest that the United States is placing itself in an extremely vulnerable position with respect to its enemies in a cyberwar. The US must change course: and soon: or face grave risk of serious domestic hurt in a conflict.

11-L-0559/OSD/3568

The Internet is very new, and has caused enormous societal change very quickly. In the 1970s it was under early development, and was mainly a platform for the researchers who were creating it to explore design possibilities. During the 1980s and early 1990s, it became a means for most kinds of scientists and engineers to exchange information. Starting in the mid 1990s, serious commercial use of the Internet, became apparent. By this writing, in 2000, the US is engaged in full scale attempts to convert as many societal functions as possible to using the Internet, and it is doing so in a frenzy, with little or no reflection on the risks.

History shows that, by and large, democracies do not fight wars with each other. Wars usually involve at least, one autocratic society. So in the early period of Internet development, when its use was largely confined to democratic countries, cyberwar was unlikely. Now, however, use of the Internet is becoming common in countries which are not democratic. And some of those countries are enemies of the US, or could easily become so. Some countries: also harbor semi-independent subgroups hostile to the US. Inevitably: their thoughts will turn over time to how to use the Internet to harm Americans. We should have given thought to how to protect ourselves before they do.

Throughout this paper, we talk about US vulnerability, and protecting the US, because that is the case we are most familiar with, and whose vulnerability is most personally threatening to us. However, it should be clear that, the general ideas apply to any country that is rapidly becoming dependent on the Internet.

We cannot stress enough that wars are not nice, and assumptions about how people will behave during peacetime cannot be applied in a war. It should be assumed that the enemy in a war would be glad to see American citizens starving in the streets after a failure of the US economy. We cannot assume that an enemy lacks motivation to harm us; we must ensure that they do not have opportunity.

2 Cyberwar Strategy

Since the world has no experience with large scale cyberwar, we do not yet know for certain how it will look. Military doctrine has not been solidified, strategy ideas are uncertain, everything is in flux.

We are in a position similar to that of thinkers in 1912 interested in what

11-L-0559/OSD/3569

an air war would he like. The airplane had been invented. hut not yet used in war. Some thinkers imagined correctly (eg the British Navy under Churchill': leadership was practicing bombing with aircraft) hut many did not. At the start of the First World War. airplanes were used by the British and German armies solely for reconnaisance because it. was not really understood how they might be applied in war. At the outset, pilots of planes on opposing sides would wave to each other if they happened to pass. By the end of that war, the basics of airborne warfare: bombing, fighters escorting bombers and dogfighting with each other, etc, were established.

Despite the lack of real experience: the authors believe that it's fairly straightforward to see what several good ways to fight a cyberwar against the United States would be, and the implications are already alarming. We start just by asking what have been the most destructive kinds of Internet. security incidents to date? The answers are

- worms[1]
- distributed denial of service (DDOS) attacks[2]

So the simple thing to do is suppose that the enemy just uses those ideas. But, we assume that the enemy will put a. serious engineering effort into building the tools they use, and will have researched the best ways to apply them to cause maximum damage. We assume that they have made careful and secret preparations before they launch their attack, but then that they will improvise and revise their plan during operations.

We also suggest some slight extensions of the techniques that have been seen before, that would make the attacks more damaging. In particular, we consider application level DDOS attacks, in which the atttack is not just seeking to block the network in front of a. site, but to overwhelm the

[1] A worm is a computer program that knows how to propagate itself across the Internet to other computers: from them to still others, and so on. Worms typically spread to infect exponential numbers of computers until the worm can be understood, information about it propagated to all affected computer users, and the computers in question cleaned up by anti-virus software! or by re-installation of all clean software on the computer.

[2] A distributed denial of service attack is where an attacker gains control of a very large number of computers (zombies) and uses them to send harmful data of some kind to targets. The attacker seeks to overwhelm the target in some way. He uses an automated method to co-ordinate all the zombies.

11-L-0559/OSD/3570

transaction processing machinery of the site with bogus transactions. We think that in certain cases these will be much harder to recover from.

We do not claim that these are the only cyberwar strategies. However: as we will outline, they are enough to do enormous damage, and they are very hard to combat. They are particularly attractive to an enemy for the following reason. The enemy will want to use strategies such that the outcome is largely under his control. He will try to depend only on things that are true with a high probability, or that he directly controls (such as the design of his own tools). Thus plans which require the enemy breaking into any particular site are less attractive to him, since that particular site may be too well secured to break into, or may have alert administrators who notice in a timely way and reveal the enemy operation too soon. Instead, we work out scenarios in which the enemy only depends on facts such as that there are many vulnerable computers on high speed links in the United States (something that is essentially certain to be true), and the correctness of his own planning and designing. This leads to an emphasis on large scale automated attacks such as worms and DDOS.

First we review some recent instances of worm and DDOS events. The first, worm to attract large scale notice was the Internet Worm of 1988. It was written largely by a single individual, Robert Morris Jr, as a prank. The author was a talented and knowledgeable practitioner of computer security, but the worm code was hastily put together and contained several errors. The worm spread across much of the Internet: and largely paralyzed it for several days. The worm was capable of several different methods of spreading, including using some previously unknown vulnerabilities in common computer systems of the day, together with passwordcracking.[3] The worm also encrypted parts of itself.

More recently, a series of simpler email worms have caused havoc on the Internet for a day or two each. *Melissa* and *I Love You* were the two most prominent examples. Each of these involved a malicious attachment to an email message. The message was crafted to come from someone the recipient knew, and to fool and encourage the recipient into opening the attachment. Once they did so, the attachment executed computer code which performed

[3]Password cracking is the process of finding a password by using automated brute force to run many possible passwords through the password comparison algorithm on the computer to see if any work.

11-L-0559/OSD/3571

malicious actions on the computer system of the affected individual, and mailed the worm to all the persons it could find in the recipients email address book. Both of these worms were written by individuals with just a month or two's effort. These latter worms were considered extremely simplistic by computer security practitioners, but even the Morris worm could have been much stealthier than it was.

Various ways of tricking many computers into all connecting to a single site have been known for some time. However, the recent history of distributed denial of service attacks begins in mid 1999 with an incident where the University of Minnesota was effectively removed from the Internet for several days. This turned out to be caused by a distributed denial of service attack, which was orchestrated with a then unknown hacker tool called Trinoo. Trinoo, and the several similar tools which have appeared since, work as follows. Hackers first compromise a large number of hosts. Typically they do this by large scale scanning[4] of the Internet looking for vulnerable computers at random; compromising them; and then installing their sofware on the hosts in question. This is done via automated tools which perform the scanning, exploitation, and software installation on a large scale completely automatically. The software on these hosts is typically known as "zombie" software. In the University of Minnesota incident, several thousand machines were involved as zombies.

The attackers then use one or several master computers to send commands to all the zombies to flood continuous Internet traffic to the target sites. The target sites are overwhelmed with enormous amounts of spurious information which effectively prevents them from conducting their normal business.

In February of 2000, a series of more serious incidents managed to take several very high profile sites off the Internet for several hours each, including Yahoo, and Amazon.com. This necessitated a public appearance by the President to discuss the situation.

The DDOS incidents publically analyzed to date appear to be due to individual hackers, or small groups of hackers. All the tools to date show

[4]Scanning is the process of sending packets to a computer or a number of computers to characterize the possible vulnerabilities of the computer. It is the Internet analogue of walking down the street trying the door handles of autos. However, on the Internet it is automated, and millions of computers can be systematically scanned. Most full-time Internet connected computers that are not behind a firewall are scanned by hackers in some way daily.

a. low quality of software engineering. Nonetheless, they have been very effective in causing damage and disruption.

Before turning 1.0 how an enemy willing to expend a. more serious engineering effort on their tools might operate. we consider how the information security community responds to incidents like those described above. We'll use the Minnesota incident as a. prototype. but essentially similar steps occur in other incidents also.

In the Minnesota incident, Susan Levy Haskell was the incident co-ordinator responsible for understanding and responding to the situation. When she initially noticed that the University of Minnesota. was losing Internet connectivity: she began to try to analyze the problem using tools and datasupplied by the Cisco routers that connected the University to the rest. of the Internet. Since the problem was a new one tbat had never been seen before, it took her several days of trying different hypotheses and misunderstanding the situation as variants on previously known problems, before she realized the basic idea; that many computers all over the Internet had been compromised and were all being co-ordinated to send excessive loads of traffic to her university.

The realization finally came during a phone conversation with personnel at the University of Washington. Levy Haskell had identified that 27 of the thousands of computers apparently attacking her site were located there. She had a preexisting relationship with system administrators at UW, so she called them, and they confirmed that those 27 systems all appeared to be compromised. Levy Haskell was then able to write a computer program which looked up contact information for site administrators for all of the computers that were attacking her in the databases of internet addresses kept by the organizations that assign addresses (ARIN. RIPE, etc), and send email to all of those sites. Within hours, the DDOS volume dropped to proportions that were manageable as the site administrators for all the compromised computers began to discover and clean up the problems, thereby taking the trinoo zombies off the Internet.

Dave Dittrich at the University of Washington located and analyzed the Trinoo software that was found on the compromised systems. He published that analysis on the web. The incidents were widely discussed on Internet security email lists, so that within a. matter of days, much of the operational computer security community knew about Trinoo and knew what to look for on a compromised computer for that particular tool. Dittrich and colleagues have since gone on to analyze several other DDOS tools that have appeared

on the Internet.

A number of features of this incident are very general to all large scale incidents on the Internet to date. and should be drawn out. as they will be of significance later in the discussion.

- When the problem initially appears, no-one understands it, or knows what to do. People naturally assume that it is similar to previous problems. and understanding will come quicker or slower to the extent that proves to be true.

- Individual professionals with the necessary talent and skills, and who are directly affected by the problem, immediately turn to analyzing it. and attempting to understand what is happening.

- Informal networking between individual technical staff at different organizations is usually critical to solving the problem.

- Ms Levy Haskell used the phone to conduct her networking because she was cut off from the Internet by the DDOS attacks.

- Several internet databases are critical to an effective response, because without them, there is no way to translate the internet address of an attacking computer into an email address or phone number of a security administrator at the site with responsibility for that computer.

- Once the problem is understood by someone, somewhere, information about it may be very rapidly disseminated to the entire information security community using the Internet. If that happens, the problem comes under control fairly quickly.

Basically similar points could be made about the response to the worms. In recent years. anti-virus companies have become key centers in analyzing and disseminating information about those incidents.

We believe that DDOS attacks are. a good weapon for cyberwar.

- A big DDOS attack has the power to take even the largest Internet web sites off the air until it is brought under control. While it is impossible to be certain at present: we think that a. well prepared cyberwar DDOS could be orders of magnitude bigger than the largest hacker DDOS to

date. and therefore could keep several hundred web sites off the air simultaneously. Many of these can be chosen to be web sites critical to economic functioning. We believe there are a growing number of such sites.

- There is nothing an individual site can do to protect itself in advance. No matter how secure a site is, if it accepts traffic from the public internet at all, it can be flooded from other less secure sites. The flood can use traffic that is almost identical to legitimate traffic, so that there is no straightforward way to filter it out.

- DDOS attacks can be targeted. The enemy can choose to target particulas web sites that it thinks are the most damaging ones to us.Collateral damage to other countries can be minimized.

- DDOS attacks are very difficult to respond to at best. If the enemy directly targets the sites likely to be necessary for response, they will be much harder still.

- All the experts who have analyzed the problem to date have concluded that it is extremely difficult to solve the problem under present circumstances. No-one seems to have any magic bullet ideas that do not involve fundamental change in the way the Internet and/or the computer industry operate.

Worms are also very useful in a cyberwar. A worm could certainly be used for general destructiveness across the whole globe. Computer security practitioners believe that worms could be much more stealthy and hard to eradicate than the ones in recent incidents. By mutating itself, encrypting itself, modifying the host operating system to make itself invisible, disabling countermeasures such as anti-virus software, a worm could become extremely hard to detect. Most recent worms have spread by email, but that it by no means the only possibility, and is now probably one of the less effective ones for a cyberwar attack because organizations have a lot of practice at dealing with email worms. Also: the mail servers tend to form a bottleneck for worm propagation.

A worm by itself is a very blunt instrument for causing damage. An attacker cannot easily exercise fine control over where it goes (in particular

which counties are affected). So a worm could be used to cause massive global destruction of computer data. but it's relatively hard to fine tune for any specific war aim. What worms are pood for. in our view. is to allow the enemy to install software on a. very large number of computers very quickly. That software can then be used for distributed denial of service attacks on a scale not yet seen.

Other strategies are certainly possible. The Internet core is quite vulnerable to attacks on its routing[5]. and the large routers that move long haul traffic in volume can often be brought down by a. quite small number of malformed packets. These techniques can be used to cut off parts of the Internet-maliciously.

Also, the root domain name servers are Sew (13 as of this writing) and could fairly easily be cut off from the Internet. This would prevent much of the translation of names (such as in URLs) to addresses. effectively making many resources inaccessible[6]. Again, this would have a. global effect and would not be readily targetable against any particular country or entity.

Additionally, the large number of computers that have modems allows -for the possibility of a. phone system DDOS. A worm that gained control of many computers could be used to have them all call into certain phone numbers, effectively cutting those call centers off.

The would be cyberwarrior is likely to be spoilt for choice. We like the combination of worms to distribute software used for large scale distributed denial of service which can then be used against a large number of targets to cause maximum disruption. In the next, section we will take this up in more detail.

First though, we point out a. very novel feature of cyberwar attacks; it is conceivable that the enemy might be anonymous. Traditionally, in warfare it was fairly straightforward to tell who the enemy was. This may not be true in cyberwar. Just as it is presently extremely difficult to trace and apprehend computer criminals, it may be extremely difficult to identify cyberwar attackers. Additionally, many groups and companies are presently engaged in developing anonymizing networks. They aim to allow use of the Internet

[5]Routing is the process of directing packers of data from the computer where they start, across the Internet to their destination. and routers are the devices that do this

[6]Although domain name servers cache names and the location of other lower level domain servers, so access to resources recently used would tend to survive, while new resources could not be located

11-L-0559/OSD/3576

in a way which makes identification of the participant not merely extremely difficult in practice, but impossible in principle. In most cases this is being done for high-minded reasons (protecting dissidents in autocratic countries and veiling innocents from stalkers, etc). However, the exact same systems can be used to control the apparatus of a cyberwar attack anonymously.

In some cases of course, world events may make it clear who the enemy must be. In others, there may be several possible enemies and it will not be clear which is attacking us. Or we may be attacked in peacetime with no idea who is responsible.

Having outlined our general thinking on large scale cyberwar, we now sketch a particular scenario.

3 One Possible Cyberwar Attack

Every large scale cyberwar will have its own unique characteristics, and there is no way to predict what the first one will look like. However, to illustrate the scope of US vulnerability, we here develop in more detail one possible scenario. While any such scenario is an act of imagination, and there are aspects of such an attack that could not be tested in advance, the authors, after intensive debate, judge that the following scenario is basically feasible. We think that enemy commanders of similar knowledge and competence to our own could carry this out without needing to solve any hard research problems or to use any sophisticated intelligence capabilites. We will illustrate such a campaign using nothing but freely-available information and tools. This could therefore be a lower bound to the damage a well-financed adversary with sophisticated technical capabilities could inflict.

We suppose an anonymous enemy who attacks without warning, in peacetime, for the purpose of revenge against the US (we think the reader will find it credible that there are nation states and large terrorist groupings with that motive). The enemy's war aim is to cause maximum economic disruption in the US without being identified (thereby leading to US kinetic retaliation). The goal of not being identified leads him to a cyberwar-only strategy. We assume that the enemy has a campaign staff of several dozen knowledgeable and disciplined individuals with the right mix of skills and knowledge, and that the operation is led with vision, determination, and talent. We assume six months to a year of preparation (software development, target research,

11-L-0559/OSD/3577

etc.).

The example campaign consists of five stages: Tool building, intelligence collection and preparation, softening up, increased tempo, and main attack.

3.1 Tool building

We assume that the enemy builds a series of DDOS worms, using the same general principles for each one, but differing in the details of how they spread, hide themselves, and are controlled. (He builds several so that he can release new ones as we manage to gain control over the last one, and so that he can have a number of capabilities without making the worm code too large). We assume he has available several vulnerabilities that are either brand new, or widely unpatched (a very weak assumption since many new vulnerabilities in popular software are discovered every week). We now described one such DDOS worm.

We assume the worm infects computers running Microsoft Windows since the owners and operators of those computers often lark much computer knowledge; ensuring that they will find it difficult to analyze and understand what is happening on their computer, even when given instructions. The worm would be obscured in transit to hinder analysis, and would unobscure itself on installation. It would insert itself into the operating system kernel, and would not show up in any system utilities or anti-virus products. It. Gould disable auto-update of any AV product+ on the system and silently disable the appropriate parts of any personal firewall or IDS software, but otherwise would not affect computer functionality. So it would be very difficult to tell that it's there.

No data is available on what proportion of computers have been infected in recent worm incidents. However, we think that injecting in the region of 1% to 10% of Internet connected computers is a plausible estimate. Cleaning up all these computers is likely to seriously overwhelm the capabilities of technically capable people (system administrators, computer consultants! etc).

Communication to the worm would occur down the injection tree, except it would also pass addresses several steps up and down that tree to create a directed acyclic graph with a lot of extra fallback communication links. The top of the control tree would disappear into an anonymizing network before going to the enemy. The worm-worm control protocol would use a

11-L-0559/OSD/3578

common port.. but, the modified kernel would pick up the control protocol packets without showing an open port. to port-scanners. The protocol would be encrypted with random session keys.

The main thing communicated down the tree would be changes to the DDOS target list . Each instance of the worm would create a. fairly modest amount of traffic to random targets from the list. DDOS packets would be plausible looking transactions on common protocols (probably web http transactions). The host site would not. be crippled. since any given computer wouldn't produce that much traffic. Each worm instance would know a large proportion of the large target list.. Thus any given target is brought to it's knees by a. fairly few packets from each of an extremely large number of zombies (making response very difficult). In some cases. the targets would be overwhelmed by sheer volume of packets. but in other cases the worm would actually be attempting transactions against the site to overwhelm the back office processing.

As soon as the code starts to be installed somewhere. the enemy is vulnerable to having it analyzed and the analysis disseminated amongst respondents, Therefore. the enemy must install and get his DDOS network into operation as quickly as possible so that he is in a position to cripple effective response before it occurs. However, this worm would almost certainly get analyzed successfully within a. few days. even given that the enemy could hinder the operation of anti-virus companies a. lot. However, identifying and cleaning up the infected computers would take a. lot longer. Determining who controlled it would be impossible.

We judge that the tool building could be done in three to six months.

3.2 Intelligence collection and preparation

Enemy intent in the Intelligence Preparation of the Battlespace (IPB) phase is to determine key targets and means that would help achieve his goals. Unfortunately, our open society and the rush to make information available on the Internet makes passive -reconnaissance frighteningly easy. The authors augmented common knowledge about the way the US does business, open Internet sources. and a limited number of e-commerce and investing magazines. with less than one week of Web searching to identify potential targets. determine the probable feasibility of the campaign described below. and develop this simple campaign plan. Active discovery would involve some

hacking to determine which target web sites can be penetrated for more malicious activity, and which ones are restricted to pure DDOS. This stage could consume several months, but can be done concurrently with tool building to some degree. In the IPB stage, the enemy would include activities like

- Stealing credit/debit card numbers (or getting a large number of stolen numbers from readily available hacker/cracker sources).
- Determining the algorithms for validating credit card (CC) numbers, and reverse-engineering to generate card numbers for non-existent accounts.
- Finding e-commerce sites that merely use the number validation algorithm instead of the Address Validation System (AVS), or more secure validation means.
- Determining major on-line banks or non-bank processors of EFT and CC transactions,
- Determining transaction formats.
- Algorithm development!
- Campaign planning,
- Feasibility testing

3.3 Softening Up

The softening up stage would consist of a series of psychological operations (Military term: PsyOps) intended to reduce the populace's confidence in the US economic system: and to undermine confidence in the news media as a channel of communication about what was happening,. Rather than simple "look how smart I am" web page defacements, the enemy will use any hackable news web sites and gossip columns to plant spurious articles of the type:

- Fed may raise interest rates

- Analyst downgrades XXX (any Dow or Nasdaq 1 00 component - do many of them) from buy to hold (or hold to sell

- Major production cuts expected from OPEC; nations

- Social Security funds misreported - crisis in two years instead of twenty

- Defense Finance Service (or Social Security administration) reports major computer problems - retirement checks to be delayed more than sixty days (plus something similar for Union retirements/payrolls. Electronic Benefits Transfers. . ..)

- Hacker publishes two million stolen credit card numbers in blackmail scheme

- and numerous others. of increasing severity over the duration of the campaign.

Later articles will refer to events from the campaign itself. Spurious and misleading information about what was happening, together with counter-productive advice would be inserted into the stream of news.

A powerful strategy would be to post this type of disinformation on news sites that do not check sources, such as many of the dot-corn sites not associated with major networks and newspapers: and on Usenet news group? that we scanned and catalogued by search engine bots. It is not unreasonable to expect that major outlets would be forced to pick up some of these Web and Usenet postings, and report them if only to refute them. The goal of this stage is to confuse the populace, and make them uncertain that any source can be believed or trusted. With careful additional disinformation, and a rotating series of targets as the initial set either shuts down or learns to secure themselves, the enemy should be able to make people doubt official communications too.

3.4 Increased Tempo

The severity and tempo of PsyOps would be augmented after a Sew days by a parallel series of DDOS attacks on economic nexii. including the key communications nodes mentioned above, that are accessible via the Internet. Here are some other examples:

- Electronic on-line and day trading

- Brokers. We found web addresses and rankings for over 100 discount brokers who provide Internet access to Level 11 trading. The financial pages of any major newspaper or investment-related magazine will provide names (and web addresses) for more conventional Level I electronic trading brokers. DDOS attacks would force large numbers of traders back to telephone (automated touch-tone trading and normal' voice) or lax - with the associated delays - in what the enemy expect> to be a plunging market.

- SOES, ECNs and Market Makers. These are the backbone of day trading. The Nasdaq Small Order Entry System and the Electronic Computing Networks are systems that internet day traders use to enter Level IT bids and offers just like the major Nasdaq Market Makers. Individual day traders access SOES or an ECN through their on-line broker, above. Instinet, Archipelago. Selectnet, and Island are four ECNs that provide an Internet from-end to brokers. The market makers are very large brokerage firms with easily recognized names among even the least sophisticated readers of the business pages - Goldman,Sachs: Schwab; Merrill-lynch; A. G. Edward:: and about 100 others. DDOS of the on-line Level II brokers and the ECNs would starve access to this day trading backbone - further research is required to determine whether the market makers use Internet, private dial-up, or leased lines to interoperate with the ECNs. However. the enemy has another way to choke the market makers that we will discuss below.

- Data services. Links to Internet quote services. news, and trading brokers are at http://www.daytraderpicks.com/links.htm - one-stop shopping for intelligence collection. The reader may have heard of quote.com, PCQuote.com, Datek.com and some others through the magic of television (CNN, MSNBC. CNNin advertisements). These are eminent DDOS targets for the ramp-up stage.

- Exchanges. The NYSE, Nasdaq, PSE. CBOE, Commodity and Futures exchanges could be targets, depending on the level of web-enabling each has accomplished. We judge it unlikely that one could launch a DDOS attack via the Internet against most of the exchanges today, because

most have some sort of private mainframe system that is not accessible, or could be disconnected at the first sign of trouble. However, most are aggressively planning more Internet integration. For example, the Chicago Board- of Trade already has 1 0-15% of transactions initated via the Internet, and plans to go to an all electronic model.

- Bond, Options, and Commodities markets. Essentially the same sorb: of attacks as above are feasible with different specifics about targets, information sources, and bottleneck:.

- Food distribution. In an hour of searching on the web, the authors were straightforwardly able to identify a number of web sites for food distributors and wholesalers who accept online orders. While the proportion of food orders being handled this way is small today, we assume it is growing rapidly. In peacetime, this is completely understandable. It lowers costs both for distributors and retail stores to be able to use the web to manage orders.

- Media. Those media, sites not being used as disinformation sources, and especially those who might be issuing counter-disinformation, become DDOS targets. This may not be as effective a use of DDOS zombies as other targets, because media outlets have other channel> besides Internet. Major Internet portals (Excite, Netscape, AOL, . . .) have become media, sources in their own right, and will be targeted for disinformation and DDOS as necessary.

- Infrastructure. At best (from the US perspective), a cyber campaign would do no worse than force infrastructure Command and Control back to manual, telephone, fax, -and non-Web operations. DDOS attacks against power distribution and management, transportation management and status reporting (especially at intermodal transfer points), weather, B2B, and voice/data-over-IP might do much more than inconvenience the citizens. Expectations of technology are so high, though: that mere inconvenience can help generate chaos: especially in the light of "road rage", "air rage", and the current furor over small increases in gasoline prices.

- On-line banking. The proportion of the population using on-line banking is growing at an ever-increasing rate. Financial institutions like

brick-and-mortar banks and credit unions are rushing to the Internet to compete with the emerging plethora of Internet-only banks. The adversary will target the major on-line institutions in this stage for DDOS attacks.

- Local, State, and Federal government. These organizations are rushing to provide services to their citizenry. Although most of their critical databases are on private systems, there is a push to make it possible for constituents to pay water bills, pay property taxes, order automobile decals, renew driver's licenses, and carry out other governmental necessities. The federal government's version of this is Pay.gov, a new web site which is expected to handle $125 billion per year in transactions. DDOS against these systems would have a very strong demoralizing effect on the government and on citizenry.

- Information Security Community. We also expect the enemy to target web sites about information security, anti-virus companies, and mailing lists for the internet security community. This will hamper an effective US response to the attack. We take this up in more detail in the section on response.

All of these potential DDOS targets are targets for more in-depth disinformation in this stage. There are enough targets for a rolling series of attacks, such that the populace and the people trying to fix the problems would be nearly punch drunk. Any of the above targets could be used as a feint to draw attention away from the main target.

3.5 Main Attack

After several days of fanning the fires, the adversary would launch a main attack on the financial crown jewels - the Federal Reserve System. The Federal Reserve is not currently vulnerable to direct DDOS attack, because all the Federal Reserve Banks (FRB), and the Automated Clearing House (ACH) members of the National ACH Association (NACHA), use large mainframe computers with leased-line or secure dial-up access. The NACHA includes the Federal Reserve. These clearinghouses perform all the overnight debit/credit processing in the country - approaching 10 billion transactions a year. We judge that a sophisticated adversary can mount an indirect DOS attack on

11-L-0559/OSD/3584

the ACH networks that would create the ultimate havoc, requiring the ACHs to shut down or go manual, and costing more man-years to straighten out than the Y2K fiasco. Here is one possible scenario:

- Use application level DDOS zombies to run credit card purchase scripts through a large number of e-commerce sites. Credit card numbers could be stolen from the computers in question in many cases, or use a list stolen in advance. These can go through any e-commerce site: but concentrate on a relatively small number of banks that process credit cards. Continue for several days or until detected. The current procedure requires the banks to absorb losses, or to pass them along to the e-commerce site as "chargebacks" - this will create a significant backlog as the customers, banks, and sites attempt to clear things up manually. Cascade through sites and banks. Note that the transactions have been batched and processed through the ACH system, so actual money has changed hands, to require error-processing.

- Meanwhile (or during the preparatory stage), generate several million totally bogus credit card numbers with the reverse-engineered validation algorithms. When the above attacks are recognized and cleanup activity 3s in progress, run several thousand small-value purchases using each of the generated numbers through sites that do not use AVS, authentication, or expert-system methods to ensure that the cardholder is really the purchaser. The aim is to generate several hundred million bogus, unauthenticated transactions a day that will slip through the e-commerce sites, and their banks, all the way to the ACH. Since the FRB are an integral part of the ACH system, the enemy is forcing them both to process a significant fraction of their annual volume every night - potentially enough to choke them in an indirect DOS attack.

- If the ACH attack can be made to persist for a few days: one could envision the entire ACH system having to inflict its own DOS attack, shutting down until it gets the mess straightened out, reverting to manual processing, and developing new procedures for the Internet commerce community to adopt,

- The enemy can also use the zombies to launch large numbers of spurious transactions into the ECN and Market Maker networks, causing similar

effects, and exacerbating the credit card attacks, since monies involved in trading are also cleared and moved through the ACHs.

To make matters worse, the Fed is actively pursuing on-line ACH business: and is in the process of instituting FedWeb - a web-based clearinghouse capability. The authors did not have the time to research the other ACHs to discover whether any of them have implemented web access, or are in the process of doing so. One hopes that this access will only be accessible to subscribing banks, and locked down with strong authentication, encryption, and the best safeguards known to man. They may still be vulnerable to the weak links at the originating end of the chain - bad transactions being fed to the Fed using the finest protection and authentication.

The consequences of an ACH failure or shutdown are unimaginable. The combined effect of the overall campaign could be to cause a worldwide depression, or worse. It is almost certain that the stock and bond markets would crash. In fact, one other part of the preparation stage of the enemy campaign could be to buy large numbers of puts and sell index futures, in effect financing the whole campaign.

4 Likely response at present

In this section, we outline our best guesses as to how the US would respond if this were to happen tomorrow. We cannot know; we are simply extrapolating from knowledge of how past information security incidents got handled, and of the kinds of emotional stages that people and societies pass through when faced with a great loss.

4.1 Denial

At first, at all hierarchical levels of perception of the attack there is a tendency to find some other explanation for what is going on. At the local level, starting with the user who needs to access some unavailable service, the first thing a user will conclude is that the computer has done something wrong again, or the network is down. This is natural as most people are conditioned to expect computer infrastructure to be fairly unreliable. Less experienced system adminstrators may have the same reaction; some will progress beyond

11-L-0559/OSD/3586

this point based on their intuition about how the system should or should not behave.

Some talented system administrators and other computer professionals at affected sites will not be in denial, but will immediately realize that there is an unusual problem without understanding the wider context. They will quickly turn to analyzing what is happening. These will be the people with debuggers and disassemblers attempting to unravel the enemy code. If the enemy has done a good job, it will take some time. However, we think it extremely unlikely that the code from any given enemy tool will not be fairly well understood by someone within a few days to a week of its first use in the campaign.

However: as systems professionals begin to understand how the enemy is operating at a low level, they are going to find their ability to share that understanding or respond effectively badly hampered by the enemy. The enemy can keep key mailing lists and web sites for information security professionals off the air. They cannot prevent all communication, but they can force it to happen slowly and ineffectually via non-standard channels. They can also take out the key databases required to co-ordinate responses to security incidents (ARIN etc). That will make any kind of targeted response by a victim site impossible.

At the higher level: there is going to be initial confusion, as the government and other large bodies realize that they have no effective organizations or doctrine in place for handling cyberwar attacks. There will be much conversation and discussion, but much of it will be directed to getting up to speed on the most basic aspects.

4.2 Anger

Once people realize an attack is underway, they tend to get very angry at the attacker and at their system for being attacked. They want to take action to get it over with as soon as possible. This leads some system adminstrators to take precipitous and sometimes rash action - like taking their system off of the network. Sometimes these are precisely the actions that an attacker is trying to induce. Users may stop trusting their systems and go back to some fallback mode of operation...again, this may be exactly what the attacker wants. Some minority of system adminstrators and operators will remain calm and continue systematic investigation of what is happening.

11-L-0559/OSD/3587

The extent to which fallback on older modes of communication is successful is going to depend almost entirely on how far Internet integration has gone. An organization that is handling 10% of its business over the Internet and 90% by phone can stand to lose its Internet operation. It will have in place the necessary call centers; staff, phone lines, and systems to handle the increased volume of phone calls. Delays may increase, but nothing worse than that.

An organization that handles 90% of transactions online is out of business if it loses. its Internet operation for a significant length of time. There is no way it will have the resources necessary to handle transactions in a non-automated way. It will not be able to acquire those resources quickly enough.

At the highest level, there will be desparation to gain a better operational picture of what is happening. The extent to which we have no idea what is happening on the Internet will become clear, There will be a strong desire to find someone to blame.

Some folks in the upper echelons will want to strike back at the attackers, even to the extent of physical violence. The desire for targetting information will grow frantic and the lack of technology and tools to get such information as to who and where the attackers are will increase the frustration levels.

4.3 Panic and Depression

If defenders are able to broadly keep control of the situation, things will start to stabilize at this time. If the attack is successful enough however, defenders of systems will begin to get quite depressed with the ability of the attackers to do what they want, when they want it and the defenders inability to see it let alone act against it. Some may just give up at this point. A hardy few will continue the diagnosis and solution process.

At the population level, panic will start -to set in. Depending on the extent of the economic damage, people may begin to look for alternative ways to survive.

We should point out that this progression, or some variant of it will repeat itself as layers of the attack are revealed. Also, we will see it repeat itself up the hierarchy of an organization. So, using the DoD as an example, one might expect first line defenders (system adminstrators, for example) to go through this first at a very tractical level and then much later on, as evidence comes in from a great number of sites, one might expect to see

11-L-0559/OSD/3588

this same sort of progression (and its iterations) happen at the national level within a crisis management team such as might be assembled at the National Security Council level. By the time the situation reaches the highest echelons, the lack of doctrine and procedures will have resulted in a number of tactical responses that could severely limit strategic courses of action.

Law enforcement will note that it too does not have many tools that, it can bring to bear on the problem; but will attempt to respond to the situation. An argument over who is in charge will ensue that will waste a great deal of precious time. Law enforcement naturally wants to leave the "crime" scenes untouched so they can watch what is happening and gather evidence to prosecute later. The operationals, including DoD element, will naturally want to stop the pain immediately becuase they have a mission to accomplish. There will be conflict over how much information to share with the public. Government will have a strong tendency to share very little information (as happened in February of this year), and yet the great bulk of society will need to respond and won't be able to without good guidance and detailed information.

Strategic decision making will be nearly impossible because of the inability (through technology) to determine who is attacking. The normal means of diplomatic or miliary action depends on knowing who is causing the problem, Top level decision makers will be limited to decisions like whether to tell the public and perhaps broadcasting messages about the situation that might tempt the attacker into believing things that might be to our strategic advantage (like that we are getting close to knowing the identity and that we are preparing to bomb the attackers site). Response actions considered at this level will get quagmired in legal and ethical debates because of a lack of forthought on these issues and so inaction will be the norm.

5 Short term preparations

In the remaining sections of the paper, we discuss what might help. We do not have all the answers, and we do not claim that all the following suggestions are fully worked out or perfect, However, we are strongly of the opinion that the situation is so serious that it requires concerted and decisive action quickly, and that policy options previously inconceivable should be on the table. These are our best ideas at present.

11-L-0559/OSD/3589

In this section, we discuss ways that the United States could mitigate the dangers discussed in this paper on a timescale of months. If we knew this was going to happen in three months time, but didn't know any details, what would we do to prepare?

Firstly, and most importantly, the US should have a clear contingency plan for fighting a cyberwar against a. determined and well prepared enemy. Who is in charge: and what resources are available to them, should be determined in advance. Even a moderate amount of planning and preparation could make a big difference.

It is our view that cyberwar is different enough from other kinds of warfare that it probably needs its own military service (as with ships and airplanes, new technologies call for new services). A law enforcement perspective is not appropriate for fighting a war. The nucleus of that service should be identified and developed now. That service should think of its mission as the strategic cyber defense of the United States. It will require visionary and talented leadership, and technical depth. Pay scales must be competitive with private computer industry jobs in order to attract the necessary talent.

Cyberwar defense requires strong relationships between government and commerce. Those relationships need to be built as rapidly as possible. In particular, channels of communication with major ISPs are essential response. However, in order to take this role, government must be competent. If the government does not have credible technically savvy staff who understand the Internet culture, it cannot take a useful role.

The President must have appropriate emergency powers to compel necessary assistance from ISPs, phone companies, etc in extremis.

US computer security companies, anti-virus companies, computer emergency response team at universities etc should all be aware of who is the government entity in charge in a crisis, and know the phone numbers, email addresses, etc.

Emergency broadcast system should be available for use in co-ordinating a response: and likely responders should be aware this method would be used to co-ordinate.

A law enforcement perspective must not be allowed to control in an emergency. It is essential to communicate rapidly and fully with business and academia to co-ordinate an effective response. Cyberwars will be won by the combatant that is able to share information amongst itself quickest and best. Military security, classification schemes etc also have potential to severely

11-L-0559/OSD/3590

hamper an effective defense.

6 Medium term policy changes

In this section, we consider legal and policy changes that the US might make. We propose a set of measures that we believe would largely eliminate this danger. Most of these are fairly difficult, painful changes, and we have not worked out all the details of them. It would be appropriate to explore possible remedies at much greater length in hearings and in public debate. However, we cannot think of any easy solutions to the present parlous state of security on the Internet: and the consequences of not acting to make ourselves secure are likely to be very severe. We believe that currently proposed policy measures are not nearly adequate to the situation. We believe the ideas that follow are a lot closer to what is necessary: even if not perfect yet.

It's important to understand the key points about the scenario described above, so we reiterate them here. There is nothing a critical Internet site can do to protect itself from a well-engineered DDOS attack. No matter how many security measures the site itself takes, it cannot prevent itself from being overwhelmed with floods of apparently legitimate requests from elsewhere. Similarly, there is nothing that backbone Internet backbone providers can do to cut off a DDOS attack that comes from a very large and diverse set of their customers. Too many customers would have to be cut off to solve the problem, making the cure worse than the disease.

Thus the Internet creates a historically unique situation. Every site is dependent for its functioning on the security of all the other sites (especially those with high bandwidth connections). Only when most Internet connected computers are secure will critical Internet sites be reliably available in wartime. This is very far from the case today.

There are a number of new computer security vulnerabilities published every week. What happens at present is that individual security researchers and practitioners discover these vulnerabilities. They either disclose them to the vendor, or publish them (or both). By and large, this process is done by people acting in the public interest, or in pursuit of peer recognition. There is little economic advantage to finding a vulnerability (particularly compared to the potential harm that can be done with a new, previously unknown vulnerability). Security experts assume that there are many vulnerabilities

11-L-0559/OSD/3591

that never get discovered.

Even of those that do get discovered. many are never fixed by the vendor that supplied the software. When the vendor does supply a patch to the product: most customers never install the patch to make their computer secure. Thus most computer security experts regard a. present day computer as a. hopelessly insecure mess, riddled with tens of known vulnerabilities, and probably hundreds of unknown ones. In order for the Internet to be usable for critical societal applications, this has to change 1.0 a. situation in which vulnerabilities are rare and fixed quickly.

It seems overwhelmingly likely that this is possible in principle. There is a. discipline of software engineering for critical systems that has intensivel1 studied how to create secure well-written programs. Even more informal efforts can often produce very good results. For example: the OpenBSD operating system is created by a team of volunteers who are strongly concerned about security. Although lacking as many applications as systems such as Microsoft Windows and Linux, it is a. complex modern operating system: and it has had no vulnerabilities in the default install for the last two years. This despite the fact that the team is much smaller than that creating other operating systems and is unpaid. Where there is a. will, there is a way.

So the problem is not that it is impossible to create secure programs, it is that the economic incentives in the software industry do not reward doing so. Software vendors perceive that it is essential for them to get the most feature laden product possible to market as quickly as possible. Hence their modus operandi is to make the product extremely complex: and ship it as quickly as they dare. It is inevitable that the result contains many many errors: and some of these will be security relevant. The economic consequences of a security bug to a vendor are modest. A sm-all amount of engineering time must go into creating the patch, and there is some negative consequence to the vendor's reputation. However: the public seems to be accustomed to such reports: and a. constant stream of them does not seem to have changed anything. Self regulation is extremely unlikely to be effective in the face of persistent economic incentives to ship ever more complex software in a hurry.

Similarly, for the customer, installing a patch is a. time-consuming and annoying task that does not increase the functionality of the computer for the customer. It is low down on the todo list for whoever should be doing it. In many cases, customers may not even be aware of the need to install patches: or know how. So it is usually not done.

In peacetime, the costs of these problems are manageable. In wartime, they will not be. There are a variety of possible ways to change the system to make it function better. Our view is that the best approach is to make minimal changes in the system, except to introduce new economic incentives. We also think it best to minimize the size of new government bureaucracies that must be created. Large administrative bureacracies tend not to be very effective: and the US has a long history of very expensive failure in trying to secure operating systems by creating complex regulations and bureaucratic reviews carried out by government agencies and contractors.

Our solution is as follows. (This is an outline with notional numbers. It will be necessary to work out the details with more care than we have taken here). Any vendor who ships software which might get installed on Internet connected computers must register with a new "Software Quality Bureau" (SQB). Since a vulnerable application on Internet connected computers is a national security risk, this is a reasonable requirement. The purpose of registration is simply so the SQB can keep track of vendors. Vendors who did not register would be criminalized. Registration should be kept minimal in cost and complexity; even a very small company or an individual should be able to navigate the process without undue hardship.

Next, independent researchers who discover vulnerabilities can report them to the SQB in confidence, together with enough information to reproduce the problem. The SQB must acknowledge receipt of the notice within a couple of working days. The SQB then verifies the existence of the vulnerability. Within a couple of weeks, it must contact the vendor of the software in question, who is fined 1% of annual sales for the product and has to produce a patch or face an additional fine. Of that fine money, 25% goes back to the independent researcher. The rest is revenue for the government.

This will allow vulnerability researchers to become extremely wealthy and famous. This will create very strong incentives to develop a much larger population of such researchers who will be motivated to exhaustively analyze any software product of any consequential market. Most vulnerabilities in existing products will be found.

Meanwhile, vendors who ship insecure software will face financial consequences that are serious enough that they will have to change how they operate. Vendors who cannot evolve to ship a secure product will go out of business. However: human ingenuity being what it is, most vendors will evolve.

Note that it is not necessary for the government to tell vendors how to create secure products (something the government is very unlikely to do well), or to find problems itself (something it is unlikely to do systematically enough). It is much better for the government to give others the right economic incentives: and let them figure out how to maximize their income in the resulting system.

A few wrinkles that might be useful. It will probably be necessary to phase in this scheme over a year or two, to give vendors time to adjust. There should be incentives for the SQB to work efficiently. For example, if the SQB cannot fulfill it's obligations within a couple of weeks, then the researcher might get a larger share of the take. There should be a technical court of appeals to which the vendor can complain if it doesn't agree with the SQB verdict.

We note that this will increase the cost of software to some degree: and slow the time to market. That is a necessary price to pay for a secure society. All vendors will face the same environment, so it should not create unfairness. However, it is likely that software vendors will oppose this scheme very strongly out of inertia.

Having persuaded the vendors to produce a more secure product, and to reliably create patches for those problems that are found, society still faces the problem of end users and computer administrators who do not have adequate incentive to install those patches. They too must be given a reason to do the right thing.

Someone who places an unpatched or misconfigured system on the Internet puts all of us at risk to some degree. It is akin to driving around on the highway with bad brakes. In the highway domain, when the police notice a car with a mechanical problem, they issue a fix-it ticket to the driver. A similar mechanism could be used in the Internet case. Law enforcement (perhaps the National Infrastructure Protection Center (NIPC)) could routinely scan the computers and email addresses in the United States parts of the Internet to ensure that all are patched up to date. This can be done from the Internet in an automated fashion. Any vulnerable computers are issued a fix-it ticket. If the owners do not fix the system after a few weeks, they are fined.

A difficulty is that it is presently somewhat difficult to decide what addresses are within the US, and what are not. Additional registration is going to be necessary. Probably the best approach is to do this via Internet Ser-

vice Providers. At sign-up with a US ISP, a customer and the ISP must. provide enough information about IP addresses and email addresses that the computer can be remotely tested for vulnerabilities.

An alternative is to place the requirement of vulnerability testing on the ISPs. This considerably mitigates the privacy impacts of having law enforcement perform the task. It will increase the cost and complexity of being an ISP, however: and place ISPs in an enforcement position. This will increase the cost to end users of Internet use. Again, the problem is that we have not been paying the true cost of having an Internet which is actually safe for societal purposes.

Another useful measure would be mandatory egress filtering. At present, it is quite common for routers to be configured such that packets can emerge from a network with forged source addresses. This greatly hampers the target of an attack in locating the source. This should be illegal.

We also advocate mandatory reporting of computer security incidents. System administrators, security consultants, monitoring companies, etc, should be mandatory reporters of incidents where there is evidence of a crime (just as teachers etc are mandatory reporters of child abuse). Law enforcement should collect incident reports, and looks for patterns. Any evidence of new vulnerabilities being used should be immediately flagged and escalated, Owners of chunks of IP space are responsible for the security of computers in that. space. NIPC will fine the IP that sourced the incident. For incidents originating overseas, NIPC will handle the liason with it's foreign equivalent.

We believe the measures outlined above would help the situation in the US -greatly. However, a considerable amount of bandwidth in connections is available between the US and foreign countries. Since the US cannot do much about the internet security situation overseas: all that bandwidth should be considered available to an enemy in a. war. At the moment: there is no way to know how much bandwidth is available of this kind, or even who controls it. It is important that this problem be studied. We also believe that the US should have the ability to disconnect itself from the rest of the world in an emergency, or to disconnect itself from specific links that become problematic. This means establishing clear procedures and appropriate regulatory authority so that these links can be dropped at the order of the President in a serious emergency. It should be emphasized that this measure is likely to cause grave economic distress itself, as much international trade and operations of international companies depends on the Internet. It should not be done

11-L-0559/OSD/3595

lightly. However, it might be better than continuing to suffer severe domestic disruption.

Next, we discuss a variety of ongoing trends and policy measures that we consider dangerous in light of the above analysis. We urge caution on these trends until the situation is improved.

The Internet is not safe enough to use for critical societal applications. No critical infrastructure should depend on the availability of the Internet to continue working. This includes electricity: financial and stock trading, gas and oil, phones: rail transport: trucking: food distribution- military logistics and operations, just-in-time inventory; sites for critical products. and so on. Owners of such facilities must understand the need to delay any plans to use the Internet to co-ordinate their operations. In general. the move to large scale e-commerce is dangerous. We realize that this will be an incredibly unpopular opinion. But as a society, we have not even begun to think through the national security implications of doing all our commerce over a network that has no national boundaries. After it is an accomplished fact is not the right time to be thinking about it.

In particular: routing voice calls over the Internet is not appropriate for any critical infrastructures. An organization that does this risks that its phone connectivity will disappear at the same time as its Internet connectivity. Information security practitioners should not depend on voice-over-IF.

Similarly, the operation of broadcast media such as radio or TV etc should not depend on IP connectivity to work. To the extent the Internet is used to propagate signals for these services, they are vulnerable to attack. We cannot afford to lose the use of these services in wartime.

7 Long Term Research Agenda

The nation is approximately blind and powerless against sophisticated cyber attack. To counter this problem, we recommend a vigorous focused research investment. Given the magnitude of the threat, we believe that we should examine Herculean efforts such as the creation of the DEWLINE (against the over-the-pole nuclear bomber threat) and the Manhattan project (against the nuclear threat) for inspiration on how 1.0 construct an appropriate program in defense of the cyberwar threat.

It must also be recognized that there are genuine research problems to be

11-L-0559/OSD/3596

solved. and thus solutions cannot. be ordered on demand. nor can a. top down program to build large systems guarantee results. We need to inspire the best minds of our generation to work on this problem. and we need them to understand it and contribute their ideas as rapidly as possible. Good minds need some freedom and autonomy to do their greatest work. Government research managers need to allow a. variety of competing approaches to develop and then rapidly direct funding to those which show the most promise. It is important that the government itself recruit the smartest talent it can attract to manage research in this area.

We suggest that the following principals guide research efforts:

- Cyberwar defense research should draw from multiple disciplines. Besides the obvious relevance of computer science and network engineering. other fields are relevant at least for inspiration and metaphor: and often for practical techniques. Artificial intelligence. complexity and scaling theory: statistical physics. biology: and mathematics all have something to offer. Sociology. criminology, military history, and systems theory are extremely relevant. Analogies and techniques from conventional kinetic warfare can be very useful.

- This is an applied problem of critical national importance. It is essential that researchers gain exposure to operational information security environments. Solving abstract versions of the problem is only helpful if the abstractions capture the important features. The ivory towel must be directly wired to the network to produce useful results.

- Information Assurance is in a. trade-off with other critical properties such as system functionality and performance. We need to be able to intelligently adjust this trade-off during system operation to offer up the best defense. Static systems will become ineffective.

- On the Internet, policy and technology are tightly coupled. Technologists have created systems with profound policy implications that were not thought through at all. Policymakers often fail completely to understand the technological options. Policy and technology must interact.

- It is vital that the community have a. thorough understanding of the potential adversaries, their capabilities, and tactics.

11-L-0559/OSD/3597

- Any successful solution must be scalable 1.0 address the strategic pervasive nature of the nation's modern critical infrastructures. We must learn how to defend in depth as well as in breadth.

- We must think about attack strategy and defensive counter-strategies as an evolution in time and project forward several moves ahead, as in chess playing: to find the most effective nest move. whether that move be in system design: operation, or even research itself.

We now turn to specific research problems. We organize them according to the following decomposition.

- Seeing - Decision-makers need the ability to comprehend what is happening to their systems: especially when they are global.

- Acting- Timely, appropriate, and coordinated actions are required to mitigate threats to critical systems.

- Building - Designers need the tools to develop inherently survivable information systems, especially when they are large and complex.

- Sharing - Operators need the ability to share information as needed among appropriate parties without putting that information at risk.

7.1 Seeing

To act, you have to first be able to see the adversary. The following problems are unsolved or inadequately solved.

- Today, computer intrusion detection systems can detect local known exploits, but unreliably and with many false positives. They cannot be deployed on fast networks for performance reasons. More research is needed to make them work better and faster: and to be able to handle unknown attacks and variations on attacks intended to confuse them.

- In the future, we need to detect sophisticated novel attacks on a national scale. This field is in its infancy, and much more work is needed on techniques to fuse and visualize information from the local scale into a broad picture. We need new methods of comprehending what is happening on large networks, and in large applications.

11-L-0559/OSD/3598

- We need more research on anomaly detection, so that network traffic that is simply weird can be bought to human attention for further analysis.

- Techniques to incorporate real world information (such as news stories) into the picture would be tremendously helpful to make sense out of the implications of the unfolding situation.

- We need research in organizational modeling to understand how an organizational mission depends on the computing infrastructure services so the effect of attacks can be assessed with respect to the more meaningful mission function. We also need, under this heading, to create an Indications and Warning capability based on the creation of implicit attack models that are tracked with respect to ongoing events. We could then use these models to help design and drive a sophisticated sensor grid including a capability to tune and task those sensors for the most relevant cyber events.

- We need research into how to create more accountability on the Internet. It would be devastating to face a serious cyberwar attack with no idea who was responsible.

7.2 Acting

Today, to respond to attack, operators must make on-the-fly judgements about the best action with little context. They have to implement their decisions manually by reconfiguring each individual relevant component (like: for example, blocking specific ports on firewalls, or changing session cryptographic keys on an Secure Sockets Layer (SSL) connection). In the future, we must seek to create a decision support, system to help quickly develop and evaluate potential courses of actions, a command execution system that allows automated orchestrated response, and a control subsystem that determines if the commands applied had the desired effect. We must create this sort of capability at both the tactical and strategic level. The tactical system capability could be based in the application of control theory to cyber defense. Critical elements could include goal-state specification, the creation of "linear" impulse functions, system state projection (requiring a sensor grid within the defended network); and some form of comparison function

11-L-0559/OSD/3599

between the state projection and the goal state which decides on the appropriate impulse function. The strategic capability probably ought to be based more in command and control planning techniques using artificial intelligence technology. Under this activity, we should hold waa-games between red (attacker) and blue (defender) forces to develop general-purpose strategy and tactics suited to situations with particular characteristics. The results ought to be what we call the high-value cyber defense play-book.

7.3 Building

Today, trustworthy system design is a. black art that is done through exhaustion; one tries to counter as many vulnerabilities as possible until available resources are exhausted (similar to bug testing). In the future, we need to enable the design of systems with engineered assurance properties using tools analogous to Computer Automated Design (CAD) tools used by hardware engineers today. To create an effective Security Engineer's CAD system, we must initiate two critical and deeply related thrusts: analysis and design. In the analysis thrust, we expect, to create better analysis tools and techniques, including better and more effective red teams (qua metric). To create a security co-designer workbench in support of the "design" thrust: we must quickly initiate work on vulnerability modeling and counter-measure effectiveness modeling. Such models will allow designers to understand the comprehensive set of attacks against a putative system and guide them toward the countermeasures that are most effective against the most significant. attacks.

Some aspects of the Internet infrastructure are also quite obviously not robust enough. Key databases such as the DNS and the IP address to contact. information at ARIN, APNIC, etc need to be highly available even in the presence of large scale attack. Work is needed on protocols and algorithms to construct fault tolerant secure databases which are close to invulnerable to denial of service attacks. These need to be engineered to be practical on the Internet.

For critical infrastructure transaction processing to be safe on the Internet, it must be done in a distributed fault tolerant way that resists DDOS. Content distribution networks are a good start towards this, but much more is needed. Critical transaction processing sites need to be designed with large scale cyberwar attacks in mind; they are on the front line.

11-L-0559/OSD/3600

Further work is needed by economists, organizational psychologists, and business professors to understand the reasons why software produced by real world organizations is so insecure and unreliable. Policy proposals to address this need to be refined.

Also, a number of issues about how large scale attacks would work on the Internet are very poorly understood. There is great scope for simulation and analysis work to try to understand how large a DDOS attack could be, how worms propagate, and what the bottlenecks would be. We have very little understanding in detail even of the incidents that have already occurred. We know what the tools were like, but have very limited understanding of the history of the tools propagation and effects during the incident.

7.4 Sharing

Today, there is tremendous pressure to share information between inter-company systems for the sake of speed and efficiency. Still, because of a lack of trust in technology, the amount of such sharing is limited to well below what it would be if we could share with higher confidence. Today, we have all-or-nothing sharing. There is no good way to specify the domains of sharing and keep the transactions to those domains. In the future, we need to create tailored on-the-fly private collaborative cyberspaces. To do this we must create powerful specification languages for policies, a means to negotiate sharing policies on-the-fly, and a means to verifiably (to all connected parties) demonstrate that the constraints of all parties involved in the sharing are satisfied.

8 Conclusion

Row did the Unites States get into this mess?

- We have built a network which has no concept whatsoever of national boundaries; in a war, every Internet site is directly on the front line.
- We have attached a large number of general purpose computers to that, network.

11-L-0559/OSD/3601

- We have developed a. software industry in which the economic incentives reward deljverjng complex feature-laden **products** quickly, witli inadequate attention to reliability or security.
- We are automating critical functions of our economy using the resulting combined system.
- We have given very little thought to national security in the process.

If we do not change course soon: we will pay a. very high price for our lack of foresight.

9 Acknowledgements

The authors thank the following for very helpful discussions during the preparation of this paper.

- Vern Paxson of ACIRJ for a. vjgorous and helpful crjtjque of our early jdeas. The debate with Vern improved the paper considerably.
- Susan Levy Haskell of the University of Minnesota. for a fascinating account of discovering and responding to the first large scale DDOS attack, together with several valuable suggestions for thjs work.
- Roelof Jonkman of the Unjversity of Kansas for a good deal of helpful information on network infrastructure and possible attacks against it, together with helpful comments on earlier drafts of the paper.
- Ray Parks of Sandia National Labs. for helpful suggestjons and comments on this paper.
- Maria Levy of Silicon Defense for very valuable assistance with target.-jng research.
- Finally, this was a large project, that required extensive debate and discussion and it was finished on a. very tight deadline. That has prevented us from doing a remotely adequate job at acknowledging our many intellectual debts to the colleagues who have influenced our thinking over the years. A number of thjnkers jn the intrusjon detection and infowar

11-L-0559/OSD/3602

communities have had a growing sense of doom for over a. decade and have said so in a varietv of ways and forums. If anyone feels slighted by our lack of attribution. we apologize.

- Notwithstanding the acknowledgements above. this paper represent> the views of the authors alone, which may or may not be subscribed to bv acknowledgees.

10 Author Biographies

1 0.1 Stuart Staniford

Stuart was educated at the University of Oxford: the University of Sussex: and the University of California. at Davis. Be obtained a PhD in theoretical particle physics from UC Davis in 1993, and a. MS in Computer Science there in 1995. He was a. computer security researcher at UC Davis until starting his own company, Silicon Defense, in 1998. Stuart is president of the company, which does research in computer security and provides outsourced computer intrusion detection monitoring for other businesses.

Stuart has done research in network intrusion detection, in detecting distributed attacks such as worms and scans, in locating attackers over the Internet, and in intrusion detection interoperability. Be co-chairs the IETF's intrusion detection exchange format working group (IDWG), and is a member, of several program committees and editorial boards in the areas of intrusion detection and computer vulnerabilities. He is a UK citizen.

10.2 O. Sami Saydjari

Sami has been an information assurance researcher since 1984. He has held research positions at the National Security Agency, the Defense Advanced Research Projects Agency, and is the creator and leader of the newly formed Cyber Defense Research Center at SRI.

10.3 Ken Williams

Ken received his BS from Wofford College. He attended the US Naval Postgraduate School, and obtained a PhD in theoretical quantum chemistry from

11-L-0559/OSD/3603

the University of Southern California in 1966. He is a. retired Naval Officer who has worked for several system integration and technology firms, and currently is Chief Technology Officer of Zel Technologies. LLC. With over 35 years experience in information technology and applications, he has been a developer. architect, and integrator of military Command: Control: Communications, and Intelligence systems for kinetic warfare.

lien is Principal Investigator on a. DARPA Information Assurance and Survivability project to adapt kinetic warfare Intelligence Preparation of the Battlespace methods to cyberspace. He used Intelligence Preparation of the Information Battlespace techniques to assist in the target development portion of this paper.

snowflake

May 1, 2001 8:11 AM

TO: Honorable Colin Powell
Honorable Condoleezza Rice

FROM: Donald Rumsfeld DR

SUBJECT: European Defense Initiative

Attached is another article suggesting the problems we may have with the European Defense Initiative,

Thanks,

Attach.
4/30/0 1 *Financial Times* article, "'EU Force May Plan Apart from NATO"

DHR:dh
050101-2

Europe

1 May 01

"I am not going to thank anybody
..because I did it all myself"

Return to Article | Print this Page

EU force may plan apart from Nato

By Alexander Nicoll in London and Judy Dempsey in Brussels - Apr 30 2001 00:00:00

National military headquarters, rather than Nato officers, could plan and manage large operations undertaken by the European Union's new rapid reaction force, under plans being drawn up by EU officials,

Britain has emphasised the EU force will draw heavily on Nato assets as Tony Blair, the prime minister, has sought to reassure President George W. Bush of the US that the transatlantic alliance will not be undermined or duplicated.

But French officials do not see the need to turn automatically to Nato planners, even for quite big ventures.

They believe operations bigger than the current 20,000-strong Nato presence in Bosnia could be attempted using resources from EU member countries - most likely Britain's Permanent Joint Headquarters (PJHQ), an underground bunker north-west of London, or a similar facility beneath the French Defence Ministry in Paris.

British Ministry of Defence officials acknowledged senior officers were working on arrangements to integrate military personnel from other EU countries into PJHQ in the event the EU decided to plan and run an operation from there.

The disclosure will provoke further worries among those, such as Britain's Conservatives, who see the EU defence initiative as pursuing a French agenda to reduce the US role in European security.

An EU diplomat said: "France is still ambiguous, to say the least, over the extent of the EU's co-operation with Nato."

The EU's new military capability is expected by all members, including France, to use Nato's planning headquarters at Mons. Belgium, for any venture close to the maximum of 60,000 troops. France also agrees that if Nato assets such as surveillance aircraft, intelligence resources, or operational headquarters are to be used, planning will be done at Nato.

To avoid duplication with Nato, the EU will not have any operational planning capability of its own. Nevertheless, it has set up structures in Brussels including a political and security committee, a military committee, and a 130-strong military staff to offer strategic plans and advice on potential EU military interventions.

Iain Duncan Smith, UK Conservative defence spokesman, said the fact that national resources could be used for large operations showed how unnecessary it was to set up structures in Brussels. The new EU apparatus was intended to establish European security policy independent of Washington.

"What you're talking about is a step by step natural growth towards a separate power centre. The British Ministry of Defence view of this is naive."

An EU military officer said: "To tell you the truth, I am not so sure that France is supporting us all the way, or that it will not put boulders on the road. Sometimes its like going through the fog, you're not sure if you will hit one of these rocks."

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snowflake

TO: Secretary Paul O'Neill

cc: Bob Zoellick

FROM: Donald Rumsfeld

DATE: May 5, 2001

SUBJECT: **Debt Forgiveness is none of my business, but:**

I am cool to the debt forgiveness proposals that are floating around. Forgiving debt teaches people that it's fine to borrow and not pay back,

We would be better off teaching the world the lesson of free trade. Instead of forgiving debt, why not allow any country that has sizable debt and is poor by some reasonable measure, to trade freely with the U.S. That is to say they can make things and sell them in the U.S. without duties or tariffs.

It would be the best possible incentive. Further, I don't think it would cause much damage to the U.S. and it would enable people here to buy things from poor countries at lower prices than would otherwise be the case.

Any thoughts?

Thank you.

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snowflake

May 7, 2001 10:34 AM

TO: Mark Thiessen

CC: Steve Cambone

FROM: Donald Rumsfeld DR

SUBJECT: Draft Testimony

This draft testimony is coming along very well.

I look forward to reading the second section.

Some thoughts for the next draft.

1. I rarely use the word "very."

2. Attached are some papers that I have written recently that might give you some guidance.

3. You might take a look at Paul Wolfowitz's and my Sunday television appearances for some thoughts

4. We need to emphasize the importance of the men and women in the armed services and the noble work they do, and that they voluntarily put their lives at risk. An armed forces that does not demonstrate to them that they are valued will lose them if we provide poor housing, poor facilities, old aircraft, declining ship numbers and the like. We are going to get a force that is comfortable with that, not the force we need for the 21st century.

5. In the missile defense section, we need to emphasize that we are not setting a deadline for ourselves. We are not going to deploy until we are technologically capable of doing so. But doing something doesn't mean doing everything. We expect failures-for example, mention the number of failures in Corona.

6. You ought to get this draft speech to Andy Marshall to make sure he feels the speech conforms to his paper.

7. I would like to emphasize that we are fully aware of all the risks, not just ballistic missiles, but also terrorism and cruise missiles. They should be linked together.

3X1

9 May 01

U08821 /01

8. Also attached are some talking points on missle defense.

9. At some point soon, circulate it to Paul Wolfowitz, Pete Aldridge, Dov Zakheim and Doug Feith, and ask for their thoughts,

10. Also make sure Larry Di Rita has a copy to look at.

11. See other edits throughout.

Thanks.

Attach.
Guidelines, things to emphasize, forward to Pearl Harbor, RR, BP I&II
Draft testimony

DHR:dh
050701-4

Donald Rumsfeld

April 23, 2001 12:52 PM

Guidelines to Be Weighed When Considering U.S. Military Engagements

1. ***Achievable:*** Engagements the U.S. undertakes should be achievable-something the U.S. is capable of accomplishing. We need to know our limitations. The record is clear; there are some things we simply don't know how to do well.

2. ***Lives at Risk:*** If an engagement is worth doing, the U.S., and our coalition partners, if any, must be not be unwilling to put lives at risk.

3. A ***Good Reason:*** If U.S. lives are going to be at risk, as they almost always will be, whatever we do must be in our national interest. If people could get killed, we better have a damn good reason.

4. ***Clear Goals:*** To the extent possible, there should be clear, well considered and well understood goals as to the purpose of the engagement and what would constitute success, so we can know when we have achieved those goals and can exit or turn the task over to others.

5. ***Resources:*** The capabilities needed to achieve our goals must be available and not committed or subject to call elsewhere halfway through the engagement. Even the U.S. cannot do everything everywhere at once.

6. ***Command Structure:*** The command structure should be one the U.S. can control-not UN control or a collective command structure where key decisions are made by others or a committee. If the U.S. needs or prefers a coalition to achieve its goals, we should insist on prior agreement from the coalition partners that they will do whatever might he needed to achieve the agreed goals. We must avoid trying so hard to persuade others to join a coalition that we compromise on our goals or jeopardize the command structure.

7. ***Unrestricted Options:*** In working to fashion a coalition or trying to persuade Congress or the public to support an action, we must not dumb down what is needed by promising not to do things-not to use ground forces, not to bomb below 20,000 feet, not to risk U.S. lives, not to permit collateral damage. That would simplify the task for the enemy and makes our task more difficult. We should not set arhitrary deadlines as to when we will disengage, or the enemy will simply wait us out.

8. ***Act Early:*** If it is worth doing, U.S. leadership should be willing to act forcefully early, during the pre-crisis period, to alter the behavior of others and to try to prevent the conflict. If that fails, we need to he willing and prepared to use what force is necessary to prevail.

11-L-0559/OSD/3614

9. ***Public Support:*** If public support is weak at the outset, U.S. leadership must be willing to invest the political capital to marshal public support to sustain the effort for whatever period of time is required. If there is a risk of casualties, we should acknowledge that at the outset, rather than allowing the public to believe the engagement can be done antiseptically, on the cheap, with zero casualties.

10, ***Legal Basis:*** In fashioning a clear statement of the legal underpinning for the action and the political basis for the decision, avoid arguments of convenience. They are useful at the outset to gain support, but deadly later as their invalidity is exposed.

11. ***Impact Elsewhere:*** Before committing to an engagement, consider the implications for the U.S. in other parts of the world of the decision by the U.S. to act if we prevail; to act if we fail; and if we decide not to act. Our actions or inactions in one region are read around the world and contribute favorably or detract from the deterrent and our influence. We need to ask what kind of precedent a proposed action would establish.

12. ***Honesty:*** U.S. leadership must be brutally honest with itself, the Congress, the public and coalition partners and not make the task sound even slightly easier or less costly than it could become. Preserving our credibility requires that we promise less than we believe we can deliver, since it is a fact that it is a great deal easier to get into something than it is to get out of it!

13. ***Guidelines, Not Rules:*** Finally, while these guidelines are worth considering, they should not be considered rules to inhibit the U.S. from acting in our national interest; rather, they are offered merely as a checklist to assure that when the U.S. does engage, it does so with a full appreciation of our responsibilities, the risks, and the opportunities.

DR:dh
020501-9

11-L-0559/OSD/3615

April 3, 2001 6:29 AM

SUBJECT: Deployments and Military-to-Military Activities

Areas That Merit Greater Emphasis and Why:

- Former Soviet republics and Eastern European countries-to reassure and to counter Putin's attempts to reconstitute portions the old Soviet Union.
- Asian-North, Central and South Asian-countries-to gain insights, develop relationships, secure Persian Gulf access, and potentially fashion new alliances.
- PRC-to try to moderate its behavior.
- Lain America-key northern countries, to assure a peaceful hemisphere and avoid turbulence which could lead to mass immigration.

Areas where additional emphasis is not required:

- Western Europe-where we have extensive political, economic and defense relationships.
- African countries-except those few with key strategic resources.

Activities to emphasize somewhat more:

- Foreign military training in the U.S. and exercises
- Activities that provide the U.S. knowledge and/or relationships in key countries and areas.

Activities where additional emphasis is not required:

- Drug activities-no value added to DoD.
- Activities with no clear purpose, but which contribute to excessive optempo.

DHR:dh
022101-6

May 4, 2001 11:24 AM

SUBJECT: Missile Defense

- Proliferation is pervasive. Ballistic missiles and weapons of mass destruction (WMD) are available to more countries, including rogue states.

- Threatening the use of ballistic missiles and WMD alters behavior, even if not launched.

- The question is asked, "If missile defense is deployed, won't it have adverse effects on stability?" We need to also ask the question, "What if you don't deploy missile defense?" The effect will be isolationism, acquiescence or preemption.

- Ten years ago, 24 Americans were killed in Saudi Arabia. Yet ten years later, we still have no ballistic missile defense.

- The ABM treaty was a product of the adversarial relationship between the US. and the Soviet Union, between NATO and the Warsaw Pact during the Cold War. We had the ability to kill each other several times over in 30 minutes. Those days are gone, It is time to move away from the Cold War thinking and move towards nuclear force reductions.

- "Vulnerability is not a strategy" for the 21st century.

- The defense budget is less than 3% of the GNP. Missile defense is less than 3% of the defense budget. Is protecting Los Angeles or Atlanta from a dictator worth less than 1% of GDP to conduct research and development on missile defense?

- Expect failures. A zero-failure mentality means no one will ever try anything. If the Wright brothers had quit trying after their first 20 failures, there wouldn't be any airplanes.

DHR:dh
050301-21

It would be reassuring to believe that Pearl Harbor was just a colossal and extraordinary blunder. What is disquieting is that it was a supremely *ordinary* blunder. In fact, "blunder" is too specific; our stupendous unreadiness at Pearl Harbor was neither a Sunday-morning, nor a Hawaiian, phenomenon. It was just a dramatic failure of a remarkably well-informed government to call the next enemy move in a cold-war crisis.

If we think of the entire U.S. government and *its far-flung* military and diplomatic establishment, it is not true that we were caught napping at the time of Pearl Harbor. Rarely has a government been more expectant. We just expected wrong. And it was not our warning that was most at fault, but our strategic analysis. we were so busy thinking through some "obvious" Japanese moves that we neglected to hedge against the choice that they actually made.

And it was an "improbable" choice; bad we escaped surprise, we might still have been mildly astonished. (Had we not provided the target, though, the attack would have ban called off.) But it was not all *that* improbable. If Pearl Harbor was a long shot for the Japanese, so was war with the United States; assuming the decision on war, the attack hardly appears reckless. There is a tendency in our planning to confuse the unfamiliar with the improbable. The contingency we have not considered seriously looks strange; what looks strange is thought improbable; whet is improbable need not be considered seriously.

Furthermore, we made the terrible mistake—one we may have come

close to reputing in the 1950's—of forgetting that a fine deterrent can make a superb target.

Surprise, when it happens to a government, is likely to be a complicated, diffuse, bureaucratic thing. It includes neglect of responsibility, but also responsibility so poorly defined or so ambiguously delegated that action gets lost. It includes gaps in intelligence, but also intelligence that, like a string of pearls too precious to wear, is too sensitive to give to those who need it. It includes the alarm that fails to work, but also the alarm that has gone off so often it has been disconnected. It includes the unalert watchman, but also the one who knows he'll be chewed out by his superior if he gets higher authority out of bed. It includes the contingencies that occur to no one, but also those that everyone assumes somebody else is taking care of. It includes straightforward procrastination, but also decisions protracted by internal disagreement. It includes, in addition, the inability of individual human beings to rise to the occasion until they are sure it *is* the occasion—which is usually too late. (Unlike movies, real life provides no musical background to tip us off to the climax.) *Finally,* as at Pearl Harbor, surprise may include some measure of genuine novelty introduced by the enemy, and possibly some sheer bad luck

The results, at Pearl Harbor, were sudden, concentrated, and dramatic. The failure, however, was cumulative, widespread, and rather drearily familiar. This is why surprise, when it happens to a government, cannot be described just in tams of startled people. Whether at Pearl Harbor ox at the Berlin Wall, surprise is everything involved in a government's (or in an alliance's) failure to anticipate effectively.

Mrs. Wohlstetter's book is a unique physiology of a great national failure to anticipate. if she is at pains to. show how easy it was to slip into the rut in which the Japanese found us, it can only remind us how likely it is that we are in the same kind of rut right now. The danger is not that we shall read the signals and indicators with too little skill; the danger is in a poverty of expectations—a routine obsession with a few dangers that may be familiar rather than likely. Alliance diplomacy, interservice bargaining, appropriations hearings, and public discussion all seem to need to focus on a few vivid and oversimplified dangers. The planner should think in subtler and more variegated terms and allow for

a wider range of contingencies. But, as Mrs. Wohlstetter shows, the "planners" who count are also responsible for alliance diplomacy, interservice bargaining, appropriations hearings, and public discussion; they are also very busy. This is a genuine dilemma of government. Some of its consequences are mercilessly displayed in this superb book.

Center for International Affairs
Harvard University

THOMAS C. SCHELLING

RUMSFELD'S RULES

First Edition - 12/1/74
Copyright 1980
Donald Rumsfeld
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Revised -- 4/25/01

RUMSF'ELD'S RULES

Many of these rules, reflections and quotations came from my role as Chairman of the "transition team" for President Gerald R. Ford and my service as White House Chief of Staff. Others came from experiences as a U.S. Naval Aviator, a Member of Congress, Ambassador to the North Atlantic Treaty Organization (NATO), Secretary of Defense, Presidential Middle East Envoy, business executive, Chairman of the US. Ballistic Missile Threat Commission, and other experiences.

These reflections and quotations have been gathered over the past 40 years. Credit is given where known. As the quotation has it, "If it's not true, it's still well founded." (Unknown)

1. Serving in the White House 2
2. Keeping Your Bearings in the White House 3
3. Doing the Job in the White House 4
4. Serving in Government 6
5. Politics, Congress and the Press 7
6. For the Secretary of Defense 8
7. On Business 9
8. Life 10

SERVING IN THE WHITE HOUSE

(for the White House Chiefs of Staff, and senior staff)

- Don't accept the post or stay unless you have an understanding with the President that you're free to tell him what you think "with the bark off" and you have the courage to do it.

- Visit with your predecessors from previous Administrations. They know the ropes and can help you see around some corners. Try to make original mistakes, rather than needlessly repeating theirs.

- Don't begin to think you're the President. You're not. The Constitution provides for only one.

- In the execution of Presidential decisions work to be true to his views, in fact and tone.

- Know that the immediate staff and others in the Administration will assume that your manner, tone and tempo reflect the President's.

- Learn to say "I don't know." If used when appropriate, it will be often.

- If you foul up, tell the President and correct it fast. Delay only compounds mistakes.

- Walk around. If you are invisible, the mystique of the President's office may perpetuate inaccurate impressions about you or the President, to his detriment. After all, you may not be as bad as they're saying.

- In our system leadership is by consent, not command. To lead a President must persuade. Personal contacts and experiences help shape his thinking. They can be critical to his persuasiveness and thus to his leadership.

- Be precise. A lack of precision is dangerous when the margin of error is small.

- Preserve the President's options. He may need them.

- It is easier to get into something than to get out of it.

- Don't divide the world into "them" and "us." Avoid infatuation with or resentment of the press, the Congress, rivals, or opponents. Accept them as facts. They have their jobs and you have yours.

- Amidst all the clutter, beyond all the obstacles, aside from all the static, are the goals set. Put your head down, do the best job possible, let the flak pass, and work towards those goals.

- Don't say "the White House wants." Buildings can't want.

11-L-0559/OSD/3622

- Leave the President's family business to him. You will have plenty to do without trying to manage the First Family. They are likely to do fine without your help.

- Make decisions about the President's personal security. He can overrule you, but don't ask him to be the one to counsel caution.

- Being Vice President is difficult. Don't make it tougher.

- Don't automatically obey Presidential directives if you disagree or if you suspect he hasn't considered key aspects of the issue,

- The price of being close to the President is delivering bad news. You fail him if you don't tell him the truth. Others won't do it.

- You and the White House staff must be and be seen to be above suspicion. Set the right example.

- The role of White House Chief of Staff is that of a "javelin catcher." (Jack Watson)

- Don't speak ill of your predecessors or successors. You didn't walk in their shoes.

- Remember the public trust. Strive to preserve and enhance-the integrity of the office of the Presidency. Pledge to leave it stronger than when you came.

- Don't blame the boss. He has enough problems.

KEEPING YOUR BEARINGS IN THE WHITE HOUSE

- Enjoy your time in public service. It may well be one of the most interesting and challenging times of your life.

- Don't think of yourself as indispensable or infallible, As Charles De Gaulle said, the cemeteries of the world are full of indispensable men.

- Let your family, staff, and friends know that you're still the same person, despite all the publicity and notoriety that accompanies your position.

- Have a deputy and develop a successor. Don't be consumed by the job or you'll risk losing your balance. Keep your mooring lines to the outside world -- family, friends, neighbors, people out of government, and people who may not agree with you.

- When asked for your views, by the press or others, remember that what they really want to know is the President's views.

11-L-0559/OSD/3623

- Most of the 50 or so invitations you receive each week come from people inviting the President's Chief of Staff, not you. If you doubt that, ask your predecessor how many he received last week.

- Keep your sense of humor, As General Joe Stillwell said, "The higher a monkey climbs, the more you see of his behind."

- Be yourself. Follow your instincts. Success depends, at least in part, on the ability to "carry it off."

- Know that the amount of criticism you receive may correlate somewhat to the amount of publicity you receive.

- If you are not criticized, you may not be doing much.

- From where you sit, the White House may look as untidy as the inside of a stomach. As is said of the legislative process, sausage-making and policy-making shouldn't be seen close-up. Don't let that panic you. Things may be going better than they look from the inside.

- Be able to resign. It will improve your value to the President and do wonders for your performance.

- If you are lost -- "climb, conserve, and confess," (U.S. Navy SNJ Flight Manual)

DOING THE JOB IN THE WHITE HOUSE

- Your performance depends on your people. Select the best, train them and back them. When errors occur, give sharper guidance. If errors persist or if the fit feels wrong, help them move on. The country cannot afford amateur hour in the White House.

- You will launch many projects, but have time to finish only a few. So think, plan, develop, launch and tap good people to be responsible. Give them authority and hold them accountable. Trying to do too much yourself creates a bottleneck,

- Think ahead. Don't let day-to-day operations drive out planning.

- Plan backwards as well as forward. Set objectives and trace back to see how to achieve them. You may find that no path can get you there. Plan forward to see where your steps will take you, which may not be clear or intuitive.

- Don't "over control" like a novice pilot. Stay loose enough from the flow that you can observe, calibrate and refine.

- A President needs multiple sources of information, Avoid excessively restricting the flow of paper, people, or ideas to the President, though you must watch his time. If you over-control, it will be your "regulator" that controls, not his. Only by opening the spigot fairly wide, risking that some of his time may be wasted, can his "regulator" take control,

- If in doubt, move decisions up to the President.

- When you raise issues with the President, try to come away with both that decision and also a precedent. Pose issues so as to evoke broader policy guidance. This can help to answer a range of similar issues likely to arise later.

- See that the President, the Cabinet and staff are informed. If cut out of the information flow, their decisions may be poor, not made, or not confidently or persuasively implemented.

- Don't allow people to be excluded from a meeting or denied an opportunity to express their views because their views differ from the President's, the person who calls the meeting, or your views. The staff system must have integrity and discipline.

- When the President is faced with a decision, be sure he has the recommendations of all appropriate people, or that he realizes he does not have their views and is willing to accept the consequence, They will be out of sync, unhappy and less effective if they feel they are or are seen as having been "cut out."

- Don't be a bottleneck. If a matter is not a decision for the President or you, delegate it. Force responsibility down and out. Find problem areas, add structure and delegate. The pressure is to do the reverse. Resist it.

- If the staff lacks policy guidance against which to test decisions, their decisions will be random.

- One of your tasks is to separate the "personal" from the "substantive." The two can become confused, especially if someone rubs the President wrong.

- Test ideas in the marketplace. You learn from hearing a range of perspectives. Consultation helps engender the support decisions need to be successfully implemented.

- If a prospective Presidential approach can't be explained clearly enough to be understood well, it probably hasn't been thought through well enough. If not well understood by the American people, it probably won't "sail" anyway. Send it back for further thought.

- Many people around the President have sizeable egos before entering government, some with good reason. Their new positions will do little to moderate their egos.

- Move decisions out to the Cabinet and agencies. Strengthen them by moving responsibility, authority, and accountability their direction.

- Control your time. If you're working off your in-box, you're working off the priorities of others. Be sure the staff is working on what you move to *them* from the President, or the President will be reacting, not leading.

- Look for what's missing. Many advisors can tell a President how to improve what's proposed or what's gone amiss. Few are able to see what isn't there.

- Think of dealing with Congress as a "revolving door." You'll be back to today's opponents for their help tomorrow. Presidential proposals will need a Member of Congress' support on some issue, at some time, regardless of philosophy, party or their positions on other issues. Don't allow White House links to Members to be cut because he or she may disagree on some or even many issues.

- Work continuously to trim the White House staff from your first day to your last. All the pressures are to the contrary.

- Don't do or say things you would not like to *see* on *the* front page of *The Washington Post.*

SERVING IN GOVERNMENT

- Public servants are paid to serve the American people. Do it well.

- Congress, the press, and the bureaucracy too often focus on how much money or effort is spent, rather than whether the money or effort actually achieves the announced goal.

- It is very difficult to spend "federal (the taxpayers') dollars" so that the intended result is achieved.

- Beware when any idea is promoted primarily because it is "bold, exciting, innovative, and new." There are many ideas that are "bold, exciting, innovative and new"' but also foolish.

- The Federal Government should be the last resort, not the first. Ask if a potential program is truly a federal responsibility or whether it can better be handled privately, by voluntary organizations, or by local or state governments.

- As former Missouri Congressman Tom Curtis said, "Public money drives out private money."

- Strive to make proposed solutions as self-executing as possible. As the degree of discretion increases, so too does bureaucracy, delay, and expense.

- Presidential leadership needn't always cost money. Look for low- and no-cost options. They can be surprisingly effective.

- Include others. As Senator Pat Moynihan (D-NY) said, "Stubborn opposition to proposals often has no other basis than the complaining question, 'Why wasn't I consulted?"'

11-L-0559/OSD/3626

- Watch for the "not invented here" syndrome.

- "The atmosphere in which social legislation is considered is not a friend of truth." (Pat Moynihan (D-NY))

- If in doubt, don't.

- If still in doubt, do what's right.

- Treat each federal dollar as if it was hard earned; it was – by a taxpayer.

- "Try to analyze situations intelligently, anticipate problems and move swiftly to solve them. However, when you're up to your ears in alligators, it is difficult to remember that the reason you're there is to drain the swamp." (Unknown)

- "In Washington, D.C., the size of a farewell party may be directly proportional to the honoree's new position and their prospective ability to dispense largess." (D.G. Cross)

- "Every government looking at the actions of another government and trying to explain them always exaggerates rationality and conspiracy, and underestimates incompetency and fortuity." (Silberman's Law of Diplomacy, U.S. Circuit Court Judge Laurence Silberman)

POLITICS, THE CONGRESS, AND THE PRESS

- First rule of politics: you can't win unless you're on the ballot.
  Second rule: If you run, you may lose.
  And, if you tie, you do not win.

- Politics is human beings; it's addition rather than subtraction.

- The winner is not always the swiftest, surest or smartest, It's the one willing to get up at 5:00 a.m. and go to the plant gate to meet the workers. (Unknown)

- In politics, every day is filled with numerous opportunities for serious error. Enjoy it.

- The most underestimated risk for a politician is overexposure.

- When someone with a rural accent says, "I don't know much about politics'" zip up your pockets.

- If you try to please everybody, somebody's not going to like it.

- Don't necessarily avoid sharp edges. Occasionally they are necessary to leadership.

- "The oil can is mightier than the sword," (Senator Everett Dirksen, (R-IL))

- Arguments of convenience lack integrity and inevitably trip you up.

- Remember where you came from.

- Members of the US. House and the U.S. Senate are not there by accident. Each managed to get there for some reason. Learn what it was and you will know something important about them, about our country and about the American people,

- With the press there is no "off the record."

- There are only three responses to questions from the press: (1) "I know and will tell you"; (2) "I know and I can't tell you"; and (3) "I don't know." (Dan Rather)

FOR THE SECRETARY OF DEFENSE

- The Secretary of Defense is not a super General or Admiral. His task is to exercise civilian control over the Department for the Commander-m-Chief and the country.

- Reserve the right to get into anything and exercise it. Make your deputies and staff realize that, although many responsibilities are delegated, no one should be surprised when the Secretary engages an important issue.

- Manage the interaction between the Pentagon and the White House. Unless you establish a narrow channel for the flow of information and "tasking" back and forth, the process can quickly become chaotic.

- Normal management techniques may not work in the Department, When pushing responsibility downward, be sure not to contribute to a weakening of the cohesion of the Services; what. cohesion exists has been painfully achieved over the decades.

- When cutting staff at the Pentagon, don't eliminate the thin layer that assures civilian control.

- Avoid public spats. When a Department argues with other government agencies in the press, it reduces the President's options.

- Establish good relations between the Departments of Defense, State, the National Security Council, C.I.A. and the Office of Management and Budget.

- Be sure key U.S. ambassadors are informed on Defense activities in their countries.

- Develop a personal relationship with the Chairman and each of the Joint Chiefs of Staff, They are almost always outstanding public servants. In time of crisis, those relationships can be vital.

- If you get the objectives right, a lieutenant can write the strategy. (General George Marshall)

- Napoleon was asked, "Who do you consider to be the greatest generals?' He responded saying, "The victors."

ON BUSINESS

- When you initiate new activities, find things you are currently doing that you can discontinue -- whether reports, activities, etc. It works, but you must force yourself to do it. Always keep in mind your "teeth to tail ratio."

- Watch the growth of middle level management. Don't automatically fill vacant jobs. Leave some positions unfilled for 6-8 months to see what happens. You will find you won't need to fill some of them.

- Reduce the layers of management. They put distance between the top of an organization and the customers.

- Find ways to decentralize. Move decision making authority down and out. Encourage a more entrepreneurial approach.

- Prune -- prune businesses, products, activities, people. Do it annually.

- Know your customers!

- Develop a few key themes and stick to them. It works. Repetition is necessary. "Quality." "Customers." "Innovation." "Service." -- whatever!

- That which you require be reported on to you will improve, if you are selective. How you fashion your reporting system announces your priorities and sets the institution's priorities,

- People do better in staff jobs if they have had operational experience. It helps to look at things from others' perspectives.

- Beware of the argument that "this is a period for investment, improvements will come in the out years." The tension between the short term and long term can be constructive, but there is no long term without a short term.

- Too often management recommends plans that look like Bob Hope's nose or a hockey stick. The numbers go down the first year or so and then up in the later years. If you accept hockey stick plans, you will find they will be proposed year after year.

- The way to do well is to do well.

11-L-0559/OSD/3629

- Don't let the complexity of a large company mask the need for performance. Bureaucracy is a conspiracy to bring down the big. And it can. You may need to be large to compete in the world stage, but you need to find ways to avoid allowing that size to mask poor performance.

- "No plan survives contact with the enemy." (Old military axiom)

- Remember: A's hire A's and B's hire C's.

- "The advantage of a free market is that it allows millions of decision-makers to respond individually to freely determined prices, allocating resources – labor, capital and human ingenuity – in a manner that can't be mimicked by a central plan, however brilliant the central planner." (Freidrich von Hayek)

- "Three key questions for a CEO to ask: (1) Are you being treated with dignity and respect? (2) Are you being given the tools you need to make a contribution that gives meaning to your life? (3) Has someone noticed what you have done?" (Paul O'Neill)

ON LIFE (and other things)

- "You can't pray a lie," (*Huckleberry* Finn by Mark Twain)

- "It takes everyone to make a happy day." (Marcy Rumsfeld, age seven)

- "The most important things in life you cannot see -- civility, justice, courage, peace." (Unknown)

- "Persuasion is a two-edged sword -- reason and emotion -- plunge it deep." (Professor Lewis Sarett, Sr.)

- "The art of listening is indispensable for the right use of the mind. It is also the most gracious, the most open and the most generous of human habits." (Attributed to R. Barr, St. John's College, Annapolis, MD)

- "In writing if it takes over 30 minutes to write the first two paragraphs select another subject." (Raymond Aron)

- "In unanimity there may well be either cowardice or uncritical thinking." (Unknown)

- "If you're coasting, you're going downhill." (L.W. Pierson)

- "What's the difference between a good naval officer and a great one? Answer: About six seconds." (Adm. Arleigh Burke)

- "First law of holes: If you get in one, stop digging." (Anonymous)

11-L-0559/OSD/3630

- "Behold the turtle, He makes progress only when he sticks his neck out." (James B. Conant)

- "When drinking the water, don't forget those who dug the well," (Chinese proverb)

- "The harder I work, the luckier I am." (Stephen Leacock)

- "If it doesn't go easy, force it." (G. D. Rumsfeld's assessment of his son Don's operating principle at age 10)

- "But I am me." (Nick Rumsfeld, age 9)

- "You learn in life there are few plateaus; you are either going up or down." (Unknown)

- Perspective: Maurice Chevalier's response when asked how it felt to reach 80 – "Pretty good, considering the alternative."

- "For every human problem there is a solution that is simple, neat and wrong." (H.L. Mencken)

- Simply because a problem is shown to exist doesn't necessarily follow that there is a solution

- "If a problem has no solution, it may not be a problem, but a fact, not to be solved, but to be coped with over time." (Shimon Perez)

- "If a problem cannot be solved, enlarge it." (Dwight D. Eisenhower)

- "Most people spend their time on the 'urgent' rather than on the 'important.'" (Robert Hutchins)

- "If you think you have things under control, you're not going fast enough." (Mario Andretti, racecar driver)

- "Victory is, never final. Defeat is never fatal. It is courage that counts." (Winston Churchill)

- "Intellectual Capital is the least fungible kind." (Unknown)

- "The better part of one's life consists of friendship." (Abraham Lincoln)

- "When you're skiing, if you're not falling you're not trying." (Donald Rumsfeld)

- "The test of a first rate intelligence is the ability to hold two opposed ideas in the mind at the same time, and still retain the ability to function." (F. Scott Fitzgerald)

- "It is seldom that liberty of any kind is lost all at once." (David Hume)

11-L-0559/OSD/3631

- "History marches to the drum of a clear idea." (W. H. Auden)
- "Demographics is destiny." **(Scanlan)**
- "Where is the wisdom we've lost in knowledge? Where is the knowledge we've lost in information?" (T.S. Eliot)
- If you develop rules, never have more than ten.

PROPRIETARY - C

"Brilliant Pebbles"
(Rumsfeld's recollections from
the Ballistic Missile Threat Commission (BMTC))

The Assignment of the BMTC

"The BMTC's task is to answer:
Who can do it now?
Who is trying to do it?
When are they likely to succeed?
Why do we care?
When will we know they can do it?"

Thoughts from and on the Intelligence Community

"Intelligence analysts need to remember that there is more there than they know."

"The absence of evidence is not evidence of absence; nor is it evidence of presence."

"Some of it (what you can see), plus the rest of it (what you can't see), equals all of it." (Baldy's Law)

"There are knowns, known unknowns, and unknown unknowns." (Unknown)

"When you know a thing, to hold that you know it, and when you do not know a thing, to allow that you do not know it: this is knowledge." (Confucius)

"Tell them what you know. Tell them what you don't know. And, only then, tell them what you think. And, be sure you distinguish between them."

"Never assume the other guy will never do something you would never do." (Machiavelli)

"A deep truth is a truth so deep that not only is it true, but its exact opposite is also true." (Niels Bohr)

"The worst mistake is to have the best ladder and the wrong wall."

"Making ICBMs used to be difficult, like breaking the four-minute mile. But since Roger Bannister did it, it has become. commonplace. So, too, will ICBMs."

"Government seems not much interested in documenting failure."

"Nothing ages so quickly as yesterday's vision of the future."

The U.S. intelligence community (IC) uses SIGINT for signals intelligence and HUMINT human intelligence. One commissioner suggested that the IC ought to start using THINKINT for thinking in intelligence work.

The Approach of Some Briefers

"I can't report on or assess things I don't see."

"You're trying to get me to comment on things we don't know."

"We can't go back and look for something until we know it's there."

Commissioners' Observations

When a Commissioner was asked if he had the details on the Indian nuclear explosions, he said, "No, I don't, but I'm sure the Chairman planned the whole thing to prove his point."

When a Commissioner acknowledged he may have pulled the trigger a bit too quickly on a briefer and was going to apologize, another Commissioner's advice was, "No, just tell him the next time you'll take better aim."

"That paragraph is completely content free."

"That third line looks like a petunia in the onion patch."

"There may be a thought in there trying to get out, but what in the world is it?"

"This crowd [the Commissioners] would edit a stop sign."

"The Commission is up to speed; only the direction is in doubt."

"It's clear the White House knows how to fight, but not who to fight."

"If you don't want to believe it, there is no body of evidence that cannot be ignored."

On Intelligence

"No one ever sees successful camouflage."

"If we can see it from the air, it's ours."

"Warning time not used is wasted time. It's like runway behind you for a pilot,"

"The wind through the tower presages the coming of the storm." (Chinese proverb)

"Hire paranoids. Even though they have a high false alarm rate, they discover all plots." (Herman Kahn)

"It is easier to convince someone they're right, than to convince them they're wrong."

'Never attribute to a conspiracy that which can be explained by incompetence."

"Sometimes it's necessary to kill a chicken to frighten the monkeys," (Chinese proverb)

"A sample of one from a homogenous population is sufficient." (Herman Kahn)

At the Congress of Vienna, on learning the Russian ambassador had died, Tallyrand mused "Oh, really. What do you suppose was his motive?"

Schneiderisms

"That briefer has no off switch."

"That fellow has a knowledge board defect. He must have purchased his chip from the low bidder."

"That fellow has had one year's experience 50 times."

"He's the type that would read the Bible, looking for a loophole."

"That briefer just committed 'pddiacide' (shot himself in the foot)."

"That is like killing two stones with one bird." (to a briefer)

"That man is truly a waste of food."

"The threat is from nano-technology."

"Techies think the world is nothing more than one big semiconductor application."

On **Washington,** D.C.

The two most important rules in Washington, DC are:
Rule One: "The cover-up is worse than the event."
Rule Two: "No one ever remembers the first rule."

"Government does two things well – nothing and overreact,"

"Washington, DC is 60 square miles surrounded by reality."

"You can wreck any story if you check the facts," (a Chicago reporter)

"Running the U.S. Navy is like punching a pillow all day. You end up exhausted and the pillow hasn't changed a bit." (Franklin D, Roosevelt)

"Running the Department of Defense is like wrestling with a 7 million pound sponge." (Deputy SecDef David Packard)

"Generals never lose a war in their own memoirs."

"History will be kind to me, because I will write it." (Sir Winston Churchill)

"No man is a villain in his own MEMCOMS."

"If you have anything bad to say about anyone, let's hear it," (A reporter)

Harry Truman said, "If you want to have a friend in Washington, DC, buy a dog." The modern corollary is: "Better get a small dog, because it may turn on you also."

"A friend in Washington, DC is someone who stabs you in the chest."

Conclusions

"It doesn't take a 'village,' it takes a 'Commission.'"

"There are no statues in the parks of America honoring Commissions."

"Weakness is provocative."

"You get more with a kind word and a gun (or ballistic missile) than you do with a kind word alone."
(Al Capone)

Unclassified – Not For Release

Brilliant Pebbles II
(Rumsfeld's Recollections From The Commission to Assess U.S. National Security Space Management and Organization)

Don Rumsfeld

HISTORICAL

"The dogmas of the quiet past are inadequate for the stormy present.. , as our case is new, we must think anew." (Abraham Lincoln)

"No one wants another Pearl Harbor. This means that we must have knowledge of military forces and preparations around the world." (President Dwight D, Eisenhower)

"If you want peace, prepare for war." (Winston Churchill)

"There is a difference between force and power. You generally need force in situations where you haven't marshaled sufficient power to shape events." (Arleigh Burke)

"The perfect battle is the one that does not have to be fought." (Sun Tzu)

GENERAL

"Governments have lost their exclusivity with respect to the use of space."

"The only thing harder than getting the . . . military to adopt a new technology is getting them to give up an old one." (Bill Graham)

"There lies at the heart of deterrence . . . an inescapable paradox: the more seriously the possessor is believed capable in extremis of using the armory, the less likely it is that others will allow circumstances to arise challenging its use. The converse is also true." (Sir Michael Quinlan)

"The NRO has the proverbial problem of 15 lbs. in a 5 lb. sack." (Tom Moorman)

"Being a 'national treasure' is one thing. Being a 'national monopoly' is quite another." (Bill Graham)

"Culturally, the Air Force does not embrace space." (anonymous)

"It's an example of pricing; the answer depends on whether you're a buyer or a seller." (Tom Moorman)

"If you do 'cradle-to-grave,' you run the risk of falling in love with old ideas." (anonymous)

11-L-0559/OSD/3637

"After a period of time, institutions in conflict tend to mirror each other." (Malcolm Wallop)

"It is exceedingly difficult for any military organization to innovate radically - except in wartime when it is absolutely necessary." (Jim Woolsey)

"One thing we've learned about tsars is that the barons ignore them and the peasants kill them." (Larry Welch)

"Satellites require greater technology and scientific capability than toilet paper, which suggests that a common acquisition system is not appropriate." (Howell Estes)

"You don't get air superiority from the ground, and you won't get space superiority from -the ground, land, sea, or air." (anonymous)

"Space control will be the next frontier, because U.S. dependence and vulnerability are so great." (unknown)

"With too much authority to the war-fighter, it is like a peewee soccer game; everybody chases the ball, it doesn't advance the ball and leaves the rest of the field open for unpleasant surprises." (Larry Welch)

"This assignment is a bit like trying to pick up mercury." (Doug Necessary)

"We need to be looking for those fighter pilots who get 95 percent of the kills." (David Jeremiah)

"Russian equities in space are less than the U.S., but they plan to use nukes in space which levels the playing field." (anonymous)

"You don't know what you don't know." (unknown)

"One man's 'IW' (information warfare) is another man's 'space control.'" (Tom Moorman)

"If you control the funding, and write. the efficiency reports, it doesn't matter what the organization chart says – you own it." (Bob Davis)

"He who has the gold rules." (unknown)

"Space is the access point for information warfare - it is an unprotected node." (unknown)

"It takes longer to get an export license than to build a satellite." (unknown)

"Too often military officers are not in their posts long enough to know the mistakes they've made."

"'When Dr. Johnson said that 'patriotism is the last refuge of a scoundrel,' he had not looked closely at reform." (unknown)

"To those who would tear down what is falls the responsibility to recommend something better."

"I think we almost have a consensus on this point; unfortunately, it's all against me." (Bill Graham)

"The cheapest bandwidth is Federal Express." (anonymous)

"In unanimity there's often a lack of rigorous thinking." (anonymous)

"How many bad guys submit licenses?" (John Hamre)

"We have experienced epistolic excellence in a sea of inadequacy." (Jim Simon)

"Space is more than just another higher hill." (Ed Eberhart)

"War is war; wargames are games." (Vice Admiral Lyle Bien)

"Flying like a flock of geese in sun synchronous orbit," (Kathy Sadler)

"They plan to.use pre-emptive revenge." (Bill Graham)

"We never go final; we just run out of time to make more changes." (Doug Necessary)

"Precision weapons require precision intelligence." (Dave Jeremiah)

"This is like a self-licking ice cream cone," (Bob Davis)

"The military should traiu the way they will fight." (Dave Jeremiah)

"The Air Force is a slum lord in space," (Dave Jeremiah, with a smile)

"This is like loading frogs iu a wheelbarrow," (Doug Necessary)

"You cau't win a battle you don't engage," (Malcolm Wallop)

HORNERISMS (Chuck Horner)

"The farther up the ladder you go, the less you know."

"If it's a small program, it goes to a three star; if it's a big one, it goes to a one star."

"If we don't have a national security policy, how can we have a space security policy?"

11-L-0559/OSD/3639

"The Pentagon has an amazing inability to heal itself."

"The U.S. Air Force is tribal: if you leave the campground, they bum your teepee and shoot your pony."

"That was a brilliant defense of the farm."

"We'll fix the enemy; we'll leak our acquisition system to them."

"We just saw how the Air Force does it. They bring in their pet pony and just drag it in front of the Commission."

"I think we just saw part of the problem."

"It's people like that that helped the Soviet Union fail."

"He's just like an accountant -he knows the price of everything and the value of nothing."

"That was a blinding glimpse of the obvious."

"It takes so long to launch at the Cape that someone put a building number, on a Titan IV."

"We're not talking about minor bureaucrats here, we're talking about accomplished killers."

On DOD – "It's screwed up, but you can't change a thing."

"We sure make good buggy whips."

"SBIRS low is a case of incestuous cannibalism on the part of the space community."

"Hey, it's government; it's not supposed to work."

"The Pentagon is driven by budgets and programs - not national security interests."

"Each service has self-inflicted sucking chest wounds, because they can't change."

"That's one barbed wire pull through we don't need to do,"

"If you're going to kill people, you damned well better have a good reason."

INTELLIGENCE

"All intelligence gaps are not created equal." (Joan Dempsey)

"The intelligence community is not a community – it's a loose association of disparate organizations." (Larry Kindswater)

"Double agents are mostly homegrown." (J.M. Simon)

"With respect to intelligence from space, the key is to get the right intelligence, in the right hands, at the right time." (unknown)

"The intelligence community is a collection of feudal baronies." (David Jeremiah)

"In this post-cold war world, intelligence is not just bean counting – we need to know cultures and intentions." (Chuck Homer)

CONGRESS

"Anything that has six Congressional committees overseeing it is very likely dead on arrival." (anonymous)

"The difference between the executive branch and the legislative branch is that the executive branch has the data and Congress traffics in it." (Doug Necessary)

"Hold still, little fishy, I's just goin' to gut you." (the late Congressman Howard Smith)

"Never send an important program to Capitol Hill unchaperoned." (Doug Necessary)

BRIEFINGS & BRIEFERS

"One half of that briefing wasn't intelligible; the rest wasn't important."

"That fellow scratched all of the itches." (Jay Garner)

"That is impressive. He just delivered two full paragraphs of acronyms without using a single word in English."

"There is a touch of disingenuousness in some of those arguments." (anonymous)

"English is apparently his second language - after acronyms."

"He's a class act; he avoided answering every question I asked, but he did it in a very satisfying way." (Bill Graham)

"That fellow is not tightly attached." (Bill Graham)

"The interesting thing about Gates, Schlesinger and Woolsey is that, unlike some briefers, they all spoke English."

"Any more briefings will flood our carburetors."

HUMAN NATURE

"Anyone who can do it for you, can do it to you." (Doug Necessary)

"You know you're getting old when it takes longer to recuperate than it took to get tired." (Doug Necessary)

ORGANIZATION & MANAGEMENT

"There is no one in the National Security Council assigned to deal with space issues; when you call, there is no one home."

"No known organization or management arrangement can solve nnder-funding." (unknown)

"Operations drive out planning."

"When one starts building a temple unto oneself, it's the beginning of the end." (anonymous)

"An excellent organization with poor leadership won't work; an imperfect organization with good leadership will."

"You get what yon inspect, not what you expect."

"What you measure improves."

Donald H. Rumsfeld
8/8/00
Revised 2/1/01

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11-L-0559/OSD/3642

May 5, 2001 4:30 PM

TO: The Secretary of Defense

FROM: Marc Thiessen

SUBJECT: Draft Testimony

Attached is the latest working draft testimony for your review.

Per our earlier discussion, we've broken the original outline into two parts:

- The first testimony (attached) focuses on the big picture – threats we will face and how to transform the Armed Forces to address them.
- The second testimony (still in preparation) will come after we have the budget, and will focus on presenting the numbers and addressing issues like morale and readiness, acquisition reform, etc.

Attach.

Draft Testimony 05/05/0 1 4: 13 PM

DRAFT TESTIMONY ON THE NEW DEFENSE STRATEGY

INTRODUCTION

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, I am here ~~IT IS A PRIVILEGE TO APPEAR BEFORE YOU~~ THIS MORNING TO DISCUSS ONE OF THE MOST PRESSING CHALLENGES FACING OUR NATION ~~TODAY~~: THE TRANSFORMATION OF OUR ARMED FORCES TO MEET THE NEW SECURITY CHALLENGES OF THE 2 1 ST CENTURY.

NEXT WEEK, I WILL RETURN ~~TO YOU~~ WITH A SPECIFIC BUDGET REQUEST, OUTLINING THE ADMINISTRATION'S PLANS FOR INCREASED INVESTMENT IN OUR NATIONAL SECURITY. BUT BEFORE I BRING YOU THAT BUDGET, MR. CHAIRMAN, IT IS IMPORTANT THAT WE ~~FIRST~~ DISCUSS THE BIGGER PICTURE. THE PRESIDENT HAS SAID THAT BEFORE WE ENGAGE OUR WALLETS, WE NEED TO ENGAGE OUR BRAINS. SO I APPRECIATE YOUR INVITATION HERE TODAY, MR. CHAIRMAN, TO BEGIN THIS IMPORTANT DIALOGUE.

SHAPE OF THE WORLD TODAY AND THE FUTURE STRATEGIC ENVIRONMENT

IN UNDERTAKING THIS REVIEW, THE PRESIDENT ASKED US TO BE BOLD AND INNOVATIVE, AND TO DEVELOP A NEW APPROACH TO DEFENSE FOR THE 21ST CENTURY THAT WILL "TURN THESE YEARS OF INFLUENCE INTO DECADES OF PEACE."

TODAY, FOR THE MOMENT, THE AMERICAN PEOPLE ARE ENJOYING THE BENEFITS OF AN UNPRECEDENTED GLOBAL ECONOMIC EXPANSION- AN EXPANSION DRIVEN BY INFORMATION TECHNOLOGY, INNOVATIVE ENTREPRENEURS, THE SPREAD OF DEMOCRACY, AND THE GROWTH OF SOCIETIES THAT RESPECT INDIVIDUAL LIBERTY AND REWARD INDIVIDUAL INITIATIVE.

WE TEND TO TAKE THIS STATE OF AFFAIRS FOR GRANTED. BUT WE CANNOT HAVE A PROSPEROUS WORLD UNLESS WE FIRST HAVE A PEACEFUL WORLD. AND OUR ARMED FORCES -WORKING IN CONCERT WITH OUR FRIENDS AND ALLIES – KEEP THE PEACE THAT MAKES OUR PROSPERITY POSSIBLE.

THE QUESTION BEFORE US, THEN, IS THIS: HOW DO WE EXTEND THIS ERA OF PEACE, DEMOCRACY AND ECONOMIC OPPORTUNITY AS FAR INTO THE FUTURE AS POSSIBLE? to the benefit of the world.

WE CAN BEGIN WITH HUMILITY and honesty. AMERICA IS INDEED A POWERFUL NATION, BUT WE MUST ALSO RECOGNIZE THE LIMITS OF AMERICAN POWER. WE CANNOT SOLVE ALL OF THE WORLD'S PROBLEMS, NOR CAN WE DISPATCH OUR FORCES TO EVERY CORNER OF THE MAP TO RIGHT EVERY WRONG. ~~WE~~ But we can and SHOULD WORK WITH OUR ALLIES TO DEFEND OUR COMMON INTERESTS AND work to help SHAPE THE STRATEGIC LANDSCAPE.

BUT HUMILITY ALSO MEANS RECOGNIZING THAT, WHILE AMERICA MAY BE POWERFUL, AMERICA IS NOT INVULNERABLE. TODAY, THE AMERICAN PEOPLE ARE SECURE IN THE KNOWLEDGE THAT WE ARE ~~THE WORLD'S ONLY~~ a SUPERPOWER, AND THAT WE F CE NO OBVIOUS THREAT TO OUR EXISTENCE AS A NATION. BUT IT ~~IS~~ would be HUBRIS TO ASSUME THAT OUR CURRENT SITUATION IS A PERMANENT CONDITION

WE HAVE BEEN HERE BEFORE. AT THE TURN OF THE LAST CENTURY, THE INDUSTRIAL REVOLUTION WAS ALSO FUELING UNPRECEDENTED GROWTH AND PROSPERITY; BUT MANY NATIONS TOOK THOSE INDUSTRIAL ADVANCES AND USED THEM TO BUILD THE MACHINES OF WAR THAT FUELED INVASION AND CONQUEST AND TORE APART A CONTINENT.

TODAY, THE INFORMATION REVOLUTION IS AGAIN FUELING ECONOMIC EXPANSION; BUT IT IS ALSO PUTTING REVOLUTIONARY TECHNOLOGIES IN THE HANDS OF THOSE WHO WOULD USE THEM TO HARM US. IT IS CREATING A WORLD WHERE THE SPEED OF CHANGE IS UNPRECEDENTED, AND WHERE NEW DANGERS TO AMERICA'S SECURITY COULD EMERGE TO THREATEN US SUDDENLY, ALMOST WITHOUT NOTICE.

IN SUCH A WORLD, COMPLACENCY IS A VERY DANGEROUS ATTITUDE. IF AMERICA'S ARMED FORCES ARE TO KEEP THE PEACE TN THIS WORLD OF RAPID CHANGE, WE MUST ANTICIPATE EMERGING THREATS, BE READY FOR SURPRISE, recognize that we may have little or no warning / AND DEVELOP NEW MILITARY CAPABILITIES THAT WILL ALLOW US TO PROTECT OUR

INTERESTS, AND DEFEND OUR ALLIES, WELL INTO THE NEXT CENTURY

THIS IS AN URGENT MATTER. THE END OF THE COLD WAR HAS GIVEN US A BRIEF WINDOW OF OPPORTUNITY WHERE, FOR THE FIRST TIME IN GENERATIONS, THE UNITED STATES ~~TODAY~~ FACES NO HOSTILE PEER COMPETITOR BENT ON, OR CAPABLE OF, VISITING DESTRUCTION ON US. TODAY, FOR THE MOMENT, WE HAVE THE FREEDOM TO EXPERIMENT, THE FREEDOM TO TAKE RISKS, AND – IMPORTANTLY -- THE FREEDOM TO FAIL. BECAUSE RIGHT NOW THE CONSEQUENCES OF FAILURE ARE SMALL, WHILE THE PAYOFF FOR SUCCESS COULD BE GENERATIONS OF SECURITY.

OUR CHALLENGE, THEN, IS TO SEIZE THIS MOMENT OF PEACE TO DEVELOP REVOLUTTONARY TECHNOLOGIES OF WAR – TO TEST ~~AND~~ DEPLOY NEW MILITARY CAPABILIES, TRY NEW CONCEPTS OF OPERATIONS, AND FASHION NEW STRATEGIES THAT ~~WILL~~ CAN TRANSFORM OUR ARMED FORCES, AND HELP THEM TO ENSURE THAT NO AGRESSOR CAN DRAG THE WORLD TO THE BRINK OF DESTRUCTION IN THE 21ST CENTURY, THE WAY SUCH AGGRESSORS DID IN THE 20TH Century.

WE SHOULD ACT NOW, BECAUSE THIS MOMENT OF OPPORTUNITY WILL NOT LAST INDEFINITELY – AND THERE ARE NEW DANGERS ON THE HORIZON.

THE WORLD WE ARE ENTERING IS ~~VERY~~ quite DIFFERENT FROM THE ONE WE LEAVE BEHIND, WE ARE LEAVING A WORLD WHERE ~~MIKHAIL GORBACHEV~~ a Soviet Dictator HAD HIS FINGER ON THE NUCLEAR TRIGGER, AND ENTERING A WORLD WHERE THAT TRIGGER MAY SOON BE IN THE HANDS OF SADDAM HUSSEIN, KIM JONG IL, OSSAMA BIN LADEN OR THE AYATOLLAH KHAMEINI.

WE ARE LEAVING A WORLD WHERE WE FACED A SINGLE ADVERSARY AND A KNOWN THREAT, AND ENTERING A WORLD WHERE WE WILL FACE NEW AND UKNOWN THREATS FROM A PANOPLY OF ROGUE STATES AND NON-STATE TERRORIST ~~CELLS~~ – SOME WHICH WE MAY NOT YET KNOW EXIST.

THIS IS A WORLD THAT REQUIRES A ~~VERY~~ somewhat DIFFERENT DEFENSE STRATEGY-AND ~~VERY~~ DIFFERENT ARMED FORCES.

WE MAY NOT BE ABLE TO FORESEE THE WARS WE MAY HAVE TO FIGHT 20 YEARS FROM NOW, OR EVEN WHICH REGIMES OR TERRORIST GROUPS WE MAY NEED TO FIGHT. BUT WE CAN SEEK TO UNDERSTAND THE TRENDS AND THE KINDS OF MILITARY CAPABILITIES WE WILL FACE IN THE NEXT SEVERAL DECADES – SO WE CAN BUILD THE ARMED FORCES WE NEED TO DEFEAT THEM.

TRENDS

TOO MUCH MILITARY PLANNING TODAY FOCUSES ON THE OBVIOUS THREATS. WE SEEM TO BE GRIPPED BY WHAT THE PROFESSOR THOMAS SCHELLING CALLS "A POVERTY OF EXPECTATIONS -- A ROUTINE OBSESSION WITH A FEW DANGERS THAT MAY BE FAMILIAR RATHER THAN LIKELY ."

BUT THE LIKELY THREATS OF THIS NEW CENTURY MAY BE ~~VERY~~ quite DIFFERENT FROM THE FAMILIAR THREATS OF THE PAST CENTURY. WHAT WERE PREVIOUSLY CONSIDERED "IMPROBABLE" THREATS, MAY IN FACT BE THE LIKELY THREATS OF THE FUTURE.

FUTURE ADVERSARIES MAY SEEK TO VISIT VIOLENCE ON US IN NOVEL AND SURPRISING WAYS; IT IS DIFFICULT TO KNOW WHEN AND HOW THEY WILL DO SO. TO COUNTER THEM, WE MUST LOOK CAREFULLY AT THE VULNERABILTTIES THAT MAY INVITE NEW FORMS OF ATTACK, INCLUDING:

- OUR POROUS BORDERS AND OPEN SOCIETY&WHICH MAKE TERRORISM AN ATTRACTIVE MEANS OF ATTACK;
- OUR TOTAL LACK OF DEFENSES AGAINST BALLISTIC MISSILE ATTACK WHICH CREATE INCENTIVES FOR THE PROLIFERATION OF MISSILE TECHNOLOGY;
- OUR PERCEIVED AVERSION TO CASUALTIES WHICH FUELS THE RACE FOR NUCLEAR, CHEMICAL AND BIOLOGICAL WEAPONS OF MASS DESTRUCTION;
- OUR ECONOMIC AND MILIARY DEPENDENCE ON SATELLITES AND COMPUTER INFORMATION NETWORKS WHICH INVITES NEW FORMS OF CYBER-TERRORISM;
- OUR DEPENDENCE ON OVERSEAS BASES TO PROJECT FORCE AND DEFEND OUR INTERESTS AROUND THE WORLD WHICH ENCOURAGES THE DEVELOPMENT OF "ACCESS DENIAL"

WEAPONS SUCH AS CRUISE MISSILES, SEA MINES AND QUIET DIESEL SUB&

AT THE SAME TIME, PROLIFERATION PROVIDES OUR POTENTIAL ADVERSARIES WITH NEW MEANS OF UNCONVENTIONAL ATTACK, AS THEY EXPLOIT THE INCREASINGLY OPEN WORLD ECONOMY TO ACQUIRE ADVANCED TECHNOLOGIES OF VIOLENCE.

JUST AS GLOBALIZATION IS CREATING INTERDEPENDENCE AMONG THE NATIONS OF THE FREE WORLD, IT IS ALSO CREATING INTERDEPENDENCE AMONG THE WORLD'S ROGUE STATES. TODAY, THESE STATES ARE SHARING INFORMATION, TECHNOLOGY, WEAPONS MATERIALS AND KNOW-HOW AT AN ALARMING PACE.

WE KNOW, FOR EXAMPLE, THAT:

- RUSSIA AND NORTH KOREA HAVE ASSISTED IRAN WITH ITS LONG-RANGE MISSILE PROGRAM, AND HAVE PROVIDED IRAN WITH QUIET DIESEL SUBMARINES AND HIGH-SPEED BOATS ARMED WITH ANTI-SHIP MISSILES.

- BELARUS HAS ASSISTED IRAQ IN MODERNIZING ITS AIR DEFENSES.

- CHINA HAS PROVIDED NORTH KOREA AND IRAQ WITH ADVANCED COMMUNICATIONS SYSTEMS.

- IRAN AND NORTH KOREA ARE ASSISTING LIBYA WITH ITS BALLISTIC MISSILE PROGRAM.

- A NUMBER OF COUNTRIES ARE COLLABORATING TO DEVELOP SO-CALLED "FOURTH GENERATION" CHEMICAL AGENTS, AND NEW BIOLOGICAL WEAPONS FOR WHICH THERE ARE NO KNOWN CURES.

THE REGIMES CHASING AFTER THESE TECHNOLOGIES SEE THEM NOT ONLY AS WEAPONS TO USE AGAINST US IN WAR; THEY VIEW THEM AS TOOLS OF COERCION – MEANS BY WHICH THEY CAN PREVENT US FROM PROJECTING FORCE AND DEFENDING OUR INTERESTS, AND THOSE OF OUR ALLIES, AROUND THE WORLD.

IMAGINE FOR A MOMENT WHAT MIGHT HAVE HAPPENED IF, ON THE EVE OF THE GULF WAR, WE HAD LEARNED THAT SADDAM HUSSEIN POSSESSED NUCLEAR, CHEMICAL OR BIOLOGICAL WEAPONS AND THE MEANS TO USE THEM AGAINST THE U.S. AND OUR COALITION PARTNERS. THE ROGUE REGIMES OF THE WORLD DESPERATELY WANT THIS POWER TO BLACKMAIL AMERICA WITH WEAPONS OF MASS DESTRUCTION.

THAT IS WHY THEY ARE NOT DETERRED BY DIPLOMATIC EFFORTS TO HALT THEIR PROGRAMS; THEY ARE NOT DETERRED BY INTERNATIONAL "NORMS" AND ARMS CONTROL REGIMES; THEY MAY NOT EVEN BE DETERRED BY THE TRADITIONAL NUCLEAR DETERRENCE DOCTRINES THAT HELPED KEEP THE PEACE DURING THE COLD WAR.

NOT ONLY ARE THEY NOT DETERRED, THEY ARE ACTIVELY WORKING TO HIDE THEIR PROGRESS FROM U.S. INTELLIGENCE. AGAIN, AS GLOBALIZATION ALLOWS INFORMATION TO CROSS BORDERS WITH GROWING EASE, THESE REGIMES ARE ABLE TO GET THEIR HANDS ON INCREASINGLY SOPHISTICATED TECHNOLOGY – WHICH ALLOWS THEM TO COMMUNICATE SECRETLY, AND

CAMOUFLAGE THEIR ACTIVITIES FROM U.S. SURVEILLANCE AND SATELLITE WARNING SYSTEMS.

THESE REGIMES ARE ALREADY SURPRISING US WITH THEIR TACTICAL AND TECHNOLOGICAL INNOVATIONS:

- IN 1998, THE U.S. WAS CAUGHT COMPLETELY OFF GUARD BY NORTH KOREA'S LAUNCH OF A TAEPO-DONG I MISSILE LONG BEFORE INTELLIGENCE ESTIMATED NORTH KOREA WOULD TEST SUCH A CAPABILITY.

- THAT SAME YEAR, THE U.S. WAS SIMILARLY SURPISED BY IRAN'S TESTING OF THE SHAHAB III MISSILE – CAPABLE OF STRIKING ISRAEL AND TURKEY – AND BY PAKISTAN'S TESTING OF THE GHAURI MISSILE, A VARIANT OF THE NORTH KOREAN NO DONG.

- WE DID NOT ANTICIPATE SLOBODAN MILOSEVIC'S USE OF MASS EXPULSION AS A WEAPON IN KOSOVO IN 1999.

- AND WE WERE COMPLETELY SURPRISED BY THE TERRORIST ATTACKS ON THE U.S.S. COLE, THE KHOBAR TOWERS IN SAUDI ARABIA, AND THE U.S. EMBASSIES IN KENYA AND TANZANIA.

OF COURSE, WE SHOULD WORK TO ANTICIPATE NEW FORMS OF WARFARE AND NEW AVENUES OF ATTACK THAT POTENTIAL ADVERSARIES MAY USE AGAINST US. BUT AT THE SAME TIME, LET'S NOT FOOL OURSEVLES: THE REALITY IS THAT, MORE AND MORE, WE MAY FIRST LEARN ABOUT A ROGUE STATE'S NEW CAPABILITY ONLY WHEN THEY FIELD IT OR USE IT AGAINST US.

IN THE 21ST CENTURY, WE SHOULD ASSUME THAT "SURPRISE" ~~IS~~ may be A PERMANENT CONDITION THAT INFORMS ALL OF OUR STRATEGIC THINKING AND MILITARY PLANNING.

WE MUST ANTICIPATE THAT FUTURE ADVERSARIES MAY HAVE THE ABILITY TO:

- USE ELECTRONIC WARFARE TO BLIND OUR SATELLITES AND DISRUPT OUR MILITARY AND CIVILIAN INFORMATION SYSTEMS.

- USE COMMERCIALLY AVAILABLE SPACE-BASED IMAGERY, AS WELL AS COMMUNICATIONS AND NAVIGATION SATELLITES, TO PLAN ATTACKS AGAINST THE U.S., OUR FRIENDS AND OUR ALLIES.

- DENY THE UNITED STATES ACCESS TO PORTS AND AIRFIELDS AROUND THE WORLD WE NEED TO DEPLOY FORCES IN A CRISIS OR CONFLICT – USING BALLISTIC MISSILES AND CRUSISE MISSILES (ARMED WITH CHEMICAL AND BIOLOGICAL WEAPONS), AS WELL AS SEA MINES AND QUIET SUBS.

- USE UNCONVENTIONAL WEAPONS – SUCH AS CAR BOMBS, BOAT BOMBS, OR SUITCASE WEAPONS PACKED WITH PLASTIC EXPLOSIVES OR CHEM-BIO WEAPONS – TO LAUNCH TERRORIST ATTACKS AGAINST THE UNITED STATES, OUR ALLIES AND OUR FORCES ABROAD.

- LAUNCH BALLISTIC MISSILE STRIKES ON THE U.S. AND ITS ALLIES,

MEETING THESE AND OTHER EMERGING THREATS REQUIRES A NEW DEFENSE STRATEGY – ONE THAT TRANSFORMS OUR ARMED FORCES BY EXPLOITING OUR ADVANTAGES IN SUPERIOR TECHNOLOGICAL INNOVATION; OUR UNMATCHED SPACE AND INTELLIGENCE CAPABILITIES; OUR SOPHISTICATED MILITARY TRAINING, AND OUR UNIQUE ABILITIES TO INTEGRATE COMPLEX, HIGH-TECH MILITARY SYSTEMS TO ACHIEVE DOMINANCE IN THE BATTLEFIELD,

THE MOMENT TO TRANSFORM IS NOW. MR. CHAIRMAN, I SPENT THE PAST 25 YEARS IN THE WORLD OF BUSINESS, AND I ~~CAN TELL YOU~~ know ~~THIS~~ that: ANY SUCCESSFUL EXECUTIVE WILL CONFIRM THAT THE BEST TIME FOR A BUSINESS TO RETOOL IS WHEN YOU ARE ON TOP – AND THE WORST THING YOU CAN DO TO WAIT AROUND, TWIDDLING YOUR THUMBS, UNTIL SOME INNOVATIVE COMPETITOR COMES ALONG AND FINDS A WAY TO CHALLENGE YOUR MARKET POSITION AND KNOCKS YOU OFF YOUR PERCH,

~~MR. CHAIRMAN~~, TODAY AMERICA IS ON TOP; WE FACE NO CREDIBLE immediate THREAT TO OUR EXISTENCE OR OUR WAY OF LIFE; NO POWER ON EARTH MATCHES US ECONOMICALLY OR TECHNOLOGICIALLY; WE LIVE IN AN INCREASINGLY DEMOCRATIC WORLD, WHERE OUR

MILITARY POWER -- WORKING IN CONCERT WITH ALLIES -- HELPS GUARANTEE A WORLD OF PEACE AND GROWING PROSPERITY

BUT WE ARE SITTING AROUND, WAITING FOR OUR COMPETITORS TO CHALLENGE OUR POSITION AND KNOCK US OFF OUR PERCH.

THE GREATEST THREAT TO MAINTAINING OUR POSITION IS OUR OWN COMPLACENCY. THIS IS THE IMPERATIVE FOR TRANSFORMATION.

FASHIONING OUR MILITARY OF THE FUTURE WHILE COUNTERING THE THREATS OF TODAY

HOW, THEN, SHOULD WE TRANSFORM? UNCERTAINTY ABOUT THE FUTURE STRATEGIC ENVIRONMENT REQUIRES A NEW APPROACH – ONE THAT MOVES FROM "THREAT-BASED" TOWARD "CAPABILITIES-BASED" MILITARY PLANNING.

DURING THE COLD WAR, THE THREATS TO OUR SECURITY WERE RELATIVELY PREDICTABLE. THE THREATS WE FACE IN THE COMING DECADES ARE MUCH LESS SO. OUR FUTURE ADVERSARY

COULD BE A NON-STATE ACTOR, A ROGUE STATE OR A COALITION OF HOSTILE NATIONS. WE CANNOT KNOW FOR SURE.

BUT WHILE WE CANNOT BE CERTAIN "WHO" WILL THREATEN US, WE CAN ANTICIPATE "HOW" THEY WILL THREATEN US – AND ADJUST OUR STRATEGY ACCORDINGLY

THIS MEANS WE SHOULD FOCUS LESS ON SPECIFIC CONFLICT SCENARIOS, AND MORE ON BUILDING A WIDE RANGE OF US, MILITARY CAPABILITIES – CAPABILITIES THAT, BECAUSE WE POSSESS THEM, WILL DISCOURAGE POTENTIAL ADVERSARIES FROM THE WIDEST POSSIBLE RANGE OF FUTURE PROVOCATIONS.

WE SHOULD FOCUS ON WHAT WE WANT OUR FORCES TO ACCOMPLISH, RATHER THAN MATCHING THEM UP AGAINST A PARTICULAR ADVERSARY OR SET OF ADVERSARIES.

THIS REQUIRES CHANGING OUR BASIC CONCEPTS OF DETERRENCE. IN THE PAST, OUR AIM WAS TO DETER AN ADVERSARY FROM USING EXISTING WEAPONS IN ITS ARSENAL AGAINST US. TODAY OUR AIM IS TO ANTICIPATE FUTURE CAPABILITIES <u>BEFORE AN ADVERSARY</u>

CAN DEVELOP THEM – AND THEN DEPLOY U.S MILITARY CAPABILITIES SO OVERWHELMING THAT OUR ADVERSARIES REALIZE COMPETITION IS FUTUILE. WE LOCK THEM OUT OF THE MARKET.

SUCH A ~~NEW~~ retostiaal DEFENSE STRATEGY WOULD HAVE THREE KEY ELEMENTS:

1. FIRST, TO **ASSURE** THE AMERICAN PEOPLE THAT WE CAN RESPOND TO UNEXPECTED DANGERS AND THE EMERGENCE OF NEW THREATS, AND OUR ALLIES AND FRIENDS THAT WE WILL MEET OUR COMMITMENTS TO THEM;

2. SECOND, TO **DISSUADE** POTENTIAL STRATEGIC COMPETITORS FROM DEVELOPING THE CAPABILITIES TO THREATEN OR ATTACK THE UNITED STATES, OUR ALLIES AND FRIENDS, AND OUR FORCES DEPLOYED ABROAD; AND

3. THIRD, IF DISSUASION FAILS, TO successfully **DEFEND** THE UNITED STATES, ITS FORCES ABROAD, ITS CAPABILITIES IN SPACE, ITS ALLIES AND FRIENDS, AGAINST ANY FORM OF AGGRESSION OR COERCION –

AND TO PREVAIL AGAINST ANY ADVERSARY BY MAINTAINING MILITARY CAPABILITIES TO KEEP THE PEACE, WIN WARS DECISIVELY, AND MINIMIZE DAMAGE TO THE U.S., OUR ALLIES AND FRIENDS, AND OUR MILITARY PERSONNEL.

THIS WILL REQUIRE US TO:

1. RESTORE AND MODERNIZE A PORTION OF OUR EXISTING MILITARY CAPABILITIES FOR AIR, LAND, AND NAVAL WARFARE TO DEAL WITH THE EXISTING THREATS WE FACE.

a smaller portion of

2. AT THE SAME TIME, BEGIN TO TRANSFORM OUR FORCES AND FASHION NEW MILITARY CAPABILITIES TO STAY AHEAD OF TOMORROW'S THREATS.

3. AND, THROUGH THESE COMBINED EFFORTS, MAINTAIN A SUBSTANTIAL MARGIN OF MILITARY ADVANTAGE RELATIVE TO ANY POTENTIAL FUTURE COMPETITORS – THUS CONTRIBUTING TO BOTH DISSUASION AND DEFENSE.

THE FUNDAMENTAL PURPOSE OF THE U.S. ARMED FORCES IS TO DEFEND THE NATION. WE MUST BE PREPARED TO DETER AND DEFEND AGAINST A WIDE RANGE OF ATTACKS -- MISSILE STRIKES ON OUR TERRITORY; CYBER-ATTACKS AGAINST THE COMPUTER SYSTEMS THAT BIND OUR MODERN SOCIETY TOGETHER; ATTACKS ON OUR SPACE ASSETS THAT PROVIDE COMMUNICATIONS AND INTELLIGENCE; AND TERRORISTS ATTACKS AGAINST OUR PEOPLE AND OUR WAY OF LIFE.

BUT AT THE SAME TIME, WE SHOULD RECOGNIZE THAT OUR NATIONAL SECURITY INTERESTS DO NOT STOP AT THE WATER'S EDGE. THE JOB OF OUR ARMED FORCES IS NOT SIMPLY TO DEFEND AMERICAN TERRITORY, BUT TO DEFEND AMERICAN INTERESTS. AMERICAN TRADE AND PROSPERITY DEPEND ON A PEACEFUL WORLD, AND THE U.S. ARMED FORCES HELP TO KEEP PEACE IN FAR CORNERS OF THE GLOBE, THROUGH THE PROJECTION OF AMERICAN POWER AND THROUGH STRATEGIC ALLIANCES.

OUR ABILITY TO CONDUCT ALL OF THESE MISSIONS DEPENDS ON A ROBUST MIX OF CAPABILITIES – NUCLEAR AND CONVENTIONAL, OFFENSIVE AND DEFENSIVE. THIS MIX OF CAPABILITIES IS

NECESSARY TO DETER ATTACKS ON THE UNITED STATES, AS WELL AS OUR ALLIES AND FRIENDS ABROAD; TO DENY OUR ADVERSARIES THE ABILITY TO ACHIEVE HOSTILE OBJECTIVES; AND TO DEFEAT THEM IF DISSUASION FAILS.

MUTUALLY REINFORCING CAPABILITIES

TO BE EFFECTIVE, OUR DEFENSE STRATEGY CANNOT VIEW MILITARY CAPABILITIES IN ISOLATION. WE WILL NEED TO CAPITALIZE ON THE MUTUALLY REINFORCING EFFECTS WE GET FROM A RANGE OF DIFFERENT CAPABILITIES,

MR. CHAIRMAN, THESE ARE SOME OF THE SETS OF CAPABILITIES WE WILL SEEK:

INTELLIGENCE

OUR STRATEGY WILL PLACE MUCH GREATER DEMANDS ON BOTH HUMAN INTELLIGENCE AND COMMUNICATIONS INTELLIGENCE. WE WILL NEED THESE INTELLIGENCE CAPABILITES TO PROVIDE INSIGHT INTO THE INTENTIONS OF POTENTIAL ADVERSARIES, AND

TO WARN US OF IMPENDING THREATS AND EMERGING HOSTILE CAPABILITIES.

WHILE THE ELEMENT OF SURPRISE WILL BECOME AN INCREASINGLY PERMANENT FEATURE OF THE SECURITY ENVIRONMENT AMERICA FACES, WE CAN DO OUR BEST TO LIMIT THE SURPRISE FACTOR -- BY ANTICIPATING BOTH CRISES AND EMERGING CAPABILTIES. WE WILL ALSO DEPEND ON INTELLIGENCE TO PROVIDE CRITICAL INFORMATION TO HELP GUIDE RESEARCH AND DEVELOPMENT, AND THUS OUR INVESTMENT STRATEGY FOR FUTURE CAPABILITIES.

WE MAY ALSO NEED TO FIELD NEW INTELLIGENCE ASSETS TO PROVIDE CONTINUOUS SURVEILLANCE COVERAGE OVER CRITICAL AREAS, AND IMPROVE OUR ABILITY TO LOCATE AND TRACK MOBILE TARGETS. DOING SO WOULD ASSIST MILITARY FORCES IN EXECUTION OF THEIR MISSIONS.

ONE AREA OF INCREASING VULNERABILITY IS SPACE. TODAY, OUR ABILITY TO MONITOR THREATS TO OUR SPACE-BASED ASSETS IS EXTREMELY LIMITED. AS MORE AND MORE NATIONS DEPLOY

SPACE SYSTEMS, WE WILL NEED TO IMPROVE OUR ABILITY TO MONITOR ACTIVITIES IN SPACE.

OUR INTELLIGENCE AND SPACE CAPABILITIES WILL ALSO NEED TO PROVIDE MUCH MORE USEFUL AND TIMELY DECISION AND OPERATIONAL SUPPORT FOR OUR WARFIGHTERS.

MISSILE DEFENSE

MR. CHAIRMAN, PRESIDENT BUSH HAS SAID "A DANGEROUS WORLD REQUIRES A SHARPED SWORD." IT ALSO REQUIRES A STRONG SHIELD.

IN A WORLD WHERE MORE THAN A DOZEN NATIONS POSSESS BALLISTIC MISSILE TECHNOLOGY, AND A NUMBER OF NATIONS ARE RACING TO ACQUIRE WEAPONS OF MASS DESTRUCTION,, one of AMERICA'S ~~MOST~~ PRESSING NATIONAL SECURITY CHALLENGE IS TO DEVELOP MISSILE DEFENSES CAPABLE OF DEFENDING ALL 50 STATES, OUR FRIENDS AND ALLIES AND OUR DEPLOYED FORCES.

THESE OBJECTIVES REQUIRE A DIFFERENT APPROACH TO MISSILE DEFENSE THAT:

- RECOGNIZES THE URGENCY OF COUNTERING THE BALLISTIC MISSILE THREAT FACING US;

- PROVIDES NEAR-TERM CAPABILITIES TO DEFEND AGAINST RAPIDLY-EMERGING THREATS, AND AN EVOLVING CAPABILITY OVER TIME;

- REFLECTS THE FACT THAT MISSILE DEFENSES ARE NEEDED CAPABLE OF DEFENDING AGAINST THE FULL SPECTRUM OF MISSILE THREATS -- FROM SHORT-RANGE TO INTERCONTINENTAL CAPABILITIES.

THE PROGRAM WE ENVISION WILL REQUIRE FREEDOM FROM THE CONSTRAINTS OF THE ABM TREATY, SINCE THE TREATY'S VERY PURPOSE – TO PREVENT THE PARTIES FROM DEFENDING THEIR TERRITORY AND POPULATIONS FROM BALLISTIC MISSILE ATTACK – IS AT ODDS WITH OUR STRATEGIC INTENTIONS. WE ARE ALSO DETERMINED TO DEVELOP AND TEST TECHNOLOGIES TO INTERCEPT

BALLISTIC MISSILES IN ALL PHASES OF FLIGHT, AND TO DEPLOY LIMITED SYSTEMS CAPABLE OF DEFENDING AGAINST THE MISSILES OF ANY NATION THAT WOULD THREATEN US.

HOW MIGHT OUR MISSILE DEFENSE PROGRAM MIGHT BE STRUCTURED TO MEET THESE OBJECTIVES? FIRST, MISSILE DEFENSE IS MOST EFFECTIVE IF IT IS LAYERED, THAT IS TO SAY, CAPABLE OF INTERCEPTING BALLISTIC MISSILES OF ANY RANGE AND IN ALL PHASES OF FLIGHT.

SECOND, WE NEED AN ACTIVE RESEARCH, DEVELOPMENT AND TESTING PROGRAM TO EXPLORE A WIDE RANGE OF ALTERNATIVE APPROACHES. WE HAVE NOT YET CHOSEN SYSTEMS FOR DEPLOYMENT. THAT WILL DEPEND ON THE EVOLUTION OF BOTH THE TECHNOLOGY AND THE MISSILE THREAT

WE EXPECT TO TAKE A FLEXIBLE APPROACH TO BALLISTIC MISSILE DEFENSE DEPLOYMENTS. INSTEAD OF COMMITTING TO RIGID ARCHITECTURES, WE WOULD DEPLOY A RANGE OF SENSORS AND INTERCEPTORS BEST CALCULATED TO SUPPORT OUR STRATEGIC OBJECTIVES.

AS THE PRESIDENT SAID, "AMERICA'S DEVELOPMENT OF A MISSILE DEFENSE IS A SEARCH FOR SECURITY, NOT A SEARCH FOR ADVANTAGE." AMERICAN MISSILE DEFENSES ARE JUST THAT – DEFENSES. THEY THREATEN NO ONE, AND SHOULD WORRY NO ONE -- SAVE THOSE WHO WOULD DO US HARM, AND THUS HAVE AN INTEREST IN OUR CONTINUED VULNERABILITY TO MISSILE ATTACK.

OF COURSE DEVELOPING MISSILE DEFENSES WON'T BE EASY. NEITHER WAS PUTTING A MAN ON THE MOON. AMERICANS HAVE NEVER SHIED FROM A CHALLENGE – WHEN SET ON A NATIONAL GOAL, AND BRING THE BEST MINDS AND THE INGENUITY OF THE AMERICAN PEOPLE TO BEAR ON A PROBLEM, THERE IS NOTHING WE CANNOT ACCOMPLISH.

SOME TESTS WILL FAIL – AND THAT'S OK. WE NEED TO GET OVER OUR AVERSION TO FAILURE. FAILURE IS HOW WE LEARN. IF WE DON'T FAIL, WE ARE NOT TAKING ENOUGH RISKS. AND IF WE ARE GOING TO BUILD AN EFFECTIVE SYSTEM, WE NEED TO ENCOURAGE RISK TAKING.

SOME TESTS WILL FAIL, OTHERS WILL SUCCEED. AND WHEN THEY DO, WE WILL DESIGN THE PROGRAM TO PERMIT DEPLOYMENT OF "TEST ASSETS" – EITHER ON AN INTERIM BASIS OR TO MEET AN UNEXPECTED CHANGE IN THE MISSILE THREAT.

IN COMBINATION WITH OTHER OFFENSIVE AND DEFENSIVE SYSTEMS IN OUR ARSENAL, OUR PURSUIT OF MISSILE DEFENSE DEMONSTRATES TO POTENTIAL ADVERSARIES THAT THE AMERICAN PEOPLE HAVE THE MEANS AND THE WILL TO STAND UP TO COERCION AND AGGRESSION.

CRITICS SAY THAT WE SHOULD HOLD OFF ON DEVELOPMENT OF MISSILE DEFENSES, BECAUSE THE MISSILE THREAT TO AMERICA HAS NOT YET FULLY EMERGED, FIRST, WE CANNOT KNOW FOR SURE WHETHER THAT IS TRUE – OUR POTENTIAL ADVERSARIES HAVE SURPRISED US BEFORE AND WILL LIKELY SURPRISE US IN THE FUTURE WITH THEIR MISSILE CAPABILITIES.

BUT IF IT IS TRUE, THEN THAT IS PRECISELY THE REASON FOR US TO BUILD AND DEPLOY EFFECTIVE MISSILE DEFENSES AS SOON AS POSSIBLE.

OUR DEPLOYMENT OF EFFECTIVE MISSILE DEFENSES WILL DISSUADE ROGUE STATES FROM PURSUING BALLISTIC MISSILE TECHNOLOGY IN THE FIRST PLACE. IF WE CAN DEFEND OUR TERRITORY EFFECTIVELY, WHY WOULD THEY POUR SCARCE RESOURCES INTO MISSILE PROGRAMS THAT HAVE NO HOPE OF GIVING THEM WHAT THEY WANT – THE POWER TO STRIKE OUR TERRITORY AND HOLD OUR PEOPLE HOSTAGE TO NUCLEAR BLACKMAIL?

MISSILE DEFENSE IS THUS THE CORNERSTONE OF A NEW ARMS CONTROL STRATEGY – A STRATEGY THAT RELIES ON STRATEGIC DISSUASION, RATHER THAN PIECES OF PARCHEMENT THAT HAVE THUS FAR DONE LITTLE TO STOP THE PROLIFERATION OF DANGEROUS MISSILE TECHNOLOGY TO THE WORLD'S TERRORIST REGMTMES.

NUCLEAR FORCES

COMPLEMENTING OUR DEFENSIVE SYSTEMS, NUCLEAR WEAPONS REMAIN CRITICAL TO OUR NATIONAL SECURITY STRATEGY. THE PRESIDENT IS COMMITTED TO ACHIEVING AND MAINTAIING A

CREDIBLE DETERRENT WITH THE LOWEST NUMBER OF NUCLEAR WEAPONS, CONSISTENT WITH OUR PRESENT AND FUTURE NATIONAL SECURITY NEEDS. THESE FORCES MUST BE SURVIVABLE, SAFE, SECURE, RELIABLE AND EFFECTIVE.

OUR NUCLEAR FORCES MUST BE SIZED AND CONFIGURED FOR THE CHANGING THREATS OF THE 2 1 ST CENTURY. WE WILL NEED TO HOLD AT RISK A WIDE RANGE OF TARGETS – BUT WE CAN DO SO WITH A SMALLER NUCLEAR FORCE.

WE WILL DETERMINE THE PRECISE LEVEL OF FORCES WE WILL NEED OVER THE NEXT SEVERAL MONTHS. OUR THINKING ON THE SIZE AND STRUCTURE OF OUR NUCLEAR FORCE WILL NOT BE DRIVEN BY TRADITIONAL ARMS CONTROL APPROACHES. RATHER, WE ARE PREPARED TO EXPLORE ALTERNATIVE APPROACHES, INCLUDING UNILATERAL CUTS, PARALLEL REDUCTIONS, RECIPROCAL REDUCTIONS, AND MUTUALLY AGREED REDUCTIONS, [EXPLAIN...]

I HAVE DIRECTED A REVIEW OF OUR STRATEGIC NUCLEAR POSTURE, INCLUDING COMMAND AND CONTROL, FORCE STRUCTURE, MODERNIZATION, SAFETY AND RELIABILITY, AND INFRASTRUCTURE. THIS REVIEW WILL TAKE PLACE OVER THE NEXT

FEW MONTHS AND CULMINATE IN DECISIONS THAT WILL FURTHER MODERNIZE AND TRANSFORM OUR NUCLEAR FORCES. I LOOK FORWARD TO WORKING WITH AND CONSULTING CLOSELY WITH CONGRESS AS WE PROCEED,

ADVANCED CONVENTIONAL CAPABILITIES

IN ADDITION TO TRANSFORMING OUR STRATEGIC NUCLEAR CAPABILITIES, WE WILL TRANSFORM OUR CONVENTIONAL CAPABILITIES AS WELL:

- OUR JOINT FORCES, PARTICULARLY OUR GROUND FORCES, WILL NEED TO BE LIGHTER, MORE MANEUVERABLE AND MORE EASILY DEPLOYABLE. THEY ALSO NEED TO OPERATE WITH GREATER FIREPOWER THAN TODAY – EMPLOYING A WIDE RANGE OF HIGH-TECH "INDIRECT FIRE" SYSTEMS AND AVIATION ASSETS.

- SPECIAL OPERATIONS FORCES WILL LIKELY BECOME MORE IMPORTANT IN THE FUTURE – CONDUCTING DEEP RECONNAISSANCE INTO AN ADVERSARY'S TERRITORY, AND SERVING AS FORWARD "AIR CONTROLLERS" (CALLING IN

STRIKES FROM THE GROUND FOR OUR LONG-RANGE AIR AND SEA BASED PRESCISION-STRIKE ASSETS).

- AS THE THREAT POSED BY CHEMICAL AND BIOLOGICAL WEAPONS BECOMES A FACT OF LIFE IN FUTURE WARFARE, WE SHOULD DEVELOP MORE POWERFUL CONVENTIONAL WEAPONS THAT CAN EFFECTIVELY TAKE OUT TARGETS LIKE DEEP UNDERGROUND FACILITIES CONTAINING CHEM-BIO WEAPONS. WE WILL ALSO NEED TO IMPROVE OUR DEFENSIVE COUNTERMEASURES AGAINST CHEMICAL AND BIOLOGICAL WEAPONS.

- AS WE ARE REQUIRED TO OPERATE IN MORE DISTANT THEATERS, WE WILL NEED NEW AIR- AND SEA-BASED STEALTHY PLATFORMS THAT CAN STRIKE AT LONGER RANGES, CARRYING FAR GREATER PAYLOADS OF WEAPONS.

- WE WILL NEED NEW KINDS OF MUNITIONS – ~~MUCH~~ SMALLER THAN TODAY'S MUNITIONS – TO INCREASE BOTH THE NUMBER OF WEAPONS WE CAN CARRY ON OUR BOMBERS, SHIPS AND SUBMARINES, AND THE PUNCH THEY DELIVER. WE SHOULD

11-L-0559/OSD/3674

ALSO DEVELOP MUNITIONS THAT CAN LOITER ABOVE THE BATTLEFIELD, WAITING TO ATTACK MOBILE TARGETS AS THEY APPEAR, AND OUR MUNITIONS SHOULD BE HIGHLY PRECISE AND CAPABLE OF OPERATING DAY OR NIGHT, AND IN ALL WEATHER CONDITIONS.

- AN IMPORTANT ASPECT OF OUR ADVANCED CONVENTIONAL CAPABILITIES WILL BE UNMANNED SYSTEMS. THESE HAVE SHOWN EXTRAORDINARY PROMISE OVER THE PAST DECADE. WE WILL CONTINUE TO PURSUE THEM FOR USE AS SURVEILLANCE PLATFORMS. BUT WE ALSO NEED TO DEVELOP THE USE OF UNMANNED COMBAT AERIAL VEHICLES.

- WE SHOULD DEVELOP HIGH CAPACITY COMMUNICATIONS SYSTEMS THAT CAN RAPIDLY TRANSMIT INFORMATION OVER SECURE, JAM-RESISTANT DATALINK NETWORKS,

- WE ALSO NEED TO GIVE GREATER EMPHASIS TO INFORMATION OPERATIONS, SUCH AS COMPUTER NETWORK OPERATIONS (DEFENSE AND ATTACK), PSYCHOLOGICAL OPERATIONS AND DECEPTION. INFORMATION OPERATIONS NEED TO BE

INTEGRATED INTO MILITARY CAMPAIGNS AS A COMPLEMENT TO AIR, LAND, SEA, SPACE, AND SPECIAL OPERATIONS.

RESEARCH AND DEVELOPMENT BASE

PROVIDING THESE SORTS OF CAPABILITIES WILL REQUIRE A NEW APPROACH TO RESEARCH AND DEVELOPMENT, WE NEED A WELL-FUNDED RESEARCH AND DEVELOPMENT BASE THAT CAN EXPLOIT NEW TECHNICAL OPPORTUNITIES TO ENHANCE THE CAPABILITIES OF OUR OWN FORCES AND ANTICIPATE DEVELOPMENTS BY OUR POTENTIAL ADVERSARIES.

IN RECENT YEARS, OUR R&D EFFORTS HAVE BEEN BADLY UNDERFUNDED. THEY HAVE BEEN HINDERED BY A "ZERO DEFECT" MENTALITY THAT POISONS THE CULTURE IN WHICH RESEARCH AND DEVELOPMENT EFFORTS CAN FLOURISH AND IMPEDES OUR BROADER INCLINATION TO TRANSFORM. OUR ACQUISITION PROCESS HAS ALSO TENDED TO FRONT-LOAD PROGRAMS WITH TOO MANY SPECIFICATIONS AND REQUIREMENTS THAT PROLONG THE AMOUNT OF TIME IT TAKES TO FIELD NEW SYSTEMS. CLEARLY, MR. CHAIRMAN, THIS OLD APPROACH IS NO LONGER VIABLE.

TODAY WE NEED TO SUSTAIN A HEALTHY LEVEL OF RESEARCH AND DEVELOPMENT. TO DO SO, WE SHOULD PUT ASIDE A CERTAIN PERCENTAGE OF THE DOD AND SERVICE BUDGETS FOR R&D. THIS MONEY SHOULD BE TARGETED AT "OVER THE HORIZON" PROJECTS – THAT IS, IDEAS THAT ARE STILL ONLY A GLIMMER IN OUR SCIENTISTS' AND OUR ENGINEERS' EYES AND THEREFORE HAVE NO MILITARY SPONSOR4 WE MUST ALSO CHANGE THE MINDSET WITHIN THE BUILDING AND AROUND WASHINGTON REGARDING RESEARCH AND DEVELOPMENT BY ACCEPTING A HIGHER PERCENTAGE OF FAILURES IN OUR R&D STARTUPS. WE NEED TO THINK MORE LIKE VENTURE CAPITALISTS THAN ACCOUNTANTS.

WE ALSO NEED TO LINK OUR RESEARCH AND DEVELOPMENT EFFORTS MUCH MORE CLOSELY TO OUR SCIENCE AND TECHNOLOGY INTELLIGENCE COLLECTION EFFORTS TO REDUCE TECHNOLOGICAL SURPRISE AND RESPOND MORE SWIFTLY TO THE INNOVATIONS OF OUR ADVERSARIES.

TOGETHER, THIS NEW APPROACH TOWARD R&D AND SET OF MUTUALLY REINFORCING CAPABILITIES PROVIDE A TEMPLATE FOR

TRANSFORMATION. BUT TRANSFORMATION IS ABOUT MORE THAN CAPABILITIES. IT WILL ALSO REQUIRE CHANGING THE STANDARDS FOR WHICH WE PREPARE OUR FORCES AND REDEFINING OUR ANSWER TO THE QUESTION, READY FOR WHAT?

READY FOR WHAT?

DURING THE 50 YEARS OF THE COLD WAR, US. LEADERS HAD A CLEAR AND OBVIOUS ANSWER FOR OUR MILITARY PLANNERS WHEN THEY ASKED US: "READY FOR WHAT?"

BUT WHEN THE WALL FELL TWELVE YEARS AGO, THE ANSWER BECAME MORE ELUSIVE.

IN THE WAKE OF DESERT STORM, THE ANSWER BECAME THAT OUR FORCES HAD TO BE READY TO FIGHT AND WIN TWO, NEARLY SIMULTANEOUS REGIONAL WARS -- ONE IN THE PERSIAN GULF AND ONE ON THE KOREAN PENINSULA, THE TWO "MAJOR THEATER WAR" DOCTRINE WAS BORN.