

Congressman J. Randy Forbes
Submitted Questions for the Record
House Committee on Armed Services
Hearing on *The Department of Defense's Efficiency Initiatives*

29 September 2010

1. Is the Department intending to terminate the Acquisition and Cross-Servicing Agreement with NATO SACT? If so, what are the implications from a diplomatic perspective and the implications from a war fighting perspective?
2. Who will manage the Foreign Liaison/Exchange Officer agreements that are in place with 19 nations?
3. Does the Department of Defense view the National Security Strategy as an important document that should, in a broad sense, drive our nation's national defense structure?
4. What is your plan to ensure that our allies have access to joint interoperability doctrine without a combatant command to lead them?
5. Why has the Department abandoned a strategy based military construct and instead elected to try and protect our national and interests with a weaker and wholly illogical budget based military?
6. Article 5 of the NATO charter states that:

The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defence recognized by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security

On September 11th, 2001, NATO offered, for the first time, assistance to the United States. Why is the Department recklessly abandoning this partnership?

7. Does the Department now find the research conducted under the Cooperative Research and Development Agreements (CRADA) with IBM, Northrop Grumman and Old Dominion University not worthy of continuation?
8. What is your cost estimate of the termination of the non-indefinite requirement contracts?
9. If you don't have an estimate, how can the Department in good conscience recommend the closure of a combatant command authorized under 10 US Code 161 without first determining not just the indefinite contract cost may be, but the whole cost?
10. What is your estimate for the closure of the Suffolk and L'Enfant facilities with regards to termination of the leases and disposal of the buildings and material?
11. If no estimate exists, how can the Department in good conscience recommend the closure of a combatant command authorized under 10 US Code 161 without first determining not just the indefinite contract cost may be, but the whole cost?
12. Does the department possess a complete listing of all applicable Memorandum of Agreements and Understanding to ensure that we do not inadvertently violate an agreement opening up the government to some level of liability?
13. If there exists no complete list, how can the Department close a combatant command without full knowledge of the agreements that may be in place and may expose the department to liability if not properly terminated?
14. How is the department planning to deal with the high number of displaced federal workers? What is the department planning to do to properly care for those employees who have relied upon employment at JFCOM and now, to their detriment, are having their livelihood taken from them with little or no notice? What is the department going to do beyond RIF procedures?
15. Deputy Secretary William J. Lynn stated that the Department spent "considerable time reviewing the input of his [Secretary Gates] most senior advisors, including the Chairman and Vice Chairman of the Joint Staff, myself, and others." Why has the Department steadfastly refused to provide this input and analysis that was developed for and relied upon by the Secretary to make his decision despite repeated requests by multiple members of the Virginia Delegation?
16. Please provide the actual (not a summary) of the Departments legal opinion with regards to the applicability of Title X, 2687 Base Closure and Realignment on the JFCOM closure decision.
17. Numerous documents and statements from DoD have indicated that a plan for disestablishment of JFCOM, including a determination of the functions that should continue to exist, should be eliminated,

or should be moved, is being developed over the next several weeks. How does DoD justify making a decision to close JFCOM before first carrying out such an assessment?

18. What studies on cost savings has DoD conducted concerning the JFCOM closure and contractor reduction? Please provide details.

19. What studies on workload impacts has DoD conducted (e.g., what are impacts on JCS of force provider function shift)? Provide details.

20. Has DoD contacted contractors and civilians to determine their intent to move locations if their functions are moved? What impact on moving functions, and the service members who receive JFCOM training and operations support, could result from the loss of these personnel from the workforce? What process was used to identify JFCOM for closure and what factors were considered in proposing the JFCOM closure? Why was it not done within the QDR completed this spring, or as part of a BRAC realignment?

21. What specific legal authority exists for such strategic closures outside of BRAC? Jointness and joint interoperability give the U.S. military a great strategic advantage. How will such important characteristics of the modern military be met if JFCOM closes?

22. The modeling and simulation work done at JFCOM is a critical low cost test and evaluation function. How can it be done if JFCOM closes?

23. Did OSD review the process and decision made by the OSD Headquarters and Support Activities Joint Cross Service Group during the 2005 BRAC process that resulted in the recommendation that JFCOM continue to exist and should in fact purchase its leased facilities? How does DoD reconcile the recommendation to close JFCOM with the 2005 BRAC recommendation?

24. Various personnel at JFCOM have been directed to sign non-disclosure agreements relating to the review and closure process. Why does the Department not take a transparent review and decision-making process in this action?

25. The Secretary indicated that he authorized the services to consider additional closures, and Mr. Hale recently indicated that no "more" closures would be announced until at least February. Is DoD currently considering additional base or function closures or realignments that would affect Virginia? If so, what are the metrics and process being used in that review?

26. If the Secretary and the military departments are considering additional closures and realignments, does DoD believe that another round of the BRAC process is necessary? Have specific locations outside of Hampton Roads been identified to host any JFCOM mission that will remain intact after the proposed disestablishment of JFCOM?

27. Has DoD considered moving a new mission to backfill the sudden loss of this Command in the Hampton Roads region? For example, has DoD considered moving AFRICOM or other functions to the region? Which locations are being considered to host AFRICOM?

28. What specific JFCOM functions will remain in Suffolk and Norfolk? What are the estimated civilian, uniformed, and contract job positions at each location? Are these personnel assigned to specific billets at each location?

29. What is the DoD plan for use of leased space in Suffolk? Will the leases be terminated and what are the termination fees?

30. If similar functions to JFCOM exist within the Joint Chiefs of Staff and other organizations, did DoD consider consolidation of those functions to JFCOM, rather than disestablishment? Should alternatives, such as expanding or strengthening the JFCOM function, have been considered instead of selecting the JFCOM closure option?

31. For those activities that DoD determines should continue to exist, what process will DoD use to determine whether they should remain in place or move elsewhere? Was there consideration given to simply reducing the number of contractors and eliminating the duplication of missions versus eliminating the entire command?

32. Has DoD calculated the extreme economic costs to Virginia of the contractor reduction; and what is the estimate? Where are the displaced contractor functions going to be performed? Will the JFCOM closure make the region eligible for base closure assistance, including OEA grants, from the federal government?

33. Will the JFCOM closure result in an increase of personnel in the National Capital Region?

34. What costs, and savings, are associated with the use of defense contractor personnel at JFCOM? What costs, and savings, are associated with the use of defense contractor personnel in the National Capital Region? How will DoD decide which defense contractors and contracts to cut or eliminate in order to achieve the announced reduction?

35. What studies has DoD conducted on both the short and long term real cost savings by reducing the use of defense contractors? Please include any existing examples where reducing the use of defense contractors – either by using uniformed personnel or by in-sourcing – has actually reduced costs to DoD. If the Department is looking for efficiencies, why was the decision made to cut the government contracting services sector rather than finding efficiencies through the streamlining of administrative operations?

36. Upon what basis or analysis was the decision made to reduce the use of defense contractors by a total of 30% over the next three (3) years? Please provide a copy of any analysis conducted by DoD that forms the basis of this action.

37. What universe of service will the reduction affect? Will it be an across the board? If not, which categories of service will be targeted?

38. Will the reduction in the use of defense contractors be spread equally throughout the country or will any such reduction be confined to a specific region, such as the National Capital Region of Northern Virginia, which appears to be hit extremely hard by this decision.

39. Please provide a list, by position, of every individual involved in any capacity in the JFCOM decision and disestablishment that have been required to sign a non-disclosure agreement.

40. Describe in detail in the internal and external actions being taken to disestablish JFCOM.