

Advance Questions for H.T. Johnson
Nominee for the Position of Assistant Secretary of the Navy
(Installations and Environment)

1. Defense Reforms

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

A. Do you support full implementation of these defense reforms?

A. I am committed to the complete and effective implementation of these reforms.

B. What is your view of the extent to which these defense reforms have been implemented?

A. I believe these reforms have been accepted and implemented. They have clarified the responsibilities and authorities of the Secretary of Defense, the Secretaries of the Military Departments, the Joint Chiefs of Staff, and the Chairman of the Joint Chiefs. These reforms have improved our joint war fighting capabilities.

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

A. I believe the most significant improvement has been to strengthen the joint war fighting capability of our country. Our military is more capable and more lethal because our Services can work better together. If confirmed, I will continue the Department of the Navy's commitment to the principles of joint war fighting.

The goals of the Congress in enacting these defense reforms, as reflected in section 3 of the Goldwater-Nichols Department of Defense Reorganization Act, can be summarized as strengthening civilian control; improving military advice; placing clear responsibility on the combatant commanders for the accomplishment of their missions; ensuring the authority of the combatant commanders is commensurate with their responsibility; increasing attention to the formulation of strategy and to contingency planning; providing for more efficient use of defense resources; and enhancing the effectiveness of military operations and improving the management and administration of the Department of Defense.

D. Do you agree with these goals?

A. Yes.

Recently, there have been articles, which indicate an interest within the Department of

Defense in modifying Goldwater-Nichols in light of the changing environment and possible revisions to the national strategy.

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

A. I am unaware of legislative proposals to amend Goldwater-Nichols, and do not have any specific suggestions to offer. If confirmed, I will evaluate any proposal to amend Goldwater-Nichols on its merits.

2. Duties

A. What is your understanding of the duties and functions of the Assistant Secretary of the Navy (Installations and Environment)?

A. According to existing practices, the role of the Assistant Secretary of the Navy (Installations and Environment) is to formulate policy and procedures for the effective management of Navy and Marine Corps: real property, housing, and other facilities; environmental protection ashore and afloat; safety and occupational health for both military and civilian personnel; and timely completion of closures and realignments of installations under base closure laws. If confirmed, I will pursue these duties within the context of the overall priorities of the Secretary of the Navy, as well as any other areas he may assign.

B. What background and experience do you possess that you believe qualifies you to perform these duties?

A. I believe I possess extensive experience in the public and private sectors in operating and maintaining facilities in an environmentally responsible manner. I have served in an executive capacity in various phases of the BRAC process. I believe I have demonstrated a deep and abiding commitment to “the military family” in my many previous assignments within the Department of Defense and in the private sector. I will continue that commitment to the Sailors, Marines, civilians, and their families in the Department of the Navy.

C. Do you believe that there are actions you need to take to enhance your ability to perform the duties of the Assistant Secretary of the Navy (Installations and Environment)?

A. If confirmed, I will seek and listen to the views of those within the Department of the Navy, as well as those of the Secretary of Defense and the other Military Departments. I will also seek and listen to the advice and counsel of the Congress, the communities and states where we operate, and other experts in my areas of responsibility.

D. Assuming you are confirmed, what duties and functions do you expect that the Secretary of the Navy would prescribe for you?

A. I expect the Secretary of the Navy to prescribe the duties and functions listed above. The Secretary has not described any other duties that he may assign to me.

E. In carrying out your duties, how will you work with the Secretary of the Navy, the Under Secretary of the Navy, and the Deputy Under Secretary of Defense (Installations and Environment)?

A. If confirmed, I will work closely with the Secretary of the Navy, the Under Secretary of the Navy, the Deputy Under Secretary of Defense (Installations and Environment), and the other Assistant Secretaries of the Navy consistent with the appropriate laws and Title X of the U.S. Code and the priorities of the Secretary of the Navy. I will work hard to foster cooperation and teamwork among the civilian and military leadership in the Department of the Navy.

3. Major Challenges and Problems

A. In your view, what are the major challenges that will confront the Assistant Secretary of the Navy (Installations and Environment)?

A. I believe the major challenges include: improving the overall condition of the shore infrastructure, including solving long-standing housing inadequacies; resolving encroachment concerns that may limit the ability of our Sailors and Marines to train under realistic conditions before going into harm's way; completing the environmental cleanup and property disposal of bases listed under previous Base Closure and Realignment statutes; providing more efficient facilities consistent with future force structure needs; and securing alternative shore facilities for pre-deployment readiness training.

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

A. If confirmed, I will carefully evaluate the status of ongoing initiatives. I will develop and pursue plans consistent with the priorities of the Secretary of Defense and the Secretary of the Navy. Where feasible, I would like to apply commercial methods and industry practices to address these challenges.

C. What do you consider to be the most serious problems in the performance of the functions of the Assistant Secretary of the Navy (Installations and Environment)?

A. On a national level, I believe the most serious problem will be maintaining a proper balance between national security and non-defense needs. Within the Department of Defense and the

Department of Navy, I expect there will be a strong competition for resources.

D. If confirmed, what management actions and time lines would you establish to address these problems?

A. I will work closely with the Secretary of the Navy and the Under Secretary of the Navy to support the Secretary's overall goals and time lines.

4. Priorities

A. What broad priorities will you establish in terms of issues which must be addressed by the Assistant Secretary of the Navy (Installations and Environment)?

A. If confirmed, I will establish priorities consistent with those of the Secretary of Defense and the Secretary of the Navy.

5. Housing Privatization

The Congress has repeatedly expressed its support for improving military family housing. Through the Military Housing Initiative, the Department of Defense has taken a significant step toward improving family housing. However, it will take many more years and a significant amount of funding to meet the Department's housing needs. An alternative option that has frequently been mentioned to resolve the military family housing crisis is to privatize the housing and relieve the Services and its commanders of the burden of maintaining and managing the family housing program. If confirmed for the position of Assistant Secretary of the Navy for Installations and Environment you will have a key role in any decisions regarding military family housing.

A. What are your views regarding the privatization of family housing?

A. I believe that privatization is an essential tool in improving living conditions for Sailors, Marines and their families. The ability to leverage Government resources through partnership with the private sector will help the Navy and Marine Corps to obtain better housing faster.

B. What is your view of the structure, pace, and general goals of the Navy's current housing privatization program? Do you think the program should be continued, and if so do you believe the program should be modified in any way?

A. I understand that the Department of the Navy recently awarded three housing privatization projects, and several more awards are planned in the coming months. It is my opinion that the program should be continued. If confirmed, I will explore all aspects of the program to identify those areas that

should be modified.

The Department of Defense has established 2010 as a goal to improve the standards of military family housing.

C. Do you believe this goal is realistic and achievable in regard to the Department of the Navy?

- A. Yes, based on what I have observed, and if confirmed, I would like to see us do it sooner.

6. "1+1" Standard for Bachelor Enlisted Quarters

In recent years the Department of Defense has pursued the so-called "1+1" standard for unaccompanied housing. While building to this standard raises costs, making it more difficult to modernize the Department's unaccompanied housing, many believe the greater privacy the 1+1 standard offers our enlisted personnel is essential to recruiting and retaining quality personnel and is something all personnel deserve. Others argue that the 1+1 standard can reduce unit cohesion and slow the integration of new personnel into the military culture. The Marine Corps, and more recently the Navy, have sought and received waivers to build to a "2+0" standard that affords less privacy but allows them to build new unaccompanied housing faster.

A. What is your view of the 1+1 standard?

- A. In my view, the 1+1 standard does provide enhanced privacy and, therefore, improves the quality of life for single members.

B. Do you believe the Navy and Marine Corps should build to the same standards as the Army and the Air Force or continue their recent waivers of the 1+1 standard?

- A. I have not yet been fully briefed on the waivers to the 1+1 standard. If confirmed, I will work to ensure our Sailors and Marines have a quality place to live. This will include consideration of all possible options that are necessary to achieve this goal as quickly as possible.

7. Competitive Sourcing

Over the past several years, DOD has increased its reliance on the private sector to perform activities that are commercial in nature, including many functions relating to running and maintaining our military installations.

A. What approach would you recommend to balance the need to maintain necessary decision-making functions and technical capabilities in the government’s civilian workforce, including the knowledge necessary to be a “smart buyer,” and skills such as civil engineering within the military, with the savings that may be available from outsourcing?

A. I understand that the Department of Defense has in place an approach called “Strategic Sourcing” that has wide acceptance. If confirmed, I will work with the Department of the Navy staff to examine this approach carefully, and assist in development of alternatives to achieve any improvements necessary.

B. Do you support the principle of public-private competition as the preferred means to make the “sourcing” decision for such functions?

A. If confirmed, I will work with the Secretary of the Navy and the Department of the Navy staff and would welcome the opportunity to work with the committee to evaluate the issue of public-private competition and whether it should be a preferred means of sourcing commercial activities.

C. Do you believe that public-private competition results in significant savings to the Department of Defense regardless of which side wins the competition?

A. I have not reviewed any specific data in this area, so I cannot provide an answer. If confirmed, I would welcome the opportunity to work with the Department of the Navy staff and the committee to evaluate such competition.

OMB Circular A-76, which establishes the guidelines for outsourcing most government functions, is slated for scrutiny by a Congressionally-mandated panel of government and private experts in this area. The panel, chaired by the Comptroller General, is scheduled to report to Congress with specific policy and legislative reforms and recommendations for changing the way the government conducts out-sourcing decisions and implements them.

D. What is your view of the current A-76 process?

A. If confirmed, I would be happy to participate in the review by the Congressionally mandated panel to evaluate and improve the process.

E. Are there other effective alternatives to achieve the benefits of public-private competition?

A. I believe that the work of the above-mentioned panel may be useful in developing alternatives that may achieve the benefits of public-private competition.

8. Base Closure

The President’s February budget blueprint document states that “with 23 percent in estimated excess infrastructure, it is clear that new rounds of base closures will be necessary to shape the military more efficiently”.

A. Do you believe that we need more base closures?

A. I am aware that the Secretary of Defense has expressed a desire to conduct more base closures. I support that conclusion.

B. Do you believe the Navy has excess infrastructure that uses resources that could be applied to higher priorities within the Department of the Navy?

A. Any discussion of where there may be excess capacity must await the completion of the Quadrennial Defense Review. That will identify a vision of how the Department of Defense must be reshaped to meet the threats of today and tomorrow to our nation. Implementing this new defense vision will likely involve a shift in the focus and priorities of the Military Departments, including its supporting shore establishment.

C. Based on your service on the Base Closure Commission, do you have any suggestions on how to improve the base closure process?

A. Although the base closure process established by the Defense Base Closure and Realignment Act is fundamentally sound, if confirmed, I will work closely within the Department of Defense and the Congress to further refine the process in light of the experience gained from previous closure rounds. Any specific suggestions, however, would be premature before considering the results of the Department of Defense’s ongoing reviews and the changes they are likely to recommend.

D. Based on your extensive experience from all aspects of the process – as a military commander, a member of the 1993 Base Closure Commission, and as head of the Greater Kelly Development Corporation – do you believe the process established by the Defense Base Closure and Realignment Act of 1990 is a fair and effective way to reduce excess military infrastructure and return the property to local authorities?

A. Yes.

E. In your view, would changing the base closure process to exempt some bases from the independent commission’s review make the process more or less open, fair, and stressful to communities with military installations?

A. Any changes to the base closure process must remain open, objective and fair to all communities. If confirmed, I will consider any proposed changes to improve the process.

9. Vieques

For the past two years, Naval forces deploying from the East Coast of the United States have been unable to conduct live-fire training on the Navy's training range on Vieques, Puerto Rico, which has degraded the readiness of these forces to execute their wartime missions.

A. In your view, to what extent are the difficulties the Navy is having with respect to training on Vieques unique to this particular situation and to what extent might these difficulties be an example of future problems at other training ranges?

A. Not having been closely involved with the issues surrounding Vieques, I do not know if this is unique to this situation. If confirmed, this issue will be high on my priority list.

B. The Navy has been looking for an alternative to Vieques for two years without success to date. Do you believe there are any alternatives available to replace the range of training capabilities the Navy and Marine Corps have at the Atlantic Fleet Weapons Training Facility ranges on and around Vieques?

A. I understand the Secretary of the Navy has established a broad study to examine the possibilities.

C. In your view, how difficult will it be to find new training areas unencumbered by restrictions imposed by neighboring populations, civilian air or sea traffic, or the need to protect sensitive environmental areas or endangered species should the need arise to replace or expand our training ranges in the future?

A. It will be challenging. Encroachment is an issue at many military facilities, not just training ranges. If confirmed, I will work to seek appropriate solutions.

D. If confirmed, what actions would you propose to ensure that this kind of problem does not prevent the Navy and Marine Corps from effectively training and operating both at home and abroad?

A. If confirmed, I would propose that Navy and Marine Corps continue to be good neighbors and stewards of their ranges. I will work hard to build and nurture healthy partnerships that respect defense and community needs.

10. Real Property Maintenance

The military departments have consistently struggled to maintain their base infrastructure. The backlog of real property maintenance has remained high whether budgets were increasing or decreasing, and the military is far behind industry standards for maintaining and modernizing its facilities.

A. Are there any new approaches to this issue that you believe could help the Navy move toward a solution of this perennial problem?

A. I believe the solution lies in a combination of reducing any excess infrastructure consistent with the recommendations of the Quadrennial Defense Review, and a commitment to maintain the remaining infrastructure using commercial benchmarks and practices.

11. Environmental Issues

The Senior Readiness Oversight Committee is currently reviewing a group of readiness challenges it has characterized as “encroachment” issues. These include environmental constraints on military training ranges, local community efforts to obtain military property, airspace restrictions to accommodate civilian airlines, and the assignment of radio frequency spectrum away from the Department of Defense.

A. In your opinion, how serious are these problems for the Department of the Navy?

A. I understand encroachment is a very serious problem that is having a negative impact on training and testing. I understand these impacts include decreased days for testing and training, restrictions on the location and timing for testing and training, and limitations on the types of training available. The cumulative effect can diminish readiness.

B. If confirmed, what role do you expect to play in addressing these challenges and what actions would you propose to take to address them?

A. If confirmed, I will work with the Secretary of the Navy, the other military components, the Office of the Secretary of Defense, and other federal agencies to assess the issue from a broad policy perspective and resolve a number of specific encroachment issues. I will also work closely with the Congress on potential changes to existing laws to clarify those laws with respect to the proper balance between environmental protection and military readiness.

The Department of Defense makes it a practice to request funding only for those environmental compliance areas that are already out of compliance and subject to an

enforcement action, and those that will be out of compliance before the next budget cycle.

C. Do you believe that continuing funding for this type of environmental cleanup is critical to maintaining a positive relationship with local regulatory authorities and the communities around our military bases?

A. Yes. In many respects, the Department of the Navy is just like any other big business and must give priority to complying with environmental requirements. It is vital that the Navy and Marine Corps comply with environmental protection requirements and budget appropriately. If confirmed, I also will look for opportunities to be proactive rather than reactive. For example, achieving compliance through pollution prevention is the preferred method of achieving compliance.

D. Do you believe that the Department of Defense should be exempt from the application of the environmental laws?

A. In general, no. Most of the activities of the Navy and Marine Corps, particularly those associated with operating installations, can and must comply with environmental laws like the private sector. However, application of some environmental laws and regulations to unique military training actions should be examined and may require some regulatory accommodations to ensure national security.

E. Do you support the basic principle of the Federal Facilities Act and other laws that federal facilities, including DOD facilities, should be subject to the same standards as comparably situated civilian facilities?

A. In general, yes. There may be circumstances where environmental regulations must be tailored to accommodate a unique military mission or special circumstances related to military training while balancing the need to ensure good environmental stewardship.

The Department of Defense faces a bill for the clean-up of unexploded ordnance (UXO) that is at least in the tens of billions of dollars, and could well be in the hundreds of billions of dollars. At current funding levels, it has been estimated that it would take the military services *several thousand years* to remediate UXO problems on a DOD-wide basis.

F. What do you believe would be an acceptable time period for cleaning up unexploded ordnance problems throughout the Department of Defense?

A. If confirmed, I will work with the other Services and the Office of the Secretary of Defense, in consultation with Congress, to solve this critical question.

G. Do you believe that increased investment in UXO remediation technologies would be

likely to produce more effective and efficient remediation processes and substantially reduce the Department's long-term clean-up liability (and the time required to complete such clean-up)?

A. It makes sense that better technology will provide more reliable and cost effective solutions for UXO remediation. If confirmed, I plan to address this issue in collaboration with my military department counterparts and the Defense Science Board.

12. Energy Efficiency

Executive Order 13123 lays out a number of specific steps that agencies should take to promote energy conservation. These include the use of energy savings performance contracts, utility energy efficiency contracts, and other contracts designed to achieve energy conservation; conducting energy efficiency audits for approximately 10% of an agency's facilities each year; and exploring opportunities for energy efficiency in industrial facilities for steam systems, boiler operation, air compressor systems, industrial processes, and fuel switching.

A. Do you support the use of these energy conservation approaches?

A. Yes

B. Are there other steps that you would take, if confirmed, to promote energy conservation by the Department of the Navy?

A. If confirmed, I will pursue a combination of investment strategies using appropriated and private sector funding to accomplish energy saving projects.

C. Do you believe that the energy conservation goals established in the Executive Order are achievable?

A. Yes

13. Integration of Installations with local communities

The Department of Defense is in the midst of an effort to increase the basic allowance for housing to eliminate out-of-pocket housing costs for military families who choose to live off base. This policy is intended to encourage more military families to live off base and reduce the demand for government housing. In recent years, outsourcing of base operations functions on military installations has increased substantially. Secretary Rumsfeld has

proposed examination of additional contracting out in certain areas, including the operation of commissaries. All of these policies tend to increase the integration of the military into the local community and increase the non-military population on our bases.

At the same time, force protection concerns are leading the military services to take steps to close or restrict access to military installations and to build force protection measures into the construction of schools and other non-military facilities on those installations.

A. What do you believe is the appropriate level of integration, or separation, between military installations and the surrounding local communities?

A. This is a question of risk based on many factors. If confirmed, I will strive to ensure that military core capabilities are protected as necessary, and still seek the appropriate level of integration between military installations and the surrounding communities.

14. Davis-Bacon Act

40 U.S.C. Sec. 276a, commonly known as Davis-Bacon, requires that for every contract in excess of \$2000 involving construction, alteration, and/or repair of public buildings or public works, the prevailing wage in that state shall be paid. When the contract cost-floor was set in the 1930's, \$2000 was a substantial sum of money, however, inflation during the intervening years has eroded the value of the dollar to the point where there is virtually no project that is not covered by Davis Bacon.

A. If confirmed, would you support raising the contract threshold to a more current standard before Davis-Bacon can be invoked?

A. Yes

B. In your personal opinion, what would be an appropriate contract cost before Davis-Bacon should apply?

A. One approach is to raise the Davis-Bacon threshold to the "simplified acquisition" threshold, which is currently \$100,000. I understand that another approach currently under discussion is to raise the threshold to one million dollars. If confirmed, I will work with the other Services and the Secretary of Defense, in consultation with Congress, to support an appropriate new threshold.

15. Installation Management

One of the obvious handicaps to the implementation of the Family Housing

Privatization initiative was the lack of specialists in real estate and financial management throughout the Department of Defense. A similar shortfall is said to exist in the area of business managers and installation managers.

A. If the Navy is experiencing similar shortfalls, should these positions be filled with contract or civil service personnel? Please explain.

A. If confirmed, this will be a matter that requires my review and attention.

B. As the Navy enters a new era of defense reform and business practices, does it have a program to ensure it has a cadre of real estate and business managers?

A. I am not aware of any comprehensive program focused on these areas. If confirmed, I intend to ensure the Department has a workforce that is properly sized and has the necessary skills to reap the savings and efficiencies sought through privatization.

16. Ship Disposal

In its December 2000 report to Congress on the Ship Disposal Project, the Navy expressed a commitment to eliminating any environmental risks posed by its inactive ships by reducing the size of the Inactive Fleet. A decision regarding a long-term ship scrapping program was deferred, however. The communities in which these vessels are berthed recognize that the potential for environmental and navigational problems increases with the length of time they are stored.

A. Do you believe that it is important to develop a budget and long-term procurement strategy for ship disposal to dispose of these ships in an efficient and responsible manner, while considering the full range of competitive contracting procedures?

A. Yes. If confirmed, I will work on such a strategy with the Assistant Secretary of the Navy (Research, Development and Acquisition) who has responsibility for ship disposal

B. If confirmed, how would you propose to approach this problem?

A. If confirmed, I expect to provide advice regarding environmental, safety and health issues to the Assistant Secretary of the Navy (Research, Development and Acquisition). The objective will be to ensure that any ship disposal actions are done in full compliance with environmental, safety and occupational health laws.

17. Research on Marine Environment

Tensions between Navy fleet operations and protection of the marine environment is an area that has been characterized as one of several environmental encroachment issues. Some of these tensions may be resolved through continued support for investments in science and technology.

A. If confirmed, would you support the Navy's ongoing research efforts in this area?

A. Yes. I understand that the Navy funds numerous research projects and programs to better understand the issue of sound in water and its effect on the marine environment. I support continuing this work so that the Navy can continue to operate and train while still being good stewards of the marine environment.

B. How else might you propose to resolve these tensions?

A. I believe the Navy must use the best available science, keep the public properly informed, and continue to keep its process open and available for oversight by regulators.

18. Airspace Management

Commercial air traffic is expected to increase six percent annually, and military airspace use will also increase with the next generation of high performance weapon systems. As a result of the pressures associated with commercial air traffic congestion, noise, and other environmental concerns, the acquisition and use of special use airspace has evolved into a challenging endeavor for all of the military departments.

A. If confirmed, how would you view your role in addressing these issues?

A. The nation's airspace is a limited resource that commercial aviation, general aviation, and military aviation must continue to share safely and efficiently. If confirmed, I will work closely with the other military services, the Office of the Department of Defense, and the Federal Aviation Administration to find ways to ensure the availability of special use airspace necessary to conduct the military training and testing that is necessary to defend the nation while at the same time recognizing the interest of other airspace users.

19. Congressional Oversight

In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

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

A. Yes.

B. Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Assistant Secretary of the Navy (Installations and Environment)?

A. Yes.

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

A. Yes.