

RECORD VERSION

STATEMENT BY

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BEFORE THE

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HOUSE ARMED SERVICES COMMITTEE**

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ON SENIOR LEADER MISCONDUCT

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COMMITTEE ON ARMED SERVICES**

Chairman Coffman, Ranking Member Speier, distinguished Members of the Subcommittee, thank you for the opportunity to testify on senior leader misconduct in the Army. On behalf of the Secretary, the Honorable Mark Esper, and our Chief of Staff, General Mark Milley, thank you for your continued support and commitment to our Soldiers, Army Civilians, Families, and Veterans.

In today's uncertain world, it is critical that our Soldiers are led by the most qualified, most talented leaders the Army can provide. Recognizing readiness as the Army's first priority, we understand that the most critical factor in delivering Army readiness is the development of leaders of character at every level. We employ a rigorous promotion and selection process to ensure only the most qualified individuals are selected to lead at our most senior ranks. Using our active component numbers as an example, in a cohort of more than 4,500 commissioned second lieutenants, fewer than 40 individuals will achieve the rank of Brigadier General, which reflects a less than 1% selection rate. On average, each Brigadier General has over twenty-five years of Army experience. Throughout their career, the Army uses institutional education, operational training, and experience to prepare its leaders to establish and sustain ethical organizational climates and to uphold the Army's values. However, even with those stringent selection criteria and professional developmental efforts, we know that senior officer misconduct does occur. We take misconduct very seriously. Although substantiated cases of general officer misconduct have decreased by 51% in the last five years, we acknowledge that one incident of senior officer misconduct is too many. The Army has developed and implemented a three-tiered approach to address senior officer misconduct: ethics training, prevention, and accountability.

The first-tier of the Army's approach to senior officer misconduct is ethics training. Instructors from the Judge Advocate General's Corps provide ethics training for general officers as part of Army Strategic Education Program courses to ensure they are trained and aware of ethical standards. General officers may also receive additional one-on-one instruction by attending a General Officer Legal Orientation course, taught at The Judge Advocate General's Legal Center and School. Additionally, all general officers receive ethics training from qualified ethics counselors annually in conjunction with their financial

disclosure requirements. While this formal ethics training for general officers is a 1-hour annual requirement, informal ethics training is a career-long pursuit. Beginning with an officer's commissioning source, Army leaders are steeped in the ethical requirements of the profession of arms, the Army values, and the importance of ethical conduct from the first day they don their uniform. Informal ethics training is conducted during leader professional development sessions, during the military decision making process, and every single day in combat. Leaders are inculcated with the idea that it is important to live as an ethical person, both on-duty and off-duty, and to apply the Army values to every decision they make. Indeed, leaders are taught that even the appearance of impropriety is enough to provoke investigation and punishment, if warranted. We teach our leaders that the foundation of the Army profession is the non-negotiable trust between the organization and its Soldiers. Violations of Army values or ethics are not just a mistake; they are a fundamental failure in meeting the standards of the Army profession.

The second tier of our systems approach to senior officer misconduct is prevention. In addition to the formal and informal ethical training our leaders receive, we undertake a dedicated training program for those officers selected to serve at the Brigadier General level. The Army Strategic Education Program (ASEP) is designed to support all three components of general officers across the total Army. Managed under the United States Army War College, ASEP includes a basic course, advanced course, and senior course. These courses provide the strategic education our general officers need to succeed as leaders, but they also reinforce personal and professional responsibilities as they relate to strategic leadership. ASEP encourages personal and professional reflection and critical self-assessment. The course promotes lifelong learning and self-assessment, as well as reinforcing our leaders' commitment as stewards of the Army profession. Among other topics, each course includes instruction on decision making, social media, time management, and the consequences of power. ASEP students hear guest lectures from the military, interagency, business, media, and academic communities to address a wide range of strategy, policy, leadership, and management issues. All four of the Army's top senior leaders, The Secretary of the Army, the Chief of Staff of the Army, the Under Secretary of the Army, and I personally meet with and speak to ASEP classes. When I speak to ASEP students, I reinforce the importance of the stringent expectations to which

we hold our senior officers. I reinforce that now, more than any other time in their career, the mere appearance of impropriety is unacceptable.

In addition to the ASEP program, the Army will also implement the General Officer Readiness program late this spring. The program is designed to improve our senior officers' performance in wellness, executive skills, and relationships. While the program was designed to address general officer readiness and not specifically misconduct, we believe that by improving our senior officers' mindfulness, their time-management skills, and their self-awareness, the program should also translate into reduced rates of misconduct.

The overwhelming majority of senior officers in the Army abide by the letter and spirit of our laws and regulations, and utilize sound judgment in their stewardship of taxpayer resources. However, when senior officers deviate from acceptable standards, we investigate and adjudicate substantiated misconduct to hold the senior officer accountable, forming the third tier of our approach.

The Army uses a thorough process to investigate and, when appropriate, adjudicate substantiated allegations of senior officer misconduct. Senior officer misconduct from all three components of the total Army is pulled to one central location for adjudication. A qualified agency, such as the Criminal Investigation Command, the Department of the Army Inspector General, or a similar agency investigates allegations against senior officers. In most cases of substantiated misconduct, the Vice Chief of Staff of the Army serves as the disposition authority. I, like prior VCSAs, receive advice from The Army Judge Advocate General. This method results in consistency in the oversight of senior officer misconduct adjudications. Each case is handled fairly, with the same adjudicative process. Dispositions may include verbal counseling, memoranda of concern, memoranda of reprimand, or referral to a General Court-Martial Convening Authority for proceedings under the Uniform Code of Military Justice.

Ethical leaders of character strengthen the bond between our Army and our Nation and preserve our All-Volunteer Force. We believe that even one incident of senior officer

misconduct is too many and can impact that trust. Therefore, we also recognize the importance of addressing every incident of misconduct with the diligence and gravity it deserves. Thanks to the diligent efforts of our Army leadership, we have better conduct and accountability than any other major U.S. institution. We thank Congress for its steadfast support of our men and women in uniform. The Army's people are our most important weapon system, and they deserve the best leadership we can provide.