

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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October 17, 2023

The Honorable Glenn Grothman
Chairman
Subcommittee on National Security, the Border, and Foreign Affairs
Committee on Oversight and Accountability
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Grothman:

I write to urge you to convene the National Security, the Border, and Foreign Affairs Subcommittee for a hearing to examine the deleterious effects of Senator Tommy Tuberville's decision to unilaterally stall all military nominations in the Senate, which has prompted critical national security concerns from military leaders, bipartisan Members of Congress, and other experts.

Since February 2023, Senator Tuberville has intentionally blocked more than 300 general and flag officers within the Department of Defense (DOD) from Senate confirmation and promotion.¹ DOD predicts that by the end of this year, 650 of their 852 general and flag officers will require Senate confirmation for promotion/reassignment.²

One Senator's actions could prevent 76% of the United States' military leadership from serving this nation in positions they have earned because their experience and expertise make this nation safer. Senator Tuberville's reckless actions have already harmed our national security. Allowing him to continue this campaign will have catastrophic national security effects.

Further, Senator Tuberville's actions have had a damaging domino effect on the careers of service members at all levels.³ Until the hundreds of senior military officials are confirmed,

¹ *US Military Leaders Say Tuberville is Aiding US Adversaries with Hold on Military Nominations*, CNN (Sept. 5, 2023) (online at www.cnn.com/2023/09/05/politics/military-leaders-tuberville-promotion-hold-washington-post/index.html).

² Department of Defense, Briefing by Deputy Pentagon Press Secretary Sabrina Singh, (June 20, 2023) (online at www.defense.gov/News/Transcripts/Transcript/Article/3433535/deputy-pentagon-press-secretary-sabrina-singh-holds-a-press-briefing).

³ Carlos Del Toro, Frank Kendall and Christine Wormuth, *Three Service Secretaries to Tuberville: Stop this Dangerous Hold on Senior Officers*, Washington Post (Sept. 4, 2023) (online at www.washingtonpost.com/opinions/2023/09/04/army-navy-air-force-secretaries-tuberville-military-hold/).

junior officers continue to lose the opportunity to rise in rank. Such career stagnation has massive impacts on factors such as retention, pay, pension, and future opportunities.⁴ This Subcommittee previously held a hearing on March 28, 2023, to highlight concerns about military readiness.⁵ One finding from that hearing was that using our military leaders as political footballs may be a significant factor in young people's decision to eschew a military career, depriving our country of valuable talent.⁶

On September 20, 2023, the Senate employed a highly unusual procedural tactic to confirm General C.Q. Brown as the next Chairman of the Joint Chiefs of Staff—as well as General Eric Smith and General Randy George to lead the Army and the Marine Corps, respectively.⁷ This alternative process for confirming military leaders one by one is not feasible for all vacant positions. On August 22, 2023, when 273 military nominations were pending, the Congressional Research Service estimated holding individual military nominations would take the Senate approximately 689 hours and 20 minutes.⁸ This time estimate equates to 30 days and 17 hours—if the Senate worked 24 hours a day without break or interruption, or 89 days if the Senate processed the nominations for one eight-hour session per day.⁹ Resorting to confirming these leaders one by one would limit the ability of the Senate to conduct all other essential business.

Senator Tuberville's actions are damaging our national security. Our military leaders share in our fear that Senator Tuberville's actions make our nation less safe. Below are just a few of the statements from military leaders describing the destructive effects of Senator Tuberville's actions:

- “This indefinite hold harms America’s national security and hinders the Pentagon’s normal operations,” said Secretary of Defense, Lloyd Austin. “The United States military relies on the deep experience and strategic expertise of our

⁴ *Senate Confirms Chairman of Joint Chiefs as GOP Senator Still Blocking Hundreds of Military Nominees*, Associated Press (Sept. 20, 2023) (online at <https://apnews.com/article/tommy-tuberville-military-nominations-joint-chiefs-senate-d9e1471916db9652501128370455746c>).

⁵ Committee on Oversight and Accountability, Subcommittee on National Security, the Border, and Foreign Affairs, *Hearing on Ensuring Force Readiness: Examining Progressivism's Impact on an All-Volunteer Military* (Mar. 28, 2023) (online at <https://oversight.house.gov/hearing/ensuring-force-readiness-examining-progressivisms-impact-on-an-all-volunteer-military/>).

⁶ *Id.*

⁷ *Senate Confirms Chairman of Joint Chiefs as GOP Senator Still Blocking Hundreds of Military Nominees*, Associated Press (Sept. 20, 2023) (online at <https://apnews.com/article/tommy-tuberville-military-nominations-joint-chiefs-senate-d9e1471916db9652501128370455746c>).

⁸ Memorandum from Congressional Research Service to Senator Jack Reed, *Floor Time to Process all Pending Military Nominations on the Executive Calendar* (Aug. 23, 2023) (online at www.armed-services.senate.gov/imo/media/doc/crs_memo_-_time_required_to_process_pending_military_nominations1.pdf).

⁹ *Id.*

senior military leaders. The longer that this hold persists, the greater the risk the U.S. military runs in every theater, every domain, and every Service.”¹⁰

- “...Tommy Tuberville, what he’s actually doing is he’s playing Russian roulette with the very lives of our service members by denying them the opportunity to actually have the most experienced combat leaders in those positions to lead them in times of peace and in times of combat,” said Carlos Del Toro, Secretary of the Navy.¹¹
- “What Senator Tuberville is doing is doing significant damage to our national security,” said Frank Kendall, Secretary of the Air Force. “Our potential adversaries are paying attention . . . It is affecting how they view the United States and our military capabilities and support for the military. This needs to stop.”¹²

Members from both parties have expressed great concerns about Mr. Tuberville’s assault on military promotions. Representative Mike McCaul, House Foreign Affairs Chairman, stated, “The idea that one man in the Senate can hold this up for months . . . is paralyzing the Department of Defense. I think that is a national security problem and a national security issue.”¹³ Senate Minority Leader Mitch McConnell explicitly stated on June 21, 2023, “I don’t support putting a hold on military nominations.”¹⁴ Representative Ken Calvert, Chairman of the House Appropriations Defense Subcommittee, expressed his concern, stating:

Morale is not good in the military right now between the Tuberville situation—the constipation, basically, within the entire system right now. You got colonels that don’t know what’s happening in their lives, with their families, and, you know, how they’re going to look at the future. That has to come to an end.¹⁵

Given our extensive bipartisan cooperation this Congress working to fortify our national security, I respectfully urge you to schedule a hearing as soon as possible to examine the urgent

¹⁰ Letter from Secretary Lloyd Austin, Department of Defense, to Senator Elizabeth Warren (May 5, 2023) (online at www.warren.senate.gov/imo/media/doc/IMPACT%20OF%20HOLDS%20ON%20THE%20CONFIRMATION%20OF%20GENERAL%20AND%20FLAG%20OFFICERS%20OSD003060-23%20RESP%20Final.pdf).

¹¹ *US Military Leaders say Tuberville is Aiding US Adversaries with Hold on Military Nominations*, CNN (Sept. 5, 2023) (online at www.cnn.com/2023/09/05/politics/military-leaders-tuberville-promotion-hold-washington-post/index.html).

¹² *Id.*

¹³ *Republican Congressman says Tuberville’s Hold on Military Nominations is ‘Paralyzing’ and a ‘National Security Problem’*, CNN (Sept. 11, 2023) (online at www.cnn.com/2023/09/10/politics/mccaul-tuberville-military-hold-paralyzing-gop-cnntv/index.html).

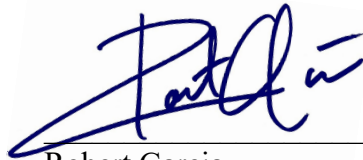
¹⁴ *McConnell Breaks with Tuberville Over Blanket Hold on Military Nominees*, The Hill (May 10, 2023) (online at <https://thehill.com/homenews/senate/3998305-mcconnell-breaks-with-tuberville-over-blanket-hold-on-military-nominees/>).

¹⁵ *House GOP Military Veterans Blast Tuberville Hold on Promotions*, The Hill (Sept. 15, 2023) (online at <https://thehill.com/homenews/house/4207130-house-gop-military-veterans-tuberville-hold-promotions/>).

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national security threats resulting from Senator Tuberville's decision to stall military nominations.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Garcia", written over a horizontal line.

Robert Garcia
Ranking Member
Subcommittee on National Security, the Border, and
Foreign Affairs

cc: The Honorable James Comer, Chairman

The Honorable Jamie Raskin, Ranking Member