

April 16, 2019

Admiral Michael Gilday
Chief of Naval Operations
United States Navy
2000 Navy Pentagon
Washington, DC 20350

Dear Admiral Gilday:

I write to request further information regarding a recent report that the United States Navy (Navy) nominated several senior flag officers for important billets around the world without a public notice as required by law.¹

In early 2019, your predecessor Admiral John Richardson decided to stop the historical practice of issuing press releases announcing the nominations and assignments of Navy flag officers.² In response to a Question for the Record following an Armed Services Military Personnel Subcommittee in February 2019, then Vice Admiral Robert Burke said that “[l]imiting the public release of flag officer assignments and nominations is a first step intended to help flag officers secure their cyber profiles, which may be exploited by adversaries.”³ Although I appreciate the security concerns and understand the need for all officers to maintain cyber awareness, the Navy never provided a sufficient justification for restricting public access to this information. For example, the Army and Air Force continue to release this information to the public.⁴

In response, working closely with the Senate Committee on Armed Services, I successfully incorporated a provision into the FY2020 *National Defense Authorization Act* (NDAA) requiring the services to publicly release all assignments of officers above the grade of O-7.⁵ Since January 1, 2020, the Navy has submitted the nominations for 38 rear admirals lower half, 22 rear admirals upper half, eight vice admirals, and one admiral.⁶ To my knowledge, none

¹ USNI News, “Senate Confirms New Leaders for Naval Forces Europe, Naval Intel, 5th & 2nd Fleets, NAVSEA; No Navy Announcement Forthcoming,” Sam LaGrone, March 30, 2020, <https://news.usni.org/2020/03/30/senate-confirms-new-leaders-for-naval-forces-europe-naval-intel-5th-no-navy-announcement-forthcoming>

² Military.com, “CNO: Navy Admirals Are Facing Cyberattacks,” Gina Harkins, March 14, 2019, <https://www.military.com/daily-news/2019/03/14/cno-navy-admirals-are-facing-cyberattacks.html>

³ Senate Committee on Armed Services, Military Personnel Subcommittee, “Military Personnel Policies and Military Family Readiness,” Question for the Record, February 27, 2019

⁴ USNI News, “Senate Confirms New Leaders for Naval Forces Europe, Naval Intel, 5th & 2nd Fleets, NAVSEA; No Navy Announcement Forthcoming,” Sam LaGrone, March 30, 2020, <https://news.usni.org/2020/03/30/senate-confirms-new-leaders-for-naval-forces-europe-naval-intel-5th-no-navy-announcement-forthcoming>

⁵ Fiscal Year 2020 National Defense Authorization Act, Public Law 116-92. <https://www.congress.gov/116/bills/s1790/BILLS-116s1790enr.pdf>

⁶ U.S. Senate, “Nominations,” https://www.senate.gov/legislative/nominations_new.htm

of the assignments of these officers have been noticed publicly as required by Section 510A of the FY20 NDAA. According to one report, public affairs officers at three commands were unaware that the Senate had just confirmed new commanders for them.⁷

Navy flag officers are not undercover intelligence case officers. They occupy positions of public trust, in many cases responsible for the lives of thousands of sailors. The public has a right to know which officers the Navy believes should be given billets with such important responsibilities.

Please respond in writing with an explanation of why the Navy has not issued a public notice for these nominations and the Navy's plans and timeline to do so by May 4, 2020. I look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Warren", written over a horizontal line.

Elizabeth Warren
United States Senator

⁷ USNI News, "Senate Confirms New Leaders for Naval Forces Europe, Naval Intel, 5th & 2nd Fleets, NAVSEA; No Navy Announcement Forthcoming," Sam LaGrone, March 30, 2020, <https://news.usni.org/2020/03/30/senate-confirms-new-leaders-for-naval-forces-europe-naval-intel-5th-no-navy-announcement-forthcoming>