

Stenographic Transcript
Before the

COMMITTEE ON
ARMED SERVICES

UNITED STATES SENATE

TO CONSIDER THE NOMINATIONS OF MR. MICHAEL T. POWERS TO BE DEPUTY UNDER SECRETARY OF DEFENSE (COMPTROLLER); DR. AMY E. HENNINGER TO BE DIRECTOR OF OPERATIONAL TEST AND EVALUATION, DEPARTMENT OF DEFENSE; MR. DAVID W. DENTON, JR., TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE NAVY; AND MR. BENJAMIN C. KOHLMANN TO BE ASSISTANT SECRETARY OF THE NAVY FOR MANPOWER AND RESERVE AFFAIRS

Thursday, July 31, 2025

Washington, D.C.

ALDERSON COURT REPORTING
1029 VERMONT AVE, NW
10TH FLOOR
WASHINGTON, DC 20005
(202) 289-2260
www.aldersonreporting.com

1 TO CONSIDER THE NOMINATIONS OF MR. MICHAEL T. POWERS TO BE
2 DEPUTY UNDER SECRETARY OF DEFENSE (COMPTROLLER); DR. AMY E.
3 HENNINGER TO BE DIRECTOR OF OPERATIONAL TEST AND
4 EVALUATION, DEPARTMENT OF DEFENSE; MR. DAVID W. DENTON,
5 JR., TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE NAVY;
6 AND MR. BENJAMIN C. KOHLMANN TO BE ASSISTANT SECRETARY OF
7 THE NAVY FOR MANPOWER AND RESERVE AFFAIRS

8
9 Thursday, July 31, 2025

10
11 U.S. Senate

12 Committee on Armed Services

13 Washington, D.C.
14

15 The committee met, pursuant to notice, at 9:15 a.m.,
16 in Room SD-G50, Dirksen Senate Office Building, Hon. Roger
17 Wicker, chairman of the committee, presiding.

18 Committee Members Present: Senators Wicker, Fischer,
19 Ernst, Sullivan, Scott, Tuberville, Budd, Sheehy, Reed,
20 Shaheen, Gillibrand, Blumenthal, Kaine, King, and Warren.
21
22
23
24
25

1 OPENING STATEMENT OF HON. ROGER WICKER, U.S. SENATOR
2 FROM MISSISSIPPI

3 Chairman Wicker: The hearing will come to order. I
4 thank our witnesses and guests for being here today, and I
5 welcome our nominees and their families. I am grateful for
6 their willingness to serve our nation. The United States
7 faces a very dangerous threat environment. We need people
8 like them to step up and serve. So we thank you for your
9 willingness.

10 Mr. Michael Powers has been nominated to serve as the
11 Deputy Under Secretary of Defense in the Office of the
12 Comptroller. If confirmed, he would oversee the Department
13 of Defense's financial management and budget execution.
14 Crucially, he would oversee efforts to achieve a clean
15 audit, ensuring taxpayer resources are allocated
16 effectively to support our troops and national security
17 priorities.

18 Mr. Powers will face challenges, including the need to
19 address persistent audit deficiencies and the need to
20 modernize the Department's budgeting system. The Congress
21 has set a statutory deadline for the audit, and the
22 reconciliation bill provides a historical bucket of funding
23 to accelerate auditing efforts. I look forward to hearing
24 Mr. Powers' plans to implement that funding and to assist
25 in modernizing the Pentagon's budgetary process.

1 Dr. Amy Henninger has been nominated to serve as
2 Director of Operational Test and Evaluation. This critical
3 role ensures our weapon systems are effective and reliable
4 for field operations. Two months ago, Secretary Hegseth
5 initiated a reorganization of this office, with a goal of
6 rightsizing the workforce. Some of my colleagues
7 questioned that decision, so we will talk about that today.
8 I believe it properly refocused the office on its original
9 statutory purpose rather than the excessive bureaucratic
10 obstacle it had evolved into.

11 The Committee understands the need to modernize the
12 test and evaluation process. Our NDAA proposes an agile
13 pathway to provide the director with more oversight across
14 a system's lifecycle, while at the same time preserving the
15 independence of the Test and Evaluation Office. So I look
16 forward to hearing Dr. Henninger's vision for navigating
17 this transition.

18 Mr. David Denton has been nominated to be General
19 Counsel of the Department of the Navy. He currently serves
20 as the Principal Deputy performing duties of the Under
21 Secretary of the Navy for Policy. He has had a
22 distinguished career serving as a counsel in the Department
23 of the Navy, and Assistant U.S. Attorney for the Southern
24 District of New York, and an associate at the law firm of
25 Sidley Austin. I look forward to hearing his perspectives

1 about what the Navy's Office of General Counsel is doing
2 right, and I would also like to hear what he may do
3 differently, if confirmed.

4 And finally, Mr. Benjamin Kohlmann has been nominated
5 to serve as the Assistant Secretary of the Navy for
6 Manpower and Reserve Affairs. If confirmed, he would play
7 a key role in recruiting, retaining, and supporting high-
8 quality sailors and marines. This Committee has worked
9 hard to expand the tools and authorities needed to improve
10 quality of life, health care, and readiness. Mr. Kohlmann
11 will be expected to build on that work and deliver
12 measurable improvements that strengthen the force and
13 enhance the quality of life for those who serve. These
14 factors are critical to retention and readiness across the
15 fleet. I look forward to hearing his vision for supporting
16 our servicemembers, civilians, and families.

17 We began 15 minutes earlier than we usually do because
18 quite a number of our members have other committee
19 responsibilities to attend to at the top of the hour. So
20 people will be coming and going.

21 But with that I turn to my colleague and friend,
22 Ranking Member Reed.

1 STATEMENT OF HON. JACK REED, U.S. SENATOR FROM RHODE
2 ISLAND

3 Senator Reed: Well, thank you very much, Mr.
4 Chairman, and thank you for beginning the hearing early. I
5 am one of those that has to go to Appropriations. We are
6 considering, among other things, the Defense Appropriations
7 Bill, so I think my presence over there is justified.

8 Good morning to our witnesses, and congratulations on
9 your nominations. I would like to welcome you and your
10 family members also, and I would also like to welcome
11 Representative Rob Wittman, who has just arrived. He will
12 be introducing Dr. Henninger.

13 Mr. Powers, you are nominated to be the Deputy Under
14 Secretary of Defense (Comptroller). The Office of the
15 Comptroller is instrumental in preparing and executing the
16 Department's budget, ensuring the resources that Congress
17 provides are allocated to troops efficiently and
18 effectively. Additionally, the Comptroller is the key
19 player in the Department's efforts to achieve a clean audit
20 and to modernize its financial management system.

21 Mr. Powers, if confirmed, there are significant
22 challenges you will need to address. This year, the
23 Department of Defense delivered a budget request that was
24 nearly half a year late and assumed incorrect amounts in
25 reconciliation funding, creating large discrepancies and

1 shortfalls across many programs. From your previous
2 experience in Army financial management, I would like to
3 know how you would direct the Department to track and
4 manage reconciliation funds separately from traditional
5 appropriated funds.

6 Additionally, the Department is in the midst of
7 implementing several reforms to its planning, programming,
8 budgeting, and execution process, and is working to achieve
9 a clean audit, something that is required in law. I would
10 ask that you share your plans to meet these challenges at
11 this important moment for the Department of Defense.

12 Dr. Henninger, you are nominated to be the Director of
13 Operational Test and Evaluation, or DOT&E. For decades,
14 DOT&E has played a vital, legally mandated role in
15 safeguarding the integrity of major defense programs and
16 ensuring military systems are effective before they are put
17 into warfighters' hands. Unfortunately, in May, the
18 Secretary of Defense announced his plan to significantly
19 reduce the DOT&E office, including slashing its workforce,
20 budget, and resources. The Secretary has given no
21 compelling reasons for this action, and in my view it is
22 extremely damaging to our military accountability and
23 oversight. With drastically reduced resources, DOT&E may
24 be unable to provide adequate oversight for critical
25 military programs, risking operational readiness and

1 taxpayer dollars.

2 Dr. Henninger, if confirmed, you will need to address
3 the fallout from these cuts, in addition to other existing
4 challenges. Particularly, you will be responsible for
5 providing oversight of testing conducted in vital areas
6 that are often overlooked, such as software development and
7 cybersecurity, as well as integrating new tools such as
8 artificial intelligence and machine learning to help the
9 test enterprise become more effective, and I look forward
10 to hearing how you will address these challenges.

11 Mr. Denton, you are nominated to be General Counsel of
12 the Department of the Navy. This position is responsible
13 for providing legal services throughout the Department in a
14 vast array of fields, including acquisition-related law,
15 arms control, business and commercial law, and national
16 security-related law, among many others.

17 The General Counsel also assists in ethics,
18 intelligence, criminal investigation, and law enforcement
19 activities. In recent years, there has been several
20 damaging ethical crises within the Navy, including
21 investigations for bribery, corruption, and violation of
22 criminal conflict of interest laws. The Navy's culture is
23 critical to its cohesion and effectiveness, and this
24 pattern of ethical failures must be corrected.

25 Mr. Denton, I expect you to always exercise

1 independent, professional judgment, and to give your best
2 legal counsel to the Secretary of the Navy, even if, or
3 especially if, that advice is not what they would want to
4 hear. I would like to know how you will plan to
5 demonstrate this ethos and represent all Navy personnel
6 with the professionalism they deserve.

7 Finally, Mr. Kohlmann, you are nominated to be
8 Assistant Secretary of the Navy for Manpower and Reserve
9 Affairs. If confirmed, you would be the principal advisor
10 to the Secretary of the Navy with overall supervision of a
11 number of areas, including military and civilian personnel
12 policy, military readiness, quality of life, and health
13 care programs. Our naval forces are maintaining an
14 extremely high operational tempo across all areas. As
15 such, issues of readiness and retention must be your
16 highest priorities.

17 In particular, you will need to manage the impacts
18 from recent widespread cuts to senior flag officers and
19 defense civilians throughout the Department of the Navy,
20 and smartly manage additional cuts that the Administration
21 has directed in future years. Mr. Kohlmann, I would like
22 to know how you will plan to oversee such reductions while
23 minimizing the impact on readiness and ensuring all sailors
24 and marines and Navy civilians are treated with the respect
25 they deserve. How the Department rebounds from these cuts

1 will go a long way to determining its ability to meet
2 mission demands over the next decade and beyond.

3 Thank you again to our nominees and to their families,
4 and I look forward to your testimony. Thank you, Mr.
5 Chairman.

6 Chairman Wicker: Thank you very much, Senator Reed.
7 We are joined by our long-time friend and colleague from
8 the House of Representatives, Chairman Rob Wittman of
9 Virginia. I understand, Rob, you will be introducing Dr.
10 Henninger this morning. So we welcome you, and you are
11 recognized at this point.

12 Mr. Wittman: Well, thank you, Mr. Chairman and
13 Ranking Member Reed. Thank you all so much for the
14 incredible job that you all do here in the Senate Armed
15 Services Committee. We appreciate the complement that you
16 provide and the coordination with the House component of
17 Armed Services, these days more important than ever, so we
18 deeply appreciate that.

19 And it is my honor today to be here to introduce Dr.
20 Henninger in her confirmation hearing for the Director of
21 Operational Test and Evaluation at the Department of
22 Defense. An incredibly talented individual.

23 Dr. Henninger has been a proud resident of VAO-1 for
24 for 5 years. She originally hails from Illinois, where she
25 grew up and remained until taking her first job as an

1 engineer at McDonnell Douglas, now today Boeing, there in
2 St. Louis, Missouri. That job eventually took her to the
3 Space Coast in Florida, where she moved to a software
4 development position at SAIC, now Leidos, and continued her
5 education, culminating in a Ph.D. in computer engineering
6 with an emphasis and dissertation in artificial
7 intelligence from the University of Central Florida.

8 Upon graduation, Dr. Henninger founded the Orlando
9 satellite office for Soar Technology, a small AI start-up
10 company headquartered in Ann Arbor, Michigan. It was spun
11 off from the AI Lab at the University of Michigan. During
12 this period, she also taught undergraduate and graduate
13 level university courses in software engineering and
14 artificial intelligence agents.

15 After 9/11, like thousands and thousands of people
16 across the country, Dr. Henninger felt a calling to more
17 closely support the Federal Government, generally, and
18 national security sector, specifically. Leaving the
19 corporate world to pursue a career in government service,
20 Dr. Henninger moved to Northern Virginia, where she joined
21 the Institute for Defense Analyses. She never looked back.

22 The last 20 years of service and commitment to our
23 national security has been the most rewarding of her
24 career, and she will state that every day in the rewards
25 that she receives and the challenges that she has helped

1 create and find solutions to.

2 Since moving to Virginia for the last 20 years, Dr.
3 Henninger's career has traversed the seams between the
4 nonprofit sector and the government sector. As we see,
5 they have continued to intertwine over the years, and are
6 more interconnected today than ever.

7 Her notable contributions include serving a detail in
8 the Office of the Assistant Secretary of Defense for
9 Research and Engineering. She went on to serve as the
10 Army's Modeling and Simulation Executive and Technical
11 Advisor to the Army's Senior Analyst, providing vision,
12 leadership, and oversight for the Army's \$10 billion
13 modeling and simulation portfolio, while leading the Army's
14 Modeling and Simulation Office.

15 She served as a defense intelligence senior leader at
16 the Defense Intelligence Agency, leading a cross-agency
17 team in the development of the agency's digital future
18 strategy. Dr. Henninger was the first Senior Advisor for
19 Software and Cybersecurity to the Director of Operational
20 Testing and Evaluation. She there served at the Pentagon's
21 final technical authority in the assessment of
22 cybersecurity T&E on major Department of Defense programs.
23 More recently, Dr. Henninger has established a new research
24 enterprise in adversarial and counter-AI at DHS.

25 Dr. Henninger's extensive experience and unwavering

1 dedication to national security make her an exceptional
2 candidate for the role of Director of Operational Test and
3 Evaluation. Her proven leadership, technical expertise,
4 and commitment to innovation will undoubtedly serve our
5 nation well in this critical position.

6 As we know, AI is the emerging both opportunity and
7 threat for the United States. Having somebody of Dr.
8 Henninger's capabilities, her vast experience, I cannot
9 think of anybody better to be in this position to lead this
10 office in a time of both great opportunity but great
11 challenge.

12 So with that, Mr. Chairman, I strongly support Dr.
13 Henninger's nomination, and I thank you so much for your
14 time.

15 Chairman Wicker: Thank you, Representative. It
16 occurs to me that Dr. Henninger may actually be
17 overqualified.

18 [Laughter.]

19 Mr. Wittman: Perhaps not.

20 Chairman Wicker: We will delve into that. Since the
21 House is not in session, you will probably want to stay
22 here for the entirety of this hearing. But then again,
23 perhaps there are other duties that you could perform. So
24 we do thank you very much, and you are free to go at your
25 discretion, with the thanks of the Committee.

1 Mr. Wittman: Mr. Chairman, thank you so much.

2 Chairman Wicker: We look forward to working with you.

3 Mr. Wittman: Thank you to all of the members of the
4 Committee. You all are doing great work here, and we wish
5 that you continue on that great path to success.

6 Chairman Wicker: Well, thank you very much.

7 Now, at this point let's just go down the line, and
8 Dr. Henninger, you are recognized for your opening
9 statement. Welcome.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 STATEMENT OF AMY E. HENNINGER, Ph.D., TO BE DIRECTOR
2 OF OPERATIONAL TEST AND EVALUATION, DEPARTMENT OF DEFENSE

3 Ms. Henninger: Chairman Wicker, Ranking Member Reed,
4 and esteemed members of the Committee, thank you for the
5 opportunity to appear before you today, and for your
6 consideration of my nomination to serve as the Director of
7 Operational Test and Evaluation. I am deeply honored by
8 this opportunity and grateful to President Trump and
9 Secretary Hegseth for their confidence in me. I am also
10 grateful to Vice Chairman Wittman for his generous
11 introduction.

12 We have the best trained, best equipped, and most
13 capable warfighting force in the world. Yet, technological
14 innovation stands to reshape the character of conflict, and
15 technological mastery is becoming as decisive as
16 traditional force. In this era, strength, dominance will
17 no longer be measured exclusively by the size of a fleet or
18 the range of a missile, but also by the coherence of our
19 response, by the confidence we place in our systems, and by
20 the speed with which we can turn emerging technologies into
21 operational readiness.

22 In such a landscape, Operational Test and Evaluation
23 should not merely validate programs. It should accelerate
24 advantage. Our warfighters are incredibly innovative.
25 They do not need perfection. They need confidence in the

1 capabilities of their gear, where it works and where it
2 does not work. Operational Test and Evaluation is where
3 that confidence is forged and where the range of the
4 possible is established.

5 If confirmed, I will lead with the conviction that
6 Operational Test and Evaluation must be both independent
7 and rigorous, driven by warfighting relevance, but also
8 agile and forward-leaning, enabled by the tools and the
9 methods of the 21st century. To meet the moment, we must
10 modernize and streamline how we test, how we model, and how
11 we integrate Operational Test and Evaluation across the
12 acquisition lifecycle.

13 I bring to this role the breadth of experience and the
14 technical depth required to lead in this moment. The
15 systems we are testing now, and increasingly in the future,
16 are highly software-intensive, AI-enabled, cyber-contested,
17 complex distributed systems of systems that evolve rapidly,
18 even after fielding. With over 30 years of experience in
19 the national security enterprise, both in the private
20 sector and in the public sector, my expertise in software,
21 AI, cybersecurity, interoperability, distributed computing,
22 synthetic environments, among many other computing
23 technologies, aligns directly with these realities. Over
24 many special government executive leadership positions, I
25 have worked across the entire RDT&E lifecycle, including in

1 test and evaluation, where I served as the Senior Advisor
2 for Software and Cybersecurity to the Director of
3 Operational Test and Evaluation. In that role, I was proud
4 to contribute directly to the office's mission: building
5 strong working relationships with the services, assessing
6 the acquisition programs, and strengthening the test and
7 evaluation workforce. More recently, I have established a
8 new research enterprise in Adversarial Encounter AI, a
9 prime example of how quickly our threat space is evolving,
10 and a stark reminder that our test enterprise must be just
11 as dynamic.

12 Accompanying me today are friends and former
13 colleagues that I have been blessed to work with over the
14 course of my career, including some from OSD, the Army, DHS
15 S&T, and DOT&E. I am grateful for their support and
16 humbled by their presence. My sweetheart and biggest
17 cheerleader, Dr. Todd Dvorak, is traveling for his job
18 today and disappointed that he couldn't be here, but
19 beaming me positive thoughts, I know.

20 If confirmed, I will work to ensure Operational Test
21 and Evaluation is equipped to meet today's challenges and
22 anticipate tomorrows. I will press for speed, automation
23 and digital testing everywhere I possibly can, caution
24 whenever necessary, and clarity always. But most of all, I
25 will support the President, this Congress, the Department,

1 the American taxpayer, and especially our warfighters in
2 ensuring the safety and security of our great nation.

3 Thank you again for your consideration of my
4 nomination. I look forward to answering your questions.

5 [The prepared statement of Ms. Henninger follows:]

1 Chairman Wicker: Thank you, ma'am. Mr. Powers, you
2 are now recognized for an opening statement.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 STATEMENT OF MICHAEL T. POWERS, TO BE DEPUTY UNDER
2 SECRETARY OF DEFENSE (COMPTROLLER)

3 Mr. Powers: Chairman Wicker, Ranking Member Reed,
4 distinguished members of the Committee, good morning.
5 Thank you for the opportunity to appear before you today as
6 the nominee to serve as Deputy Under Secretary of Defense
7 (Comptroller). It is an honor to be considered for this
8 role, and I am deeply grateful for the trust and confidence
9 placed in me by President Trump.

10 I would like to begin by acknowledging my family and
11 their support. My wife, Colleen, we have been married for
12 46 years, and she too has had a long Federal civilian
13 career, 25 years as a contract specialist for DoD, and our
14 children, Brian, Connor, Neil, and Megan, for their
15 unwavering support as we moved around the world from
16 military installation to military installation, and during
17 my absences when I volunteered to deploy to Iraq and
18 Afghanistan. Their sacrifices enabled me to grow
19 professionally and develop a depth and breadth of financial
20 management experience, skills and experience that I will
21 bring to this job.

22 I also want to thank the men and women who wear the
23 uniforms of the United States, past and present, whose
24 courage and dedication should inspire all of us every day.
25 They have inspired me. And I would be remiss if I did not

1 also express my appreciation for our civilian workforce and
2 their families, without whom we could not do the job
3 demanded of us either.

4 My relationship with the Department of Defense started
5 early. I was born at a U.S. Army hospital in France. Both
6 of my brothers were also born at Army hospitals overseas.
7 We were a DoD family, led by the example set by my father,
8 who quit high school to join the Air Force during the
9 Korean War, eventually retiring as an Army Master Sergeant
10 near the end of the Vietnam War. I did not start out
11 looking to spend most of my life working as a civilian for
12 DoD, but when fate intervened, it seemed like the natural
13 thing to do.

14 I have spent 38 years in the Federal civilian service,
15 8 years primarily in Budget, 30 years in and around Audit,
16 and then another 8 years after I retired, as a contractor
17 supporting Audit. The vast majority of that experience was
18 in DoD, and it was earned at every command echelon and
19 management level in Audit and Budget, from Installations,
20 Divisions, Corps, Major Commands, and to the Assistant
21 Secretary of the Army (Comptroller), and the OSD
22 Comptroller, previously, including two deployments, to Iraq
23 to manage the \$18 billion Iraq Relief and Reconstruction
24 Program budget, and to Afghanistan to manage the \$21
25 billion Afghan National Security Forces Program budget, and

1 lastly to my second tour at the U.S. Army Comptroller
2 Office, where I was the Army's Principal Deputy for
3 Financial Management and Comptroller, and served as the
4 Acting Comptroller and the Chief Financial Officer for the
5 Army, responsible for the Army's entire \$177 billion budget
6 at the time.

7 These experiences have prepared me for this moment, to
8 reform and improve the DoD budget process, to support
9 robust budgets that deliver capability and lethality,
10 fulfilling the President's goal of Peace through Strength,
11 and to deliver the first clean audit opinion on the
12 Department of Defense's Consolidated Financial Statements.

13 I believe the depth and breadth of my experience has
14 given me the tools to be successful as the Deputy Under
15 Secretary of Defense (Comptroller), and, if confirmed, I
16 look forward to applying these tools to address any
17 challenge presented.

18 These are big jobs, but we can get big jobs done.

19 In closing, I would like to thank the Committee for
20 its consideration of my nomination, and I look forward to
21 answering your questions. Thank you.

22 [The prepared statement of Mr. Powers follows:]
23
24
25

1 Chairman Wicker: Thank you, very, very much. Mr.
2 Denton, you are now recognized.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 STATEMENT OF DAVID W. DENTON, JR., TO BE GENERAL
2 COUNSEL OF THE DEPARTMENT OF THE NAVY

3 Mr. Denton: Chairman Wicker, Ranking Member Reed, and
4 distinguished members of the Committee, good morning.

5 Thank you for the opportunity to appear before you today
6 and for your consideration of my nomination to be the
7 General Counsel of the Department of the Navy. I am deeply
8 honored that President Trump has nominated me for this
9 role, and I am also grateful to Secretary Phelan for his
10 trust and confidence.

11 I have been lucky in my life to have the support of
12 many extraordinary people, but none more so than those who
13 have joined me here today: my mother, Judge Reena Raggi,
14 who recently celebrated 38 years on the Federal bench; my
15 wife, Corinne, and our daughter Elizabeth, who like all
16 families of those who serve have borne the brunt of the
17 sacrifice my career has required, but have always given me
18 unflagging support. I also want to acknowledge my late
19 father, David Denton Sr., an Air Force veteran who spent
20 most of his career in public service, and who we lost to
21 brain cancer far too soon. He showed me by example the
22 wisdom of G.K. Chesterton's advice that "the real great man
23 is the man who makes every man feel great." I try every
24 day to make my Dad proud of the man I have become.

25 Senators, for 250 years the Navy-Marine Corps team has

1 been America's first line of defense, proving time and
2 again its critical role in every aspect of our national
3 security. The Department of the Navy today stands in an
4 unbroken line with those who have come before, to answer
5 the nation's call with honor, courage, and commitment.
6 That mission has led me to join the Navy twice, first in
7 uniform as a Navy Reserve intelligence officer, and then
8 again as a career civilian attorney. I feel truly blessed
9 that the President has given me the opportunity to continue
10 that service, if confirmed, to be General Counsel.

11 But the Navy now faces a critical inflection point.
12 President Trump, Secretary Hegseth, Secretary Phelan, and
13 the members of this Committee have all recognized that
14 transformational change is necessary for the Department of
15 the Navy to continue to meet both the tests from
16 adversaries, old and new, and the challenges of a rapidly
17 evolving technological landscape. The Navy-Marine Corps,
18 now and in the future, must be so confidently assured of
19 victory in battle that our adversaries do not even seek to
20 test our resolve. That is the demand of the warrior ethos,
21 and it is the promise of Peace Through Strength.

22 Every facet of that effort will require the support,
23 the intellectual rigor, the creativity, and the tireless
24 dedication of the Department of the Navy's Office of
25 General Counsel, to ensure that the objectives our elected

1 leaders have set are achieved in a manner consistent with
2 the Constitution and laws of the United States.

3 If confirmed, I would hope to bring to that service a
4 combination of education, experience, perspective, and
5 commitment. Many of my teachers and mentors had their own
6 careers of public service, and from them I learned not only
7 the skills but also the values of a government attorney. I
8 have applied those lessons in my experience as an Assistant
9 U.S. Attorney and Senior Trial Counsel, and Civilian
10 Counsel in the Navy. I am very proud of the work we did to
11 innovate creative legal tools to bring justice to
12 adversaries threatening American citizens and interests,
13 work which has given me a valuable perspective on our
14 challenging national security environment.

15 While I know that my background will stand me in good
16 stead, if confirmed, most important is my commitment. I
17 grew up in New York City. I will never forget the sight
18 and smell of the ash and debris covering our roof on 9/11.
19 I have known victims of crime and terrorism, and the law
20 enforcement and military personnel who risked their lives -
21 - and sometimes lost them -- to see justice done.
22 Protecting our nation is to me not just a professional
23 charge. It is a personal calling.

24 President Trump, Secretary Phelan, the Congress, and
25 the Americans we all serve have my total commitment that,

1 if confirmed, I will leave it all on the field, every day,
2 to ensure that the Department of the Navy has the best
3 possible legal advice to meet the challenges of this
4 moment. And that includes working closely with this
5 Committee and with Congress as a whole.

6 It has been my privilege on several occasions now to
7 raise my hand and ask for God's help to support and defend
8 the Constitution of the United States. It would be the
9 honor of a lifetime to do so again, if confirmed, as the
10 General Counsel of the Department of the Navy.

11 Thank you again for allowing me to be here today, and
12 I welcome your questions.

13 [The prepared statement of Mr. Denton follows:]
14
15
16
17
18
19
20
21
22
23
24
25

1 Chairman Wicker: Thank you very much, sir. Mr.
2 Kohlmann, you are recognized.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 STATEMENT OF BENJAMIN C. KOHLMANN, TO BE ASSISTANT
2 SECRETARY OF THE NAVY FOR MANPOWER AND RESERVE AFFAIRS

3 Mr. Kohlmann: Chairman Wicker, Ranking Member Reed,
4 and distinguished members of the Armed Services Committee,
5 it is an honor and a privilege to appear before you as
6 President Trump's nominee to be Assistant Secretary of the
7 Navy for Manpower and Reserve Affairs. If confirmed, I am
8 excited and eager to once again serve the Department of the
9 Navy and the American people. I am deeply grateful to
10 President Trump, Secretary Hegseth, and Secretary Phelan
11 for their confidence and trust.

12 I also want to thank my parents, here today, Michael
13 and Carrie Kohlmann. All of their children have sacrificed
14 and served our country, including my brother, who is a Navy
15 Foreign Area Officer, currently living in Africa, and my
16 sister, who is also here today, married to a twice-deployed
17 Army National Guard officer and active U.S. Marshal.

18 Most of all, I want to thank my wife and our three
19 elementary-aged children who are with us today. They are
20 the earthly foundation of all that I do.

21 Senators, America is worth defending. That defense
22 requires men and women who volunteer their vocation and
23 their lives.

24 This truth dawned on me as a young boy. I was
25 enamored by World War II, and military aviation was in my

1 blood. My grandfather was a carrier pilot who flew
2 Hellcats and Corsairs off the USS Wasp and USS Hornet in
3 the Pacific. My great uncle was an Army Air Corps and Air
4 Force pilot who flew from World War II through the end of
5 the Cold War, including time as a prisoner of war. Their
6 stories defined my childhood and set me on an inevitable
7 path.

8 This led me to experience the highs and lows of
9 military service as an active duty and reserve Navy
10 officer. As an F/A-18 pilot, I flew 32 combat missions
11 over Afghanistan. I was stationed for 2 years as an
12 exchange instructor pilot with the United States Marine
13 Corps at Miramar, San Diego. I worked closely with Navy
14 civilians and lab scientists at Navy Warfare Development
15 Command when I was empowered to build and lead the Chief of
16 Naval Operations Rapid Innovation Cell. I saw the inner
17 workings of the Navy Reserve for 9 years when I helped
18 stand up the Defense Innovation Unit in Silicon Valley in
19 2015, and then served in the Voluntary Training Unit.

20 I experienced the pain of loss when squadron-mates
21 lost their lives flying high performance aircraft. I saw
22 firsthand the burden of military service on families as I
23 watched my sister endure the first 3 years of her marriage
24 away from her Army husband while he was deployed to Iraq
25 and Afghanistan on back-to-back pumps.

1 In my civilian career, I have spent the past 5 years
2 deeply immersed in the startup ecosystem, building a dual-
3 use company, and most recently investing in exceptional
4 founders focused on building for the national interest and
5 reindustrialization.

6 The common theme in all those endeavors was the
7 importance of people -- military, civilian, and families.
8 If confirmed, I am committed to leveraging this career of
9 service to ensure our sailors, marines, civilians, and
10 families are ready for a possible confrontation with
11 whatever pacing threat we might face.

12 Our goal is to deter conflict, but if necessary, to
13 fight and win whatever our enemies send our way. Both
14 cases require our best and most qualified to be ready to
15 boldly lead. To do so, our Navy must reinvigorate a
16 warfighting ethos, promoting exceptional warfighting
17 ability and agile leaders. We must bolster an improving
18 recruiting and retention picture, showing the American
19 people why seapower is critical to national flourishing.

20 Finally, if confirmed, I am committed to finding ways
21 to modernize our Reserve forces, to facilitate fast, large-
22 scale mobilizations when called up, while creating
23 streamlined pathways for exceptional civilian talent to
24 serve.

25 To paraphrase my favorite military philosopher,

1 technology doesn't win wars. Men and women do, and they
2 use their minds to do so.

3 If confirmed, I am committed to making sure our
4 Department of the Navy personnel are ready to deter, fight,
5 and win. America is worth defending.

6 In closing, I reiterate my appreciation to the
7 Chairman, Ranking Member, and members of this Committee for
8 your intentionality throughout this process.

9 Thank you, and I look forward to your questions.

10 [The prepared statement of Mr. Kohlmann follows:]

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 Chairman Wicker: Thank you, Mr. Kohlmann. Where was
2 your great-uncle imprisoned as a prisoner of war?

3 Mr. Kohlmann: Mr. Chairman, he was in the Hanoi
4 Hilton for 5 years.

5 Chairman Wicker: Our state of Mississippi lost a
6 distinguished veteran of that prison, Colonel Smitty
7 Harris, just a few days ago, and we honor the memory of all
8 of those courageous warriors for the United States.

9 Who is your philosopher?

10 Mr. Kohlmann: Sir, it is Colonel John Boyd, U.S. Air
11 Force.

12 Chairman Wicker: Well, thank you very, very much, all
13 of you. And I now have the duty of asking some questions
14 which we ask of all of our civilian nominees. So I will
15 just ask you all to answer at the same time. You can just
16 say yes or no.

17 Have you adhered to applicable laws and regulations
18 governing conflicts of interest?

19 Mr. Powers: Yes.

20 Ms. Henninger: Yes.

21 Mr. Denton: Yes.

22 Mr. Kohlmann: Yes, Senator.

23 Chairman Wicker: Have you assumed any duties or taken
24 any actions that would appear to presume the outcome of the
25 confirmation process?

1 Mr. Powers: No.

2 Ms. Henninger: No.

3 Mr. Denton: No.

4 Mr. Kohlmann: No.

5 Chairman Wicker: Exercising our legislative and
6 oversight responsibilities makes it important that this
7 Committee, its subcommittees, and other appropriate
8 committees of Congress receive testimony, briefings,
9 reports, records, and other information from the executive
10 branch on a timely basis. Do you agree, if confirmed, to
11 appear and testify before this Committee, when requested?

12 Mr. Powers: Yes.

13 Ms. Henninger: Yes.

14 Mr. Denton: Yes.

15 Mr. Kohlmann: Yes.

16 Chairman Wicker: Do you agree to provide records,
17 documents, and electronic communications in a timely manner
18 when requested by this Committee, its subcommittees, or
19 other appropriate committees of Congress and to consult
20 with the requestor regarding the basis for any good faith
21 delay or denial in providing such records?

22 Mr. Powers: Yes.

23 Ms. Henninger: Yes.

24 Mr. Denton: Yes.

25 Mr. Kohlmann: Yes.

1 Chairman Wicker: Will you ensure that your staff
2 complies with deadlines established by this Committee for
3 the production of reports, records, and other information,
4 including timely responding to hearing questions for the
5 record?

6 Mr. Powers: Yes.

7 Ms. Henninger: Yes.

8 Mr. Denton: Yes.

9 Mr. Kohlmann: Yes.

10 Chairman Wicker: Will you cooperate in providing
11 witnesses and briefers in response to congressional
12 requests?

13 Mr. Powers: Yes.

14 Ms. Henninger: Yes.

15 Mr. Denton: Yes.

16 Mr. Kohlmann: Yes.

17 Chairman Wicker: Will those witnesses and briefers be
18 protected from reprisal for their testimony or briefings?

19 Mr. Powers: Yes.

20 Ms. Henninger: Yes.

21 Mr. Denton: Yes.

22 Mr. Kohlmann: Yes.

23 Chairman Wicker: And then much of the funding of the
24 defense reconciliation bill is unspecific and will
25 technically be at the discretion of DoD, though this

1 Committee has provided recommendations for them. A quick
2 yes or no from each of you. Do you commit to follow the
3 Congress' spending recommendations and defense
4 reconciliation, unequivocally?

5 Mr. Powers: Yes.

6 Ms. Henninger: Yes.

7 Mr. Denton: Yes.

8 Mr. Kohlmann: Yes.

9 Chairman Wicker: Thank you very, very much. And now
10 I would recognize myself for 5 minutes for questions.

11 Mr. Powers, if you could briefly, and I guess you
12 could spend an hour doing this, but if you could briefly
13 tell us your specific plans to achieve a clean audit
14 opinion by Christmastime of 2028.

15 Mr. Powers: Thank you, Chairman. I have been around
16 audit a long time, in DoD and outside. I think one of the
17 things we absolutely have to do, and all of this is
18 contingent on confirmation, of course, is get senior
19 leadership very actively involved in the process of setting
20 milestones and holding the departments and defense agencies
21 to those milestones. And that goes on top of getting rid
22 of a bunch of legacy systems, leveraging technology, AI,
23 robotics, machine learning. A lot of things we can do to
24 make it easier to audit the Department more efficient,
25 quicker, and at less cost.

1 Chairman Wicker: If you are confirmed, how soon do
2 you think you might be able to establish that first set of
3 milestones?

4 Mr. Powers: That is step number one, after I get
5 possibly to DepSecDef to agree, and I am sure he will.
6 That is just how it works. In weeks we should be able to
7 make a cut at what those milestones are. It is easy to see
8 what the milestones would be, and then the work is
9 underneath, you know, how do we get to a common or a couple
10 of common financial systems.

11 Chairman Wicker: Okay. Well, you know, I think we
12 all agree, on both sides of the dais, that the 2024 NDAA
13 anticipated it is going to take a while, and it is 3 1/2
14 years off, even as we speak. So I know it is something
15 that has been a frustration for a long time, but we stand
16 ready to give you the tools you need. So thank you for
17 that.

18 Let me briefly ask Mr. Kohlmann, recruiting is up.
19 Based on that, do you think we need to go back to the more
20 stringent recruiting standards that we had earlier?

21 Mr. Kohlmann: Senator, I think it is to the credit of
22 what has been done in the Department of the Navy at this
23 point to get to these strong recruiting numbers. If
24 confirmed, I would like to look into what has driven that
25 recruitment opportunity and if those are higher standard

1 individuals. I think if we have the opportunity to
2 increase the minimum standards we should absolutely
3 increase those standards, as long as we are meeting our
4 recruiting goals.

5 Chairman Wicker: Okay. Well, it seems to me that
6 there is sort of a new enthusiasm among young Americans to
7 sign up and be part of the cause. Let me ask you, in that
8 regard, have you been informed what an enthusiastic
9 supporter of Junior ROTC the Chairman of the Armed Services
10 Committee is?

11 Mr. Kohlmann: Mr. Chairman, I have been.

12 Chairman Wicker: Yes. And I hope you share that
13 enthusiasm. And it is not just something that occurs to
14 members who visit high schools, but this has been
15 substantiated by scholarly studies. Junior ROTC, whether
16 it is Navy or the other opportunities, constitutes a subset
17 of people in the high school who are voluntarily agreeing
18 to better discipline, to more work, to standards that other
19 high school students do not have to have, and the result is
20 clear and amazing, and has been happening for decades.
21 They make better grades. They stay in school longer. Then
22 go on to jobs or colleges and universities at a higher
23 rate. It is a winner, and just for everyone.

24 When this Committee and this Congress House and Senate
25 pass an NDAA that says the floor of Junior ROTC units

1 across the country should be raised, in other words we
2 should have more in more high schools, that is not a
3 suggestion. It has been viewed as a suggestion several
4 years back. But that is a requirement, and we mean for
5 Junior ROTC to become part of our citizenship building
6 ethos in the United States.

7 Thank you very much, and Dr. Henninger, I will
8 probably come back to you for some questions later on.

9 At this point I am happy to recognize Senator King.

10 Senator King: Thank you, Mr. Chairman. Mr. Powers,
11 you have been around audit, as you have said, for many
12 years. Why is it so hard? Why is this case the paradigm
13 case for not being able to get to an audit? What is it at
14 the Pentagon that has created the obstacles to getting
15 where we should get? A lot of big organizations have
16 audits every year, but what is the history here?

17 Mr. Powers: Senator, I appreciate that question. I
18 know a lot of people ask that very question. We have been
19 doing this for, what is it, 35 years since the CFO Act was
20 passed.

21 In my opinion it has not been as important as it is in
22 the private sector. In the private sector, you cannot do
23 business if you do not have clean audit opinions, if you
24 are not answering all the compliance requirements --

25 Senator King: You cannot sell your stock. You cannot

1 trade.

2 Mr. Powers: Yes. But in DoD, really, the prime
3 mission is to, you know, defeat our enemies, and it is not
4 a whole lot to do with cranking out a clean audit opinion.

5 Senator King: Keeping track of the money.

6 Mr. Powers: Keeping track of the money is important.
7 We have not done the greatest job at that. I do not know
8 that that is the worst thing we are failing at when it
9 comes to getting clean financial statements. It has been
10 in a little bit of disarray. We have too many systems.
11 They do not talk to each other. It is very difficult to,
12 or has been, to get people interested.

13 I think we are at a nexus in time right now, though.
14 The Administration is behind doing the audit. The
15 Secretary is. Congress, obviously you guys are. You know,
16 you have given us some deadlines.

17 Senator King: Well, you have a great opportunity and
18 I think great experience, and as you point out, everybody
19 is aligned behind this mission. So I look forward to your
20 work. You are going to prove to the world that the term
21 "Comptroller of the Pentagon" is not a contradiction in
22 terms. That should be your task.

23 Ms. Henninger, you are, as the Chairman noted,
24 extremely well qualified for this job. The problem is the
25 job seems to be going away before you even get there.

1 Seventy percent of the staff of the office that you are
2 designated to lead has been cut, and yet, at the same time,
3 the challenges of testing and evaluation of new
4 technologies, particularly the challenges of cyber and
5 ensuring cybersecurity of the whole supply chain, have
6 multiplied in recent years. How in the world are you going
7 to do your job when you have only got 30 percent of the
8 people that were there a year ago?

9 Ms. Henninger: Thank you for the opportunity to
10 expand on that, Senator King. I have not been briefed on
11 the details of Secretary of Defense, his memorandum, and
12 his decisions after the memorandum. I understand that
13 there is a 60-day period where there will be a
14 reconsideration of any resources that might be necessary.
15 I do not know where that stands right now.

16 The operational test and evaluation community spreads
17 out responsibilities across a number of entities, including
18 the service OTAs who actually do the cyber testing. At
19 DOT&E, the office that you are talking about in your
20 question, specifically provides oversight and independent
21 analysis to a certain number of programs that are on the
22 oversight list. And when I get into the office I will do
23 an independent analysis --

24 Senator King: I think this office is very important,
25 and particularly at this moment in time. And Mr. Kohlmann,

1 I would modify your philosopher's statement. Men and women
2 empowered by the best technology win wars. Genghis Khan
3 was able to conquer the world because of the invention of
4 the stirrup, which enabled his warriors to be more
5 fearsome. The English army at Agincourt defeated the
6 French, a four-time-sized army, because of the new
7 technology of the longbow.

8 So what you are doing is incredibly important, and I
9 hope you will fight for the office, for the people that you
10 need, in order to do the job. I think that is what is
11 especially important here.

12 Mr. Denton, legal advice and rule of law. You have
13 done a lot of law work throughout your career. You know
14 that one of the important jobs of a lawyer sometimes is to
15 tell their client things they do not want to hear. Are you
16 willing to do that, to the Secretary of Defense or the
17 President of the United States, if you feel that the law
18 requires a direction that is not consistent with the policy
19 direction that they want to pursue?

20 Mr. Denton: Senator, that is always a lawyer's first
21 obligation is to tell their client what the law is and what
22 their options and obligations are. I look forward to
23 providing that advice to Secretary Phelan, if confirmed,
24 and to working closely with colleagues in the General
25 Counsel Department of Defense Office, and if necessary, the

1 White House Counsel's Office, on any broader legal issues
2 that we may need to collaborate on.

3 Senator King: Thank you very much. Mr. Kohlmann, I
4 will have some questions for you about manpower for the
5 record. I appreciate it.

6 Thank you, Mr. Chairman.

7 Chairman Wicker: Thank you very much, Senator King.
8 Senator Scott, you rushed in here, breathlessly, to take
9 your place ahead of Senator Tuberville. Have you caught
10 your breath? Are you able to -- yes, you are recognized,
11 sir.

12 Senator Scott: Thank you. First off, thanks to each
13 of you for being here.

14 So I am a business guy. I have been up here for 6 1/2
15 years. I ran companies. We never did not have an audit.
16 I mean, it is actually hard to believe that our military
17 cannot get an audit done. So in my business life, one, you
18 could not sell public stock. You know, nobody would buy
19 your stock. You could not raise money. The bank would
20 foreclose on you.

21 So what is frustrating is no one has ever been held
22 accountable. I mean, I do not know anybody that has not
23 been promoted. I do not know anybody has been let go.
24 There is basically no accountability. You have to admire
25 the Marines. They testified about, you know, a couple of

1 weeks ago, and they make their audit, but nobody else gets
2 it done.

3 So Mr. Powers, if confirmed, you are going to oversee
4 the DoD's finances and budget every year. This clearly is
5 not an easy job. How long is it going to take you to
6 deliver a clean audit? Easy question.

7 Mr. Powers: December 31, 2028, Senator.

8 Senator Scott: Do you think it will take that long?

9 Mr. Powers: Yes, I do. There is a lot to be done.
10 What the Marine Corps did, part of it was they did it
11 because they are Marines, and they did it the hard way.
12 They did not have great systems. They did not have good
13 internal controls. But they audited through that, meaning
14 instead of sampling 100 items they would sample thousands
15 of items to get to the point where they could assure the
16 reader of the financial statements that they were correct,
17 and the auditors.

18 It will take some time. I mean, we have got to
19 consolidate systems, got to get rid of a bunch of legacy
20 stuff. We have got to start leveraging AI.

21 Senator Scott: So in the meantime, are we going to
22 get audit reports with exceptions?

23 Mr. Powers: Senator, we get those every year, but we
24 have been making progress. We have got 12 financial
25 statements from last year, organizations within DoD that

1 got clean audit opinions. An effort was made to get the
2 government's checkbook fund balance with Treasury audited
3 and cleaned up. That was a material weakness that GAO had
4 identified. And quite a number of them did get cleaned up,
5 improved.

6 But there is a lot to do. We just have not been
7 serious enough about it. I believe that now is the time.
8 I mean, we are all kind of on board. I refer to this as a
9 non-partisan exercise, because we all known it needs to be
10 done, and it only makes sense, and what is going on, why
11 can't we do it. And we have not done it because we have
12 not had the will.

13 Senator Scott: So do you think it takes new people?

14 Mr. Powers: Excuse me?

15 Senator Scott: It takes new people? In my business
16 life, I mean, if you are the CFO and you did not get an
17 audit done, you have lost your job. I mean, no CFO can
18 keep their job if the audit is not done.

19 Mr. Powers: Correct.

20 Senator Scott: So does it take new people? Because
21 the people there, it must not be important to them.

22 Mr. Powers: Certainly it will take new people. We
23 have not delivered with the people we have. You know, to
24 the extent that that needs to be looked at and analyzed and
25 reconfigured, I will say, you know, we need to get the

1 train pointed in the right direction, and we need to
2 execute. We need to have a good plan. We need to have
3 leadership that is all over making this very important.
4 You know, in business, when the boss says something is
5 really important, you do it, because you might lose your
6 job.

7 Senator Scott: Do you think the bosses are saying
8 that?

9 Mr. Powers: I do not think there was a lot of that
10 previously. There was some. Some people were more
11 interested than others. Some people just thought it was an
12 impossible task, and some people were much more interested
13 in executing, you know, against the broader mission of the
14 Department. I think it needs to be important, and people
15 like the Comptroller need to be accountable. It is not
16 just one person. It is the entire organization. But if
17 confirmed, I would like to put together a plan that
18 involves senior leadership, DepSecDef managing monthly
19 meetings, holding people accountable, the secretaries and
20 the financial managers and comptrollers for the departments
21 and agencies.

22 Senator Scott: Well, I would appreciate it, after you
23 get confirmed, if you could just give us, in writing, just
24 a quarterly update of how you are doing. Because I think a
25 lot of us here really care about this. And we will do

1 whatever we can make sure it is a priority. So thank you.

2 Mr. Powers: I would be happy to do that.

3 Chairman Wicker: Thank you, Senator Scott. And Mr.
4 Powers, let me just pick up on what the Senator just said.
5 I heard you say you are going to, within weeks, if you are
6 confirmed, and I think you will be, that you will establish
7 benchmarks and markers. If you come back and testify
8 before us in early January of next year, do you think you
9 would be able to say that you will have achieved those
10 benchmarks and milestones that you are going to set out
11 very soon?

12 Mr. Powers: I think I can come back and tell you what
13 those benchmarks and milestones are and when we expect to
14 get those checked off, not getting them actually completed
15 by January. That is not going to happen.

16 Chairman Wicker: Okay. I see. Well, we will explore
17 that further. Thank you very much for that answer.

18 Senator Kaine, you are recognized.

19 Senator Kaine: Thank you, Mr. Chair, and this is a
20 great panel, all people highly qualified for the positions.

21 Mr. Kohlmann, you began and finished your testimony
22 with the United States is worth defending, and it made me
23 think if the United States is worth defending, and we all
24 believe that it is, then public service to the United
25 States is worth defending. I found it interesting, a

1 common theme in all of your opening testimonies, and you
2 each write them independently, but you all emphasized the
3 deep connections that both you and family members have had
4 to the service of the United States, in civilian
5 capacities, in military capacities, in judicial capacities.
6 Each of you walked through your life and chose to allocate
7 a lot of your 5 minutes to talk about your justified pride
8 in serving the country.

9 I have got an awful lot of public servants in Virginia
10 who are right now feeling like they have just been cast
11 aside, and this is not about any of you. But in the same
12 way that you feel pride in having served the country and
13 excitement about this next opportunity for service, in the
14 same way that a whole lot of people in this room, and a
15 whole lot of people behind me up here feel pride that they
16 have chosen to serve their country by being U.S. public
17 servants, tens of thousands of public servants have been
18 RIF'd, DOGE'd, kicked out, fired, locked out of their
19 office, placed on administrative leave, with virtually no
20 process to analyze the merits of their service, the
21 productivity of the office they work in, or their own
22 careers.

23 A whole lot of them had been fired for the simple
24 reason that they are probationary, that they can be fired,
25 that they are in their first year of service, and they have

1 little recourse. Because the Federal civilian service is
2 about 30 percent veteran compared to the public sector
3 being in the single digits veteran, the victims of this
4 mass firing of Federal employees in the last 8 months have
5 been disproportionately veterans, overwhelmingly veterans -
6 - DoD civilians, USAID employees -- because veterans serve
7 long periods of time, and then when they transition to
8 civilian workforce, even if they have been in the military
9 for 25 years, in that first year you are a person of great
10 expertise but you are a probationary employee, just like a
11 23-year-old, who can be cast aside like you are trash.

12 And so I am glad that each of you, in your own way,
13 decided, when you had 5 minutes before the Committee, the
14 thing that you really wanted to tell us about yourself was
15 your pride in serving this nation, in a whole variety of
16 different ways. And I want everyone who serves this
17 country to feel proud of it, to want to do it, and to feel
18 respected and appreciated for having done it.

19 Mr. Kohlmann, I appreciated our visit in the office a
20 lot, and this is a really important post, as all of your
21 posts are important. I am the lead Democrat on the
22 Seapower Subcommittee, so the Navy/Marine issue is really
23 important to Virginia. It is really important to me. One
24 of my kids is a Marine Reservist.

25 How are you going to, should you be confirmed, in the

1 Navy, ensure a smooth transition for employees who were in
2 the Deferred Resignation Program, or the Voluntary Early
3 Retirement Authority, how can you manage that in a smooth
4 way while maintaining operational readiness?

5 Mr. Kohlmann: Senator, thank you for the question.
6 The civilian workforce that we have is critical to our
7 national security and the Department of the Navy, and the
8 decisions that were made previously was not something I
9 took part in. But future transitions of individuals, and
10 if we do need to make, you know, rightsizing adjustments,
11 need to be made done in a data-driven way to ensure that we
12 are making the right decisions for the Department of the
13 Navy.

14 One opportunity we could explore is something similar
15 to the TAP program that the active-duty military has, to
16 look at what options transitioned are. You know,
17 shipbuilding and workforce is a critical thing that we have
18 to think about in the private sector. There could be
19 opportunities to take folks who have adjacent expertises
20 and help make those seamless transitions happen for them.
21 But I look forward to diving in deeper and understanding
22 the problem more deeply, if confirmed.

23 Senator Kaine: You and I talked in my office, and I
24 will not go further into it, about the Brandon Act, which
25 is an act that I helped get passed to really focus

1 fundamental health needs of sailors, and there are
2 components to it that are applicable throughout the defense
3 enterprise. It is really important that those resources be
4 available, that there be no stigma attached to seeking
5 mental health services. I know that you share that goal.

6 And then the last thing is we talked about the
7 civilian workforce but you were also a reservist. Talk
8 about the way to make sure that our reservists are really
9 fully integrated into the Navy mission.

10 Mr. Kohlmann: Senator Kaine, thanks for the question.
11 There is an immense, to the Chairman's point, eagerness to
12 serve our country, with varying skill sets, and I think the
13 Reserves has the unique opportunity to take the existing
14 Reserve members we have and bring in new members for very
15 targeted skill sets, that we can put them into roles so
16 they can have immediate impact within the Department of the
17 Navy. I think of people who are in banking or consulting
18 or are on the front lines of manufacturing, that we need
19 direct insight into in the service. I think we can find
20 ways to make their skills very quickly.

21 Senator Kaine: Thank you for that. I yield back, Mr.
22 Chair.

23 Chairman Wicker: Thank you very much. Senator
24 Tuberville.

25 Senator Tuberville: Thank you, Mr. Chairman. Good

1 morning. Congratulations to all of you, and thanks for
2 your service. Ms. Henninger, Huntsville, Alabama, is a
3 major hub for innovation in hypersonics, space warfare, and
4 quantum computing, just to name a few. I do not need to
5 tell you we are already years behind our adversaries in
6 these critical technologies. What would you do to
7 accelerate the testing and evaluation of critical
8 technologies, especially as threats from adversaries like
9 China continue to mature?

10 Ms. Henninger: Senator Tuberville, thank you for the
11 opportunity to answer this. I am very familiar with
12 Huntsville. I have been there many, many times, to
13 Redstone. I worked with the Cyber Red Team. And I agree,
14 it is a hotbed of innovation for the country. I appreciate
15 all the smart people down there.

16 And speed is very, very important, and speed with
17 rigor is even better. So there are a number of levers in
18 place right now that DOT&E can encourage the operational
19 test agencies to employ. They include things like shifting
20 left. They include things like taking advantage of
21 training exercises or operational experimentation
22 exercises. They include things like more tightly
23 integrating DT and OT.

24 The issue, in my view, is that those things are
25 becoming our go-to for surge, and they should be every day

1 baseline in every test we do. So I would like to see us
2 move beyond surging with manpower and find other ways,
3 automation, more automated teaming, more digital methods,
4 digital modeling to speed and facilitate our test and
5 evaluation processes.

6 Senator Tuberville: Thank you. Our F-35 program
7 seems to take one step forward and two steps back. How do
8 we fix that?

9 Ms. Henninger: Sir, thank you for the question. I
10 have been out of the office for 4 years, and I am not
11 tracking exactly what is going on with the F-35. I have
12 not been briefed on it. I know the Block 4 is coming up.
13 I know there is a lot of classified work on that. I am
14 slightly familiar with it because I worked on it
15 previously. But one of my first steps back into the office
16 would be to come up to speed on all these weapon systems,
17 especially the classified ones, that I have missed the last
18 4 years, and understand where our baseline is and what we
19 are doing.

20 Senator Tuberville: You will find that pretty quick.
21 Again, it is a great machine. We just continue to have
22 problems.

23 Mr. Kohlmann, DoD civilian workforce numbers have
24 exploded in the last two decades while service end
25 strengths have decreased. The tail is eating the tooth,

1 and it has become an enormous burden to the American
2 taxpayer. Under the previous administration there were
3 additional protections put in at the request of labor
4 unions, to make it harder to fire unperforming employees.
5 What are your plans to fix this bloated bureaucracy?

6 Mr. Kohlmann: Senator, thank you for the question.
7 Coming from the private sector, there were many
8 opportunities when we had to reassess our workforce to
9 understand if it was at the correct size, and I think it is
10 appropriate for government to make similar assessments. I
11 will, if confirmed, get in the seat and understand where
12 the core areas of priority are, and if we have to reshift
13 allocations of civilian workforce from one area to the
14 other or maybe re-rightsized areas, as well. I think
15 holding civilians and military personnel to very high
16 standards and holding them accountable for performance is
17 critical to driving the change that we need.

18 Senator Tuberville: Yeah. And also a lot of our
19 military bases that are brick and mortar is an absolute
20 disgrace. I know that you are not going to be able to
21 brick and mortar, but we are going to need your help to fix
22 a lot of that. You know, we are behind.

23 Mr. Kohlmann: Senator, the state of how our
24 servicemembers live is critical to both retention and
25 recruitment, and I look forward to working with the

1 Secretary of the Navy, I know it is a priority of his, to
2 make sure that our servicemembers have the right places to
3 live.

4 Senator Tuberville: Yeah. The quality of life, you
5 know, should be a lot better than what it is for a lot of
6 our families. And that is important for recruiting, as we
7 were talking about earlier.

8 Mr. Denton, the previous administration flouted the
9 law and used the office you seek, and many others, to
10 advance their political agenda. As the Navy's top lawyer
11 can you commit to helping ensure the Navy will follow
12 statute and advise senior leaders in an apolitical manner?

13 Mr. Denton: Absolutely, Senator.

14 Senator Tuberville: Do you see any problems? What do
15 you think will be your number one agenda when you first go
16 into office?

17 Mr. Denton: Senator, I think that my most important
18 priority, if confirmed, will be supporting Secretary
19 Phelan's most important priority, which is shipbuilding,
20 and getting the battle force back to where it needs to be.
21 That is going to be a full lifecycle effort throughout the
22 entire acquisition and sustainment process, making sure
23 that we are receiving value for dollar from industry, but
24 at the same time ensuring that we have the right
25 authorities and the right resources deployed to sustain the

1 fleet and make sure that we have the capabilities that our
2 sailors and marines need to deter and, if necessary, win
3 any fight that might come our way.

4 Senator Tuberville: Thank you, Senator Wicker, and I
5 like to hear that word "shipbuilding," don't we, Senator?

6 Chairman Wicker: Senator Tuberville, I do not think
7 we could have had a finer answer to that question.

8 Senator Tuberville: Exactly right.

9 Chairman Wicker: Thank you very much. Senator
10 Blumenthal, you are recognized.

11 Senator Blumenthal: Thank you, Mr. Chairman. Thank
12 you all for being here and thank you for your service, your
13 willingness to serve in the future, as well.

14 Mr. Kohlmann, one of the real challenges in today's
15 military, including in the Navy, is the critical shortage
16 of personnel in key billets. It is not just a manpower
17 issue; it is a readiness and retention issue. You know,
18 the Army's Future Soldier Preparatory Course has
19 demonstrated success by bringing in thousands of previously
20 ineligible recruits and setting them up for long-term
21 success in the Army. That course has, in effect, overcome
22 some of the disadvantages that new potential recruits have.

23 I wonder what steps you would contemplate to address
24 the shortages of recruiting, which have become problems
25 from time to time, and whether the Navy should pursue a

1 similar kind of preparatory program.

2 Mr. Kohlmann: Senator, thank you for the question.

3 It has been heartening to see the Navy and the Marine Corps
4 both meet their recruiting goals in the past year, but in
5 past year that has been a deep challenge. If confirmed,
6 one of the first things I want to do is understand what has
7 driven that uptick, and if we can reinforce those areas of
8 success, ensure that we replicate that effort. And where
9 individuals who wanted to serve maybe fell short, for
10 waiver reasons or medical reasons or physical fitness
11 reasons, if we can potentially look at options to help
12 bring them in through similar programs like the Army
13 program, I am open to exploring that.

14 I will also say, on the shipbuilding front, I think
15 there is an opportunity for us, for individuals who may not
16 meet the physical requirements of the Navy, consider
17 options to making them available to industry and opening up
18 the trades for them to go into, if they are looking for
19 great-paying jobs in support of our nation.

20 Senator Blumenthal: In a previous Congress I have
21 championed a measure that is named after a young man who
22 committed suicide -- he was from Connecticut, Xavier Sandor
23 -- to provide more off-ship and off base, better living
24 conditions when ships are undergoing maintenance, so that
25 they do not have to live on the ship while it is being

1 repaired for whatever reason, or undergoing maintenance. I
2 would like your commitment that you will look at that
3 program and make sure that the Navy is fulfilling its
4 obligation in the memory of Xavier Sandor, whose father,
5 John, is dedicated to this cause. And I know that the
6 previous administration championed it, as well.

7 Mr. Kohlmann: Senator, if confirmed, I will gladly
8 look into it and commit to looking into it more deeply.

9 Senator Blumenthal: Ms. Henninger, unmanned aerial
10 and undersea warfare, is this an area where you feel you
11 have a responsibility to advance the technology and the
12 practical uses?

13 Ms. Henninger: Senator Blumenthal, thank you for that
14 question. From the perspective of operational test and
15 evaluation it would be, if confirmed, my role to assure
16 that those systems were properly tested, adequately tested
17 in an operational environment, in combat-credible
18 conditions, with realistic threats.

19 Senator Blumenthal: Are we testing them now
20 adequately?

21 Ms. Henninger: Sir, yes. There are a number of
22 systems in those spaces, not perhaps fully autonomous but
23 semi-autonomous, that we do test.

24 Senator Blumenthal: Let me ask you, do you think we
25 are keeping pace with the technology that other countries

1 are developing in unmanned warfare?

2 Ms. Henninger: Thank you for that question, sir. I
3 am not, especially because I am not in the DoD right now,
4 privy to the intelligence reports that would give me the
5 baseline to understand our comparison. But if confirmed, I
6 would commit to of course getting briefed quickly by the
7 intel community to understand where our near-peer
8 adversaries are.

9 Senator Blumenthal: Thank you.

10 Chairman Wicker: Thank you, Senator Blumenthal.
11 Senator Budd.

12 Senator Budd: Thank you, Chairman. Again, congrats
13 to each and every one of you. I know your families and
14 loved ones, supporters, are very proud.

15 Mr. Kohlmann, 10 years ago the Navy Times wrote an
16 article about your contributions to the innovative and
17 entrepreneurial spirit in the Navy, particularly on ways to
18 shake up how the Navy grows, manages, and retains its most
19 valuable resource, and that is its people. There are a lot
20 of great ideas in this article, if you will recall, like
21 allowing for merit-based production outside of the sailor's
22 year group, adding graduate school and industry
23 opportunities, and several others. So it seems appropriate
24 that you are here today to appear as the nominee to lead
25 the Navy's Manpower and Reserve Affairs.

1 Since this article 10 years ago, in 2015, how has the
2 Navy taken to some of your ideas, and what are your next
3 steps?

4 Mr. Kohlmann: Senator, thank you for the question.
5 It is an honor to be back and have the opportunity to
6 potentially have this role if the Senate consents to it.
7 My understanding is the Navy has opened up some of the year
8 group opportunities. They now do more below-the-zone
9 promotions, in addition to re-racking kind of the lineal
10 order for folks who, instead of just when they were in
11 their year group they would restack those and give them
12 more opportunities for earlier promotion. I understand
13 there are more graduate opportunities, and they have also
14 opened up some tradeoffs with industry programs, to get
15 some real-world experience.

16 One of the things that, if confirmed, I am eager to
17 look into is what the ratios are of the quality spread of
18 individuals we are retaining. One of the challenges I saw
19 when I was running some retention studies in naval aviation
20 was, you know, some of the top performers were choosing to
21 depart to do other things. It seems like if we face a
22 kinetic conflict in the future, we will want some of the
23 most creative thinkers to stay in the service. So I would
24 want to understand why we are losing them if we can retain
25 them, and bring in more talent from the outside, if

1 necessary, and augment the talent we already have.

2 Senator Budd: Very good. Dr. Henninger, I enjoyed
3 the conversation in my office, and you mentioned that we
4 need to modernize and streamline the evaluation process and
5 better integrate it with the acquisition lifecycle. How
6 might we do that without sacrificing quality or cutting
7 corner?

8 Ms. Henninger: Thank you, sir. I also appreciated
9 the opportunity to talk with you about this the other day.
10 So our test and evaluation processes, as our acquisition
11 processes, were started quite a long time ago in a
12 different era, where we were hardware centric. And the T&E
13 oversight portfolio now is software centric. The systems
14 on it are software enabled and software defined, and there
15 is only 5 to 10 percent that is only hardware.

16 We have been evolving an old process, trying to make
17 it work, and we have been doing yeoman's work to do that.
18 What we have learned is that that only scales with people.
19 We can only surge with more manpower. And I would suggest
20 that using more software to automate software testing is
21 where we need to go, and if confirmed, that is what I would
22 want to bring to the position.

23 Senator Budd: So in this software-centric, I think
24 you put it, environment, how far can modeling and
25 simulation take us in operational test and evaluation? And

1 is there going to be a day, or a day soon, when live open-
2 air testing is no longer required?

3 Ms. Henninger: Sir, thank you for that question. So
4 as a rule of thumb, I believe it makes sense to model or
5 simulate the things that we know, and live test the things
6 that we do not know. And with that as a baseline
7 heuristic, I do not ever foresee a day where we will have
8 no live testing.

9 Senator Budd: Thank you. I want to switch the
10 technology discussion to you, Mr. Powers. Can you provide
11 an example of how the use of legacy finance and accounting
12 systems -- I think you mentioned those legacy systems being
13 one of the challenges, and there is a lot of opportunity
14 ahead with AI and newer systems -- how do they impact the
15 ability of auditors to fully account for DoD resources?

16 Mr. Powers: Thanks for that question, Senator. Right
17 now we have the disparate financial management systems we
18 have across the Department do not really talk to each
19 other. We do not acquire. We do not information the same
20 way. We do not store it the same way. We cannot analyze
21 it in a way that allows us to leverage what we need to do
22 for financial processes and the data that is required to do
23 the analytics to get us the numbers that we need to have on
24 the financial statements.

25 Senator Budd: Are there off-the-shelf systems that

1 could be adapted for DoD usage?

2 Mr. Powers: I am certain there are off-the-shelf
3 systems. If confirmed, I fully intend to get involved, or
4 have the right experts, you know, at hand to get involved
5 and come up with, you know, a solution that leverages
6 technology in a way we have not done, that gives us the
7 data analytics piece, gives us the clean processing of the
8 financial data, to get the financial statement audit
9 opinions.

10 Senator Budd: Thank you all.

11 Chairman Wicker: Thank you very much, Senator Budd.
12 Senator Warren.

13 Senator Warren: Thank you, Mr. Chairman, and
14 congratulations to all of our nominees.

15 In 1983, Congress created the Director of Operational
16 Test and Evaluation Office to provide the Secretary of
17 Defense and Congress with the unvarnished truth about the
18 weapons we buy and whether they actually work. The reason
19 for that bill was because the military had been caught
20 trying to cover up major problems, like that the Bradley
21 Fighting Vehicle would, quote, "burn its crew to death if
22 it were hit by a single Soviet anti-tank missile."

23 Now, Dr. Henninger, if you are confirmed to lead the
24 testing office it will be your job to make sure that
25 similar problems are brought to light and fixed. And this

1 is important because servicemembers lives are at stake
2 here. But Secretary Hegseth has issued a memo reducing the
3 staff by 74 percent and its budget by 80 percent. This is
4 a dangerous decision, and I have serious concerns about
5 whether you will have the resources you need to accomplish
6 your safety mission.

7 So Dr. Henninger, will you promise to come to this
8 Committee and tell the public if your test results show
9 that a system is unsafe or does not work, or if you do not
10 have the resources to tell one way or the other about
11 whether a system is safe and operational or not?

12 Ms. Henninger: Thank you for that question, Senator
13 Warren. Our reports will always reflect any limitations or
14 assumptions that we encountered in operational test and
15 evaluation, and of course, I will always come before you
16 and tell the truth. So all those things taken together,
17 that is an affirmative, yes.

18 Senator Warren: Well, I appreciate that. Having the
19 courage to speak truth to power is a big part of what this
20 office is all about.

21 This is very personal for me, Dr. Henninger. This
22 office is the one that raised the alarm about safety
23 concerns on the V-22, and those warnings were ignored, and
24 two of my constituents died. You need to be the watchdog
25 that barks.

1 One of your major tools is your annual report. Under
2 the Biden administration, there was pressure on the testing
3 office to hide problems through designations like
4 controlled unclassified information. The information is
5 not classified, but those blank spots, blackouts, in the
6 report keep the public in the dark about a tank that gets
7 so hot that it burns soldiers' hands, or the risk that a
8 pilot ejecting from an F-35 will have their neck snapped.

9 So Dr. Henninger, if you are confirmed, do you promise
10 to ensure that the testing office's reports inform the
11 public as much as possible about the problems that we need
12 to fix in order to make sure that our weapons are safe?

13 Ms. Henninger: Yes, Senator, to the maximum extent
14 possible.

15 Senator Warren: Okay. I will hold you to that.

16 One of your other tools is your oversight list, which
17 identifies which programs should receive scrutiny from your
18 office. Congress plays a key role in providing oversight
19 of these programs, as well, as you know, and in the past,
20 your office has agreed to add programs that Congress
21 identifies to your list, so they will be sure to be
22 scrutinized.

23 Dr. Henninger, if you are confirmed, will you commit
24 to continue to support your office conducting oversight on
25 programs that Congress requests?

1 Ms. Henninger: Thank you, Senator Warren. I will
2 always conform with all the laws and regulations that
3 govern my role, if confirmed. And if Congress legislates
4 the oversight list, then I will absolutely --

5 Senator Warren: Okay. I have to say that is the
6 wrong answer. This is not one where the question is if we
7 legislate will you follow the law. Well, like, yes. I
8 mean, that should be a given. I do not think I should have
9 to ask that.

10 The question is if we request oversight of a
11 particular company or a particular effort that is going
12 forward, our constitutional responsibility is oversight,
13 and in many ways you are our eyes and ears out there. I
14 want a commitment from you that if we are requesting
15 oversight, that you will, in fact, put that company or put
16 that program on your oversight list. Can I get that
17 commitment?

18 Ms. Henninger: Senator, we all want the oversight
19 list to reflect the programs and records that will best
20 serve our mission and keep our warfighters safe and our
21 taxpayers apprised. And I will take all suggestions with a
22 wide net. I will cast a wide net, take everybody's
23 suggestions who have something to offer, and do an analysis
24 of what should be on the oversight list, yes.

25 Senator Warren: Okay. It is a better answer than the

1 first one, but not a great answer here.

2 Look, ensuring the safety of our servicemembers means
3 standing up for transparency and against any pressure that
4 would compromise the integrity of the testing process.
5 That is all I am looking for here. And the Senator
6 National Defense Authorization Act goes a long way to push
7 back on misguided efforts to reduce essential oversight. I
8 look forward to working with the Chairman and all of my
9 colleagues on getting that done.

10 But we really need you committed to overseeing and
11 being transparent about what you have seen in the testing
12 programs.

13 Thank you, Mr. Chairman. I apologize for going over.

14 Chairman Wicker: Well, thank you, Senator Warren.
15 And let me just say, I do not know, there may have been
16 some misunderstanding of the question, but each of these
17 witnesses has already assured that they will cooperate with
18 the Congress and this Committee in exercising our
19 legislative and oversight responsibilities, which makes it
20 important that this Committee, its subcommittees, and other
21 appropriate committees receive testimony, briefings,
22 reports, records, and other information from the executive
23 branch on a timely basis. And each of these witnesses has
24 agreed, if confirmed, to testify before this Committee when
25 requested, to provide records, documents, electronic

1 communications, in a timely manner. This is something
2 that, Dr. Henninger, you have agreed to before we even
3 began the questions by certain members.

4 So I hope you understand the importance of that
5 question, and that should give you some satisfaction,
6 Senator Warren.

7 Senator Warren: Actually, I do appreciate the general
8 statement, but lots of people come in here and tell us they
9 are going to be transparent, in administration after
10 administration. And then we end up with problems, like how
11 much information gets blacked out in the reports, which is
12 the reason that I asked with more specificity than simply
13 asking will you be transparent and responsive. So that was
14 the reason for my questions.

15 Chairman Wicker: Well, and we will let that statement
16 stand. But I do believe that all of these witnesses have
17 solemnly assured this Committee that they are going to
18 cooperate with requests for information and provide us the
19 whole truth. So thank you very much.

20 At this point the Chair recognizes Senator Sheehy.

21 Senator Sheehy: Thank you, Mr. Chairman. Mr. Powers,
22 thank you for taking the time to meet with me a couple of
23 weeks ago. Congrats on your nomination. We discussed at
24 length the challenges that DoD has had for decades now at
25 passing an audit, and I think it is high time we institute

1 some fiscal responsibility to our defense spending rubric
2 as well as how we budget. Some of that is on us. Some of
3 that is on you. But the reality is we have to make sure
4 that the nearly trillion dollars a year we are spending on
5 our military is being spent wisely, and we are not having
6 fraud, waste, and abuse in the system.

7 We are also spending, in some cases, you know,
8 billions of dollars on external auditors to come in and
9 audit the Pentagon, yet we still are not passing audits.
10 So we are paying people to give us audit opinions, private
11 audit firms who are making billions off of auditing our
12 government, yet we are still not passing audits.

13 So I would like to hear from you what your plan is to
14 stop paying external consultants billions of dollars to not
15 help us pass audits, and eventually how we pass an audit to
16 make sure we are being responsible stewards of our taxpayer
17 dollars.

18 Mr. Powers: Thank you for that question, Senator
19 Sheehy, and I did appreciate you taking the time to talk a
20 few weeks back.

21 We are spending a lot of money, and we have spent a
22 lot of money over the years, getting ready for audit and
23 being audited. The majority of that money is on the
24 "getting ready to audit" side. If confirmed, I really want
25 to dig in and get a -- well, I am going to have to, the

1 Department is going to have to, to meet the goal of
2 December 2028. But we need to have an organization, a
3 structure. We need leadership to be very engaged, senior
4 leadership. I think that is one of the keys.

5 Another key is addressing our technology issues. Our
6 systems do not all talk to each other. They are not
7 auditable, in some cases. We do not leverage technology.
8 There is a lot of stuff out there that we could take
9 advantage of that would make our books a lot cleaner, and
10 data analytics that are required to identify problems.
11 That would make that something that we could take advantage
12 of.

13 Audit has not been important. Audit is important now,
14 I think. And I might have mentioned this earlier, but we
15 are at a point in time where everyone kind of agrees on the
16 same thing, which is there is no excuse for DoD not having
17 a clean audit opinion, and we need to get in line and get
18 it done.

19 Senator Sheehy: I think having some of our senior
20 leaders at the Pentagon coming from a business background
21 will help with this. Secretary Feinberg, Secretary Phelan,
22 and many others can bring some of that business acumen.
23 You know, it is interesting that DoD contractors have to
24 abide by DCAA accounting standards and essentially PCAOB
25 accounting standards. As a former CEO of a public company

1 I am familiar with how that works. Yet the Pentagon itself
2 does not have to apparently abide by those.

3 So I think not only is it the right thing to do, it is
4 also an operational criticality. We have China building
5 ships 230 times faster than we do. Russia builds
6 artillery shells and munitions about 10 times faster than
7 we do, for about 10 percent of the cost. So it is beyond
8 just fiscally responsible. It is also an operational
9 necessity. If we are going to have an industrial base that
10 keeps up with our adversaries we have to make sure our
11 money is led on target.

12 Mr. Powers: Absolutely.

13 Senator Sheehy: Thank you for your answer. Dr.
14 Henninger, thank you for the meeting the other day. The
15 21st century battlefield will be characterized by spectrum
16 warfare. Each phase of war in the last hundreds of years
17 we have seen different weapon systems and domains be
18 dominant, from air to undersea to surface warfare. As we
19 are seeing in Ukraine, and as we have seen in recent
20 conflicts with Iranian proxies, spectrum will be the
21 battlefield of the 21st century, from electronic warfare to
22 contested spectrum domain.

23 We need to adjust our operational test and evaluation
24 rubric to more thoroughly allow for testing and training in
25 contested spectrum. I would like to hear your thoughts on

1 how we are going to make that happen.

2 Ms. Henninger: Senator Sheehy, thank you for that
3 question, and thank you for the opportunity to meet with
4 you the other day. I agree with you, contested, congested
5 spectrum is the new normal, and our systems will need to be
6 able to prove that they can jam and spoof and recover. And
7 we have some capabilities at our ranges now, but I do not
8 think we have the comprehensive capability that we will
9 need going into the future, where this will become a bigger
10 part of our battlefield.

11 So I would want to work very closely, if confirmed,
12 with my counterparts in research and engineering and the
13 Test Resource Management Center, especially, to look at
14 solutions going forward, perhaps new testing training
15 ranges, focused specifically on that capability.

16 Senator Sheehy: Great. Thank you. I am out of time,
17 but one last point for Mr. Denton, just a quick statement.
18 I look forward to a thorough review of how we implement our
19 ROEs. As a veteran of both the Iraq and Afghan wars,
20 several deployments, we experienced multiple periods where
21 we were placing the well-being of our adversaries ahead of
22 those of our own servicemembers with restrictive ROEs, and
23 I hope that going forward we can review those and how we
24 implement those across the board.

25 Thank you all for being willing to serve again. Thank

1 you to your families.

2 Chairman Wicker: Thank you, Senator Sheehy. Senator
3 Sullivan.

4 Chairman Wicker: Senator Sullivan.

5 Senator Sullivan: Thank you, Mr. Chairman, and I do
6 want to thank all of you for your willingness to serve, and
7 all the families behind you, supporting you. They often
8 are serving, as well. Maybe sometimes those jobs are even
9 harder than what you are getting ready to do. So thank
10 you, everybody here.

11 I want to get a commitment from all the nominees here,
12 if confirmed, to come on up to Alaska to see what Billy
13 Mitchell, the father of the U.S. Air Force, called the most
14 strategic place in the world. We are home to three pillars
15 of America's military might. We are the cornerstone of
16 missile defense. We are the hub air combat power for the
17 Arctic and Asia-Pacific, with over 100 fifth-generation
18 fighters in Alaska. And we are the platform for
19 expeditionary forces like the 11th Airborne Division of the
20 U.S. Army, go anywhere in the world in a moment's notice.

21 So can I get a commitment from all of you to come on
22 up to Alaska.

23 Mr. Kohlmann: Senator, yes.

24 Mr. Denton: Gladly.

25 Mr. Powers: Absolutely.

1 Ms. Henninger: Yes.

2 Senator Sullivan: And it does not have to be in the
3 summer when the salmon are running, like right now. It is
4 going to be in the winter when it is 40 below zero and you
5 go to Fort Greely and see our missile defenses. Is that
6 all right?

7 The Russians and Chinese like to come to Alaska. We
8 had another Russian incursion in our ADIZ last week, where
9 our military scrambled F-22s and F-35s and F-16s to go
10 intercept the Russians. They are up there all the time.
11 So are the Chinese. They are doing joint strategic bomber
12 and navy ops and a lot of times our media and military --
13 well, our military is great on this, but a lot of times
14 nobody down here even knows what is going on in Alaska. So
15 it is a busy place with our frontline adversaries taking a
16 lot of interest because of our strategic location, and the
17 buildup of our military forces.

18 I wanted to switch to another topic. In Alaska,
19 particularly with regard to the Army and the Air Force, but
20 all our forces, we have had a spate of active-duty
21 suicides, particularly in the Army, very, very high spikes
22 in suicides. And I want to get your thoughts. Some of you
23 would be -- Mr. Kohlmann, you will be very focused on this
24 issue, some of you on the general counsel side, Mr. Denton,
25 maybe not so much. But it is a really big issue that

1 impacts all the forces, and, of course, families. And I
2 just want to get a sense from any of you if you have
3 thoughts on how to address that, how to focus it.

4 My view has always been, you know, you get the units
5 that train hard, that know what their mission is. Those
6 kinds of challenges often subside, but there are other
7 aspects to it. But it is a big deal, and I try to keep an
8 eye on it, and not just for Alaska troops but all of our
9 military troops. So maybe, Mr. Kohlmann, I can start with
10 you, if there are any thoughts, and others too if you are
11 thinking about this.

12 Mr. Kohlmann: Senator, thank you for the question,
13 and suicide is a scourge for both active duty and veterans.
14 It has been persistent, and we have had a hard time making
15 headway. The numbers over the past 10 years have
16 unfortunately stayed pretty persistent.

17 I think there are some emerging efforts on the
18 civilian side that are showing some good promise. I went
19 to an event in February where a new approach was being used
20 by someone who has been in this space for a while.

21 So if confirmed, I look forward to understanding what
22 the current state of the programmatic efforts are -- I know
23 this Committee has been committed to that through the
24 Brandon Act and others -- and then figure out what is
25 working with groups at the VA and other nonprofits to see

1 what we could augment the already existing work. And I
2 will also emphasize, I think it is to your point, Senator,
3 as well, meaning and purpose goes a long way. And if we
4 can infuse meaning and purpose in what all of our sailors
5 and marines and even civilians are doing, that is first
6 step. It is not the only step, but it is an important
7 first step.

8 Senator Sullivan: Any other thoughts on this topic?

9 Let me turn to one final topic. It is the Small
10 Business 8(A) contracting program. We have companies in
11 Alaska that have done a very good job on that, and the
12 report cards that keep coming back for the DoD is it makes
13 it more efficient, more lethal. This program, we think,
14 has worked really well to help underserved communities in
15 my state get a chance at business with the Federal
16 Government. But also it has made the Pentagon a lot more
17 efficient and lethal. There are elements of that program
18 that provide flexibility for the Department of Defense to
19 pursue contracts in a way that often do not exist with
20 other Federal contracts because they are very burdensome
21 and full of red tape.

22 Can I get your commitment, and I will ask in the QFRs
23 for more details, to be a strong supporter of that program
24 with regards to the small businesses, 8(A) contracting, and
25 the Pentagon? Can I get everybody's commitment on that?

1 Go ahead, you need to say yes.

2 Mr. Kohlmann: Yes.

3 Mr. Denton: Yes.

4 Mr. Powers: Yes.

5 Ms. Henninger: Yes, Senator.

6 Senator Sullivan: Great. Okay. Thank you, Mr.

7 Chairman.

8 Chairman Wicker: Thank you, Senator Sullivan.

9 Just one more thing. I think we are ready to close
10 the hearing. There will be an opportunity for questions
11 for the record. When will questions for the record be due?
12 Okay, two business days from today.

13 But let me just go to Dr. Henninger. Obviously there
14 are people on this Committee who question the decision of
15 the Secretary of Defense to reduce the staff of DOT&E. But
16 what we do need to realize is that, as Senator Warren
17 mentioned, this was created in fiscal year 1983, in the
18 National Defense Authorization Act, and by statute it is
19 required to conduct oversight of only the largest programs,
20 which are called, and I quote, "major defense acquisition
21 programs," unquote, and there are roughly 90.

22 So the position that I would take, and that I think
23 probably the Secretary took, is that the remaining programs
24 on the oversight list, over time, have been added by the
25 director and that it amounts to mission creep. So we will

1 continue to have that discussion among members of the
2 Senate and House.

3 Dr. Henninger, the NDAA has been reported from this
4 Committee for next year. Have you had a chance to look at
5 that with regard to your function?

6 Ms. Henninger: Thank you for that question, Senator.
7 I have not seen the NDAA rollout. I have read some of the
8 previous work in the FORGED Act and the SPEED Act.

9 Chairman Wicker: Okay. Well, you know, I realize
10 that you are not supposed to take any action which presume
11 you will be confirmed, and we ask that question of
12 everybody. But it is okay, I think, right now, to go ahead
13 and familiarize yourself with the provisions of a proposed
14 piece of legislation that has been reported from a full
15 committee. So I would suggest that bit of homework for
16 you, as we proceed. It looks like we possibly may not have
17 a vote of this Committee before the August recess, if there
18 is, in fact, a recess. And confirmation of each of you may
19 not come until September. Just guessing there, but it is
20 an educated guess.

21 You will find, in the proposed NDAA, an alternate test
22 and evaluation pathway for software, which seeks to
23 leverage industry practices. And, of course, you mentioned
24 the FORGED Act, which I have proposed, and much of which is
25 contained in the NDAA proposal. But with regard to

1 software programs it emphasizes data collection, sort of a
2 lifecycle process across the program lifecycle rather than
3 at a singular graduation point.

4 So familiarize yourself with that, if you will, and we
5 hope to get to confirmation votes of quite a few nominees
6 in short order. But there have been some delays that we
7 did not expect from some of our friends on the other side
8 of the issue.

9 So at this point let me make sure that I have stated
10 things correctly. This concludes today's hearing. I would
11 like to thank our witnesses for their testimony. And for
12 the information of members, questions for the record will
13 be due to the Committee within 2 business days of the
14 conclusion of this hearing. And with the thanks of the
15 Committee, we are adjourned.

16 [Whereupon, at 10:53 a.m., the hearing was adjourned.]
17
18
19
20
21
22
23
24
25