The committee met, pursuant to notice, at 10:02 a.m. in Room SD-G50, Dirksen Senate Office Building, Hon. John McCain, chairman of the committee, presiding.

OPENING STATEMENT OF HON. JOHN MCCAIN, U.S. SENATOR FROM ARIZONA

Chairman McCain: Good morning. The Senate Armed Services Committee meets today to consider the nominations of Mark T. Esper to be Secretary of the Army; Robert L. Wilkie to be Under Secretary of Defense for Personnel and Readiness; Joseph D. Kernan to be Under Secretary of Defense for Intelligence; and Guy B. Roberts to be Assistant Secretary of Defense for Nuclear, Chemical and Biological Defense Programs.

I would like to say that I have been pleased with the reaction of the Secretary of Defense and the administration in being cooperative in responding to our questions and to our ability to carry out our responsibilities on the defense authorization bill. I think that most members were happy with the briefing that we received concerning the accidents on the USS McCain and others. And so we are glad to begin this hearing.

We thank you all for joining us this morning. We welcome your family and friends here with us today. As is our tradition, at the beginning of your testimony, we invite you to introduce those who are joining you.

It is the standard for this committee to ask certain questions in order to exercise its legislative and oversight responsibilities. It is important that this committee and
other appropriate committees of the Congress be able to receive testimony, briefings, and other communications of information. I would ask that you each provide responses to the following questions.

For the years that I have been a member of this committee, it has not been an important issue. It is now an important issue because we are not receiving the information and communication that is the constitutional responsibility of this committee.

So I urge you to consider your answers very carefully when I ask these questions.

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

[Chorus of ayes.]

Chairman McCain: Will you ensure that your staff complies with deadlines established for requested communications, including questions for the record in hearings?

[Chorus of ayes.]

Chairman McCain: Will you cooperate in providing witnesses and briefers in response to congressional requests?

[Chorus of ayes.]

Chairman McCain: Will those witnesses be protected from reprisal for their testimony or briefings?
Chairman McCain: Do you agree, if confirmed, to appear and testify upon request before this committee?

[Chorus of ayes.]

Chairman McCain: Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee or to consult with the committee regarding the basis for any good-faith delay or denial in providing such documents?

[Chorus of ayes.]

Chairman McCain: Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

[Chorus of nays.]

Chairman McCain: Thank you.

Mr. Wilkie, over half of the annual defense budget is spent on personnel costs, to include training, health care, and compensation. Our force is facing a readiness crisis. Our personnel are facing the strain of 16 years of continuous conflict.

I wish you could have heard our Navy testimony yesterday concerning the accidents that have taken place. And we all know that this Congress bears significant responsibility for the lack of funding, the lack of readiness, and the lack of capability of our military, which
then makes for 100-hour workweeks, which then leads to accidents. I am sure you are aware of the testimony of the Chief of Naval Operations.

Our force is facing, as I said, a readiness crisis. Personnel are experiencing the strain of 16 years of continuous conflict.

The next Under Secretary of Defense for Personnel and Readiness will be the senior official responsible for issues that have been a priority for this committee in the last 3 years. The sweeping personnel reforms Congress has passed in recent defense authorization bills reflect the importance we place on these issues.

If confirmed, we expect that you will work to faithfully implement these reforms and be a forward-thinking partner to this committee as we look to ensure that serving in defense of our Nation remains a compelling calling for our best and brightest Americans.

Admiral Kernan, if confirmed as the Under Secretary of Defense for Intelligence, you will serve as the principal intelligence adviser to the Secretary of Defense and will be dual-hatted as the director of defense intelligence in the Office of the Director of National Intelligence.

It has been nearly 15 years since this position was created, and the security environment has changed dramatically during that time. The scope and complexity of
global threats is unlike anything the Nation has faced
during the last 7 decades. That is why it is more important
than ever that this committee and the department make
certain that the defense intelligence enterprise is
appropriately structured to integrate and prioritize
intelligence resources and capabilities throughout the
department.

I look to our nominee to explain how he intends to
reassess this structure and ensure that the military has
timely and accurate intelligence to defend the Nation
against a rapidly evolving series of security challenges.

Mr. Roberts, if confirmed, you will be the principal
adviser to the Secretary of Defense on nuclear weapons and
chemical and biological defense, as well as the executive
director of the Nuclear Weapons Council. As such, you will
have a key role in shepherding the modernization programs of
the nuclear triad, including the bomber, the submarine, the
ICBM, the Long-Range Stand-Off Weapon, and nuclear command
and control.

If confirmed, we will expect you to advocate for the
timely and responsible execution of these programs, which
remain a cornerstone of our national defense, especially in
the current strategic environment.

We also expect you will work with the National Nuclear
Security Administration and the Department of Energy to
support the recapitalization of the critical infrastructure that supports the nuclear weapons stockpile. Many of those facilities are in a disgraceful state of disrepair, and strong leadership from both the DOD and DOE will be required to keep all of these programs on time and at cost.

Dr. Esper, there is no clearer illustration that our Army remains at war than the combat loss of four of our noncommissioned officers in Niger last month. After 16 years of war, the Army, perhaps more than any other service, has been tested. Repeatedly, our soldiers have met that test and proved their commitment, courage, skill, and determination.

Today, however, our Army is facing a crisis. The burden imposed on our soldiers only grows as threats to our Nation increase and sequestration remains the law of the land. Given current operational demands, restoring readiness must be the Army's first priority. We have made some progress this year toward improving the number of ready brigades that are available for deployment. But too many of our soldiers remain in brigades that are currently nondeployable, and the Army still does not plan to return to full spectrum readiness until 2021 at the earliest.

Meanwhile, the Army is woefully behind on modernization, and our soldiers are increasingly unprepared to confront the harsh realities of 21st century warfare.
With glaring capability gaps in mobility, lethality, and survivability, these problems will only get worse as our adversaries continue to modernize their forces. Put simply, our Army lacks both the adequate capacity and the key capabilities to win decisively.

If confirmed, we will expect you to implement the six key priorities for force modernization that the Army announced last month. You must work to turn these program goals into real weapons and equipment, and put them into the hands of soldiers as soon as possible. Our soldiers cannot afford the false choice between readiness and modernization. Building a ready, modern Army will require visionary leadership and a clear strategy.

If confirmed, we will expect you to lead the Army to those ends. You will have to learn the lessons of the past, make tough decisions, take and manage real risks, and hold yourself and those working for you accountable for results. When you do so, you will always have an ally in this chairman and this committee.

Finally, Dr. Esper, I would be remiss if I did not reiterate my concerns about the number of nominees from defense industry filling out the leadership ranks at the Department of Defense. I want to be clear that my reservations grew out of early consultations I had with the administration about potential nominations, including yours
and a handful of others that were yet to be nominated. It was then that I decided that I couldn't support further nominees with that background, beyond those we had already discussed.

I appreciate your commitment not only to recuse yourself from matters related to the Raytheon Company but further not to seek or accept waivers to your recusal obligation. And I would like to submit your letter stating that commitment into the record, without objection.

[The information referred to follows:]

[COMMITTEE INSERT]
Chairman McCain: Again, let me thank our witnesses for their willingness to serve our Nation at this challenging time.

The length of my opening statement was directly related to the importance of the tasks that you will be asked to undertake.

Senator Reed?
Senator Reed: Thank you very much, Mr. Chairman.

Let me join you in welcoming our nominees, and to thank them and their families for their willingness to serve in positions with great responsibility in the Department of Defense.

I also would like to, as you will as you introduce your families, acknowledge the critical role they play in supporting your efforts and supporting the men and women in uniform.

Dr. Esper, you have been nominated to lead one of our greatest institutions, the United States Army. If confirmed, you will serve during a time in which the organization is facing many challenges, including how to improve full spectrum readiness while we continue to deploy soldiers around the world. The Army also continues to grapple with modernization, to include how best to make targeted investment in programs and canceling those efforts that are underperforming or cost-prohibitive.

Dr. Esper, you have a wealth of experience, including your service in the Army, as well as your extensive experience in both the public and private sector. If confirmed as the next Secretary of the Army, your unique perspective will allow you to tackle these challenges head-
on, and I look forward to hearing your views on these
issues.

Mr. Wilkie, if confirmed as the Under Secretary of
Defense for Personnel and Readiness, you will face many
challenges in ensuring, first and foremost, that our
military has adequate numbers of ready and trained
servicemembers of sufficiently high character and talent to
meet national defense objectives.

This overarching imperative implies many organizational
challenges. Military personnel costs have continued to rise
at rates exceeding the increase to the overall defense
budget, even as the overall number of Active Duty soldiers,
sailors, airmen, and marines has dropped from over 2 million
in 1980 to 1.3 million today, despite an increase to the
defense budget over that time frame.

Mr. Wilkie, your vast experience within the department
and Congress should serve you well, if you are confirmed. I
look forward to working with you. You will be tackling
difficult issues, and I know you will do them well.

Admiral Kernan, you have been nominated to serve as the
Under Secretary of Defense for Intelligence at a very
critical time. Intelligence and operations are more
integrated than ever before. But at the same time, the
demand for accurate and timely intelligence continues to
outstrip supply.
This challenge is exacerbated by the inefficient allocation process of available airborne intelligence, surveillance, and reconnaissance capabilities among the geographic combatant commands. As tactical intelligence-gathering capabilities continue to advance at an exceptional pace, we are also experiencing a shortfall in the personnel and analytical tools necessary to make effective use of the overwhelming amount of raw intelligence that is being generated.

Given your more than 3 decades of service in the Navy, you bring important experience to the position of the USDI, which you should serve with great distinction, as you have in the past.

Mr. Roberts, if confirmed, you will serve in a position that dates back to the 1946 Atomic Energy Act. Since its creation, this office has assumed other important missions, including threat reduction, nonproliferation, and treaty verification. However, its core mission has not changed, which is to serve as the interface between the Department of Defense for its stockpile requirements to support its nuclear deterrence mission and the Department of Energy's National Nuclear Security Administration, or NNSA.

In no uncertain terms, I expect you, as your predecessors have done, to hold the NNSA accountable in meeting the department's stockpile needs and, in particular,
restoring our ability to produce plutonium pits as we recapitalize our triad over the next 20 years.

Since 2011, following the ratification of the New START Treaty, this committee has extended considerable time and effort holding the NNSA accountable to this mission, and we expect you to continue it.

Again, thank you for your willingness, gentlemen, to serve the Nation.

Thank you, Mr. Chairman.

Chairman McCain: Thank you.

I note the presence of our respected friend, Senator Tillis, who would like to, I believe, introduce one of the witnesses.
STATEMENT OF HON. THOM TILLIS, U.S. SENATOR FROM NORTH CAROLINA

Senator Tillis: Thank you, Mr. Chairman, ranking member, and distinguished colleagues on Senate Armed Services.

I have the privilege of making a few comments about Robert Wilkie, or Colonel Robert Wilkie. He has an extensive resume that I am sure is in the record, but I think it bears repeating some of the more important things that I believe make him uniquely qualified for this role.

Many of you probably met Robert when he was working for the nomination of Secretary Mattis. We seconded Robert over to the Office of Personnel Transition to help with the transition.

He has several years of private sector experience, including working on projects that were to reform and reorganize the United Kingdom Ministry of Defense supply chain and logistics system. He also served in the Bush administration for both Gates and Rumsfeld as Assistant Secretary of Defense. Before that, he served under Condoleezza Rice. I could go through the full resume, but I will not.

I have to tell you that being a junior Senator coming in and having someone of Robert's caliber willing to serve with me was a real honor. He started under Jesse Helms, and
he has worked on Capitol Hill for many years, up to and
including serving in the Leader's office.

He has a grasp of history that is unparalleled. We
play a game in my office called Stump Robert. We have not
figured out how to do it yet. He also has a very broad base
of educational experience of all the lines of service.

But, Mr. Chair, in your comments about taking readiness
seriously, there is probably not a day that goes by that we
are not talking about that. And it is one of the reasons,
when we were looking at subcommittees that I may serve on,
that he was the one to say it would be great for you to get
the Personnel Subcommittee, because that is an area where we
can do a lot of work. And we focused on it, and we have
made progress with the great staff. And I am pretty sure
most of the Senate Armed Services staff have a high opinion
of Robert.

I will tell you we also call him Forrest Gump because
there is not a single story he cannot put in context of some
experience he had during his working career or dating back
to the Roman times.

[Laughter.]

Senator Tillis: He is going to be a great addition to
the Department of Defense, and I am personally -- it is
bittersweet to lose him, but in my capacity on the Personnel
Subcommittee on Senate Armed Services, I get the opportunity
to continue to work with him and do great work, so I wholeheartedly support his nomination and appreciate the opportunity to introduce them.

Chairman McCain: Thank you, Senator Tillis. And thank you for your very good words. And your opinion is shared on this dais as well. So I thank you very much.

Maybe we will just begin with you, Mr. Wilkie, if you would like to proceed?
STATEMENT OF HON. ROBERT L. WILKIE, TO BE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS

Mr. Wilkie: Thank you, Mr. Chairman, Senator Reed, and distinguished members of the Committee on Armed Services. This is the second time I have appeared in this chair.

Chairman McCain: I hope it is better than the last time.

Mr. Wilkie: As in 2006, I was blessed to have my wife Julie with me. We grew up together outside of Fort Bragg, and she is the foundation of our family in both our civilian and military lives. Unlike 2006, my daughter Megan is now old enough to sit here. She is escaping from her junior high school classes at Washington and Lee, and is also representing her brother Adam, who is a first semester mechanical engineering student at Clemson University. I am also proud to have my sister-in-law Carla Council here. We, too, went to high school in Fayetteville.

Chairman McCain: We welcome them to the committee. Thank you.

Mr. Wilkie: Mr. Chairman, in 2006, I was honored to be introduced by a former member of this committee and a truly great Senate leader, Trent Lott. I am equally humbled today not only by the confidence placed in me by the President and Secretary Mattis but to be introduced by Senator Tillis.

Senator Helms said that for any Senator to truly
represent North Carolina, that Senator must understand North Carolina Highway 24. That is the road that the next 45 percent of the entire United States Marine Corps in the eastern part of our State to the place Senator Reed calls the hub of the universe, Fort Bragg. Senator Tillis has met Senator Helms' charge and exemplifies what all of us who have been part of the military life strive to be, and that is a servant leader.

Mr. Chairman, if confirmed, I will be charged with making life easier for the men, women, and families, military and civilian, who carry our future on their shoulders. I have been privileged to see this military life from many angles, as a dependent, as the son of a gravely wounded combat soldier, as an officer with a family in the military health care system, and as a senior leader in the White House and the Pentagon.

My earliest memories are of the massed jumps of the 82nd Airborne Division on the Normandy and Sicily drop zones at Fort Bragg, and of the artillery half section rolling across the old post quadrangle at Fort Sill.

I have witnessed firsthand the transition from the conscript military to the all-volunteer total force of Guard, Active, and Reserve envisioned by the late Army Chief of Staff Creighton Abrams.

Mr. Chairman, since Desert Storm, readiness has meant
the ability to mobilize, fight, and win two wars. Without
prejudging Secretary Mattis' strategic review, that notion
of readiness is a good place for P&R to start when assessing
the quality of the total force.

In my opinion, as the chairman mentioned, the
department has too often been caught up in chasing the shiny
object, the new carrier or the new fighter. There have been
few champions for readiness to work with this committee.

Simply put, we need to get people back on the range and
in the motor pools, and prepare for the full spectrum of
conflict, a spectrum that now includes cyber and space.

The threshold question is whether each decision made by
the department enhances America's ability to deter and, if
need be, defeat any enemy while keeping our soldiers,
sailors, airmen, and marines alive, and getting them back
home quickly.

When they return, we owe them and their families the
same level of care and attention.

This is not the military that Senator McCain or my
father joined at the dawn of the Kennedy administration.
Yet we are hamstrung by policies and procedures in place
then to run that force of multiple millions, refreshed each
year by thousands of draftees and ROTC graduates.

Today, our military is vastly different, comprised
extremely of high-quality volunteers. Seventeen percent of
the force is female, many of whom are serving on the
frontlines in numbers and missions unmanageable in the days
of the WACs.

But our headquarters are bloated. We rely on a 20-year
up-or-out model for service men and women who are forced to
leave the military in their prime. Promotion models often
see the bottom performer advance at the same pace as the
frontrunner.

Success in the Information Age will increasingly rely
on the technical ability of our troops, yet our assignment
system values breadth over depth of experience. Recruiting
can be stovepiped and not reach a wide audience online.
Servicemembers cannot move freely amongst Active, Guard, and
Reserve components to meet changing circumstances in their
lives.

In my father's day, few soldiers had families. Today,
over 60 percent do. For our families, the center of their
lives can be their military health care system. But that
system has been slow to keep up with modern medical advances
for conditions like autism and other behavioral disorders,
as Senators Gillibrand and Tillis have made clear. We still
have military families making their medical appointments on
paper.

Constant rotation, again, based on a 19th century Army
model, prevents spouses from putting down roots and
garnering meaningful employment. Child care is, at best, uneven.

The bottom line, as the chairman said in his remarks to Secretary Mattis, is that if the families are not happy, the soldier walks.

The all-volunteer force has performed miracles, but dwell times for frontline Marine and Army infantry units are now down to 1:1.14 years. And on any given day, 15 percent of the Army is medically unable to deploy.

Mr. Chairman, we must address those hard facts or the force will break.

This committee has kept pace and faith with the finest military in the world, and the solutions for many of the issues I mentioned have already begun to be put in place. If confirmed, I pledge to build on your work and also work with the great patriots, part of their family, the patriots who man OSD P&R, and help you keep that faith.

Mr. Chairman, I thank you, and I look forward to your questions.

[The prepared statement of Mr. Wilkie follows:]
Chairman McCain: Thank you for an excellent statement.

Dr. Esper?
STATEMENT OF MARK T. ESPER, PH.D., TO BE SECRETARY OF THE ARMY

Dr. Esper: Chairman McCain, Ranking Member Reed, members of the Armed Services Committee, it is an honor and a privilege to appear before you this morning as the President's nominee for Secretary of the Army.

I want to thank the President and Secretary Mattis for this opportunity and their confidence in me.

I would like to begin by recognizing my wife, Leah, and our children, Luke, John, and Kate, who are with me today. Like many military families, they made sacrifices in support of my service in the Army.

Chairman McCain: They are welcome here.

Dr. Esper: Less than a year after we married, my wife experienced anxious days and nights during my 7-month deployment with the 101st Airborne Division to the Gulf War. Later, she gave birth to our first son at an Army hospital in a foreign country while I was commanding an airborne rifle company that trained throughout Europe as part of a NATO rapid reaction force. We moved four times in 5 years, but she always made a home for our growing family wherever the Army sent us.

After I transitioned from Active Duty on the Army staff to the Virginia Guard, she shouldered additional parenting duties during those long drill weekends, annual training,
and everything in between. This would continue for several more years, during my various jobs in the Senate, the House, and as a Deputy Assistant Secretary of Defense, until my retirement from the Army Reserve in 2007.

I tell this story because of the big thanks I owe my wife for all of the support she gave me during those years, and the terrific job she did raising our children when I was gone. Her support is something I know I will lean on again, should I be confirmed as the next Secretary of the Army.

I also share this story to give you a sense of my experiences in the Army.

From my first day as a cadet at West Point until my retirement, I wore an Army uniform for over 25 years. I was privileged to serve in some of the best Active and Guard infantry units, attend the Army's top training and leadership schools, and serve on three separate continents in defense of our country. I understand well the challenges of military service, the importance of readiness, the rigors of wartime deployment, and how it all impacts our soldiers and their families.

Throughout my military career, I was fortunate to serve with America's best, the soldiers, NCOs, officers, and civilian employees of the United States Army whose selflessness and vigilance keep our great Nation safe. I have learned a good deal from all of them and would not be
here today were it not for many of them. Their welfare and readiness will always be my top priority.

Today's Army is the greatest ground combat force in history. Despite this fact, the service faces many challenges. This committee knows them well.

The Army is at a critical inflection point, pivoting to address the rise of aggressive near-peer adversaries while our soldiers fight terrorist groups abroad, and global demand for ready forces increases and fiscal pressures at home continue.

The next Secretary must lead the world's premier ground force to success in these difficult times, and ensure it is prepared for the future fights as well.

My vow, if confirmed, is to leverage my values, my experiences, and all my energies to make the hard choices and address these issues. If confirmed, my first priority will be readiness, ensuring the total Army is prepared to fight across the full spectrum of conflict.

With the Army engaged in over 140 countries around the world, to include combat operations in Afghanistan and Iraq, training rotations to Europe to deter Russia, and forward-deployed units in the Pacific defending against a bellicose North Korea, readiness must be our top priority. This means recruiting and retaining the best our Nation has to offer, ensuring these young men and women are well-trained and
well-led, and equipping them with the best weapons and technology available. Every unit must be prepared to deploy and accomplish its mission.

These are the fundamental Title 10 duties of the Secretary of the Army, and, if confirmed, I intend to do them well.

A second priority will be modernization, building capacity and capabilities in the longer term. This means growing the force while maintaining quality, reshaping it to be more robust and successful in all domains, and modernizing it with the best weapons and equipment available to guarantee clear overmatch in future conflicts.

For modernization to be successful, the Secretary must articulate a clear vision, reforms championed by this committee must be fully implemented, and the acquisition process must be greatly improved. This includes changing how requirements are set, modifying the personnel system to promote success and ensure accountability, prototyping and demonstrating systems early, and involving the private sector much more.

In short, we must provide our soldiers the tools they need to fight and win, when they need them.

Defense dollars are not where they need to be, and I know the Armed Services Committees are working hard to change that. But in the meantime, the Army must exercise
better stewardship of its resources.

So a third priority is efficiency. To achieve this, I intend to play a very active role in the Army's top acquisition programs, reduce bureaucracy, wring inefficiency out of Army organizations and processes, and promote an audit-ready culture that will facilitate much of this. We must free up time, money, and manpower to be utilized or invested in our top priorities.

Lastly, if confirmed, I will approach my duties with the values and behaviors proven to maximize the effectiveness of any team: act with integrity; collaborate broadly; treat others with respect; encourage innovation, critical thinking and straight talk; empower people; and hold leaders accountable. These principles must be lived, promoted, and upheld day-in and day-out by leaders at every level.

Chairman McCain, Ranking Member Reed, members of this committee, thank you for your time and consideration today. Having served on Capitol Hill, I know well the critical Article I responsibilities of the Armed Services Committees, and when it comes to our Nation's security, what you expect. So I look forward to working closely and continuously with the committee to ensure the United States Army is ready to deploy, fight, and win on any battlefield, on any day, under any conditions, and that the total Army family, our
soldiers, civilians, and their loved ones at home, are well
cared for.

I am grateful for your consideration of my nomination,
and I look forward to your questions.

Thank you.

[The prepared statement of Dr. Esper follows:]
Chairman McCain: Thank you.

Mr. Kernan?
STATEMENT OF JOSEPH D. KERNAN, TO BE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE

Mr. Kernan: Chairman McCain, Ranking Member Reed, and distinguished members of this committee, thank you for the opportunity to appear before you today and for your consideration of my nomination to be the Under Secretary of Defense for Intelligence.

I am appreciative of the trust and confidence that President Trump and Secretary Mattis have placed in me. And if confirmed, I look forward to assuming the responsibilities of the USDI, a role that I view as extremely important to our Nation's security.

I would like to recognize my family, who are not here in person but in spirit, and fully supportive of this commitment, should I be confirmed. They have all influenced me greatly.

My father, who left Columbia Medical School in 1939 to fly B-17s in World War II; my father-in-law, who flew Navy Corsairs during World War II; my brother, Bob, a career Navy pilot; and two sisters, Martha and Mary, who, with their families, are active humanitarians on many fronts; and most importantly, my wife, Jan, always patriotic, always supportive, and always caring. She was alone for much of my military career, raising our two children, Sean and Shannon, and too often was called upon to support and console the
families of casualties from my command.

Lastly, the preeminent reason for me and my willingness
to serve is for the men and women who stand in defense of
our country. They deserve the best we can provide them.
And should I be confirmed, they will have my unwavering
commitment to that task.

The fidelity of intelligence, when combined with the
skill and courage of those men and women, along with its
impact on leader decision-making, is crucial to our Nation's
security. During combat and contingency operations, I
placed a high value on intelligence support because that
intelligence allowed us to plan effectively, mitigate risk,
prosecute high-value targets, and exploit intelligence on
those target sites.

In my experience, my country's and our allies'
intelligence and law enforcement enterprises were routinely
vital contributors to our military operations. My
commitment to the value of leveraging collective and
collaborative intelligence capabilities, partnering, and
collaborating remains firm. And if confirmed, that will
continue.

If confirmed, my initial priorities would include:
Providing intelligence support to warfighters and national
security decision-makers; proactively collaborating across
the Department of Defense, the intelligence enterprise, and
with our allies and emerging foreign partners; and finally, leveraging commercial technologies and innovations where they can support mission success and address other internal and external security threats and challenges.

In this complex security environment, we must collect, process, and analyze information from all domains -- human, sea, air, land, space, and cyber -- to counter the traditional and nontraditional adversaries that constantly maneuver and adapt. Our intelligence enterprise must be trained and equipped to do so as well.

If confirmed, I will relentlessly pursue the resources, technologies, and solutions that meet our military and our Nation's intelligence needs.

In closing, I am committed to working very closely with this committee and other committees of jurisdiction to provide the information needed to carry out oversight responsibilities.

Thank you for your consideration of my nomination. I look forward to your questions.

[The prepared statement of Mr. Kernan follows:]
Chairman McCain: Thank you.
Mr. Roberts?
STATEMENT OF GUY B. ROBERTS, TO BE ASSISTANT SECRETARY OF DEFENSE FOR NUCLEAR, CHEMICAL AND BIOLOGICAL DEFENSE PROGRAMS

Mr. Roberts: Thank you, Mr. Chairman, Ranking Member Reed, and members of the committee for your consideration of my nomination to be Assistant Secretary of Defense for Nuclear, Chemical and Biological Defense Programs. It is, indeed, an honor and a privilege to be considered for this important position.

I wish to thank the President and Secretary Mattis for their confidence in me and their support for my nomination. And, of course, I owe a tremendous debt of gratitude to my family: my wife, Helene, and my two sons, Matthew and Alexander, who regrettably could not be here today. But their love, support, and sacrifice have been uplifting, and without it, I certainly wouldn't be here today.

I would also like to express my deep appreciation to the men and women who have served and who continue to serve our Nation in uniform today. Their sacrifices, and those of their families, are enormous. And as I can attest firsthand, and we cannot thank them enough. I feel no stronger sense of purpose and inspiration than, if confirmed, to dedicate myself to ensure that they as well as all Americans are fully protected from the threat of weapons of mass destruction, proliferation, and use.
Likewise, if confirmed, I look forward to working with
the rest of the Department of Defense team to support
Secretary Mattis in implementing the President's plan to
rebuild our military and to ensure the safety and security
of the American people, particularly regarding modernizing
our nuclear enterprise and our antiproliferation initiatives
and programs.

I believe my 35 years of experience participating in
and negotiating multilateral and bilateral agreements on
arms control and proliferation issues, and overseeing our
NATO nuclear posture, make me uniquely qualified for this
position. This includes serving as a military officer
tasked with representing the Department of Defense in
various conventional and strategic arms control
negotiations; working in the private sector as a subject
matter expert on nonproliferation training programs and as
an academic teaching classes on nonproliferation, arms
control, and deterrence strategy; and as a senior official
in OSD policy, where I worked on issues that continue to
bedevil us, including Russia, North Korea, our nuclear
deterrence and missile defense policy, and a range of arms
control and counterproliferation initiatives.

Additionally, as NATO's Deputy Assistant Secretary
General for WMD Policy and the director for Nuclear Policy,
I worked closely with our allies to help shape our policy
towards a revanchist Russia, developed and implemented
NATO's comprehensive policy to prevent WMD proliferation,
and oversaw NATO's nuclear deterrence posture.

While there, I developed a keen appreciation for the
importance of regular consultations and working closely with
our allies and partners, as well as other international
actors and industry.

If confirmed, I anticipate continuing to work closely
with our allies and partners, as well as my interagency
counterparts, to help synchronize our efforts regarding U.S.
foreign nonproliferation and counterproliferation policy
objectives.

Most importantly, the President has prioritized nuclear
modernization as the highest priority among national defense
requirements. If confirmed, I will work to first ensure we
have a robust nuclear enterprise with a full set of
flexible, credible, ready, and survivable nuclear
capabilities; second, work to develop a nuclear posture that
is responsive to today’s threats and challenges; and third,
institute declaratory policies that, in any adversary's
eyes, credibly convey the message that aggression of any
kind is not a rational option.

I believe we must maintain a second-to-none robust
deterrence posture to complement our efforts to stop and
counter the threat of WMD possession and use.
Additionally, if confirmed, I will work closely with other DOD components as well as our inter-agency partners and allies to ensure that state and non-state actors never have the opportunity to acquire and use these weapons of mass destruction and disruption against our forces, our allies, and our homeland.

Finally, if confirmed, I look forward to working with this committee to support developing and modernizing the needed capabilities to deter our adversaries; reassure our allies; prevent the spread of, protect against, and effectively respond to the threat of WMD proliferation and use.

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

[The prepared statement of Mr. Roberts follows:]
Chairman McCain: Thank you very much, Mr. Roberts.

I would just like to make a comment here, and that is the reason why these nominations have not been acted on as rapidly as possible is because of failures of communication between this committee and the Pentagon, which is a shame since I have known them for many, many years.

We expect from you, as in the opening questions that I asked, not only communication but cooperation. And that is something that is our constitutional responsibility, and I hope that you appreciate it.

Dr. Esper, from time to time, there is frustration on this committee because of failures of major weapons systems. For example, over the last 10 years or so, we have wasted about $40 billion on programs like the Future Combat Systems, the Comanche attack helicopter, the Crusader howitzer, the Joint Tactical Radio System, and the Distributed Common Ground System-Army. Most recently, the committee has learned of the failure of the Warfighter Information Network-Tactical, known as WIN-T. This program has cost the taxpayer over $6 billion and has yet to meet the requirements of our warfighters.

Let me just tell you now, that is not acceptable. It is not acceptable to the taxpayers of America. It is not acceptable to the members of this committee.

Now, we have made several changes over the last couple
years in the defense authorization bill, but we do not want any more of these failures. You lose credibility with the American people when a program has to be canceled but it cost the taxpayers over $6 billion.

So please keep that in mind, and we will be exercising careful scrutiny. We just cannot keep wasting billions of dollars like this. We just cannot. So I hope that is the message that you get from every member of the committee on both sides.

So could I ask, Dr. Esper, you have an end-strength of over 1 million soldiers. The Army remains the one service in the greatest demand by the combatant commanders. All the while, it works to build readiness.

Is the current budget adequate to support operations, maintain readiness, and modernize the Army for 21st century warfare?

Dr. Esper: Mr. Chairman, I do not think the current budget is adequate to maintain current readiness or prepare for future readiness.

Chairman McCain: Mr. Wilkie?

Mr. Wilkie: No, sir, it is not.

Chairman McCain: And, Mr. Kernan?

Mr. Kernan: No, Chairman. I do not believe it is sufficient.

Chairman McCain: May I just say, again, Dr. Esper, for
over 2 years, Army leaders have asserted readiness is priority number one. Do you believe that the Army is at a level of readiness to conduct combined arms maneuver warfare against a peer competitor?

Dr. Esper: Mr. Chairman, I think the Army faces many readiness challenges right now, not least of which, most importantly, is to engage a near-peer competitor in a high-end fight. I think with only one-third of the brigade combat teams and 25 percent of the combat aviation brigades ready, engaging in such a conflict would be conducted at significant risk.

Chairman McCain: Thank you.

Mr. Kernan, almost every day, we hear of another issue concerning cyber, either revelations of old attacks, an increase in the knowledge that we have concerning what Russians did to try to affect the outcome of our elections. And as far as we can tell, for the last 8 years, there has not been a strategy on cyber, which then would be translated to policy, which would then be translated to action.

Now, we have provisions in the defense authorization bill, and we have a cyber subcommittee.

How serious do you think this issue is?

Mr. Kernan: Sir, I think the cyber threat is probably one of the most concerning threats that face our Nation today, certainly in terms of what it can do to malicious
activity inside of our infrastructure for our Nation, but as well cyber activities that are occurring inside the Department of Defense.

We have to commit ourselves to protecting our networks, to mitigating the impacts of malicious activity. We also need to develop an offensive and a defensive capability.

Again, I think it is a very, very serious threat that we have to take seriously. It is a warfare domain in my mind. It is a borderless warfare domain. And there are actors out there that are taking advantage of that domain that is difficult to be tracked, to undermine our democracy, again, whether it be stealing our technology or whether it be trying to influence our elections.

Chairman McCain: I thank you, and we look forward to working with you, because, still to this day, we do not see a discernible strategy on confronting an issue that could have, under certain circumstances, undermined democracy and are our fundamentals of selecting our leaders.

Could I just add, finally, we intend to move your nominations through as quickly as possible. We need you to get to work.

Senator Reed?

Senator Reed: Thank you very much, Mr. Chairman.

Again, gentlemen, thank you for your testimony and for your service.
Dr. Esper, let me associate myself with the chairman's initial remarks about the unfortunate -- and that is a mild term -- failures on programs going all the way back to the Crusader, the fighting systems, the land systems, et cetera, with the Army.

Can you give us a sense of how you are going to approach this issue, how you are going to take it on?

Dr. Esper: Senator, first of all, I share your and the chairman's concerns, and the rest of the committee's, with regard to the Army's modernization record. It is certainly fraught with a number of mistakes in the past that not only cost the taxpayers billions of dollars but, maybe more importantly, have left the soldiers without the tools and equipment and weapons they need to be successful on the battlefield.

So my view is that the era of minor fixes is over. We need to fundamentally relook the whole acquisition process, beginning with the requirements piece of it and all the way through the testing part, and fielding.

To do that means you need to take a holistic approach, which looks at processes, programs, people, policies. And what you are trying to eventually get at is a fundamentally new system that, in the end, changes culture as well.

There have been a number of reports in the past to give us a nice roadmap as to how to do that, the Decker-Wagner
report of 2011. There was a very good report by the Homeland Security Governmental Affairs Committee, which I think Chairman McCain was part of in 2014, which outlined that. It begins, first of all, with requirements, getting all the right players to the table at the same time, putting a warfighter in charge of that, and making sure that your requirements process that incorporates all those folks is stable. Then from there on, as you move through the acquisition process, doing things such as lining up the assignments of program managers and PEOs with the milestone process so that there is clear accountability across-the-board.

I think with what the Army announced recently, I think those steps are all in the right direction with regard to what you need to do. But to me, the key is the de-layering process; getting rid of bureaucratic habits; closer engagement with industry, both private and commercial sector; look more to the commercial sector for off-the-shelf or things that can be developed; prototyping, demonstrating, using other transactional authorities that the committee provided in legislation; and really, again, fundamentally overhauling the system as it is now.

Senator Reed: Thank you.

Mr. Wilkie, again, thank you for your service both here and in many other places.
Mr. Wilkie: Thank you, sir.

Senator Reed: One of the issues that this committee has struggled with, and the Department of Defense has struggled with, and in fact it is a societal issue, as we are seeing in the headlines every day, is sexual harassment. The department has not yet promulgated a comprehensive policy in that regard. Can you give us a commitment that you will work on that and get a policy out in a reasonable time?

Mr. Wilkie: Yes, sir. There are several items in that vein. The report or the policy that you refer to was set in place, or the requirement was set in place by the fiscal year 2015 NDAA. I think, given the current climate, it is now, more than ever, and it should not have been that long, but I will give you my commitment to make sure we move on it.

Senator Reed: Thank you very much.

Chairman McCain: You view it as a serious issue, Mr. Wilkie?

Mr. Wilkie: Yes, very serious issue, sir.

Senator Reed: Admiral Kernan, one of the issues I alluded to, and one of the issues that we see every day, is just the lack of overhead ISR. That was one of the factors, I don't know how dispositive, in the Niger situation. In fact, General Waldhauser has indicated he is only at 20
percent of what he needs.

You were in SOUTHCOM. You probably had zero percent of what you thought you needed.

How do we fix that quickly? Because we now have other demands, particularly the Korean Peninsula, that are going to put more pressure on the allocation of ISR.

Mr. Kernan: So ISR, overhead ISR in general, there is an insatiable demand for that, and, honestly, for the right reasons, because ISR provides you the higher opportunity for mission success, and it markedly protects your force. So those assets are absolutely critical.

The adjudication process that we go through, again, my top priority is providing more fighter support. So those ISR assets that are under my charge, they are going to be in support of the warfighter.

That is not to say there are opportunities where we can support other organizations. And I have not seen the investigation on Niger, but I do believe that, certainly, ISR assets probably could have benefited that. And they certainly could have benefited us in SOUTHCOM.

Senator Reed: Thank you.

Finally, Mr. Roberts, thank you for your service and what you propose to do.

Let me just stress again concern about the ability for the NNSA, principally, to support DOD through the plutonium
pit production process. We are looking at a recapitalization of our nuclear enterprise, which is roughly about $1.5 trillion to $1.9 trillion over the next decade or so. Part of that necessarily is getting the plutonium pits for the warheads.

Can you give us a sense of that?

Mr. Roberts: Senator, when I first started this process, I was actually very surprised to find out that we do not have the capability for pit production right now. This committee has looked at and raised this issue.

Certainly, if confirmed, one of the highest priorities that I will have is to work with NNSA to find out what the delays have been. Frankly, I find it very perplexing because the Nuclear Weapons Council earlier, back in I think it was 2014, had indicated that there was a solution to work forward on this. And then subsequently, there was a series of looking at other alternatives by NNSA.

I have seen the letter that this committee sent raising those concerns, and I believe those concerns are legitimate, and we need to work on them.

Senator Reed: Thank you.

Thank you, Mr. Chairman.

Chairman McCain: Senator Inhofe?

Senator Inhofe: Thank you, Mr. Chairman.

I have to say, I want to blow a little smoke at you
guys, because in the 30 years I have been on either the
House or the Senate Armed Services Committee, I have never
seen a group of nominees come in more qualified than you
two. I think we are going to turn this corner now, because
we have the right people at the helm.

I want to ask one question, the same question of all
two of you. Because one of our problems, when I was trying
to explain to people over the last 8 years what is happening
to our military, the threat that we are facing and different
than any kind of threat that we have faced before, I didn't
have the credibility to sell that. But when the uniforms
start talking about it, then that makes a big difference.

And so we have had that happen. And I am very proud of
them to tell the unvarnished truth about the problems we
have.

General Allen testified before this committee that only
a third of our brigade combat teams were working or ready, a
fourth of our air brigades, and half of our divisions were
ready. And then General Dunford said to this committee --
this was pretty shocking -- he said, "If we don't address
this dynamic with sustained, sufficient, and predictable
funding over the course of several years, we will lose our
qualitative and quantitative competitive advantage." That
is a pretty shocking statement.

So I would like to ask two questions of each one of
you, just yes or no questions. One, do you agree with the
statements by Generals Allen and Dunford?

Mr. Wilkie: Yes.

Dr. Esper: Yes.

Mr. Kernan: Yes.

Mr. Roberts: Yes.

Senator Inhofe: Secondly, the question I have had, would you be as just as straightforward and honest about very uncomfortable subjects, such as the threat that we are facing, as these uniforms?

Mr. Wilkie: Yes.

Dr. Esper: Yes.

Mr. Kernan: Yes.

Mr. Roberts: Yes.

Senator Inhofe: I believe you will, too. And it is not just -- the uniforms are important, but the secretaries are important. So I have very much of a concern about that.

Dr. Esper, General Milley wrote, talking about the goal of the sustained readiness, he said that the goal of the Army's sustained readiness model is to have 66 percent, and this is not to maintain because we are not there now, but to achieve 66 percent of the force in a combat ready status at any moment by the year 2023.

Now, would you say that, under this model, do you think that we are on track to reach that goal?
Dr. Esper: Senator, my understanding is that the Army is on track to reach that goal. My personal view is that is not fast enough. So, if confirmed, I would like to look at ways, working with the chief and senior Army leaders, to find if there are ways to accelerate that, particularly given the challenges we face right now in the international scene.

Senator Inhofe: Let me also compliment you, because the answers you gave to Senator Reed's questions, talking about what our acquisition problems are, and a definitive answer on how to address that, I thought was a very good answer.

Mr. Wilkie, I remember so well, and the guy that has always been a real hero to me was Jesse Helms. And I remember going to his funeral. You and I sat next to each other, and we talked about that.

And so I would say to my friend Senator Tillis, that is one of the main things that I look at when I look at you and your extensive service that you have had in the past.

I am grateful to know that you understand our readiness challenge. I chair the Readiness Subcommittee, and I have been very concerned about where we are today.

And in terms of your top priority going forward, how has our budget cuts and the BCA affected our military readiness capacity and capabilities?
It is important to answer this question now because of what we are in the midst of and the debate that is going on today.

Mr. Wilkie: Senator, if we start from the premise that we have never faced the breadth of the strategic challenges that we have now, that leads you to only one answer, that unless the Department of Defense has a steady and understandable stream of financing to plan for years ahead, as any other business would have, then it will not be capable of playing in a field where we continue to have an unfair advantage over our adversaries.

Senator Inhofe: It is a good answer, but it is unfortunate.

I am concerned, though, about a statement that was made, or a fact that is out there and we don't seem to talk about, and that is that only about a quarter of today's 17-to 24-year-olds are eligible for military service. Of that population, even a smaller number are interested in enlisting or commissioning.

Now, I was a product of the draft. So, I would like to see what are some of the innovative opportunities we have to expand that pool. What are some of the options we have out there?

Mr. Wilkie: Sir, as you say, it is a society-wide problem. What I don't believe the department has done, as
we have moved into the 21st century, is adopt the modes of
information collection that America's young people have. We
have not mastered social media. We have not mastered
something that I consider to be fundamental, and that is
online recruiting across the country.

We have also had situations in the last 15 to 20 years
where the first experience that our youth at one time had
with the military, if they were not from a community tied to
an installation, was Junior ROTC. We are losing those units
across the country.

Now, obviously, in a time of budget crunching, that is
probably low on the list. But if you are looking at the
long term, if you are looking at trying to change the
perception of young Americans, those kinds of interactions
and the ability of the government through the department to
adapt to the way young people think is vital or we will
never get caught up.

Senator Inhofe: My time has expired, but that is a
great answer. I appreciate that very much.

Thank you, Mr. Chairman.

Chairman McCain: Senator Shaheen?

Senator Shaheen: Thank you, Mr. Chairman.

Congratulations to all of you, and thank you for being
willing to consider taking on these positions.

Dr. Esper, in your testimony, you said that your first
priority will be readiness and ensuring the total Army is prepared to fight. Can you elaborate on, specifically, how you would improve readiness and modernize the National Guard?

Dr. Esper: Yes, Senator. And as I noted in my opening statement, I had the privilege to serve on Active Duty and in the Guard and Reserve.

Senator Shaheen: Right.

Dr. Esper: So I know all three components fairly well.

Clearly, in the last 16 years of fighting in Afghanistan and Iraq, if we have learned anything, we have learned that the Guard and Reserve are not just a strategic reserve but a really critical operational component of that. So with that context in mind, I think it is critical as we try to put readiness on a better footing, we look at, in my mind, four key areas: improving our munitions stockpiles; that our equipment is better maintained and ready to go; that training for the high-end is conducted, particularly through the combat training centers; and in terms of personnel, units are fully manned.

I think that applies to all three components as well. When it comes to pushing units through the combat training centers, like NTC, we need to make sure that National Guard brigade combat teams are there as well, and that they are working closely with the Active.
I think what most people do not appreciate is that the majority of the total Army is in the Guard and Reserve. So it is critical that, as we train, we train as a total Army in all those regards across the spectrum of conflict.

Senator Shaheen: Thank you. I appreciate that, and I look forward to having you come up to New Hampshire to see the challenges that we face with our Guard and Reserve in New Hampshire.

Mr. Wilkie, first of all, thank you very much for your work for Senator Tillis on the special immigrant visa program. That was very helpful. And as you know, that is very important as we support our men and women who are still on the battlefield.

I want to ask you about the health care system in the military. You mentioned that in your opening remarks.

KidsVax is a universal vaccine program that purchases vaccines at a discounted rate from the CDC to ensure that they go to children regardless of a family's income. Now the only health insurance plan that does not reimburse or pay the KidsVax or similar programs to States for vaccines is TRICARE.

Will you commit to this committee that you will focus on this issue and help get this matter resolved?

Mr. Wilkie: Yes, Senator. The KidsVax program impacts 10 States, New Hampshire having the largest complaint
against the system. And I will pledge that I will look at that, as well as a number of other things with TRICARE. But getting our children vaccinated would be a top priority for any Under Secretary.

Senator Shaheen: Thank you very much.

Mr. Kernan, Senator McCain talked about the importance of cyber, and you agreed with that in your response.

Can you tell me who is in charge of a cyber strategy for the United States, not just within the Department of Defense but throughout the Federal Government?

Mr. Kernan: So I would just say that I am familiar, certainly, with the Department of Defense building a cyber strategy, and that we are fundamentally committed to that.

Senator Shaheen: And can you tell me who is in charge at the Department of Defense in doing that?

Mr. Kernan: So I think right now it is a collective responsibility. I certainly have responsibility for cyber in the intelligence realm. And I certainly believe I have a responsibility for developing the strategy that Chairman McCain discussed.

I think the issue, it is such a prolific and important issue to be addressed because it involves everybody in our country, not just civilian, not just military, our infrastructure, our networks, all those things have to be addressed. So I believe it is going to be a whole-of-
government approach to the cyber, and we have to
collaboratively work together to leverage technology to
address the problem.

Senator Shaheen: I certainly agree with that.

Chairman McCain: Could I just add, somebody has to be
in charge, Mr. Kernan.

Senator Shaheen: Thank you. That was my point
exactly, Senator McCain.

Chairman McCain: Right now, no one is.

Senator Shaheen: Right now, we do not have somebody
who can be held accountable and who everyone knows is the
person in charge, if something goes wrong.

Mr. Roberts, in your testimony, you talk about working
to develop a nuclear posture that is responsive to today's
threats and challenges, and instituting declaratory policies
that credibly convey that aggression of any kind is not a
rational option.

What do you mean by that? What kind of policies do we
need to have in place?

Mr. Roberts: So the concern there is not only having
the capabilities to indicate to our adversaries that
aggression is not a rational option but also the political
will to make it clear that, indeed, if you attack us, you
will pay a terrible price.

Having that posture -- which right now I feel is
difficult to convey because of the fact that we have for so
long undercapitalized our nuclear deterrent. And now we are
approaching a time where we have to replace all of those
things at a very high cost, and that is going to be a
challenge.

Senator Shaheen: Are you suggesting that we should be
prepared to engage in nuclear war against our enemies?

Mr. Roberts: Senator, I believe we should be prepared
to engage so we never have to engage. I have often said
that nuclear weapons -- we use nuclear weapons every single
day, because it is a political tool more than a military
one.

Senator Shaheen: Well, I certainly think that
deterrent made sense against the Soviets and was very
effective. I am not sure it makes as much sense against
North Korea.

Thank you, Mr. Chairman.

Chairman McCain: Senator Rounds?

Senator Rounds: Thank you, Mr. Chairman.

Let me also add my surprise to that of Senator Shaheen
and Chairman McCain with regard, Mr. Kernan, to the concern
expressed and your response, or rather, I would say perhaps
a nonresponse with regard to who would actually be
responsible for the cyber challenges that our Nation faces.

I think it points out -- and I would not suggest that
you were wrong in your response. We actually requested members of the White House to actually participate in one of our hearings here to discuss this specific issue, and they declined to even attend. That type of an attitude is the wrong attitude with regard to finding the appropriate way to respond to attacks and the defense of our country in the cyber realm.

So, Mr. Kernan, what I would ask you is this, a commitment with regard to your responsibilities to participate and to be able to respond the next time that we ask you to come back in terms of laying out a plan to at least identify a person to be responsible for cyber defenses within the whole-of-government within the United States Government system.

Would you commit to that, sir?

Mr. Kernan: I am absolutely committed to that, and I would second, coming from the military, there needs to be somebody in charge to make it work. And I am absolutely committed to doing that and bringing the Department of Defense, cyber concerns, cyber perspectives into helping the whole-of-government effort.

Senator Rounds: And, once again, would you agree with us or would you concur with us that, right now, it is difficult to determine who is actually responsible for that area or that responsibility today?
Mr. Kernan: I would concur that it is difficult to
discuss who that is. I would say there are lots of
activities going on, but it is not focused under one person
that I am aware of.

Senator Rounds: Thank you.

I am just curious, and this is for Mr. Roberts and Dr.
Esper, North Korea's nuclear weapons have gotten a lot of
attention lately, but I think we should also be mindful of
their chemical weapons stockpile. Open source documents
estimate that North Korea has 5,000 tons of chemical weapons
and is likely to use them if a conflict breaks out.

In 2009, the Army published a report on counter-weapons
of mass destruction, which stated that the Army lacks the
full range of capabilities required to support the joint
force commander in a tactical and operational chemical
weapons of mass destruction mission expected in the future.

Additionally, in 2015, a RAND report identified a
serious gap between the magnitude of the weapons of mass
destruction threat and DOD's resource priorities for
counter-WMD missions.

Can either of you speak to the Army's or DOD's
readiness to mitigate the impact of potential North Korean
use of chemical weapons?

Dr. Esper?

Dr. Esper: Senator, I will take a first stab at that.
That is an area of concern to the Army. As I understand it, much like the rest of the Army, the forces are not fully prepared. Of the 130 or so CBR&E teams, a quarter are ready to go, are deemed ready. And so work needs to continue in that area because, much like the Army is preparing to engage a near-peer adversary at a high-end threat, this is one of the threats you face.

That is something I experienced when we went to the Gulf War in 1990, the clear threat of chemical weapons use by Saddam Hussein. We were in a different training posture at that time, and, clearly, the Army needs to get back to a similar posture as we look at adversaries, potentially, in Asia and Europe.

Mr. Roberts: If I can add, Senator, that is an area of concern that I am certainly very concerned about. We looked at the threat, and the focus has been on the nuclear side. But clearly, the North Koreans have, as you pointed out, a large chemical capability.

Frankly, I am very much worried about the biological capability they have as well. We know, again, from unclassified reporting that they have a program, from defectors who have told us that. And frankly, this is one area we really are not well-prepared for, to deal with.

That is one of the things that, if confirmed, I plan on addressing very strongly.
Senator Rounds: Would both of you commit that perhaps time is of the essence with regard to that particular issue?

Dr. Esper: Yes, sir.

Mr. Roberts: Yes, sir.

Senator Rounds: Thank you.

Thank you, Mr. Chairman.

Chairman McCain: Senator Blumenthal?

Senator Blumenthal: Thank you, Mr. Chairman.

I want to join the previous comments of my colleagues, most particularly the chairman calling attention to the importance of our personnel. For all of the extraordinary equipment and advanced technology that we bring to bear to the battlefield, it is, at the end of the day, our people who are our greatest resource.

And I would second, Senator, the remarks made previously about the excellent qualifications of these nominees.

And I want to thank and congratulate each of you.

Before I ask any questions, I want to just raise for the committee's consideration news about the ruling in a case now pending in Guantanamo, in fact, Camp Justice, as it is perhaps incorrectly called there, a ruling by Air Force Colonel Vance Spath, who is presiding over the al-Nashiri case, holding in contempt of court Brigadier General John Baker, a 28-year Marine Corps veteran, the second highest
ranking Marine Corps lawyer, sentencing him to 21 days of confinement and a $1,000 fine, simply for raising the issue about a potential conflict of interest or ethical problem with the three lawyers who are assigned to that death penalty case at Guantanamo.

I am deeply troubled by this decision. I find it very, very questionable; indeed, potentially contrary to our justice system. And I hope that our committee will bring oversight to this matter in this case and to the conduct of military justice at Guantanamo.

The chairman led this committee in requiring of the last administration a comprehensive plan to end the use of the Guantanamo detention facility. Unfortunately, the last administration failed to follow through on the chairman's direction. This job now belongs to the present administration. And this committee has expressed very constructive interest in making sure that the justice system works there, in accordance with our due process requirements.

Obviously, I am not asking the witnesses to respond, but I hope that the Department of Defense will turn its attention and give us a briefing on what is happening there. I also recognize its possibilities for intervention may be limited.

I know all of our thoughts and prayers go out to the
victims of the recent terrorist attack in New York City.

And I am troubled by the President eliminating funding to a
lab in New York City whose sole purpose is to train and
support first responders who defend our Nation's great city,
the National Urban Security and Technologies Laboratory,
known as NUSTL, has worked for over 65 years to keep our
communities safe from nuclear, biological, and radiological
attacks.

If enacted, these cuts -- in my view, they are careless
and contradictory -- would weaken our defenses against
terrorist attacks. And I sent a letter to the
Appropriations Committee urging $3.4 million for NUSTL in
fiscal year 2018.

I would like to know whether you will support the
funding for this laboratory, which is essential to our
national defense.

Mr. Kernan: Senator, I am not familiar with the lab or
the issue, but I will certainly look into it and am more
than willing to work with you on this issue.

I believe that we need to continue making investments.
Research and development is critical to the Army's future
readiness. And on this particular issue, I would like to
follow up with you on it, if confirmed.

Senator Blumenthal: I appreciate that.

Mr. Roberts, I think you will have, in particular,
jurisdiction over this issue.

Mr. Roberts: Senator, I believe that lab is under the Department of Homeland Security. But saying that, of course, dealing with a potential attack to our homeland, the Department of Defense will work closely with the Department of Homeland Security and identify particular gaps that, frankly, if this closure would result in a gap, it is something we need to address. So I certainly will commit to looking into this, if I am confirmed.

Senator Blumenthal: I appreciate your saying that you will look into it. I would like you, if you would, after you look into it, to respond in writing and tell me what your position will be.

Mr. Roberts: If I am confirmed.

Senator Blumenthal: Thank you.
Thank you, Mr. Chairman.

Chairman McCain: Senator Ernst?

Senator Ernst: Thank you, Mr. Chair.

Gentlemen, thank you very much for your willingness to continue your service to our great United States. I appreciate it very much.

Dr. Esper, before I began, I would like to ask you just some simple yes or no questions.

Question number one, do you commit to cutting wasteful spending and making it a priority?
Dr. Esper: Yes, Senator.

Senator Ernst: Do you commit to working with me to combat and prevent military sexual assault and retaliation in the Army?

Dr. Esper: Yes, Senator.

Senator Ernst: Will you provide me with advanced notice should changes to the gender integration policies be considered?

Dr. Esper: Yes, Senator.

Senator Ernst: Do you commit to upholding an unbiased and transparent approach throughout the acquisition process?

Dr. Esper: Yes, Senator.

Senator Ernst: I appreciate those answers very much. Now on to a more open discussion. In your advance policy questions, you state, "I also believe small arms modernization is an area very suitable for outreach to the commercial sector for an off-the-shelf or easily adaptable solution for a new weapon."

And I do agree with that wholeheartedly. However, I also feel that full and open competition is paramount to making sure that our soldiers get the very best weapons into their hands.

So can you speak to the importance of full and open competitions? And can I get your commitment that you will make this a priority?
Dr. Esper: Yes, ma'am. First of all, let me give you the commitment up front that, if confirmed, my aim would be to pursue full and open competition on everything we can, because, answering your first question, my experience both on this side, on the government side, from my time on the Hill, and more recently, of course, my time in industry, I have witnessed firsthand that competition does two things. It drives quality, and it drives lower price.

So in my mind, the more we can open up the aperture to include the widest number of participants, whether it is traditional defense industry, commercial, commercial off-the-shelf, or off-the-shelf that is easily adaptable, we should pursue it.

In my mind, the key thing is getting the soldiers the tools, equipment, and weapons they need as soon as you can at the best price, best value being the key criteria.

Senator Ernst: I appreciate that. At a time when our near-peer competitors are outpacing us in small arms, we have to figure out the best way to get those weapons into our soldiers' hands. So thank you very much.

And, Dr. Esper, I am sure you know that the military has made progress in reducing the number of sexual assaults from 26,000 down to just slightly less than 15,000 over the past 4 years, while keeping adjudication of sexual assault cases within the chain of command. Yet we need continued
improvement. There is no doubt about that.

And given your many years of leadership in the Army, I am confident that you understand the responsibility and accountability commanders assume on a daily basis.

What I would like you to do is talk a little bit to that. And do you think further reductions in sexual assault like we have seen over the past 4 years will be possible without the ability to hold our military commanders accountable? And can you outline how the commanders' role in the process has placed them in a position to be held accountable?

Dr. Esper: Yes, ma'am.

First, let me say up front that there is no room whatsoever in the Army for sexual harassment, sexual assault, or retaliation against anybody in that regard. It is a terrible thing. It cannot be tolerated. All it does is undermine readiness of individuals, of units. It breaks down cohesion and esprit. And so there must be zero tolerance for sexual harassment whatsoever.

As I did note in my APQs, and you mentioned, I was a commander. I understand well a commander's duty is to maintain good order and discipline. In my view, having that full toolkit of authorities available to him or her is critical to maintaining good order and discipline.

And it is also critical that the commander understands
that it is his or her responsibility to maintain the right
culture in a unit to make sure that the soldiers under their
command understand that sexual harassment, assault,
retaliation of any type will not be tolerated.

My concern is, if we consider pulling some of those
tools out of the toolkit, that the commander will be less
able to deal with it and may feel like it is less of their
responsibility, which my concern would be it would set us
back rather than set us forward.

I think the Army has put a number of programs in place.
Senior leadership is working this issue hard. We see, in
some cases, the numbers moving in the right direction with
regard to reductions and increasing in reporting. In other
cases, we do not.

So I think it is something that I will take very
seriously, if confirmed. And certainly, my aim is to
continue to drive that number down.

Senator Ernst: Thank you. While we have seen a
decrease in those numbers, they are not yet good enough.

Dr. Esper: Yes, ma'am.

Senator Ernst: So we have to continue. I hope that
you will be willing to continue working on this issue with
me. We do need our commanders to set that level and culture
of dignity and respect in our Army units.

So thank you very much for your commitment.
Thank you, gentlemen.

Chairman McCain: I would like to thank the Senator for all her hard work on this very important issue. Thank you.

Senator Heinrich?

Senator Heinrich: Thank you, Chairman.

Welcome, gentlemen.

I want to start with you, Mr. Roberts. As you know, Los Alamos National laboratory is the Nation's Center of Excellence for Plutonium research and is currently the only facility in the country capable of meeting the Pentagon's pit production cost and schedule requirements.

I have a copy of a July 2014 letter from the Nuclear Weapons Council where, in response to Section 3114 of the NDAA, they tell Congress that the National Nuclear Security Administration will begin the process of designing and building modular buildings for pit production at Los Alamos because it meets those requirements.

I know my staff has shared that letter with you, and I understand that Senator Reed may have actually raised it earlier in the hearing as well while I was at Energy and Natural Resources.

So I want to ask you, do you support the continuation of the plutonium pit mission at Los Alamos, as endorsed by the Nuclear Weapons Council, for which you will be the executive director?
Mr. Roberts: Thank you, Senator. And thank you for the letter. I had not seen that before. It is clear what the Nuclear Weapons Council had decided.

Frankly, once I looked into it and saw the letter that this committee sent in response in September, I was a little surprised that nothing had happened. In fact, I agree with your statement, or the committee's statement in the letter, that the analysis of alternatives by NNSA is a rehashing of the decisions that have already been made.

So, if confirmed, this is, again, a high-priority issue I think we need to look at, because it has a major impact on our ability to produce plutonium pits. And I think we are falling behind the mandate of being able to do that, produce up to 80 by 2027. So I will look into that.

Senator Heinrich: That is exactly my concern. And I would ask you that, if there is any deviation or delay from what the Nuclear Weapons Council endorsed back in July 2014, that I have your commitment to simply instruct the Pentagon's independent CAPE office to look at the independent analysis to make sure that the assumptions and conclusions of any proposed alternative actually stack up.

Mr. Roberts: Yes, Senator. While I am not quite familiar, to the extent that I can tell them what to do, I will do it. Thank you.

Senator Heinrich: Thank you.
Dr. Esper, this committee has authorized significant funding to train and advise foreign security forces so that they can take a greater responsibility for their own security. I certainly welcome the Army's decision earlier this year to set up five additional brigades that will specialize in this growing mission area.

As you know, currently, there are $170 million worth of new, modern facilities currently sitting vacant at White Sands Missile Range.

So given the budget constraints that we are under, I would just simply ask you that, as you look as to where to station Security Force Assistance Brigades, or SFABs, that you will take into account the ability to use existing facilities rather than build brand-new facilities, if they meet the requirements for those locations.

Dr. Esper: Yes, Senator, I will.

Senator Heinrich: I want to thank you for that.

And White Sands Missile Range also has exceptional training areas. It has a close proximity, obviously, to existing personnel and infrastructure at Fort Bliss, Texas, as well. And I want to thank you for your work on this.

I also just want to take a moment and thank the Army broadly for its assistance on legislation that we have been working on for the last several years regarding some boundary adjustments between White Sands Missile Range and
White Sands National Monument, to support the missions of both of those units and deconflict some issues they have had over the years. The Army staff at the Pentagon and at White Sands has been very, very helpful during the process of putting that legislation together.

I want to shift gears really quickly in my last seconds to Mr. Kernan. One area of technology that we are seeing a lot of increase in activity in is commercial space activity. I just want to ask you, how should the department and the intelligence community broadly leverage commercial space as part of our overall portfolio addressing space issues?

Mr. Kernan: I think it is critically important that we leverage commercial technology in a multitude of forms, to include cyber and to include space. I think space is a unique domain now that we ought to treat just like we treat the land domain, the sea domain, because we need to be able to operate freely in space. Space provides incredibly important ISR support to military operations and to a multitude of other things that we do.

So I am an advocate of the mission and what requirements that we are trying to fill. And we should pursue those requirements from wherever. And I will certainly do that, if I am confirmed.

Senator Heinrich: Thank you very much.

Thank you, Mr. Chair.
Chairman McCain: Senator Wicker?

Senator Wicker: Thank you.

Dr. Esper, I appreciate you being here, and I appreciate your testimony and your willingness to serve both in the past and in the future. I wish you well.

I have to ask today about two items involving my home State of Mississippi where we manufacture helicopters and also uniforms. And I mention this because it involves the industrial base, but also, it involves items that our troops need.

The first one is the Lakota training helicopter, which Airbus makes in Columbus, Mississippi. Now, in 2015, there was an award of Lakota helicopters. A contract dispute ensued, and those helicopters are being held up pending the court case.

In 2017, the Appropriations Committee appropriated for 28 Lakotas, a separate matter entirely. And they gave clear directive language and instructed the Army to purchase the 28 Lakotas.

I brought this up in a previous hearing with Acting Secretary of the Army Robert Speers as to why this clear language by the Appropriations Committee and passed by the Congress had not been followed. And he said something to the effect, it is all involved in a court case.

Well, that is not true. There are 16 Lakotas from 2015
involved in a court case. Subsequent to that, this Congress ordered the Army to purchase 28 Lakotas, and that is not being held up in a court case. It sounds like an excuse to me.

I want you to be aware of the detrimental impacts this situation is having on the industrial base but also on Army pilot training.

And I want to ask you, do you believe that the Army Secretary is required to follow career and directive language expressed in legislation?

Dr. Esper: Yes, Senator, I do.

Senator Wicker: Okay. Are you familiar with this case?

Dr. Esper: I am a little familiar with the case, yes, sir.

Senator Wicker: Okay. Have I got it wrong at all?

Dr. Esper: Senator, I trust you have your facts accurately.

Senator Wicker: Okay. Well, if confirmed, will you do all in your power to expedite the contracting actions required and to issue a production contract as outlined in the congressionally enacted and signed into law fiscal year defense appropriations act?

Dr. Esper: Yes, Senator. If confirmed, I will certainly look into this issue, work it. I want to work
closely with your office to resolve it as quickly as possible.

Senator Wicker: Okay. We really do need to resolve it.

Now the other thing involves uniforms and treating the uniforms with insecticides. We have been doing this in Mississippi for years. They manufacture the uniform, and then they put the insecticide on.

Now someone in their wisdom in the Department of the Army decided that we should treat the fabric first and then cut it and sew it into a uniform.

I can tell you, the people working at the plants do not like this, because, obviously, you have a chemically treated piece of fabric. You are cutting it, and it gets out into the air that they breathe and becomes a problem.

I cannot fathom why the Army would want to change an efficient and proven process that leaves no environmental waste, and that is to make the uniform and then treat it.

If confirmed, will you get somebody to look into this issue and get back to us and try to make some sense out of that?

Dr. Esper: Yes, sir. For sure.

Senator Wicker: All right. Good.

I will yield back the remaining 15 seconds of my time.

And thank you, Mr. Chairman.
Chairman McCain: Senator Peters?

Senator Peters: Thank you, Mr. Chairman.

And thank you to each of our nominees here today for your willingness to serve in what are certainly very important positions.

Dr. Esper, I would like to ask about ground vehicle modernization, particularly the Abrams platform. I believe modernization of the Army's ground combat vehicles is probably one of the most pressing national security issues that we currently face as a Nation.

Earlier this year, at an Airland Subcommittee hearing on Army modernization, Lieutenant General Murray testified that the Abrams tank now remains only towards the top of its class with parity and not overmatch, compared to our allies and competitors.

This is very concerning I think to all of us. I know it is concerning to you as well, because we want to make sure that our soldiers always have the advantage, never a fair fight. And this information is of great concern.

Last year, General McMaster testified before the Airland Subcommittee that, at the current funding levels, the Bradley Fighting Vehicle and Abrams tank, this is a quote, "will soon be obsolete, but they will remain in the Army inventory for the next 50 to 70 years."

Our allies and near-peer competitors alike are
investing significant resources into rapid modernization,
but current projections estimate it is going to take us 20
years to upgrade the existing armor fleet unless we fast-
track ground combat vehicle modernization strategy.

As was discussed earlier, there are a number of options
to modernize the fleet at a much faster pace, which could
save billions of dollars over the lifecycle of the
modernization program. Multiyear procurement and block buy
contracting are options that offer potential savings.

So my question to you, Dr. Esper, is how do you believe
the Army should increase the armored force structure and
upgrade the Abrams fleet to address known vulnerabilities
and emerging threats?

Dr. Esper: Senator, first of all, I share your
concerns about the age of our current ground combat
vehicles. They have been in service as long as I have been,
going back to the early 1980s. Of course, the Army has made
a number of upgrades through the years to keep them as
effective on the battlefield as possible.

But nonetheless, with the projections that you cited
from General McMaster, I am deeply concerned about at what
point we are no longer able to upgrade them and to ensure
that they have overmatch on the battlefield.

So one of the things, if confirmed, I hope to look at
are those timelines and look at ways to accelerate that, so
that we can field a new ground combat vehicle and tank sooner rather than later. I know this committee has put important language into the fiscal year 2018 NDAA on this matter, which I think is helpful, which calls for prototyping and demonstrating vehicles. I think, in this regard, we should look at what other militaries, our partners, are developing to see if there are designs we could adopt or build from.

In the meantime, I think it is critical that we continue with the upgrades that are happening to both the Bradley and to the Abrams.

With the Abrams, it is obviously the v3 upgrades that are enhancing its power, its survivability, its optics, its lethality. I think those are all critical to ensuring overmatch.

And so all of those need to continue in the meantime. But we cannot wait another 10, 15, 20 years to design, build a new vehicle either.

Senator Peters: Well, I am encouraged about that answer, as well as your mention of prototyping. So you see prototyping as something that we can use to accelerate this process?

Dr. Esper: Absolutely, Senator. I think we should prototype on almost any program we can. I think it is critical. We could prototype earlier in the process, which
means, if we had those prototypes, we can test them and evaluate them using soldiers either in training scenarios or real-world deployments, where we might be able to use them.

So I think prototyping is the way we need to continue to go.

Senator Peters: Dr. Esper, when we had the opportunity to meet in my office, we also had a pretty detailed discussion about autonomy, robotics, some of the advanced capabilities that come out of artificial intelligence and other types of technological advances. As I spoke with you in our office and talked about the work we are doing in Michigan with TARDAC and the Army's research and development arm in Michigan, which is engaged in some pretty cutting-edge technology, we also talked about how we need to capitalize on innovation that we are seeing in the private sector.

So for example, in TARDAC, working closely with General Motors. TARDAC has a wonderful prototype in hydrogen fuel cell technology for special forces operations. But there is a host of other types of areas that we need to explore as well.

How do you believe the Army can best capitalize on the leaps in technology by working with the private sector? And how would you do that, if confirmed?

Dr. Esper: Senator, I think we absolutely need to do
that. The Army needs to engage the private sector research facilities, companies and entities that are actually looking at robotics in autonomy. I think one of the things we discussed, which a vision for me would be looking at ground convoys, you can envision a future whereby rather than scores of trucks moving between destinations, much as we had during the Iraq war between Kuwait and Baghdad hauling supplies and whatnot, you can now do that autonomously, no longer putting at-risk soldiers to do such tasks, and yet completing them probably more efficiently. What that does is also free up manpower to fill out your ranks in other areas.

So that is just one example of a future I can envision, which would buy us greater effectiveness and efficiency. And I think we need to look across-the-board. And the Army is doing this in a number of areas, not just autonomy but robotics to help the soldier. The drones, of course, are critical in terms of providing tactical ISR capabilities.

So all of these things are critical. In many ways, the commercial, the private sector, is outpacing what the military can do on its own. So there needs to be greater outreach, greater partnership between the private sector and DOD on these matters, if we are really going to obtain the overmatch we need on future battlefields.

Senator Peters: Thank you very much.
Chairman McCain: Senator King?

Senator King: Thank you, Mr. Chairman.

Dr. Esper, I serve as ranking member with Chairman Tom Cotton on the Airland Subcommittee, and we have had a number of hearings about issues such as readiness and modernization.

I agree with Senator McCain and Senator Reed that, after current readiness, modernization is your number one priority. In fact, I would venture to say it may be your legacy.

We have had a series of failures over the past dozen or 20 years. It just cannot continue. Modernization is the future of readiness. And if we do not have that, we are not going to get there. I just want to have your earnest commitment to this significant challenge.

Dr. Esper: Absolutely, Senator. Modernization is critical to future readiness. I am convinced, however, we will not be able to modernize the force unless we completely overhaul the current acquisition system.

Senator King: You anticipated my next question.

Dr. Esper: So my commitment is to working with the Army senior leadership to do just that. I think they have gotten off to a good start with the ideas that have been discussed and that they are putting into play, and I think that will help us get the current system into a position
where we could do a much better job in terms of delivering
to the soldier the tools, equipment, systems, weapons they
need when they need it, the best value at a good cost.

Senator King: Over the past 4 or 5 years, I have
probably been to a dozen hearings or more, maybe 20, that
have touched on procurement in one way or, and I keep
hearing certain themes.

One is build off a stable design, get a design before
you build.

And the second is likened to it. Do not do R&D while
you are in the middle of building. And, quite often, that
is an issue, where you are trying to do R&D in the middle of
constructing large objects like aircraft carriers.

Third, use off-the-shelf technology as often as
possible. Senator McCain has made a very strong point in
the past about the 200-page spec for a new handgun. Let's
talk about off-the-shelf. That should be the first option
rather than the last option.

Number four, design platforms with an open architecture
that are modular. When you are doing a large platform like
a new tank or a land combat vehicle, the danger is the
technology in that vehicle will be obsolete by the time it
is built. Therefore, it should be designed in such a way as
to be able to pull out technological parts and replace them.

Finally, and this is one I have heard repeatedly, you
really have to take some care as to who is in charge of this procurement process and provide continuity. See if you can keep people in with the program for some period of time, so it does not stop and start.

Do you concur with those suggestions? That is just based on what I have been hearing.

Dr. Esper: Senator, absolutely. I think you have hit many of the key elements that I outlined in my APQs with regard to the approach.

I think your last one is probably the most important. It is accountability, making sure you know who is in charge. And that requires, again, changing, I think, the personnel system so that, from the top down, particularly when you get to program managers, there is clear alignment and responsibility and hand-off of milestone to milestone or from phase to phase in the process.

Senator King: Part of that is also making the procurement process reasonably timely so people do not reach retirement age while they are still waiting for a system to move through.

Dr. Esper: Yes, Senator. The challenge in the past is that the reach exceeds the grasp, in terms of requirements. So rather than striving for the perfect, I think we need to get away from -- we cannot let the perfect be the enemy of the better.
Senator King: Exactly.

Dr. Esper: So pursuing the 80 percent solution now, and then building in modularity so we can upgrade in later iterations is critical.

I think the success of the big five systems, Apache, Abrams, Bradley, et cetera, going back to the 1980s, was so because Secretary Marsh protected them in terms of funding and protected them in terms of good ideas that came up later in the process. And without that, and there is a classic story about the Apache and Apache Longbow, those systems would not have been filled in time for Desert Shield, Desert Storm.

So I think the many things that you outlined, we need to pursue. I have outlined them in my APQs. There have been more than enough studies on this. It is time to get to work and get the system right.

Senator King: When my people talk to me about how long things are going to take, I always find it salutary to remind them that Eisenhower retook Europe in 11 months. That is a good time frame.

Final question, Mr. Kernan, not really a question, but you are taking on a very important position, and my main concern as a member of this committee and the Intelligence Committee is redundancy and overlap in terms of military intelligence and civilian intelligence. We are talking
about $70 billion a year between the two functions.

So I just hope that that can be a focus, and where there is an overlap or redundancy, that we can work to reduce that.

Mr. Kernan: Yes, if I am confirmed, I will be completely committed to that. We are in such a resource-constrained environment that we cannot afford to do that, that we should look across the intelligence community and leverage those capabilities. Collectively, we ought to have what we need, but we should not have duplicity.

Senator King: I appreciate that, and we will continue to keep in touch with you on that very subject. Thank you.

Thank you, Mr. Chairman.

Chairman McCain: Senator Warren?

Senator Warren: Thank you, Mr. Chairman.

Dr. Esper, I appreciate the chance we had to meet in my office. Like Chairman McCain, I am concerned about the number of defense appointees coming from the big five defense contractors. As you know from our meeting, avoiding conflicts of interest is very important to me.

So, first, I just want to clear something up. Your letter to the DOD General Counsel Ethics Office states that you will not participate in particular matters involving your former employer Raytheon for a period of 1 year. But your letter also states that you will comply with the White
House ethics pledge, which requires you to recuse yourself for 2 years.

Can you confirm for the record that you will recuse yourself for 2 years from all particular matters involving Raytheon?

Dr. Esper: Yes, Senator, 2 years for those matters as outlined in my ethics agreement.

Senator Warren: So for all matters involving --

Dr. Esper: Yes, ma'am.


And also, I would like to ask you about the specifics of your job at Raytheon. When you served as vice president of government relations for the last 7 years, which particular Army programs did you lobby on behalf of during your time there?

Dr. Esper: Yes, ma'am. I engaged the Hill on a few Army issues. But let me first say, as vice president for government relations, I actually spent an overwhelming majority of my time on the business-end of the company, so doing everything from program deep dives, monthly --

Senator Warren: Fair enough, but I would like to know about the programs that you lobbied on behalf of.

Dr. Esper: Yes, ma'am. There were three Army programs that were of such importance to my CEO that I personally engaged the Hill on over the past 2 years, and they were,
first of all, the Patriot radar system in support of the
Army's budget request for that, and also pushing the Army to
accelerate its development of its next-generation radar
because the company felt that we could provide a capability
to the soldier sooner than what was on the current timeline.

The second was the JLENS program, which is elevated
aerostat with surveillance and fire control radar designed
to protect the National Capital Region. That program is now ended.

The third program I worked on in the past couple years
was the DCGS-A, Distributed Common Ground System - Army,
Increment 2. The Congress was pushing for a commercial-only
solution, and Raytheon had asked that we open up that
aperture, so that the competition be open not just to
commercial but to traditional defense industry and others as
well as a way to drive competition, to drive down price, and
quality.

So those were the three programs.

Senator Warren: So those were the three. And you used
the word "personally," so those were the three you
personally lobbied on. Did you oversee lobbying in other
areas?

Dr. Esper: Ma'am, the lobbyists that reported -- the
team that reported to me, I oversaw all their activities
across all services, NDA, nondefense activities.
Senator Warren: So everything that Raytheon lobbied on, basically.

Dr. Esper: Yes, ma'am.

Senator Warren: All right.

Dr. Esper: That was one of my responsibilities out of several.

Senator Warren: So thank you. The ethics law that you cited in your letter allows you to seek a waiver or a regulatory exemption from your recusal for matters involving your former employer. I know you have had some conversations about this with the chairman, and you have pledged not to seek a waiver, and I appreciate that. But I hope that you might go further than the 2-year recusal requirement.

Would you be willing to commit to recuse yourself from the particular matters that you identified for the duration of your time in office?

Dr. Esper: Senator, I do not see that being a problem right now.

Senator Warren: Is that a yes?

Dr. Esper: No, it is not. What I would like to do is—what I would like to do is, if confirmed, is come back to you, maybe in a couple years, to see if there was an issue, and then revisit the issue with you at that time, if at all possible.
Senator Warren: Well, you know, I just want to say, Dr. Esper, I think it is important to take these ethics obligations seriously. The American people need to have confidence that the top officials at the Pentagon are working for them, and that starts with completely and fully stepping back from decisions that will have a financial impact on the former employers of those officials.

If I can, I would like to ask one other question really quickly.

I have received several complaints from the Massachusetts National Guard officers in recent months about the delays in Federal recognition of their promotions. According to a letter my office received from the National Guard Bureau, the current processing time is about 6 to 8 months.

This is becoming a morale issue for the Massachusetts Guard. And I imagine it is a problem in other State guard units as well.

If confirmed, will you commit to looking into this issue promptly and then getting back and briefing me and my staff on why these delays are occurring?

Dr. Esper: Yes, ma'am, if confirmed, I will.

Senator Warren: All right. We have to find a way to speed this up before this morale problem spreads.

Thank you, Mr. Chairman.
Chairman McCain: I would like to say to my friend from Massachusetts, we will look into that, but it seems that -- I am not that familiar with it, but it seems to me that it is a problem that is not directly connected to the Guard promotion but other aspects of it. Is that your understanding?

Senator Warren: Fair enough. I have heard about this more specifically from the Guard. They have brought it directly to my attention, so that is how I have seen it. But if it reflects a larger problem, then we need to deal with the larger.

Chairman McCain: I would be eager to engage with you on this issue. We cannot have these kinds of delays and keep people serving. So, honestly, this is the first I have heard of it. I would be glad to get to work on it with you.

Senator Warren: Good. Thank you, Mr. Chairman.

Chairman McCain: Thank you.

I want to say to the nominees thank you for appearing. We will convene the committee probably tomorrow, if we have all the paperwork done, so that we can report out your nominations to the full Senate. And then it will be a matter, obviously, of scheduling, which there seems to be some problems with lately. But I hope, given the aspects of these responsibilities, that we could go ahead and move them, rather than 30 hours of non-debate debate, so I thank
you all.

Jack? Do you have --

Senator Reed: No, Mr. Chairman. Thank you very much.

Chairman McCain: I thank the witnesses, and this hearing is adjourned.

[Whereupon, at 11:51 a.m., the hearing was adjourned.]