

Stenographic Transcript
Before the

COMMITTEE ON
ARMED SERVICES

UNITED STATES SENATE

HEARING TO CONSIDER THE NOMINATION OF:
GENERAL JOHN E. HYTEN, USAF
FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND
TO BE VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF

Tuesday, July 30, 2019

Washington, D.C.

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7
8 U.S. Senate
9 Committee on Armed Services
10 Washington, D.C.

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12 The committee met, pursuant to notice, at 10:00 a.m. in
13 Room SD-G50, Dirksen Senate Office Building, Hon. James M.
14 Inhofe, chairman of the committee, presiding.

15 Committee Members Present: Senators Inhofe
16 [presiding], Wicker, Fischer, Cotton, Rounds, Ernst, Tillis,
17 Sullivan, Cramer, McSally, Scott, Blackburn, Hawley, Reed,
18 Shaheen, Blumenthal, Hirono, Kaine, King, Heinrich, Peters,
19 Manchin, Duckworth, and Jones.

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1 OPENING STATEMENT OF HON. JAMES M. INHOFE, U.S.
2 SENATOR FROM OKLAHOMA

3 Chairman Inhofe: The meeting will come to order.

4 What we are going to do is have our opening statements
5 of Senator Reed and myself, and then we will recognize Dr.
6 Wilson for a very important introduction.

7 The committee meets today for the nomination of General
8 John E. Hyten to be Vice Chairman of the Joint Chiefs of
9 Staff. We thank you for being here today. We welcome your
10 family who is here and your friends, Dr. Hyten. They can
11 introduced at the time that you are recognized for your
12 opening statement.

13 And we have our boring 7-8 questions you have to
14 respond to first.

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

17 General Hyten: Yes, sir.

18 Chairman Inhofe: Do you agree, if confirmed, to appear
19 and testify upon request before this committee?

20 General Hyten: Yes, sir.

21 Chairman Inhofe: Do you agree to provide documents,
22 including copies of electronic forms of communications in a
23 timely manner when requested by a duly constituted
24 committee, or to consult with the committee regarding the
25 basis of any good faith denial or delay in such documents?

1 General Hyten: Yes, sir.

2 Chairman Inhofe: Do you agree, when asked, to give
3 your personal views even if those differ from the
4 administration in power?

5 General Hyten: I do, sir.

6 Chairman Inhofe: Will you ensure that your staff
7 complies with deadlines established for requested
8 communications, including questions for the record in
9 hearings?

10 General Hyten: We will, sir.

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

14 General Hyten: Yes, sir.

15 Chairman Inhofe: Will those witnesses be protected
16 from reprisal for their testimony or briefings?

17 General Hyten: Yes, sir.

18 Chairman Inhofe: Have you assumed any duties or
19 undertaken any actions which would appear to presume the
20 outcome of this confirmation process?

21 General Hyten: I have not, sir.

22 Chairman Inhofe: The world is more dangerous now than
23 it has been in my lifetime. I honestly believe that. I
24 have talked to you about that. And after years of sustained
25 armed conflict, under-funding, and budget uncertainty, our

1 military has fallen behind competitors in readiness and key
2 capabilities.

3 Without adequate, sustained, and predictable funding,
4 all of the work we do on this committee to implement the
5 National Defense Strategy would be for nothing.

6 And that is why I thank President Trump and the
7 congressional leaders for reaching a bipartisan budget
8 agreement. It is critical to support our military and
9 veterans and their families.

10 While I would have liked to see more funding for
11 defense, at the end of the day, this budget agreement
12 provides minimal growth to give our military what it needs
13 and will allow the Department of Defense to plan
14 strategically in the future.

15 I need to tell you where I stand on the allegations
16 that have been levied against you, General Hyten,
17 allegations that have been bandied about in the press with
18 little regard to the truth. This committee has held five
19 executive sessions, studied over 1,000 pages of
20 investigative records, and reviewed statements of more than
21 50 witnesses. The members of the committee have devoted
22 countless hours reviewing General Hyten's service and his
23 nomination through a fair, thorough, and methodical process.
24 We have done this with respect for the privacy of all
25 involved.

1 Each Senator was able to ask questions, receive
2 answers, review documents, and other material, listen to
3 testimony, conduct analysis, and express their opinions.
4 Today's hearing is the next logical step in the deliberate,
5 disciplined, and detailed process this committee uses to
6 determine the suitability of a nominated candidate.

7 Addressing these allegations is critical, not just for
8 you, General Hyten, but for every nominee going forward.
9 This committee takes allegations of sexual assault very
10 seriously. It is unacceptable, but this committee will not
11 act on unproven allegations, allegations that do not
12 withstand the close scrutiny of the committee's process.

13 General Hyten, you have been leading STRATCOM with
14 discipline and integrity for the last 2 and a half years,
15 and you served honorably in the top leadership positions of
16 the Air Force Space Command in the 4 years before that. I
17 commend the willingness of you and your family to continue
18 your outstanding service to our military and to our country.

19 As we form a new United States Space Force, we need
20 your strategic insights and guidance to move the key
21 initiative forward, including how to improve space
22 acquisition.

23 British Army Field Marshal Bernard Montgomery said,
24 quote, if we lose the war in the air, we lose the war and we
25 lost it quickly. And we can say the same thing about space

1 now.

2 When I say the world is in the most dangerous position
3 than it has been in my lifetime, one of the areas I am
4 talking about is the proliferation of ballistic missiles and
5 cruise missiles capability. Russia, China, Iran, and North
6 Korea use missiles as strategic leverage, and we need
7 strategic imagination and strong leadership to counter this
8 growth.

9 As the former Secretary of Defense Mattis said, we need
10 urgent change at significant scale to implement the National
11 Defense Strategy. And I could not agree more.

12 Senator Reed?

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

3 Senator Reed: Thank you very much, Mr. Chairman. Let
4 me join you in welcoming General Hyten, his wife Laura, and
5 his children, Chris and Katie, to this morning's hearing.

6 The purpose of this hearing is to focus on the duties
7 of the Vice Chairman of the Joint Chiefs of Staff and to
8 closely scrutinize whether General Hyten's previous service
9 and experience qualify him to serve as the Vice Chairman.

10 General Hyten, over the past few weeks, a number of
11 media outlets, including "The New York Times" and "The
12 Washington Post," have reported allegations that you
13 sexually assaulted a subordinate under your command as the
14 Commander U.S. Strategic Command. These are serious
15 allegations, and therefore, consistent with the committee's
16 longstanding practices, we have held five executive sessions
17 related to your nomination, totaling over 15 hours of
18 testimony and deliberation. During those sessions, members
19 received sworn testimony on extremely sensitive matters and
20 were able to ask questions and review documents and
21 background material. Members have been afforded the
22 opportunity to request additional information from the
23 Department, which we have done.

24 These executive sessions were the appropriate forum to
25 consider this information, which enabled the committee to

1 utilize longstanding procedures that have served it and the
2 Senate well for decades. The sessions allowed each member
3 to hear the viewpoint of our colleagues, even if that
4 perspective was different from our own. Ultimately, that
5 dialogue helped inform our committee, and I appreciate the
6 thoughtful consideration of every member during this
7 process.

8 Finally, I want to thank the chairman for ensuring that
9 the committee had sufficient time to conduct our review of
10 these matters. Senator Inhofe has been extremely
11 cooperative in this regard, and I appreciate it.
12 Nevertheless, we must recognize the public nature of these
13 allegations will likely raise questions today that are
14 appropriate to an open session of this committee.

15 Last week, the Senate confirmed General Mark Milley to
16 be Chairman of the Joint Chiefs of Staff. As General Milley
17 testified, the international order established by the United
18 States following World War II is under threat by
19 authoritarian regimes seeking to challenge our country and
20 our global interests. The new National Defense Strategy, or
21 NDS, which the Department is currently implementing, will
22 help posture the U.S. to compete with a near-peer competitor
23 like China or Russia. As the Department pursues this new
24 strategic direction, Iran and North Korea remain dangerous,
25 and the threat posed by violent extremist organizations is

1 not diminishing. Furthermore, the Department must continue
2 to recruit and retain high caliber individuals, while
3 restoring readiness and pursuing new high-end capabilities
4 for the force.

5 General Hyten, if confirmed as the Vice Chairman, you
6 will be working closely with General Milley to address each
7 of these issues, and I hope you will share your views with
8 this committee on those issues.

9 In addition, if confirmed as the Vice Chairman, you
10 will serve a key role in the interagency process that often
11 requires working closely with senior policymakers within the
12 Department and at the National Security Council on critical
13 national security issues. In light of the strategic
14 challenges I referenced earlier, the committee looks forward
15 to hearing from you on the effectiveness of the current
16 interagency process.

17 Finally, the Vice Chairman is assigned a number of
18 specific responsibilities within the Department. First, the
19 Vice Chairman oversees the Joint Requirements Oversight
20 Council, which is a critical aspect in our acquisition
21 process. Second, as a senior member of the Nuclear Weapons
22 Council, the Vice Chairman plays a central role ensuring the
23 safety of our nuclear arsenal. And finally, given your
24 recent service as Commander of U.S. Strategic Command, if
25 confirmed, I would expect that you would play an integral

1 role in how the Department of Defense will address the
2 threats posed by near-peer adversaries in space.

3 We look forward to hearing your testimony, General
4 Hyten, and how you will prioritize these duties if you are
5 confirmed as the Vice Chairman.

6 Thank you, Mr. Chairman.

7 Chairman Inhofe: Thank you, Senator Reed,

8 And thank you, Dr. Wilson, for being here. Your
9 service to our country has been exemplary. We hope you
10 enjoy your next chapter. And you are recognized now for an
11 introduction.

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1 STATEMENT OF DR. HEATHER WILSON, FORMER SECRETARY OF
2 THE AIR FORCE

3 Dr. Wilson: Thank you, Mr. Chairman.

4 I am here to introduce General John Hyten, the nominee
5 to be the next Vice Chairman of the Joint Chiefs of Staff.

6 I graduated from the Air Force Academy in the third
7 class to include women and served for 7 years as a junior
8 officer.

9 As a former member of the Defense Advisory Committee on
10 Women in the Services in the 1990s and as a former member of
11 the House Armed Services Committee, I know well that sexual
12 harassment and sexual assault happened in the military. It
13 must be confronted, investigated, and punished.

14 While I have now left the Defense Department, I was the
15 Secretary of the Air Force and directed the investigation of
16 allegations made against General Hyten by a former
17 subordinate. That investigation was overseen by the Air
18 Force Inspector General and was peer reviewed. The task was
19 to conduct an exhaustive investigation and to find the
20 truth.

21 During my time as Secretary of the Air Force, I have
22 come before you with great success stories, and I have been
23 here when the Air Force missed the mark. I have taken
24 responsibility and been straight with you when we got it
25 wrong.

1 This investigation was thorough, and the allegations
2 were taken seriously, and it was handled appropriately. A
3 team of 53 investigators interviewed 63 people in three
4 countries and 14 States. They reviewed over 196,000 emails
5 and 4,000 pages of documents. They reviewed 152 travel
6 records and portions of phone records dating back to 2015.
7 They interviewed members of the General's staff at Strategic
8 Command, as well as members of his staff when he was at
9 Space Command.

10 General Hyten is one of the most closely guarded
11 officers in the military because he commands the nuclear
12 deterrent. The Inspector General also interviewed his
13 personal security team. The result is a final report of
14 over 1,400 pages.

15 The military does not automatically suspend the
16 people's clearances or remove them from command when there
17 is an allegation of impropriety. If the initial facts
18 gathered justify it, we can, and I have done so in other
19 cases. This committee also has handled this matter with
20 respect for the accuser and for General Hyten with
21 discretion and sensitivity.

22 After all of this, I believe the Senate will come to
23 the same conclusion I did. General Hyten was falsely
24 accused, and this matter should be set aside as you consider
25 his nomination.

1 I accept that it is entirely possible that his accuser
2 is a wounded soldier who believes what she is saying is
3 true, even if it is not. That possibility makes this whole
4 situation very sad.

5 We all know that sexual assault is a highly charged
6 issue, more so today than perhaps at any time in our
7 history, difficult in any environment. It is even more so
8 when your decisions as Senators are public, but not all of
9 the information will be public. None of us want to appear
10 as leaders to be breaking faith with victims of sexual
11 assault. All of us want to encourage victims to come
12 forward, but we have to do the right thing in this case with
13 these facts, maintaining the credibility of this committee
14 and this body, aligned with the American people's deeply
15 rooted sense of justice.

16 I hope you will agree with me that General John Hyten
17 is worth all of the time that you have taken to consider his
18 nomination. He is the right leader to be the next Vice
19 Chairman of the Joint Chiefs of Staff. There is no other
20 active duty officer today who combines the intellect and
21 breadth of experience of John Hyten when it comes to three
22 areas of vital importance to our national security: space,
23 cyber, and the nuclear deterrent. John has the credibility
24 and experience of a combatant commander, yet he began his
25 career in acquisition. He has experience setting

1 requirements for complex weapons systems, which is a process
2 he will lead as the Vice Chairman. As Commander of
3 STRATCOM, General Hyten has stewarded the development of
4 requirements for nuclear command and control and has been a
5 driving force behind the need to modernize the nuclear
6 deterrent. He is an exceptionally good complement to
7 General Milley's skills as the Chairman.

8 More than his expertise, John Hyten has a well earned
9 reputation for speaking truth to power. He gives frank
10 military advice without much sugar coating. I know that
11 from personal experience. Like it or not, he will tell you
12 what he thinks and what you need to know, not what you want
13 to hear. He is passionate about the security of this
14 country, and I encourage you to support his confirmation.

15 Thank you, Mr. Chairman.

16 [The prepared statement of Dr. Wilson follows:]

17 [COMMITTEE INSERT]

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1 Chairman Inhofe: Thank you, Dr. Wilson, very much for
2 that excellent introduction.

3 With that, General Hyten, we will recognize you for an
4 opening statement.

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1 STATEMENT OF GENERAL JOHN E. HYTEN, USAF, FOR
2 REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE VICE
3 CHAIRMAN OF THE JOINT CHIEFS OF STAFF

4 General Hyten: Chairman Inhofe, Ranking Member Reed,
5 distinguished committee members, it is a privilege to appear
6 before you today as the President's nominee to become the
7 11th Vice Chairman of the Joint Chiefs of Staff.

8 I want to recognize Secretary Wilson, as you did,
9 Chairman, for her long and devoted service to this nation.
10 And it means everything to Laura and me that she came all
11 this way to speak on our behalf. I thank her for that
12 introduction.

13 To begin, I would like to introduce my wife Laura to
14 the committee. So thank you for that opportunity. Laura
15 and I met when I was stationed in Los Angeles, and we have
16 been married now for almost 32 years. When we met, my long-
17 term aspirations did not include a lifetime of service to
18 the United States Air Force, but over and over again,
19 opportunities continued to come along to do what I love, and
20 Laura always encouraged me. During this time, her own
21 passion for the men and women of our nation's military has
22 grown. Today she is an advocate in our communities and
23 works to empower and care for our military families. She is
24 an amazing woman, the best person I know. She is ready to
25 fight for this country alongside me one more time.

1 And together we also had the joy of raising two
2 incredible children, Katie and Chris, both successful in
3 their own right, each with weddings this year. Katie is
4 here with us today from Boston, but Chris could not make it
5 all the way from Colorado on such short notice. But sitting
6 next to them is my brother Scott, representing my mom, dad,
7 and my sister in Alabama, and I have been lucky to have them
8 by my side every step of the way.

9 This last Christmas, I was asked to talk over with my
10 family whether or not I would consider serving in another
11 position if it were offered. I was not sure what I would
12 say, but this was clearly a family decision. That is when
13 Katie made it quite simple, asking me if you love this
14 country and you love the people you work with and you still
15 feel you can make a difference, then why stop. Period.
16 Simple.

17 So that is why I am here. I still love what I do, and
18 if confirmed, I look forward to continuing my advocacy for
19 the soldiers, sailors, airmen, and marines and civilians of
20 the Department of Defense. When the nation provides them
21 the right tools, they have proven time and time again they
22 are our greatest advantage over any adversary.

23 But as I sit here today, as has been discussed, I am
24 intensely aware of the allegations made against me
25 concerning one of the most serious problems we have in the

1 military, sexual assault. It has been a painful time for me
2 and my family. But I want to state to you and to the
3 American people in the strongest possible terms that these
4 allegations are false. There was a very extensive, thorough
5 investigation that Dr. Wilson described, which revealed the
6 truth. Nothing happened ever.

7 And I am also thankful to this committee for all the
8 time you took individually and together in executive session
9 to study and understand the facts. I really think the
10 integrity of both the investigation and the nomination
11 process are critical not only for everybody involved but for
12 our nation's citizens as well. So I stand by the truth.
13 And I thank the committee for its unwavering commitment and
14 support to our national defense, as well as the men and
15 women who serve.

16 If confirmed, I look forward to working across the
17 Department of Defense with our friends and allies, the
18 interagency, Members of Congress to address an ever-widening
19 spectrum of challenges confronting our nation. While we
20 have not yet ceded our advantage, we are facing direct
21 challenges across all domains and particularly in areas of
22 long-held superiority like space and cyberspace. We are in
23 a position where we must address resurgent peers who have
24 long-term strategies to supplant the global influence of the
25 United States and our allies. Finally, the threats from

1 violent extremists and transnational groups will persist,
2 and so we cannot lose focus on this asymmetric challenge and
3 the challenge they represent.

4 In order to address these myriad challenges, the
5 Department must continue to field the best in the world
6 force. No son or daughter of ours should ever go into
7 combat with second-best equipment. We do not ever want a
8 fair fight. We must be prepared to meet the threats
9 directly head on in order to deter and dissuade adversary
10 aggression and, if necessary, fight and win our nation's
11 conflicts. To do this, we must maintain our ready and
12 lethal force, and we cannot break the bank doing it.

13 So, if confirmed, I commit to you that I will work to
14 find effective and efficient solutions to these challenges,
15 leveraging the best of American ingenuity and know-how.

16 So, Chairman Inhofe, Ranking Member Reed, members of
17 the committee, thank you again for the opportunity to appear
18 before you today. I thank the President and the Secretary
19 of Defense for their confidence in me.

20 I also wish Chairman and Mrs. Dunford and Vice Chairman
21 and Mrs. Silva Godspeed on their pending retirements. They
22 will be missed. And if confirmed, I will work hard every
23 day to carry on their legacy, maintaining the highest
24 standards of the Joint Staff, the Department of Defense, and
25 of our nation.

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

2 [The prepared statement of General Hyten follows:]

3 [COMMITTEE INSERT]

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1 Chairman Inhofe: Thank you, General Hyten.

2 We are going to begin with 5-minute questions a round.

3 I am going to do something a little bit differently. In my
4 case, there is one among us here who has spent more time
5 than anyone else looking into allegations against you,
6 General Hyten, and I am going to use a small part of my time
7 and then yield the rest of my time to that individual when
8 her time is appropriate.

9 So, first of all, let me just hold this up here. This
10 is something we have talked about a lot. You are very
11 familiar with this. I am sure you have read it over many
12 times. This is something that we have used as a blueprint
13 for our actions, and I would like to get from you, number
14 one, do you agree with me in terms of the significance of
15 this document? And secondly, would you agree that you would
16 use this also as a blueprint for your activities?

17 General Hyten: Just to make sure, Senator, you are
18 holding up the report of the Commission on the Review of the
19 National Defense Strategy?

20 Chairman Inhofe: That is correct.

21 General Hyten: Yes, sir. I have looked at that. And
22 I think the National Defense Strategy is an important
23 document, and I think the commission did a great job in
24 walking through exactly what our challenges are. Clearly
25 our challenges are the reemergence of Russia and China, and

1 we have to be prepared for that. But it goes through all
2 the other things we have to be worried about as well:
3 emerging technologies, challenges that we have. That is a
4 very good document -- and I think you used the word
5 "blueprint" -- a good blueprint and something we need to
6 continue to follow.

7 Chairman Inhofe: That is good. And I would remind you
8 that this is put together by an equal number of Democrats
9 and Republicans, but all of whom were experts in this field.

10 And the second thing is -- really I do not need an
11 answer for this, but I do need to make sure that we get an
12 answer for the record. And that is, it is a little
13 different from what we are doing now. We have China and we
14 have Russia in situations where they actually have some
15 things better than us. We have a gap that is out there, a
16 credibility gap against these two countries and for the
17 record, I would like to have you outline in detail where
18 that gap is. All right?

19 General Hyten: Senator, I would be glad to do that.

20 And with that, I am going to yield the rest of my time
21 to Senator McSally at the appropriate time.

22 Senator Reed?

23 Senator Reed: Well, thank you very much, Mr. Chairman.

24 And thank you, General.

25 You stated in your opening comments that you

1 categorically deny all of these allegations and you have
2 done so under oath. Is that correct?

3 General Hyten: Yes, sir.

4 Senator Reed: There is, regardless of the outcome of
5 our proceedings, issues that surround you now that were not
6 surrounding you months ago. And if you are confirmed and
7 you assume the responsibilities of Vice Chairman, how will
8 you deal with these issues, correctly or incorrectly, but
9 they will be there?

10 General Hyten: Senator, I have thought about that a
11 lot, and I thought about that a lot with my family. My wife
12 and I talked about that for the last couple months. Laura
13 actually says it best. She says this is the United States
14 of America. The truth has to matter. And we believe that
15 the truth will come out, and the truth will tell the story.
16 And we will be able to then continue to serve and do the
17 things we need to to continue to defend this country. So,
18 Senator, it has been a difficult time, but we fundamentally
19 hold to the truth.

20 Senator Reed: One of the aspects of this case that has
21 involved you has been problems within your headquarters,
22 frankly. Some have described them as toxic, et cetera, and
23 this is in your immediate headquarters, which raises I think
24 the question which a leader must address. Why were they not
25 identified sooner? Why were they not corrected more, I

1 guess, expeditiously, but also less disruptively might be
2 the word to describe it? And do you think you took the
3 appropriate both action and responsibility for what happened
4 in your headquarters?

5 General Hyten: So, Senator, as the Commander, I assume
6 responsibility for everything that happens in my command.
7 That is the nature of a command. And we had a toxic
8 leadership problem inside the command, and I did not
9 recognize it for a significant period of time. The Army has
10 had that problem for a while, and they published a
11 regulation in 2017 to help train the Army leadership to help
12 identify toxic leadership because the problem with toxic
13 leaders is they look absolutely brilliant to the leadership,
14 but it is not that way below. And so it took me a long time
15 to understand that.

16 When I did identify it, I acted quickly, decisively.
17 Investigations were thorough, and we did the right thing
18 through that entire process.

19 Senator Reed: As both my opening statement and the
20 Secretary's comments indicated, as the Chairman of the JROC,
21 the Joint Requirements Committee, you have an absolutely
22 critical role particularly as we find ourselves with
23 programs that grow in cost remarkably so and schedules slow
24 down. Can you give us just a small inkling of what you
25 would like to do to accelerate the schedule and to decrease

1 costs?

2 General Hyten: Senator, that is 38 years of experience
3 I got to cram into 30 seconds. So I will just say that I
4 have thought a lot because I have watched the JROC for a
5 long time. And I think General Silva has moved the ball
6 forward. I think this committee and the Congress as a whole
7 has moved the ball forward in terms of acquisition reform,
8 looking at the right things to do.

9 I think what we have to do on the requirements side is
10 always make sure we are focused on the requirements being
11 the capability not the widget, not the solution. In the
12 past, the JROC has got into very, very specific system-level
13 requirements. General Silva has worked to pull that up I
14 think. The leadership of the Department has worked to pull
15 that up. If confirmed, I will continue to drive that
16 forward and make sure that the JROC looks on capabilities
17 and what capabilities we have to have and make sure that
18 they are real, achievable, rational, but not specifying a
19 solution.

20 Senator Reed: Thank you.

21 Thank you, Mr. Chairman.

22 Chairman Inhofe: Thank you, Senator Reed.

23 Senator Wicker?

24 Senator Wicker: Mr. Chairman, I yield my entire time
25 Senator McSally, and I understand that I may be recognized

1 for 5 minutes in her place later on in the hearing.

2 Chairman Inhofe: You will be recognized for 5 minutes
3 in her place.

4 You are recognized, Senator McSally, for your 5 minutes
5 plus my 4.

6 Senator McSally: Thank you, Mr. Chairman and Senator
7 Wicker.

8 When I disclosed in a hearing earlier this year that I
9 too was a survivor of military sexual assault, I never saw
10 myself in this position. As a 26-year veteran and member of
11 this committee charged with oversight of our military and
12 confirmation of nominees for senior military positions, I do
13 not take the allegations made against General Hyten lightly.
14 I take them extremely seriously and I treated them as such.

15 Over the past 3 weeks, I focused nearly solely on this
16 issue in an effort to seek the truth. I am grateful that
17 the chairman, the ranking member, and this committee took a
18 methodical, objective approach, and conducted a thorough
19 review.

20 As a result of the exhaustive process and extreme due
21 diligence, I have full confidence in General Hyten's ability
22 to be the next Vice Chairman of the Joint Chiefs of Staff.
23 He is the right leader at the right time for this important
24 position, and I am confident he will continue to serve in
25 uniform with honor, humility, and integrity.

1 I look forward to working with General Hyten on
2 critical national security and military issues, and I will
3 also value his partnership, along with other military
4 leaders, on efforts to prevent and improve the response to
5 military sexual assault, including support to survivors and
6 due process for the accused.

7 I have and always will support these serious issues
8 being worked out through thorough and due process and not in
9 the court of public opinion where all the information,
10 evidence, and testimony are not fully known. I am confident
11 in the outcome.

12 To be clear, this was not just a jump ball, not a he
13 said/she said, not a situation where we just could not prove
14 what allegedly happened. I too believe that truth still
15 matters in this country, and the full truth was revealed in
16 this process. The truth is that General Hyten is innocent
17 of these charges. Sexual assault happens in the military.
18 It just did not happen in this case. I pray the accuser
19 gets the help she needs and finds the peace she is searching
20 for, but it cannot be by destroying General Hyten with these
21 false allegations.

22 I did not take coming to this conclusion lightly. I
23 knew the message it could send to sexual assault survivors
24 who have not seen all the information on the case that I
25 have. To them, I am honored to continue to be a voice for

1 you. Do not take the wrong message from how this is being
2 played out publicly. The process I just witnessed was
3 strong, fair, and investigators turned over every rock to
4 seek justice. I will continue to fight to ensure the best
5 possible outcomes and to fight for real victims.

6 All sexual assault allegations should be treated
7 seriously and investigated fully. All alleged victims
8 should be treated respectfully. All accused should be
9 assumed innocent and afforded due process. All of that
10 occurred in this case.

11 False allegations like these are not without collateral
12 damage. Male military leaders may avoid choosing females
13 for key positions, ultimately hurting service women's
14 opportunities for career-enhancing jobs. Male commanders
15 may think twice about disciplining female subordinates for
16 fear of sexual assault allegations in retribution. This
17 precedent could act like a cancer on our good order and
18 discipline. Male senior military leaders may choose to
19 retire instead of accepting higher positions.

20 And finally, General Hyten and his family were unfairly
21 put through this terrible ordeal. General Hyten, I am sorry
22 that you, Laura, and your family had to endure this trial,
23 but I am grateful you did not back down. You continue to
24 carry yourself with integrity, humility, and respect through
25 this process, something many of us would struggle to do.

1 Sadly, it has become increasingly common in Washington
2 for people to try to destroy each other for their own
3 political benefit or some other selfish purpose with no
4 regard for the truth or the lives damaged in the process.
5 This committee has traditionally tried to stay above that
6 fray, focusing on the national good and our collective duty.

7 And we each have a choice now. That choice will
8 determine whether we further encourage and incentive
9 politics of destruction or whether we make a clear stand for
10 the principles of justice, decency, and truth. I implore
11 each of my colleagues. Let us rise above the pressure of
12 the moment and do the right thing for the country, our
13 military, sexual assault survivors, this institution, our
14 values, and General Hyten and his family. If it were you or
15 a loved one falsely accused of these crimes, you would hope
16 that those of us called to serve would find the strength and
17 courage to do what is right and what is just. The decision
18 that we make here hopefully this week will reverberate for a
19 long time to come.

20 General Hyten, I look forward to supporting you and
21 working with you as the Vice Chairman of the Joint Chiefs of
22 Staff. And I encourage all my colleagues to join me.

23 Thank you, Mr. Chairman. I yield back.

24 Chairman Inhofe: Thank you, Senator McSally.

25 Senator Shaheen?

1 Senator Shaheen: Thank you, Mr. Chairman, and thank
2 you, General Hyten, for being here today and to your family
3 as well.

4 Senator Reed outlined some of the responsibilities of
5 the Vice Chairman of the Joint Chiefs of Staff. If
6 confirmed, you would be the second highest individual in the
7 military.

8 We have heard from Dr. Wilson, who was the Secretary of
9 the Air Force who oversaw the investigation into the
10 allegations of sexual assault. She reported that the
11 investigation cleared you of any wrongdoing. But the
12 allegations come at a time of increased instances of sexual
13 assault in our military, a 50 percent increase in assaults
14 on women in the survey that was released in May by the
15 Department of Defense. And despite the conclusion of the
16 investigation, I am sure -- and I am sure you would agree
17 with me -- that there will be those in the public and those
18 in the military who will say that your clearance was just
19 the Department of Defense and the top military brass coming
20 together behind one of their own over the survivors of
21 sexual assault.

22 So how do you reassure those who are concerned about
23 sexual assault in the military that you are committed to
24 addressing this issue and will do everything you can, if you
25 are confirmed, to address this issue?

1 General Hyten: So, Senator, one of my fundamental
2 precepts of my life and career -- it is actually one of my
3 redlines that I announce at every change of command I have
4 ever taken all the way back to 1996 when I became a squadron
5 commander -- is that everybody that raises their right hand
6 and swears to support and defend the Constitution of the
7 United States of America deserves to be treated with
8 respect. And I will continue to push for that.

9 I know we have a serious problem with sexual assault.
10 It became emotionally powerful for me when the problems at
11 basic military training at Lackland happened about a decade
12 ago. That is when I knew that we had a real problem, and we
13 have been trying to get after that ever since. And we have
14 not done a good job. It has not gone the right direction.
15 It is a scourge on our military.

16 I did read this last week the 17 initiatives Senator
17 McSally has in the National Defense Authorization Act. I
18 fully support those. I think that is a good start.

19 I think we have to work together to try to figure out
20 how to do better with this. I think there is a role for the
21 Congress, a role for the Department of Defense, a role for
22 the executive branch. We all have to get after this
23 problem, and I pledge that I will do that and I will do
24 everything in my power to always do the right thing so that
25 everybody knows that we are watching that issue closely and

1 doing everything we can.

2 Senator Shaheen: Well, given that that has been a
3 consistent response from the leadership of our military now
4 for several decades and we still see the numbers going in
5 the wrong direction, should we be thinking about taking this
6 issue outside of the chain of command of the military and
7 dealing with it in a different way?

8 General Hyten: So I do not believe that the chain of
9 command can be removed from any problem in the military and
10 solve it. I think there are other things that can be
11 brought to bear, but I have seen big problems.

12 And when I came into the military, I came in from
13 Alabama into Alabama and racism was a huge problem in the
14 military -- overt racism. It is still a systemic problem in
15 our society, but I watched commander after commander after
16 commander take charge, own that, and anytime they saw it,
17 eliminated it from the formation. When that happens, a huge
18 improvement happens. Now when I am in uniform, I feel
19 colorblind, which is amazing.

20 That has not happened with sexual assault yet. It has
21 not. But the chain of command has to be involved for this
22 problem to be fixed. Every commander has to embrace it. If
23 they do with support from the Congress, support from laws,
24 support from all those kind of pieces, we can get after
25 this, but we have to do it together.

1 Senator Shaheen: Well, clearly we need to do a much
2 better job of holding people accountable.

3 General Hyten: Yes, ma'am.

4 Senator Shaheen: I want to switch topics to
5 Afghanistan because recent reports have indicated that the
6 Taliban and the U.S. have agreed to a road map for peace,
7 and the statement calls for an end to civilian casualties
8 and the protection of women's rights within an Islamic
9 framework. And yet, when I visited Afghanistan in April, I
10 met with Afghan women who were very concerned about being
11 left out.

12 So what do you think we should be doing to ensure that
13 any peace in Afghanistan continues to provide the human
14 rights that all Afghans were guaranteed under the
15 constitution that was adopted after the fall of the Taliban?

16 General Hyten: So, Senator, I have not been in
17 Afghanistan since I was deployed in 2006. So I am not as
18 current as I will be if I am confirmed as Vice Chairman.
19 But I certainly have watched that issue. I read the news of
20 the meeting on 9 July. I read all the things that you
21 talked about.

22 The one thing I know is that the military right now is
23 in a very important position of establishing the conditions
24 for a diplomatic solution between the Taliban and the
25 Government of Afghanistan. That has to be the solution.

1 And I think we have to continue to support the process and
2 understand and make sure that terrorism does not raise its
3 head again where in Afghanistan our country could be
4 attacked again. So those are the things that we have to
5 balance as we go through. I think we can. But we are
6 clearly now supporting the diplomatic process and trying to
7 encourage a proper solution that will take care of all the
8 rights you discussed.

9 Senator Shaheen: Thank you.

10 Chairman Inhofe: Thank you, Senator Shaheen.

11 Senator Fischer?

12 Senator Fischer: Thank you, Mr. Chairman.

13 Good morning, General Hyten. Good to see you. Welcome
14 to your wife Laura, your daughter Katie, and your family
15 that is here with you today.

16 General Hyten: Thank you.

17 Senator Fischer: I think that you are especially well
18 qualified for this role, and your experience as STRATCOM
19 Commander for the last 3 years will be particularly valuable
20 since the Vice Chair of the Joint Chiefs sits on the Nuclear
21 Weapons Council and usually functions as the joint staff
22 senior subject-matter expert on nuclear deterrence.

23 You and I have spoken a lot about the low-yield
24 submarine-launched warhead on several occasions, and as we
25 prepare for the NDAA conference with the House, I think it

1 is important that we revisit this issue since a number of
2 what I say are misleading arguments have been put out there.

3 First, do you believe deploying the warhead or any of
4 the potential employment scenarios would put our submarines
5 at greater risk?

6 General Hyten: I do not, ma'am.

7 Senator Fischer: Second, do you believe our current
8 arsenal of low-yield is sufficient and this additional
9 capability is not needed?

10 General Hyten: I strongly believe the capability is
11 needed, in particular to deter Russia.

12 Senator Fischer: And third, can you give us a sense of
13 the importance you attach to this program?

14 General Hyten: So when you have an adversary -- and I
15 think we have to look at Russia as an adversary. General
16 Milley did the other day in his hearing -- you have to look
17 at what they say and what they do and watch them very
18 closely. You do not want them to become an enemy. So when
19 you look at what Russia has said and done, they have stated
20 that they will reserve the right to employ a low-yield
21 nuclear weapon on the battlefield some day if their national
22 security requires it.

23 Right now, we have low-yield nuclear weapons in our air
24 leg of our triad, which is the most flexible leg of the
25 triad, but nonetheless takes a while to get to the target.

1 When we looked at our Nuclear Posture Review, I made a
2 recommendation, and the recommendation was discussed broadly
3 amongst the national security community and agreed that we
4 should have a very small number of low-yield nuclear weapons
5 on our submarines that can respond quickly to that kind of
6 scenario by Russia. That will deter Russia, and I think it
7 is doing that. I am confident in that because President
8 Putin does not like it.

9 It is also important to note that we will deploy that
10 under the New START treaty. Russia's low-yield nuclear
11 weapons are not inside the New START treaty. We will still
12 have 1,550 deployed strategic weapons. Some of them, a very
13 small number, will be low-yield nuclear weapons. I think
14 that is important to understand too.

15 Senator Fischer: Turning to pit production, somehow
16 this notion has developed that we should focus solely on
17 achieving a 30 pit per year production capability and not
18 undertake any effort to develop additional capacity until
19 that goal is accomplished. And it has been my understanding
20 that due to the scale and also the complexity of these
21 projects, we need to be doing everything we can to reach
22 that 80 pits per year production, and we need to do it right
23 now in order to meet that 2030 deadline.

24 So if we decide to defer action on any additional
25 capacity until we have achieved that 30 pits per year

1 production level, do we have any hope of meeting that
2 requirement of 80?

3 General Hyten: So it will be a challenge. It is
4 something that I worked closely with the Department of
5 Energy, the National Nuclear Security Administration. As
6 the STRATCOM Commander, that has been a high priority of
7 mine. I have been to Los Alamos. I have been to Savannah
8 River in Carolina. I understand the challenges that are
9 faced there, but I think the Department of Energy has put
10 together the best plan we have to get to 30 by 2026 at Los
11 Alamos and 80 by 2030 across the entire enterprise.

12 The one thing I know, though, is that we have to get
13 Los Alamos right. We have to get to 30 in 2026 because if
14 we cannot do that, there is no chance we can get to 80. And
15 the requirement is 80 by 2030. We have done that analysis.

16 Senator Fischer: We have seen some renewed discussion
17 on whether we even need to have pit production capacity at
18 all, and it is my understanding that this longstanding goal
19 has been repeatedly validated. And it was certainly the
20 position of the Obama administration, as well as that of the
21 current administration.

22 Can you speak to that?

23 General Hyten: I think one of the sobering things I
24 have ever done in my life is hold a plutonium pit in my
25 hands. When you look at what that is, that is the nuclear

1 weapon, and you think of what that small sphere can do when
2 imploding. And then you think that we already have some of
3 those pits that are 50, 60, and 70 years old, and we do not
4 know exactly what is going to happen. Now, we watch that
5 closely. I look at it every year. I have to certify it.
6 But when we look at those numbers, I do not want to get to
7 the point where we are counting on 100-year-old plutonium
8 pits as the backbone. That is why we have gone through the
9 detailed analysis as we have to get to 30 by 2026. We have
10 to get 80 by 2030. Critically important for our security as
11 a nation.

12 Senator Fischer: Thank you, sir.

13 Thank you, Mr. Chairman.

14 Chairman Inhofe: Thank you, Senator Fischer.

15 Senator Hirono?

16 Senator Hirono: Thank you, Mr. Chairman.

17 As part of my responsibility as a member of this
18 committee and to ensure the fitness of nominees, I ask
19 nominees the following two initial questions.

20 First, since you became a legal adult, have you ever
21 made unwanted requests for sexual favors or committed any
22 verbal or physical harassment or assault of a sexual nature?

23 General Hyten: I have not, Senator.

24 Senator Hirono: Second question. Have you ever faced
25 discipline or entered into a settlement related to this kind

1 of conduct?

2 General Hyten: I have not faced any discipline or
3 entered into any settlement on this kind of conduct. We
4 have discussed the issue that I faced the last 4 months here
5 today.

6 Senator Hirono: So, General Hyten, although your
7 answers to my standard questions are no, you have been
8 accused of serious sexual misconduct, and you have given
9 your reactions already this morning. And for me, this has
10 been, as for so many of us -- I would say everyone on this
11 committee -- a very difficult process. The allegations
12 against you are serious, and while we have not been
13 presented with any corroborating evidence, the lack of it
14 does not necessarily mean that the accusations are untrue.
15 Women are assaulted all the time and do not tell anyone.
16 Men assault women all the time and do not leave behind any
17 evidence.

18 Of course, you have denied the allegations, and between
19 the military and this committee, it appears that some very
20 rigorous investigation has been done. And women do
21 sometimes make false accusations, although I would say it is
22 rare. Each of us has to weigh all of the evidence and
23 testimony and make our own judgment about whether or not you
24 should get this promotion.

25 So in light of all of this, is there anything else you

1 would like to tell us that could help us make this decision
2 regarding you?

3 General Hyten: I think, Senator, that the executive
4 sessions you had with me last week is a very important piece
5 to continue to look at. I stand by my testimony in the
6 executive session, much of which was very difficult to talk
7 about, but I spoke openly, candidly, and I shared all the
8 information that is applicable to this case. I would
9 encourage the committee, if you have questions, to go back
10 and look at that, to look at the evidence that is there, to
11 look at the information I provided to the committee, and
12 make your judgment based on the evidence that you see.

13 Senator Hirono: The fear that many command or men in
14 positions will be subjected to false accusations because of
15 a fear that women spend time basically sitting around
16 accusing men falsely is a dangerous view in my opinion
17 because the fact is women who are sexually assaulted more
18 often do not report.

19 Now, you testified this morning that it took you a
20 significant amount of time to recognize that there was a
21 toxic leadership issue in your command. Why did it take you
22 so long to recognize this with regard to the lieutenant?

23 General Hyten: To be clear, I take full responsibility
24 for everything in my command.

25 The nature of a toxic leader is that they are brilliant

1 to the boss. They absolutely are. That is how many toxic
2 leaders have made it all the way to the general officer
3 ranks and the flag officer ranks because the bosses do not
4 see those kind of things. You have to have people that come
5 to you, and when people started coming to me, because she
6 was so brilliant in her work, I thought that there was an
7 issue with rough edges around an Army officer. We talked
8 about that. Rough issues about language -- we talked about
9 that. But it took me to do an actual inquiry not into that
10 specific behavior but into the entire climate of my
11 headquarters before I actually saw the evidence that there
12 was a toxic leader there. Once I saw that, I took quick
13 action.

14 Senator Hirono: General, when you indicated that it
15 took a significant amount of time to recognize that there
16 was a toxic leadership situation, it sounds as though that
17 you had gotten some indications that there were concerns.
18 And so it is not as though everyone came to you and said
19 this person is a toxic leader. So would you say that
20 perhaps you had a blind spot with regard to the colonel
21 because you considered her to be brilliant and you kept
22 giving her good reviews even during the course of the
23 investigation, her 15-6 process?

24 General Hyten: So I had a small number of people come
25 to me and people that I trust, and I talked about those in

1 detail in executive session, so I will not share their names
2 and what they told me in the open hearing. But I think
3 that, again, toxic leadership is a very difficult thing to
4 identify, and once I did identify it, I moved quickly in
5 order to deal with that. But it still took me a while to do
6 that. I do not deny that.

7 General Hyten: General, you have been asked questions
8 regarding the scourge, and you yourself used the word
9 "scourge" I believe, of sexual trauma in the military. And
10 most of the time, everyone who comes before us says they
11 will do something about it. I would be very interested to
12 know what specifically would you do to really end the
13 scourge of sexual assault both in the military, as well as
14 in our service academies. Do you have something specific
15 that you would do?

16 General Hyten: If I am confirmed as the Vice Chairman,
17 that is something I will have to look at very closely. We
18 have only had a small number of those incidents in STRATCOM
19 since the time I have been there, two issues of sexual
20 harassment. We dealt with those quickly. I talk about
21 those up front. I published my policies on how to deal with
22 that, but clearly that has not been sufficient.

23 So I am going to have to get with people that know
24 about this than I do. I think that is actually one of the
25 challenges, is that I have had experiences with people close

1 to me that have been victims. I mean, it is just a
2 horrible, horrible thing. But I really do not feel like I
3 am an expert in that area and that I can tell you exactly
4 what is should do. So we have to speak to the experts that
5 know these issues, that know what to do, and then listen to
6 them and implement improvements in order to make the process
7 work. And then all commanders have to be educated on that
8 and then make changes. That is when change will happen.

9 Chairman Inhofe: Thank you, Senator Hirono.

10 Senator Hirono: Thank you, Mr. Chairman.

11 Chairman Inhofe: Senator Cotton?

12 Senator Cotton: General Hyten, thank you for your
13 appearance today.

14 I would associate myself with the comments about the
15 threats we face that Senator Inhofe said or our nuclear
16 deterrent forces of Senator Fischer.

17 But I think we all know this hearing would not be
18 nearly so widely covered. In fact, it would have happened
19 weeks ago and you would already be confirmed if it was not
20 for the nature of the allegations against you. So on those
21 I want to associate myself with Secretary Wilson -- former
22 Secretary Wilson who has resigned from the administration
23 and returned to the academy and who was under no compunction
24 to appear here today -- and Senator McSally who recognized
25 that sexual assault and sexual harassment, sexual misconduct

1 of any kind have no place in our military. But the facts do
2 matter, and we should judge every case on its facts.

3 This committee has spent dozens of hours, weeks really,
4 reviewing your case. And as Senator Hirono said, there has
5 been no corroborating evidence of the allegations against
6 you. As Secretary Wilson said, you have been falsely
7 accused.

8 So I just want to touch on a few of these details that
9 I know are in your personal knowledge. As the Commander of
10 Strategic Command, you are in the nuclear chain of command.
11 Correct?

12 General Hyten: Yes, Senator, I am.

13 Senator Cotton: If Russia decided to go for the
14 jugular and launch an all-out nuclear strike on the United
15 States, how long from the time you warn the President of the
16 United States of that strike to his decision to launch or
17 lose our missiles would the President have?

18 General Hyten: In the worst case, it is a small number
19 of minutes. In most cases, though, the President has a
20 significant period of time. However, because the worst case
21 is only a small number of minutes, we have to be connected
22 all the time.

23 Senator Cotton: Minutes not hours to be sure.

24 General Hyten: Minutes.

25 Senator Cotton: So at no time can you be off the grid.

1 General Hyten: I cannot be off the grid.

2 Senator Cotton: In fact, I bet that you are prepared
3 at this very moment in this hearing to step out to advise
4 the President under such a contingency. Is that right?

5 General Hyten: If something happened, my
6 communications team is right there with the communications I
7 have to have, and I would step out and get on the phone.

8 Senator Cotton: So you are guarded and attended to by
9 your security detail and communications detail 24 hours a
10 day.

11 General Hyten: Unless I am on leave.

12 Senator Cotton: In which case, you have signed that
13 authority over to another person.

14 General Hyten: I delegate that authority -- it is
15 called the Balfour authority -- to my Deputy Commander.

16 Senator Cotton: As Secretary Wilson said, your details
17 were interviewed in the process of this investigation. Are
18 you aware of them giving any corroborating testimony to your
19 accuser's allegations?

20 General Hyten: No. I read all their testimony. I
21 only got a copy of the investigation a week ago. I have
22 only had a chance to go through it once. But every member
23 of the security detail that was interviewed saw nothing like
24 that.

25 Senator Cotton: Second, as the Commander of Strategic

1 Command, you are a pretty juicy target for a cyber attack
2 and for hacking by countries like China and Russia. Do you
3 have a phone besides a government cell phone?

4 General Hyten: I do not have anything besides a
5 government cell phone.

6 Senator Cotton: Was that cell phone searched as a part
7 of this investigation?

8 General Hyten: It was searched.

9 Senator Cotton: To your knowledge, did it include any
10 corroborating evidence of the accusations against you?

11 General Hyten: None.

12 Senator Cotton: Third, there have been some who have
13 claimed the Air Force mishandled this investigation, that
14 you should have been temporarily removed from your job or
15 had your security clearance temporarily revoked. Would you
16 temporarily remove from their job or revoke the security
17 clearance of any subordinate who was accused of misconduct
18 with no corroborating evidence in the interim?

19 General Hyten: So there is a two-part answer to that
20 question. Number one, I would not take any action unless
21 the information was corroborated because I think that
22 presumes guilt. But I would take action to remove an
23 individual if they are in the same office space temporarily
24 until we got to that point.

25 Senator Cotton: The nature of the sexual misconduct

1 allegations against you have been widely reported in the
2 media. I will not rehearse them. Has your accuser ever
3 accused you of other kinds of nonsexual misconduct?

4 General Hyten: Yes, sir.

5 Senator Cotton: What was the nature of those
6 accusations?

7 General Hyten: Since she was relieved, against my
8 command and me, before this investigation, I think there
9 were 34 different accusations, 24 against my chief of staff,
10 6 against me, 2 against my Deputy Commander, 2 against the
11 investigating officer of the investigation.

12 Senator Cotton: Were any of those accusations of a
13 nonsexual nature against you or others in your command
14 corroborated or substantiated?

15 General Hyten: None were substantiated.

16 Senator Cotton: Thank you.

17 My time is almost up. I will say again I want to
18 commend in particular Senator Inofe, Senator Reed for the
19 way they have conducted this review. We have, I said, spent
20 dozens of hours, weeks really, reviewing the 1,400-page
21 report, hearing for hours from your accuser and General
22 Hyten, yet there is zero -- zero -- corroborating evidence
23 of these accusations as Senator Hirono acknowledged. In
24 fact, every bit of evidence, just some of which we have
25 touched upon today, more of which I hope will be released

1 soon in a redacted fashion, as appropriate, tends to credit
2 your denials. And I think it is very important that we
3 confirm you because I think you will be great for the job.

4 But I think it is also very important that we maintain
5 the basic American standard that the facts do matter. And
6 when someone faces an accusation, whether it is General
7 Hyten or the thousands of Lieutenant and Sergeant Hytens out
8 there who are watching this hearing today, they understand
9 that the facts do matter.

10 Chairman Inhofe: Thank you, Senator Cotton.

11 Senator King?

12 Senator King: Thank you, Mr. Chairman.

13 Secretary Wilson touched on this in her introduction.
14 You have got a lot of responsibilities or will, would have
15 were you to be confirmed as Vice Chair. But there is no
16 more solemn responsibility than when you are in the Oval
17 Office with the Chair talking about the military situation
18 and the results of taking military action.

19 Will you commit to this Senator, to this committee, and
20 to the American people unequivocally that in that situation,
21 you will give nothing but your unvarnished, truthful
22 analysis based upon your 38 years of experience and based
23 upon your wisdom and knowledge of the circumstances that
24 would result from military action?

25 General Hyten: I have the last 2 and a half years,

1 Senator, with the President in some uncomfortable
2 discussions, and I commit that if I am confirmed as the Vice
3 Chairman, I will continue to provide best military advice as
4 you describe.

5 Senator King: Thank you. I think that is the most
6 important responsibility that you have aside from all those
7 others. The Oval Office can be an intimidating place, and
8 it is human nature to tell the boss what he or she wants to
9 hear. But your willingness to tell the truth, under
10 whatever the circumstances are, is at the heart of your
11 responsibility to this President and to this country.

12 A completely different topic. Do you believe that it
13 would be in the national interests of the United States to
14 acceded to the UN Law of the Sea Treaty?

15 General Hyten: I am not a legal expert on the Law of
16 the Sea Treaty, so I do not know the pros and cons, Senator
17 of the benefits of that. I do know that the Law of the Sea
18 is an appropriate standard that nations look at, including
19 the United States when they consider freedom of navigation,
20 when they consider borders, when they consider all those
21 kind of pieces. But I do not have enough legal knowledge to
22 talk about the issue about that treaty. I have not looked
23 at that, Senator.

24 Senator King: Thank you.

25 How do you define the national security interests of

1 the United States in the Arctic, which is one of the most
2 strategic areas in the world?

3 General Hyten: I think the national security interests
4 of the Arctic have always been critical to North America. I
5 have been a member of NORAD, the North American Aerospace
6 Defense Command. I have watched General O'Shaughnessy talk
7 about it this year in particular, and I think he talks about
8 it very well as the Commander of NORTHCOM and NORAD.

9 As the climate changes that that part of the world does
10 open up to navigation, the threats up there will be much
11 more significant. But you go all the way back to the 1950s
12 when we built the Distant Early Warning Line all the way up
13 north in order to watch the threats from the Soviet Union at
14 the time to make sure we could see the threats in time to
15 respond. That has always been a critical piece. It is
16 going to become more critical, though, as the sea lanes open
17 up.

18 Senator King: I agree.

19 I have friends in Maine who say why are we paying all
20 this money to upgrade the nuclear forces. We have missiles.
21 We have bombs. We have airplanes. We have submarines. Why
22 are we spending money to talk about upgrading them? Give me
23 the argument to take home.

24 General Hyten: So in 2029, it is going to become very,
25 very difficult to maintain the Minuteman force in its

1 current configuration just because of the nature of rockets.
2 And I will not go into the details there.

3 Senator King: You mean just because of their age?

4 General Hyten: Just because of their age. The same is
5 going to happen with the B-2. Because of the stealth
6 characteristics of the B-2, it is going to have to be
7 replaced. It is interesting because at a certain date in
8 the future -- and I will not go into that here -- the Ohio
9 class submarine that we currently operate will not be able
10 to go into the water anymore. And therefore, we have to
11 have a new submarine to replace that.

12 Senator King: But what is behind all of that? Why do
13 we need all those things?

14 General Hyten: Because we have adversaries who are
15 building a triad to challenge us. And in order for us to
16 effectively deter them -- because remember, the primary use
17 of our nuclear arsenal is to prevent the use of nuclear
18 weapons on the United States of America.

19 Senator King: The purpose of having the weapons is to
20 never use them. Is that not correct?

21 General Hyten: It is, and it is a dichotomy. It also
22 has to be ready to use them, and we have to have ready
23 forces. And our adversaries have to know that.

24 Senator King: Because if they are not ready, if they
25 are not capable, then they are not an effective deterrent.

1 General Hyten: They are not an effective deterrent.

2 That is exactly right.

3 Senator King: Thank you.

4 Thank you, Mr. Chairman.

5 Chairman Inhofe: Thank you, Senator King.

6 Senator Rounds?

7 Senator Rounds: Thank you, Mr. Chairman.

8 General Hyten, first I want to thank you and your
9 family for 38 years of service to this nation. I know that
10 the events of the last few months have been hard on you and
11 on your family. But I also am certain that you understand
12 the reason why you need to move forward.

13 I just want to say, first of all, thank you to Chairman
14 Inhofe and Ranking Member Reed for conducting a very
15 thorough and a very fair inquiry. And I have appreciated
16 the hours which a lot of the members of this committee have
17 put in. And I appreciated your testimony as well before us
18 in executive session.

19 I would like to focus right now on some issues that I
20 think we do not talk enough about, and that is with regard
21 to the readiness of the armed forces today and what needs to
22 be done about it. I am just going to describe a couple of
23 issues that I am aware of that I think have to be resolved
24 in the near future. Let me just give some examples.

25 We have B-1B bombers. This is the workhorse of the Air

1 Force today. Right now, of all of our B-1 bombers, we have
2 six of them that are fully mission-capable, five split
3 between Ellsworth Air Force Base and Dyess Air Force Base.
4 One is a test aircraft. 15 B-1's are in depot. The
5 remaining 39 of 44 B-1's at Ellsworth and at Dyess are down
6 for a variety of discrepancies and inspections. That is the
7 workhorse of the Air Force.

8 When it comes to the Navy, we have F/A-18's, which at
9 one point only 40 percent of them were mission-capable, 60
10 percent were not. We have moved up from that. We are
11 perhaps closing in on the 60 percent range now. We are
12 making progress but certainly sequestration was devastating.

13 Within the Navy itself just on nuclear attack
14 submarines, the USS Boise is an example of what happens when
15 you do not have the resources or the capabilities. The
16 Boise, a attack submarine, a nuclear-powered submarine, paid
17 for by taxpayers was at dock not even in dry dock for a
18 period of years. It will have been at dry dock or at dock
19 not even capable of submerging for 6 years. Three other
20 nuclear attack submarines we find in exactly the same
21 predicament. It means that our depots simply are not ready
22 for them.

23 When it comes to the F-15's, we have F-15's that have
24 been held down because they have not met structural
25 requirements. We have got F-22's right now that are the

1 premier fighter aircraft in the world today, and yet their
2 age is showing. Time and again it has not just been
3 sequestration, but it is a matter of depot and the
4 capability to put equipment into depot and get it out in a
5 timely fashion.

6 We are going to look at a -- this year, our committee
7 is recommending or at least we are prepared to vote on a
8 \$738 billion defense budget. I would like you to just very-
9 - if you could in two different areas. Number one, what do
10 we got to do to get the depot systems so that they actually
11 work the way they are supposed to?

12 And second of all, can you imagine a scenario in which
13 we could do any justice to all to these men and women who
14 wear the uniform and need absolutely good equipment if we
15 end up with a \$576 billion defense budget rather than a \$738
16 billion defense budget as required by sequestration if we
17 are not able to move the existing defense proposal forward
18 found in the BBA this year?

19 General Hyten: So actually I think the answer to your
20 question, Senator, is the same for both questions, and that
21 is stable funding. When you look at the challenges with the
22 depot and you look at our readiness problems, many of the
23 readiness problems date back to the first year of
24 sequestration. That is when we impacted readiness across
25 the board. That, combined with continuous at-war

1 capabilities for the last 18 years -- you put those things
2 together and it puts a huge stress on the force.

3 So having stable funding is critical. That is why when
4 I saw the agreement on the \$738 billion in the Bipartisan
5 Budget Act -- because my biggest fear was a return to
6 continuing sequestration or a long-term continuing
7 resolution. Both those scared me first from a readiness
8 perspective, certainly from a modernization, but readiness
9 because we are just now starting to come out.

10 You raised the B-1 issues. That is in my portfolio.
11 My air component watches that close. We took a hard look at
12 that after the problem with the Fitzgerald and the John S.
13 McCain in the Pacific to see if across our force we saw
14 anything. We saw issues in the B-1 because we were just
15 beating the heck out of them, deploying them, deploying
16 them. And so we had to pull back a little bit and get after
17 fixing those issues. And the depots can do that if they
18 have stable funding.

19 So this is a critical issue, Senator, and I appreciate
20 you raising it.

21 Senator Rounds: Thank you, General.

22 Thank you, Mr. Chairman.

23 Chairman Inhofe: Thank you, Senator Rounds.

24 Senator Heinrich?

25 Senator Heinrich: General Hyten, as you know, I am

1 concerned about the risks that NNSA is taking by splitting
2 the production of plutonium pits between Los Alamos and the
3 MOX facility, the mixed oxide fuel facility, in South
4 Carolina. I want to ask you if you are concerned about that
5 risk, especially with respect to meeting the timelines for
6 LAP, which you have touched on, but also with respect to the
7 potential for splitting the expertise and potentially
8 creating a brain drain between the Center for Excellence at
9 Los Alamos and a facility that has yet to be stood up at
10 MOX.

11 General Hyten: So one of the things that Administrator
12 Lisa Gordon-Hagerty and I have discussed is that it is the
13 STRATCOM position, my position, that we cannot split the
14 expertise from Los Alamos. We have to focus on Los Alamos,
15 get to 30 at Los Alamos.

16 When you looked at the long-term plan, however, it was
17 going to be difficult at Los Alamos to get to 80. It would
18 still be difficult to get to 80 at Los Alamos. But the key
19 to everything is getting to 30, and what we cannot do, in
20 order to get to 30, is pull people out of Los Alamos and
21 send them to Savannah River in order to build up that
22 capability. We cannot do that.

23 And so as the STRATCOM Commander, I have had my staff
24 continually go out there. And I am sure that bugs the DOE
25 folks a little bit, but I just want to make sure we are

1 watching that and understand what that is. I think I have a
2 great relationship with the Administrator, a great
3 relationship with the Secretary of Energy. We are not going
4 to make that mistake, and we are going to watch it closely.
5 So if I am confirmed as the Vice Chairman, I will still get
6 to watch it from the Nuclear Weapons Council perspective.

7 Senator Heinrich: I appreciate your bugging. I think
8 that is my concern exactly, and I appreciate your focus on
9 that.

10 We have had some conversations in the past about the
11 modernization of our space assets and, in particular, on the
12 importance of preserving our successful investments, the
13 things that are working well, and not reinventing the wheel
14 as we stand up new capabilities. So as you well know, the
15 Space Rapid Capabilities Office, Space Vehicles Directorate,
16 Advanced System Directorate all play a critical role in
17 researching and developing our nation's space systems.

18 I just want to ask you if I have your commitment that
19 you will push for the full utilization of those existing
20 assets even as we modernize our overall space capabilities.

21 General Hyten: I commit to that, Senator. They are an
22 important piece of the answer.

23 Senator Heinrich: One of the things I was pleased with
24 this year is the growing interest and investment in
25 hypersonic R&D. Over the last several months, the Pentagon

1 actually requested a transfer of \$50 million to cover the
2 cost of the design and development of a prototype mobile
3 launcher for a long-range hypersonic weapon.

4 Can you talk a little bit from your perspective about
5 this reprogramming and, more broadly, where you see the
6 future of hypersonic development going for DOD?

7 General Hyten: Yes, sir. As a combatant commander, I
8 am not involved in the details of moving the money around,
9 but I am a huge advocate for pursuing hypersonic technology.
10 I am also a huge advocate for looking at hypersonic defenses
11 and hypersonic sensing. That is what I can do as the
12 combatant commander because this is critical to our nation's
13 future. We have adversaries that are going extremely
14 rapidly in this area, and we have had fits and starts over
15 the years on that hypersonic technology which I believe is a
16 mistake. We should have been going after that technology
17 consistently and rapidly over the years, and we have not.
18 So if I am confirmed as Vice Chairman, I guarantee you that
19 we will advocate inside the Joint Requirements Oversight
20 Council, the JROC, and other places in order to ensure we
21 continue to focus on hypersonics.

22 Senator Heinrich: It seems to me that there are a
23 handful of these capabilities like hypersonics, like
24 directed energy that really are going to define the nature
25 of the relationship between us and our near-peer adversaries

1 in the coming years.

2 Another one of them is artificial intelligence.
3 Secretary Esper explained his belief that artificial
4 intelligence will likely change the character of warfare and
5 whoever masters it first will dominate on the battlefield
6 for many, many, many years. I tend to agree with that
7 estimation and would just like your thoughts on the
8 importance of AI.

9 General Hyten: I have got to speak on that a few times
10 in the past in public, once in Halifax with Eric Schmidt of
11 Alphabet Google talking about that impact. It is going to
12 be significant. There is no doubt. I believe the United
13 States has got to have a leadership position in that area.

14 But we also have to have a leadership position in
15 understanding how you integrate that capability into our
16 concept of operations, and we have not really done that yet.
17 And if we do not get that right, we could make some big
18 mistakes in terms of giving command authority to a computer,
19 those kind of things. We cannot let that happen. The way I
20 look at it is artificial intelligence has got to help us do
21 the job better, but it cannot tell us what to do.

22 Senator Heinrich: Thank you, Mr. Chair.

23 Chairman Inhofe: Thank you, Senator Heinrich.

24 Senator Ernst?

25 Senator Ernst: Thank you, Mr. Chair.

1 General Hyten, you have been nominated to be the
2 second-highest ranking military officer in the United States
3 armed forces. This position demands the highest levels of
4 trust and responsibility, of course, sound judgment, and an
5 impeccable moral compass.

6 You have been accused of sexual misconduct by a
7 subordinate officer. I have reviewed the evidence, as well
8 as your performance while serving as the STRATCOM Commander.
9 We have heard numerous times -- members of this committee
10 have stated -- to focus on the facts. And yet, the facts
11 have left me with concerns regarding your judgment,
12 leadership, and fitness to serve as the next Vice Chairman
13 of the Joint Chiefs of Staff. So I do have several
14 questions for you. If you would just answer yes or no or
15 keep your answers very brief.

16 A recent investigation revealed that several
17 subordinates reported their concerns directly to you
18 regarding the alleged toxic leadership style of the
19 Commander Action Group Director who was an officer under
20 your command. Now, you stated that a small number of people
21 had brought concerns to you. About how many people brought
22 concerns to you?

23 General Hyten: I would say approximately less than
24 half a dozen.

25 Senator Ernst: Less than half a dozen. What were the

1 ranks of those individuals?

2 General Hyten: Civilian, major, Navy captain.

3 Senator Ernst: Would you say they are fairly high
4 ranking, experienced?

5 General Hyten: I would say that. Pretty much the
6 entire STRATCOM headquarters is a very senior group of
7 people.

8 Senator Ernst: Absolutely.

9 And how many people serve in the Commander Action
10 Group?

11 General Hyten: None.

12 Senator Ernst: You only have one CAG --

13 General Hyten: How many people serve in the Commander
14 Action -- I am sorry.

15 Senator Ernst: Yes.

16 General Hyten: I missed your specific question.

17 Approximately eight.

18 Senator Ernst: So you said about a half dozen folks
19 brought forward concerns, and you have eight people that
20 serve. So it sounds like a large number of the CAG brought
21 concerns to you, and these are leaders that are fairly
22 experienced and have a good number of years at service.

23 General Hyten: Nobody on the CAG brought me those --

24 Senator Ernst: So these are outside folks bringing
25 concerns to you. Okay. Thank you for that clarification.

1 General Hyten: Now, just to clarify, if you go back to
2 the executive session, you will see I described one
3 individual who came to me to speak for people on the CAG,
4 and that was the one that was the instigator for me to take
5 action.

6 Senator Ernst: And despite the fact that you recited
7 numerous times throughout the investigation as enabling this
8 alleged toxic leader within your command, you did not take
9 the inquiry outside of STRATCOM for an impartial commander
10 to review or adjudicate. Correct?

11 General Hyten: No, ma'am, I did not.

12 Senator Ernst: About a month before the start of this
13 investigation on November 14th, 2017, you gave the CAG
14 Director a phenomenal officer evaluation report, rating her
15 number one of 71 colonels within your command and evaluated
16 her as having multi-star potential. Is that correct?

17 General Hyten: Yes, ma'am, it is.

18 Senator Ernst: Yet, about 90 days later after the
19 investigation was completed, you approved a written
20 reprimand of Colonel Spletstoser. Correct?

21 General Hyten: I was aware of the written reprimand.
22 That came from the Army element commander, but I was
23 certainly aware of it.

24 Senator Ernst: Okay.

25 During the time that the CAG Director was under your

1 command, did you ever formally counsel her in writing about
2 the deficiencies in her leadership or performance?

3 General Hyten: I only counseled her verbally about her
4 language.

5 Senator Ernst: Okay.

6 Even though other members had brought forward
7 allegations of a toxic leadership.

8 General Hyten: And I translated that to the language
9 that she was using.

10 Senator Ernst: Okay, but never for any other actions.

11 General Hyten: No, ma'am.

12 Senator Ernst: After the 15-6 investigation had been
13 initiated, you actively advocated for her by emailing and
14 calling several other general officers to secure a follow-on
15 position for her. Is it safe to assume that at this time
16 you still thought highly of her as an officer?

17 General Hyten: So I had questions about her
18 capabilities then, but when the Army element commander and I
19 sat her down to inform her of the 15-6 investigation, and we
20 walked through all of the events -- and I talked about those
21 in executive session significantly -- I told her that I
22 would allow the process to play out before I did anything
23 else. And I asked her if these allegations were true. She
24 told me clearly, specifically, concisely that they were
25 false, that they were not true. She would be found

1 innocent. And I committed to her that I would not treat her
2 any different until I had firm evidence to the contrary.

3 Senator Ernst: I am very concerned that during the
4 process of your time as the STRATCOM Commander, there had
5 been this CAG Director within our command that other people
6 multiple times went to you, voiced their concerns about the
7 toxic leadership, but you did not acknowledge that. You did
8 not do written counseling statements. You did not advise
9 her any differently. You serve in one of the most important
10 positions within our United States military overseeing our
11 nuclear arsenal. However, you could not bring yourself to
12 admit or recognize toxic leadership within your command.
13 You did nothing to change that course until a 15-6
14 investigation was brought forward. And you continued to
15 endorse her. You only did something about it when concerns
16 were raised about your own leadership. And the
17 investigation was not forwarded on to your higher echelon
18 command, which I see as a clear conflict of interest.

19 So all of this suggests a conflict between your
20 personal inclinations and your professional
21 responsibilities. There are professional responsibilities
22 associated with being such a high-ranking leader, and that
23 is to make sure that those within your command are following
24 your directive and not -- not -- engaging in toxic
25 leadership. So this leaves me with concerns about your

1 judgment and ability to lead in one of the highest positions
2 in the U.S. military.

3 I will listen to the rest of the confirmation process,
4 but I do want to share those concerns today.

5 So thank you very much, Mr. Chair.

6 Chairman Inhofe: Thank you. Senator Ernst.

7 Senator Manchin?

8 Senator Manchin: Thank you very much, Mr. Chairman.

9 And thank you, General Hyten, and your family for the
10 services you have given to our great country.

11 If I could ask the first question is what do you
12 consider the greatest threat the United States of America
13 faces today and in the near future.

14 General Hyten: From my perspective, the greatest long-
15 range challenge is China because they have the economic
16 power and they are building the military power to challenge
17 us regionally and ultimately globally.

18 Well, back in 2010, I will never forget we had at that
19 time Admiral Mullen, and we asked him the question, and he
20 says the debt of our nation is the greatest threat we face.
21 We are going over a trillion dollars again, and the reason I
22 say that the good people of West Virginia ask me how we are
23 spending the money for the military. And we have -- I am
24 going to use round figures -- around \$700 billion is what
25 our budget is, give or take over and under. And then you

1 look at China, about \$250 billion. And then you look at
2 Russia, about \$60 billion-\$65 billion. And we try to
3 justify why we are so more costly.

4 Then we look at basically the people that we have in
5 uniform. I think in the military, we have in the U.S. 1.3
6 active, another 860,000 reserves. China has 2.2 million
7 active, 510,000 reserves. And Russia has a million active
8 and 2 and a half million in reserve.

9 But we use probably more contractors at higher cost
10 than any country, all countries put together. And I look at
11 basically National Guard, Reserves, and things that we have
12 specialties in that we could utilize a lot greater. Have
13 you all identified that and looked at ways that we could
14 justify and maybe have a little better control of the costs
15 that we are spending right now?

16 General Hyten: So I will give you a specific example,
17 Senator, because I think the point you raise is a really
18 good one. But we have to work together with the Congress to
19 balance the number of people we have in uniform versus how
20 we are going to use contractors in particular.

21 But in the next generation ICBM, for example, twice in
22 my career we basically said we do not need engineers in that
23 program anymore in the military, and we will just hire it
24 out to contractors. Two things happened with that. Number
25 one, you lose the expertise inside the military, and number

1 two, I will just say you end up with the fox guarding the
2 henhouse. And I am very concerned about that. I am
3 concerned about the way we had to put that program in place.
4 We had to structure that program because we did not have the
5 expertise.

6 We need to continue to build that technical engineering
7 support inside our military and continue to work that
8 forward because that is critical to our ability to do that.
9 But I have seen twice in my career where everything is fine.
10 We will just get rid of the engineers. We do not need that.
11 Now, you apply that to the guard and reserve. Holy cow,
12 there are things we can do with the guard and reserve. We
13 have not even scratched the surface of it because --

14 Senator Manchin: That would be a high priority of
15 yours then, looking at how we basically utilize what we have
16 and the potential we have to use it better?

17 General Hyten: Yes, Senator, absolutely.

18 Senator Manchin: I appreciate that.

19 Just in overview, it seems like we are reluctant to
20 really support Taiwan and to sell the F-16's because we are
21 afraid it might cause a rumble with China. But yet we have
22 said and done nothing with China's aggression in the South
23 China Sea, aggression in moving further out on the Pacific
24 Rim. What are we concerned about? If we do not show
25 strength to them -- and I know Russia and how sometimes that

1 they will react when they do not understand that we are
2 going to be resolved in showing strength against them. What
3 is your evaluation there?

4 General Hyten: I am a big believer in President
5 Reagan's peace through strength structure. I believe we
6 have to show strength. My command in the last few years has
7 had bombers deployed in the Pacific and we send bombers from
8 the United States into the Pacific to the Korean Peninsula
9 in support of Japan, Korea, a number of our allies there.
10 We have to continue to show strength because we want peace,
11 and the only way to guarantee that peace is to make sure
12 that our adversaries understand that we will not allow
13 certain behaviors.

14 Senator Manchin: And the other thing I want to talk
15 about is the Space Force and I think just directly asking
16 you, do you believe that that general in charge of Space
17 Force should be elevated to the Joint Chiefs of Staff?

18 General Hyten: I do believe that.

19 I really appreciate the work the Senate has done and
20 the House in terms of defining that future. I think I am a
21 little concerned about the level of responsibility we are
22 going to give General Raymond here shortly if he becomes the
23 head of the Space Force, as well as the head of the new
24 Space Command. I think there is a good transition in the
25 Senate plan, but I think we are going to have to work

1 together. And I hope, if I am confirmed as the Vice
2 Chairman, you reach out to me and ask me to help you work
3 through that because that is going to be a complicated
4 arrangement. But I think we are in a very good place now
5 across the legislation that is proposed.

6 Senator Manchin: And you believe as far as breaking
7 out from the Air Force, the space program is the right thing
8 to do?

9 General Hyten: I think it has to be under the Air
10 Force. I think the Space Force should be under the Air
11 Force. It is not big enough to bring out --

12 Senator Manchin: Sir, that is exactly my point. I
13 just cannot get there. I cannot get there with the Joint
14 Chiefs of Staff. If it is going to be under the Air Force
15 and the Air Force has done one heck of a good job all these
16 years, why can we not continue that type of support and
17 command under that?

18 General Hyten: I think it is going to be a similar
19 model to the Marine Corps where the Commandant of the Marine
20 Corps is a member of the Joint Chiefs of Staff, but the
21 Marine Corps is under the Department of the Navy. I think
22 the head of the Space Force is going to be a member of the
23 Joint Chiefs of Staff at some point, but under the
24 Department of the Air Force. I think that is how you keep
25 that small. That is how you keep the bureaucracy from going

1 crazy. That is why you do not have all the replication of
2 support you would have to have across the board.

3 Senator Manchin: Thank you, again, General Hyten. I
4 appreciate you being here.

5 General Hyten: Thank you, sir.

6 Chairman Inhofe: Thank you.

7 Senator Tillis?

8 Senator Tillis: Thank you, Mr. Chairman and Ranking
9 Member, for the process that we have played out here.

10 And, General Hyten, thank you for being here.
11 Congratulations to your family for your nomination.

12 I want to get an idea of your headquarters staff. How
13 big is it? How many direct reports do you have?

14 General Hyten: The headquarters staff is about 3,500
15 people. Direct reports is a fairly small number. I would
16 say roughly 10 to 20.

17 Senator Tillis: Okay. And 10 to 20 direct reports.
18 Over the course of a day, how much time do you spend with
19 your direct reports, and how much time would you spend with
20 your CAG?

21 General Hyten: So over the course of a day, I would
22 spend more time with the J directors, the joint staff of my
23 staff, than I would the CAG. But when we do travel, I spend
24 more time with the CAG Director than I spend with the joint
25 staff. That would be the balance.

1 Senator Tillis: You responded to a prior question that
2 you had five or six people come to you expressing a concern
3 with a toxic environment on the part of the CAG, and you
4 said all of them were outside of the CAG, so it was not the
5 eight people working for the colonel. And then one of them
6 came to you and expressed their concerns on behalf of people
7 who report to the CAG.

8 Can you give me an idea of a timeline? When did that
9 discussion -- was that the last discussion that you had
10 before you ordered the 15-6?

11 General Hyten: No. The last discussion was in the
12 late fall of 2017, and it is when I ordered a preliminary
13 inquiry into the overall climate of the front office, not
14 just the Commander's Action Group but my office, the
15 Deputy's office, the chief of staff's office, the lawyer,
16 the public affairs protocol, everybody that was in the front
17 office because, to be honest, I was still looking at the
18 issue from this might be an Air Force, Army, Navy issue
19 because Army officers tend to be a little more aggressive, a
20 little more rough around the edges. And you need to
21 understand. She is brilliant. She was doing spectacular
22 work.

23 Senator Tillis: It is true that you gave a very strong
24 evaluation, but based on your knowledge of the past history,
25 has that been typically true of other assignments that the

1 colonel had?

2 General Hyten: She had up and down in her background.

3 I do not know much about her time as an earlier officer, but

4 I know that there were up and down times in her background.

5 Senator Tillis: I should have started by saying I want

6 to fully associate myself with Senator McSally's comments.

7 The work that she has done here, I mean, literally the

8 public needs to understand the hours of research that have

9 gone in ahead of this committee, the nearly 1,300-page

10 report that we have reviewed, every allegation that has been

11 studied, pinned down and proven to not have any

12 corroborating testimony. I think all that information will

13 continue as we move forward and hopefully vote on your

14 confirmation this week.

15 I want to shift to some local issues in North Carolina

16 and really the housing situation across the country. Are

17 you aware of some of the military housing problems that we

18 have, and can you give me a quick thumbnail on what we need

19 to do to improve it?

20 General Hyten: I am fully aware of those problems. I

21 have seen those problems. We actually have very good

22 housing at Offutt Air Force Base where I live now and a

23 great support set. But that is not the case in a large

24 number of bases across the country. When we started down

25 this privatized housing path, I really did not like the

1 model we were putting in place. We were putting in a low-
2 cost model, looking for low bidders to provide the housing
3 that will take care of our families.

4 Senator Tillis: Can I get your commitment to make sure
5 this is a priority to get it right this time?

6 General Hyten: Yes, sir, absolutely.

7 Senator Tillis: You know, we are going through the
8 discussion right now on the budget caps deal. And if I am
9 China, I am hoping that we fail to get this approved.
10 Right? If we move into a 3-month sort of a scenario on
11 funding and they are into decades-long scenarios on funding,
12 what does that do to your ability to actually achieve any of
13 the goals that are in the National Defense Strategy?

14 General Hyten: It impacts -- I mean, the National
15 Defense Strategy has an assumption of stable budgets.

16 Senator Tillis: Would it be fair to say it would be
17 devastating?

18 General Hyten: It would be devastating. Even a CR
19 that goes for a few months is going to be impactful. A
20 yearlong CR would be devastating. Sequestration would be
21 even beyond that.

22 Senator Tillis: Thank you. I look forward to
23 supporting your confirmation.

24 General Hyten: Thank you, Senator.

25 Chairman Inhofe: Thank you, Senator Tillis.

1 The next one to be recognized will be Senator
2 Duckworth. However, we have three votes that are starting.
3 I am going to go down and catch the first one, come back,
4 and Senator Reed will be following. So you are recognized
5 and Senator Fischer is presiding.

6 Senator Duckworth: Thank you, Mr. Chairman.

7 General Hyten, I would like to talk a little bit about
8 the NDS and looking at force projection. We have spent
9 money on F-35's. We have spent money on new capabilities.
10 We are talking about the nuclear fleet. But I do think that
11 we have overlooked the logistics capability or lack thereof
12 within our military. I do not think we have the sealift
13 hulls, the capability, or the heavy lift airlift
14 capabilities in order to project and sustain our forces
15 abroad for any extended period of time.

16 Do you agree with that assessment, and can you give us
17 your opinion on that?

18 General Hyten: So I do, Senator. I think if you look
19 across the entire Transportation Command portfolio, I think
20 you will find some of the biggest challenges we have in the
21 military. And it is not just the lift side, not the sealift
22 side, the airlift side, ground. It is the tanker piece as
23 well.

24 If you look at what we have to do in order to move
25 around the world, we are tied to the logistics train. If we

1 cannot effectively move quickly, reliably, and effectively,
2 we cannot do what the National Defense Strategy says we need
3 to do. And we are slowly coming on with the KC-46. We have
4 challenges on the lift side. If you look across their
5 entire portfolio, there are big issues there that need to be
6 worked.

7 Senator Duckworth: Will you commit to working those
8 issues?

9 General Hyten: If I am confirmed as the Vice Chairman-
10 - I guarantee that General Milley is fully aware of them
11 too. General Dunford is. If I am confirmed as the Vice
12 Chairman, I guarantee we will look at that close.

13 Senator Duckworth: Thank you.

14 Looking to the Indo-Pacific region, if confirmed as
15 Vice Chair, would you make sure that our day-to-day
16 relationships with partners and allies are strong enough to
17 withstand friction with China? One of the things I learned
18 when I went to Singapore with the Defense Forum, the
19 Shangri-La Summit, recently was that many of our not
20 necessarily allies but friends in the region feel very much
21 that they are unable to stand up to China because we are not
22 there. And just having our presence in the Indo-Pacific
23 region allowed them to say, hey, we cannot do everything you
24 want us to do, China, because the Americans are here not
25 necessarily forcing them to choose but really just being a

1 presence and increasing that presence.

2 Would you agree with the assessment that we need to
3 improve that presence in the region?

4 General Hyten: Senator, when you read the National
5 Defense Strategy, it is clear that China is a priority, and
6 we have to treat it as a priority, which means we have to be
7 present, present in the right places. We have to partner
8 with the right nations and build those partnerships over the
9 years, and you cannot build partnerships if you are not
10 there.

11 Senator Duckworth: Thank you.

12 I do want to touch on the allegations against you. Is
13 it true that your official cell phone that was reviewed for
14 text messages, that you turned over very willingly, was
15 wiped in an upgrade process?

16 General Hyten: I read that in the investigation. I
17 was not aware that it was wiped. I guess it was part of a
18 normal update. So I have an official phone. I use the
19 official phone. It gets software updates and other updates
20 all the time. To me it is just the unclassified phone.

21 Senator Duckworth: What I learned from the
22 investigation and the report was that, indeed, both yours
23 and the colonel's phones were wiped and that they were only
24 actually able to review a couple months worth of text. So
25 there were quite a few text messages that were not able to

1 be reviewed.

2 In your answer previously to my colleagues about what
3 will you do to demonstrate leadership in the area of sexual
4 assault in the military in solving this problem, your answer
5 was really vague. I really wanted to hear so much more, and
6 for you to say I do not know enough and I am going to wait
7 and talk to the experts really bothers me because you have
8 had such precise answers on everything else. And, yes, this
9 is a cancer within our military. This is a cancer within
10 our own ranks.

11 And you said you have been concerned about this since
12 Lackland. So you had over 10-plus years while you have been
13 in leadership to talk about this, and you cannot tell us
14 that when you become Vice Chair, one of the first things you
15 are going to do would be, say, appoint someone to your
16 personal staff whose job it is to deal with this, create a
17 panel that is going to look at this, go out to the Air Force
18 Academy and personally figure out what is going on. You
19 cannot come up with any ideas like that after 10 years of
20 concern? I worry about your leadership on this issue.

21 General Hyten: So, as the Vice Chairman, I will need
22 to work with the Chairman and the services. Most of these
23 issues have to be handled in the services. But as the Vice
24 Chairman, I will have a significant role in reaching out to
25 work those issues. There is no doubt.

1 In the United States Air Force, we have gone through
2 multiple programs, Green Dot programs, respect programs, a
3 number of different programs.

4 Senator Duckworth: And they have not worked.

5 General Hyten: And they have not worked.

6 So clearly from my background and perspective and the
7 reason I said what I did earlier is that I have thought
8 about it a lot. I have worked with people close to me
9 asking what should we do. It is a very vexing problem for
10 me because every time I see the numbers, they seem to be
11 worse. They do not seem to be better. And we are taking
12 all these actions. I think those are all good programs too.
13 I think those programs are effective, and I have got good
14 feedback from them. But the numbers do not change. So it
15 is a vexing problem, Senator.

16 And I can commit to you that I will do everything with
17 General Dunford, General Milley, if I am confirmed, to put
18 the right people in place, a team in place. I will support
19 working with the Congress, working with those issues to get
20 after that issue. We have tried so many things in the
21 military, and I have been part of the leadership team that
22 tried all those things and implemented them. Well, the
23 numbers say they are not working.

24 Senator Duckworth: Thank you.

25 I yield back.

1 Senator Fischer [presiding]: Senator Cramer?

2 Senator Cramer: Thank you, Senator Fischer.

3 Let me add my voice to the chorus of praise for you,
4 Senator Reed, and for Chairman Inhofe for conducting an
5 incredible process for all of us. I have prayed that God
6 would give you both wisdom, and I have prayed to thank him
7 that he has. And so I express that to you.

8 And thank you, General Hyten, for your service and to
9 your family for your incredible sacrifice and service for
10 all these years and your willingness to continue to do it.

11 I want to follow up on couple of the things that have
12 been brought up here. In fact, real quickly with regard to
13 Senator Duckworth's questions about text messages, that same
14 technology of wiping the phone clean does not apply to
15 emails. Is that correct? In other words, all of the emails
16 that were referenced were available. I think we have looked
17 at 195,000 -- the inspectors have. I have not.

18 General Hyten: All the emails are available.

19 Senator Cramer: All right. I just wanted to make sure
20 that is clear.

21 With regard to Senator Ernst's issue of judgment and
22 the toxic leadership issue, I am just going to bring up a
23 few things and then just let you respond to that.

24 First of all, she referenced a conflict of interest
25 that I do not believe you had time to respond to, but the

1 distinction that the 15-6 was an Army channel inspection or
2 investigation -- you are Air Force. Maybe you could help
3 clarify that a little bit with regard again to the conflict
4 of interest claim.

5 And then if you could also tell me is there -- did
6 anyone else provide the glowing reviews of the colonel that
7 you are being now somehow chastised for? I want to make
8 sure that it is not just you with some infatuation.

9 And thirdly, maybe just to round it all off, is it
10 unusual for toxic leadership to be more easily identified by
11 subordinates than by superiors? In other words, maybe that
12 clarifies it simply enough.

13 I just throw things out and let you respond to that and
14 then maybe save a minute for a question about GBSD.

15 General Hyten: So, she was a White House fellow. Very
16 few people in the military ever make it to be a White House
17 fellow. That is one of the highest accolades across the
18 entire executive branch of government, to be a White House
19 fellow. That is significant. That shows you the power of
20 her intellect. And she had four-star commanders in the past
21 that pushed her to be a White House fellow. So my
22 predecessor, when I took command, had nothing but great
23 things to say about her.

24 When I look at a White House fellow and my predecessor
25 is one of the finest gentlemen I never met, say nothing but

1 glowing things about her, I am assuming that this is a
2 spectacular officer. I saw that and then I saw the
3 continuing great work and all of those pieces coming
4 forward. And that is how the situation started and that is
5 how we walked down that path. And I assumed that the Army
6 had sent me this spectacular officer, and I saw that in her
7 performance. That is how it worked.

8 Senator Cramer: So is it unusual for a boss to view a
9 subordinate through a different perspective than a
10 subordinate's subordinate?

11 General Hyten: This was difficult for me to understand
12 as a commander because I let that happen in my organization.
13 So the Army regulation 600-100 that became part of the 15-6
14 investigation became very important for me to understand.
15 And I read it in detail. It was published in 2017 because
16 commanders were having just this problem. They were having
17 problems identifying toxic leaders. And I had never read
18 that before, but when I went through the documentation, I
19 saw exactly what was happening in my organization but I did
20 not recognize it at first.

21 Senator Cramer: Then just shifting gears to the one
22 main issue that I have raised in the last couple weeks with
23 both General Milley and Secretary Esper. You and I have
24 talked about it in the past, but there has been a new
25 development and that relates to the timeline and the

1 importance of the timeline of the ground-based strategic
2 deterrent and the replacement for the Minuteman III, which
3 we have, of course, at Minot, as you know. And there are
4 some that, of course, think that we are going too fast, that
5 the whole thing should be delayed, that the Air Force is
6 moving too quickly with the RFP.

7 But now with the back-out of Boeing from the process,
8 does that raise concerns for you, and is there any reason
9 that that should deter us, if you excuse the expression,
10 from continuing on the path that we are on?

11 General Hyten: Well, I always get concerned when
12 competition disappears from America. Anytime we are in a
13 competitive environment, that puts pressure on schedule,
14 pressure on costs, and we have a higher likelihood of
15 getting delivery of the capability. That is why I was so
16 disappointed when Boeing decided not to compete for GBSD.

17 I am not in the acquisition world, though, and I have
18 not talked to the Air Force acquisition or the DOD
19 acquisition leadership about the impacts of that. I know
20 that we have many programs that are well run with a single
21 contractor at this point in the competition. I think that
22 the remaining competitor could be that person, but I have
23 not looked at it in detail. But if I am confirmed as the
24 Vice Chairman, I will look at that in detail, Senator.

25 Senator Cramer: Thank you. Thank you for your

1 willingness to continue in this process. I look forward to
2 supporting your confirmation.

3 General Hyten: Thank you.

4 Senator Fischer: Thank you, Senator Cramer.

5 Senator Jones?

6 Senator Jones: Thank you, Madam Chairman.

7 And, General, thank you for being here. Thank you for
8 your service. Thank you to your family for the service and
9 all that you have been going through.

10 And I especially want to, well, one, thank Chairman
11 Inhofe and Senator Reed also for the way that this has been
12 handled throughout the investigation.

13 But I also want to thank Dr. Wilson for being here. I
14 will tell you that Dr. Wilson's opening introduction pretty
15 much encapsulated my feelings about all that we have heard,
16 all the we have seen. I do not think there is any better
17 summary and reaching the same conclusions.

18 And I especially talk about the investigation a little
19 bit because for 38 years I practiced law, and I was both a
20 prosecutor that sat with victims and sat with witnesses and
21 tried to assess not only credibility but also build
22 investigations around what they said because that is really
23 where you lead. And in terms of future sexual assault cases
24 and all, you have to think about that. And I think that is
25 exactly what happened here. But I have also sat with people

1 who have been accused and have done the same thing for my
2 own investigations.

3 So the fact that this has been such an exhaustive,
4 extensive, professional investigation speaks volumes to
5 where we are today and what we have got to assess.

6 So I thank Dr. Wilson for giving that summary. I thank
7 the chairman and ranking member for allowing us whatever
8 time was needed as members of this committee.

9 So having said that, let us talk, move on to some of
10 the things that are pressing that you will find in this job,
11 should you be confirmed.

12 General, China, Russia, North Korea, Iran -- they are
13 all becoming more and more confident in challenging the
14 United States just below the level of military conflict,
15 what many refer to as the gray zone. And they are doing it
16 with various tools. It includes cyber, information
17 operations, proxy support, political coercion, and just
18 other means.

19 So my question is, do you believe that the United
20 States has a clear and comprehensive strategy for gray zone
21 competition? And by competition, I do not mean just
22 reacting when something in the world happens. I mean
23 anticipating and deterring that gray zone competition as
24 well.

25 General Hyten: Senator, I do not believe the nation

1 has a clear strategy for dealing with that gray zone
2 competition right now. I think it is a very complicated
3 issue because it is a whole-of-government issue. It is not
4 just a military issue. It is not something that the
5 military can sit down and say, okay, how do we deal with the
6 gray zone conflict because it impacts commerce. It impacts
7 homeland security. It impacts almost every element of our
8 society. And so we have to figure out how to do that
9 together as a whole of government. And it is a different
10 world that we live in. And the way our country is
11 structured, it becomes a little bit problematic to move
12 quickly there, whereas adversaries can move quickly in there
13 because there is a single decision-maker that moves down
14 that path.

15 So we have to sit down and figure this out. I know
16 that we teams doing that right now. I have asked a team at
17 STRATCOM to look at what the STRATCOM role in a gray zone
18 conflict should be because it is a learning experience right
19 now. The Department is looking at that, but it is a whole-
20 of-government issue.

21 Senator Jones: Thank you.

22 And I take it from your answer, though, that that is
23 being done as a priority that you think that we need to do
24 for the future?

25 General Hyten: It absolutely is a priority because it

1 is going to be part of our world for as far as I can see
2 into the future.

3 Senator Jones: The last thing I want to just ask. I
4 saw where Secretary Pompeo announced this week that the
5 President has said that we need to draw down troops in
6 Afghanistan by election day 2020, which quite frankly I find
7 a little bit disturbing that it was based on election as
8 opposed to some military decisions.

9 I was in Afghanistan with Senator Reed, Senator Shaheen
10 recently. Do you see a drawdown that will completely remove
11 all troops out of Afghanistan? And the reason I say that is
12 because -- I asked the question because it seems pretty
13 clear to me that ISIS is still a serious, serious threat
14 over there, and we cannot take our foot off of their neck
15 while at the same time dealing with China and Russia and
16 their influence over there. How do you see the troop
17 drawdown that the President wants playing out in the next
18 few months?

19 General Hyten: So, again, Senator, that is not the
20 STRATCOM area of expertise, but I have talked about that a
21 lot inside the senior leadership of the Department, and I
22 have been in those discussions.

23 There will be a drawdown of troops in the future. I do
24 not think there is any doubt of that, but I think it has to
25 be conditions-based, not necessarily just a specific date.

1 It has got to be the conditions are right on that specific
2 date, and then we can get there from here. I have not
3 talked to the President or Secretary Pompeo, but the
4 conditions have to be set in Afghanistan before I think we
5 can fully leave because otherwise the challenge will be the
6 Taliban, the ISIS threat, the various terrorist threats can
7 raise themselves up again. We cannot let that happen.

8 Senator Jones: Thank you, General. That is precisely
9 the answer I was hoping to get. So thank you very much for
10 your testimony.

11 Chairman Inhofe [presiding]: Thank you, Senator Jones.

12 Senator Blackburn?

13 Senator Blackburn: Thank you, Mr. Chairman.

14 And, General, thank you so much.

15 And, Secretary Wilson, we appreciate that you are here,
16 and we like having you back in D.C. So thank you for being
17 here.

18 And to your family, I want to say welcome. We
19 appreciate that you all are here, and we are thankful for
20 your time and your willingness to work this.

21 I want to stay right where Senator Jones was looking at
22 what I call the new axis of evil, which is Russia and China
23 and Iran and North Korea. And when we talk about Russia and
24 China, they are putting quite an emphasis on their strategic
25 and non-nuclear weapons, one of which is cyber. And I want

1 to encourage you, as you take on the new role, to help end
2 this perception that they are going to have the opportunity
3 to be a player in this great power competition. And I think
4 you are exactly right to say this is a strategy that is in
5 need of talking this out and developing a strategy and
6 having a game plan for how we move forward there. So I
7 thank you for your emphasis on that.

8 I want to talk for just a moment about the Republic of
9 Korea and have you comment for the record a little bit about
10 the value of that relationship, the importance of our joint
11 exercises as we look at that region and readiness of U.S.
12 forces and also just a little bit about the negotiation of
13 the new special measures agreement for 2020 and the
14 importance that that has to us.

15 General Hyten: So, Senator, when I look at the
16 Republic of Korea, I see one of the most important allies
17 that we have in the Indo-Pacific region. In STRATCOM
18 headquarters, we have a liaison officer from the Republic of
19 Korea because of the unique nature of the Republic of Korea
20 and the United States' relationship.

21 In terms of readiness, General Abrams has stated
22 recently that with the level of exercises he has been able
23 to do, unit level exercises that he is fully ready to handle
24 any support, I think you should also know that STRATCOM is
25 ready to handle any kind of threat that might come from

1 North Korea as well.

2 So I think when you look at Korea, you have to make
3 sure that we are always fully ready. But I can tell you
4 2017 was kind of a scary time at STRATCOM with what was
5 going on in North Korea, so many missiles flying, nuclear
6 tests. We were not sure whether they were going to pair
7 nuclear weapons on top of that. We had to posture our
8 forces. STRATCOM has not done that in a long time.

9 And when the political leadership started having talks,
10 it got a whole lot better, and 2018 was a whole lot better,
11 and 2019 has been good. And so I think everybody in the
12 military hopes that the diplomatic process actually works.

13 But we also understand that we have to be ready if it
14 does not. And so our forces have to stay ready. The forces
15 in the Indo-Pacific under Admiral Davidson and in Korea
16 under General Abrams, the STRATCOM forces all have to be
17 ready to respond if diplomacy does not work. But we are
18 here in support of diplomacy right now.

19 Senator Blackburn: Thank you. I look forward to
20 supporting your nomination and seeing you in the leadership
21 role.

22 I yield back.

23 Chairman Inhofe: Thank you.

24 Senator Kaine?

25 Senator Kaine: Thank you, Mr. Chair.

1 General Hyten, welcome. I want to applaud, as others
2 have, the full process this committee has undertaken to
3 explore the sexual assault allegations that have been
4 leveled against you. And I believe that the hearing last
5 week -- I also applaud your thorough answers, your answers
6 to follow-up questions.

7 And I especially want to applaud your demeanor which
8 we, as committee members, got to see. You firmly denied the
9 allegations against you, but you did not speak in any way
10 disrespectfully toward your accuser. That was not easy.
11 Nor did you speak disrespectfully to the committee. You did
12 not say we were engaging in a witch hunt or criticize us for
13 asking you questions that we needed to ask you. And your
14 demeanor today continues that pattern of recognizing that
15 this is important and that you are here to answer all the
16 questions that we ask, and that goes a long way with me.

17 I want to just ask you one question before moving on.

18 You would agree with me, would you not, that if the
19 allegations of sexual assault leveled against you were true,
20 they would be disqualifying?

21 General Hyten: Yes, Senator, absolutely.

22 Senator Kaine: Let me move and ask another question.

23 Advance policy questions were submitted to you and the
24 answers to those questions were delivered to the committee I
25 believe on Saturday, the 27th. Did you review the answers

1 to those questions?

2 General Hyten: I worked all of those answers. That
3 was a significant effort for me and my staff because of the
4 timing that was involved with this hearing.

5 Senator Kaine: Let me read you one of the questions
6 and one of the answers.

7 Do you support United States' accession to the United
8 Nations Convention on the Law of the Sea?

9 Here is your answer. Yes. Like my predecessors, I
10 support joining the convention. Being a party to the
11 convention enhances the United States' security posture by
12 reinforcing freedom of the seas and rights vital to ensuring
13 our global force posture. The convention provides legal
14 certainty in the world's largest maneuver space.

15 My colleague, Senator King, asked you the question
16 about whether you supported the United States joining the
17 Convention on the Law of the Sea. And you said I am not a
18 lawyer and I do not have an opinion about that.

19 Has anyone at the Department or the administration
20 encouraged you to soften your support for the convention
21 between the time you reviewed and submitted that answer on
22 Saturday and your testimony today?

23 General Hyten: They have not, sir.

24 Senator Kaine: How would you explain to me the
25 difference between your unequivocal support for the

1 convention in your written answer and your statement today
2 that as somebody who is not a legal expert, you would not
3 have an opinion about the question?

4 General Hyten: All I can say, Senator, is we were
5 going too fast over the weekend. We were just going too
6 fast, and I blew by that one. I read through them all. I
7 looked at them to make sure I understood what they were.
8 But I blew by that.

9 Senator Kaine: My belief is that that answer has sort
10 of been a boiler plate position of the Department of Defense
11 for many years that every current and past Secretary of
12 Defense and Secretary of State has said that they support
13 the Convention on the Law of the Sea, and the only time I
14 have ever heard anyone sort of suggest maybe backing away
15 from it is you today. And I just wanted to make sure that
16 we are not seeing either an administration or a Department
17 that is changing the position.

18 General Hyten: No. That is not true, Senator. Like I
19 said in my answer to Senator King, I support all the
20 elements that are in there.

21 Senator Kaine: Right. You support it in -- we should
22 practically abide by it whether or not we join the
23 convention.

24 General Hyten: Absolutely. So I agree with everything
25 that is in there. I just -- I clearly went too fast on my

1 APQs.

2 Senator Kaine: It is relevant because I was worried if
3 somebody had suggested that you might take a different
4 position today, it would be relevant to another question
5 that Senator King asked, which is are you going to give your
6 unvarnished advice to the boss whether or not they are going
7 to agree with you.

8 General Hyten: I will always give my unvarnished
9 advice. And when I screw up, I am going to tell you I
10 screwed up too. So I will just say I screwed up.

11 Senator Kaine: I hope I will follow that same
12 standard.

13 Let me ask you a question about China, and you talked
14 about it a little bit. When General Milley was here, he
15 said, for his confirmation hearing, that in his view the
16 most important relationship in the world in the 21st century
17 is going to be the relationship between the United States
18 and China. And when the history of the century is written,
19 that relationship is going to be critical to how things go.
20 Do you agree with that?

21 General Hyten: I agree with that completely.

22 Senator Kaine: And would you agree that because of the
23 need to focus on China, not only their military capacity,
24 but they are also competitors in diplomacy, economically,
25 humanitarian aid, otherwise, that if we engage in

1 questionably necessary military activities or focus our
2 attentions elsewhere, we could do so at the risk of allowing
3 China to catch up and exceed us in their capacities,
4 military and otherwise?

5 General Hyten: I think we have to always watch closely
6 exactly where China is, understand what there is. I hope we
7 continue to have a closer military-to-military relationship
8 with China so we can understand each other. I think
9 transparency in those areas is very important, building
10 stability as we go into the future. We have tried to do
11 that with the Soviet Union, tried to do that with Russia. I
12 think China is a big piece of that, and I hope we work that
13 in the future.

14 Senator Kaine: Thank you.

15 Thank you, Mr. Chair.

16 Chairman Inhofe: Thank you, Senator Kaine.

17 Senator Hawley?

18 Senator Hawley: Thank you, Mr. Chairman.

19 General, thank you for being here today.

20 I have been part of all five of the executive sessions
21 that this committee has held related to your nomination. I
22 have heard you testify at quite some length in executive
23 session. I heard the colonel, your accuser, testify at
24 quite some length in executive session. I have reviewed the
25 very extensive report on these allegations. I have also

1 reviewed some of the transcripts of your testimony and the
2 colonel's from our executive sessions just to make sure that
3 I understood exactly what your answers were.

4 I want to give you an opportunity to respond now to
5 some of the allegations very specifically that have been
6 made in public. I understand, by the way, that you deny all
7 of these allegations, but let me just give you the
8 opportunity to respond specifically.

9 "The New York Times" reported on July the 26th that the
10 colonel alleges that on December the 2nd, 2017, the evening
11 of that day, you came to her room. This is while you were
12 at the Reagan National Defense Forum in Simi Valley. You
13 came to her room and sexually assaulted her. On that
14 specific allegation, December 2nd, 2017, did that incident
15 happen, General?

16 General Hyten: That never happened.

17 Senator Hawley: Did you go to her room that night?

18 General Hyten: I have never been to her room, Senator.

19 Senator Hawley: So I just want to clarify that. Your
20 testimony is that you have never been to her room not only
21 on December the 2nd, but ever. Period.

22 General Hyten: Never, sir.

23 Senator Hawley: On any trip that you ever took.

24 General Hyten: On any trip ever.

25 Senator Hawley: "The New York Times" reports that the

1 military itinerary which they say the reporters say they
2 reviewed for that day said that during the relevant time,
3 your movement was accounted for as just executive time. How
4 would we verify, General? You say I did not go to her room
5 that night. I have never been to her room. How we might
6 know that that is true? How might we verify that?

7 General Hyten: I think you have to look in the
8 evidence that was submitted and look at the interviews with
9 the personal security detail, and look at the interviews
10 with the communication team. The only location of people
11 when I am traveling that I know about is my personal
12 security details, which is always right next to me, and the
13 communications suite because, as we talked about earlier, I
14 have to be able to get to certain communications at a
15 moment's notice, and so I know where those people are. I
16 have no idea where anybody else on the team is at any one
17 time. They could be close by. They could be spread out
18 across the hotel. They could be in a different hotel.

19 Senator Hawley: But everybody knows where you are --

20 General Hyten: Everybody knows where I am. And my
21 security detail -- their job is to have eyes on me all the
22 time. Now, they have gone through their procedures with me.
23 They did that with Laura and myself from the earliest times,
24 the first day at STRATCOM. This is how we are going to do
25 that. Realize we will always have a key to your room. We

1 will always be able to access you, always be able to access
2 your room. We will do the following things to have eyes on
3 you all the time. It will be a little bit overwhelming, but
4 notice that that is just our job. We are going to do it.

5 Senator Hawley: Let me ask you about one other thing
6 because it has been reported in "The New York Times." That
7 article also alleges that there may have been some physical
8 evidence that could have been subject to DNA testing related
9 to that incident on December the 2nd. Do you know? Was
10 there any DNA testing done that you are aware of?

11 General Hyten: That is in the investigation. I know
12 that it was, and I know that there was nothing found.

13 Senator Hawley: And your understanding is, just on the
14 last point, the DNA test found that there was nothing
15 related to you. Is that your understanding? Is that what
16 you just said?

17 General Hyten: That is correct. When I was
18 interrogated by the investigators, I had to give a DNA
19 sample. So I know they had the current DNA sample, and
20 there was nothing there.

21 Senator Hawley: Let me just ask you finally, a
22 different subject, on the NDS, which you have testified to
23 today, which I think is so important. The need for new
24 operational concepts under the NDS. Something the NDS
25 Commission wrote was that the U.S. urgently requires new

1 operational concepts that expand U.S. options and constrain
2 those of China, Russia, and other actors.

3 Of course, many of our existing joint warfighting
4 operational concepts were developed before the NDS was
5 written and issued. If you are confirmed, will you update
6 those concepts, work on updating those, and will you brief
7 us about your progress there so that we can appropriately
8 budget?

9 General Hyten: Absolutely, Senator. I think the thing
10 to realize is that the joint staff, the Chairman, the Vice
11 Chairman today, the combatant commanders -- we have already
12 recognized that that is an issue. And one of the things
13 that we are building now is what we call globally integrated
14 base plans because when you look at these challenges, it is
15 not just my plan, the Indo-Pacific plan, the EUCOM plan.
16 The key is how do all those plans come together in unity,
17 and how do we fight in multiple domains at the same time
18 with different commanders with different authorities, and
19 how do we integrate the timing and tempo of operations. So
20 this is going to be a significant challenge going forward,
21 but we have started down that process and we are looking at
22 it.

23 Senator Hawley: That just seems like such significant
24 work, General. I am glad that you have begun this, and what
25 you have outlined I think is so important. I will have some

1 more questions for you on this and nuclear deterrence, other
2 important matters.

3 But thank you for being here today and thank you for
4 your willingness to serve.

5 Thank you, Mr. Chairman.

6 Chairman Inhofe: Thank you.

7 Senator McSally, you do have 3 and a half minutes
8 remaining if you would desire it.

9 Senator McSally: I have said my piece, Mr. Chairman.
10 I appreciate it.

11 Chairman Inhofe: Very good.

12 Senator Blumenthal is supposedly 1 minute away, and I
13 am about to miss the second vote. So you tell me. We are
14 going to wait a minute here because he has not had his
15 first. I anticipate we will have some other members who
16 have voted who will want to come back here. I will run down
17 and vote when Senator Blumenthal gets here and come right
18 back.

19 Okay. Senator McSally presiding.

20 Senator McSally: Thank you, Mr. Chairman.

21 We will wait for Senator Blumenthal.

22 [Pause.]

23 Senator McSally: Senator Blumenthal, you are
24 recognized.

25 Senator Blumenthal: Thank you. Thank you, Madam

1 Chair.

2 Thank you, General Hyten, for your patience, for your
3 service to our nation, and for your family and you being
4 here today.

5 I am probably the last to ask you questions, and I just
6 want to say for myself that I appreciate your willingness to
7 cooperate with this committee and to answer the questions
8 that you have. Many of us, I think, feel there remain
9 serious, unresolved questions and factual issues that have
10 not been completely answered on the record. We will be
11 submitting questions for the record. I know you will be
12 responding promptly. And out of respect for the courageous
13 men and women who serve in our military and who will answer
14 to you, if you are confirmed, we need to seek those answers
15 and make them public as much as possible.

16 A number of my colleagues have made reference to the
17 truth that has been revealed to the committee in the course
18 of the serious work that we have done and the hours that we
19 spent and the documents we have reviewed, and all of it has
20 been serious. And I want to say that I admire the work that
21 my colleagues have done, but the public has no access to a
22 lot of this information. And I am hopeful that you will
23 support our making public, as much as we can, the
24 proceedings of this committee that will show the public what
25 has been done to seek the truth. And I hope you will

1 support.

2 General Hyten: And I support that.

3 Senator Blumenthal: And the men and women who serve
4 our country in the military, as well as the public, will be
5 watching the committee closely and will be looking to see as
6 to how we treat survivors and how seriously we take this
7 issue of sexual assault.

8 I know you have been asked what you think should be
9 done, and you have declined to give specifics. I understand
10 it is not your direct area of expertise, but you have been
11 at a very high level of the military for a substantial
12 period of time. And I would like to ask you now or in the
13 responses that you give to those written questions to be
14 more specific about what can and should be done. We have
15 asked General Milley about it, and I know he is very
16 attentive to this issue. But I would like your commitment
17 that you will be more specific in response to these
18 questions about what can be done by way of programs and
19 efforts to value and respect survivors, to take action
20 promptly and fairly in response to complaints about sexual
21 assault, what can be done throughout the military because
22 you will now have a position of trust. And if you want to
23 be more specific now, I would welcome it, but if not, I hope
24 in your questions for the record you will be.

25 General Hyten: I will respond in detail in the follow-

1 on questions. But let me just say a couple things, Senator.

2 I think, first of all, the most important thing I can
3 do as the STRATCOM Commander, as the Space Command
4 Commander, as the Vice Chairman of the Joint Chiefs is to
5 always hold people accountable. I think that has to be the
6 fundamental precept. When we have issues, we have to hold
7 people accountable. And I strongly, strongly believe that.
8 I have to state clearly that it is unacceptable behavior,
9 and everybody has to know that, and it is. And I have to
10 make sure that victims understand that they can come forward
11 and they will be treated with respect and dignity. They
12 will have special victims advocates that will help them
13 through the process. And their accusations will be treated
14 seriously. And I can tell you, having lived through the
15 last few months, that any victims should be confident in
16 coming forward that their accusations will be treated
17 seriously by the investigators because these were very, very
18 serious allegations and treated very seriously.

19 Now as for specific programs, I do not have plans for
20 specific programs as I sit here today. I know we need to
21 develop those programs. I think there are people in this
22 building that actually know more about this issue than I do.
23 I know a lot about space and cyber and nuclear, and I know a
24 lot about leadership and I understand a lot about the
25 structure. I understand I have strengths and weaknesses,

1 but I am not an expert in sexual assault. I have to find
2 those people and I pledge to you that I will do that.

3 Senator Blumenthal: Well, I hope we will see the
4 answers in the questions for the record that I will be
5 submitting and others, I am sure, will as well.

6 My time has expired. Thank you.

7 Senator McSally: Thank you.

8 And Senator Scott will be here shortly.

9 Senator Blumenthal: And I am sure you know, General,
10 we are in the middle of votes. So thanks for your patience.

11 General Hyten: Senator, I understand completely.

12 Senator McSally: Senator Scott?

13 Senator Scott: First, I want to thank General Hyten
14 and Laura and Katie and his whole family for being here and
15 thank you for all your testimony. And I had to preside,
16 otherwise I would have been here the whole time. So I
17 apologize for that.

18 I want to be clear that sexual harassment can never be
19 tolerated, not in our military or anywhere else in this
20 country. And I am proud to be working with Senator McSally
21 to end sexual harassment in our military. And I want to
22 thank Senator McSally for all of her efforts during all the
23 committee hearings we have had to make sure the truth comes
24 out.

25 The claims made against General Hyten are very serious.

1 I cannot understate that. And it is so important that we
2 listen and hear every side. We have a process in place here
3 to thoroughly investigate and review any misconduct, and I
4 am glad we followed that process. The Air Force did an
5 investigation and concluded that there was no evidence to
6 support these claims. Former Air Force Secretary Heather
7 Wilson said this weekend that the Air Force left no stone
8 unturned in this investigation, and the Senate has been
9 thorough as well. Based on what I know of the complete
10 investigation, I believe General Hyten was falsely accused.
11 That is what Secretary Wilson said.

12 This committee has heard firsthand from both General
13 Hyten and his accuser, and we reviewed all of the available
14 information. We have to focus on the merits of the nominees
15 that come before us, and we have to focus on evidence when
16 accusations are made. And in this case, General Hyten's
17 record of service and the lack of evidence to support
18 accusations are compelling. I hope we can find a way to
19 work together, moving forward, to reject the heightened
20 partisanship of our current political environment.

21 Now, General Hyten, I want to focus on a few areas that
22 impact our State. The biggest is why is Russia doing what
23 they are doing in Cuba and especially in Venezuela, and what
24 do you think the end result is going to be? And what should
25 we be doing that we are not doing right now?

1 General Hyten: So I think, Senator, the thing you have
2 to look at from what Russia is doing is it is not just a
3 regional strategy about Cuba and Venezuela. This is a
4 global strategy about influence. And Russia honestly does
5 not have many friends in the world, and the friends they do
6 have tend to be trouble. But they tend to reach out to try
7 to influence nations and to partner with nations that can
8 counter the United States and NATO in particular for Russia
9 and the influence and the global structure that we have
10 developed since World War II. So everything that Russia is
11 doing is in line with that. If you look at what they are
12 doing in Europe, it is in line with that. So this is just a
13 natural part of the strategy that they are pursuing.

14 Senator Scott: So with regard to this hemisphere,
15 especially again Cuba and Venezuela, what should we be doing
16 to counteract what Russia is doing and even what China is
17 doing because China is involved not, as far as I know, in
18 Cuba, but clearly involved in Venezuela?

19 General Hyten: I think that we have to work with our
20 partners. It is really a question for U.S. Southern Command
21 and Admiral Faller. But we have certainly looked at it as
22 all the combatant commands looking at Russia. And I
23 certainly spend a lot of my time looking at Russia.

24 I think we have to do is always reach out to our
25 partners and build that partnership. We have to have a good

1 partnership with Colombia, a good partnership with the other
2 nations down there. Admiral Faller is working hard to build
3 those partnerships.

4 And then we have to just point out what is happening,
5 point out the truth, point out Venezuela is a disaster,
6 Cuba, because of the partnership with the Soviet Union and
7 Russia, is a struggling, struggling nation. If you partner
8 with Russia, it usually does not turn out very well for you.
9 So we just have to point this out. I think we have to be
10 patient.

11 We understand this is an area where the military is in
12 a support role of that structure. We do not want conflict
13 in our back yard. We do not want that going forward. But
14 we have a role to play to make sure we are always there.

15 Senator Scott: I took a trip. I went to Panama, twice
16 to Colombia this year, and to Argentina, and clearly China
17 is making investments down there, big investments in Panama
18 and in Argentina. Does that concern you?

19 General Hyten: Again, that is the Chinese strategy.
20 An interesting thing is that Chinese strategy seems to be
21 new on the world stage, and people are surprised by it. But
22 they announced that strategy in the 1990s, and they have
23 been going down that path for a while. They are using their
24 economic power as international influence. They are
25 building those connections. They are building ports in

1 Djibouti. They are changing the structure of the way the
2 world has been for a long time. And we have to be cognizant
3 of that, aware of that. Again, they are our strategic
4 adversary, but they do not have to be an enemy. So we have
5 to work with that. The military has a huge role to play.
6 We always have to be ready. We always have to be present,
7 but the last thing in the world we would ever want would be
8 war with China.

9 Senator Scott: Thank you.

10 Senator McSally: Senator Sullivan?

11 Senator Sullivan: Thank you, Madam Chair.

12 General, I want to thank you for your service and your
13 family's service as well. I know this has not been an easy
14 process for you.

15 I do want to ask just at the outset -- I know you have
16 already been asked in the closed hearings as well, but can
17 you just state publicly whether you categorically deny all
18 the allegations that have been levied against you with
19 regard to the improper conduct and sexual assault by a
20 subordinate?

21 General Hyten: All the allegations are completely
22 false.

23 Senator Sullivan: And you made that same statement
24 under oath in a closed hearing to this committee. Correct?

25 General Hyten: I have. I have made that statement to

1 the Air Force investigators. I have made that statement to
2 the committee. They are categorically untrue.

3 Senator Sullivan: And have you, throughout your very
4 distinguished career, ever been accused of that previously?

5 General Hyten: Never.

6 Senator Sullivan: Thank you.

7 I want to talk about missile defense. I know you are
8 certainly one of our nation's experts. You may have seen
9 the news. I actually just got off a plane from Alaska. So
10 I apologize for being a little bit late. But as you know,
11 my State is the cornerstone of our nation's missile defense,
12 but also an increasingly important testing ground for our
13 nation's missile defense and those of our allies. We had a
14 reported, very successful missile defense testing that was
15 out of Kodiak, Alaska that was reported over the weekend.

16 Can you talk a little bit about that and how you think
17 that plays to the strengths, but also protecting not just
18 the United States but our allies, particularly Israel?

19 General Hyten: That was the Israeli aerotest on
20 Kodiak, the southern part of Alaska, a very successful test,
21 very important from a missile defense perspective. In
22 general, any successful test is good. Actually any test is
23 good because you always learn from testing. But it also
24 builds our partnership with the Israeli defense force and
25 that structure.

1 Missile defense needs to be an international
2 capability. We need to be able to partner with our allies
3 in terms of how we defend ourselves too. Missile defense
4 requires a spectrum of capabilities, and it requires
5 sensors. It requires command and control. It requires
6 interceptors. It requires directed energy, new
7 technologies. We need to be pursuing that because we are
8 going to have significant missile threats and emerging
9 missile threats that we are actually not dealing with yet in
10 the very near future.

11 Senator Sullivan: Well, one piece of, I think, good
12 news that has come out of this committee over the last 3 or
13 4 years is the bipartisan advancements that our country has
14 made with regard to missile defense, both as reflected in
15 the NDAA and also the Trump administration's focus on this.
16 You might recall the President unveiled the Pentagon's
17 Missile Defense Review with the Vice President, with the
18 Secretary. I believe you were there a couple months ago.

19 If confirmed, will you commit to continuing to work
20 with this committee and the Congress on continuing to
21 advance missile defense, whether it is more capability, as
22 we have at Fort Greely in terms of fields or radar sites or
23 spaced-based sensors?

24 General Hyten: I pledge to do that, Senator,
25 absolutely.

1 Senator Sullivan: Let me ask another issue. I have
2 raised it with General Milley and now Secretary Esper, but I
3 want to get a commitment from you to come back to Alaska and
4 tour what Billy Mitchell referred to as the most strategic
5 place in the world. Can I get that commitment?

6 General Hyten: Sir, if I could go to Alaska tomorrow,
7 I would be there.

8 Senator Sullivan: Good. Well, we will take you up on
9 that.

10 But I see Secretary Wilson here smiling.

11 But one issue I do want to mention is we will have, by
12 the end of next year, over 100 fifth generation fighters,
13 F-22's and F-35's. The Air Force is looking at the OCONUS
14 deployment of KC-46's. So we have very old tankers in
15 Alaska, 50-year-old tankers. When I asked Secretary Esper
16 during his confirmation hearing what kind of signal that
17 could send to our potential adversaries and adversaries,
18 North Korea, Russia, China, to have over 100 fifth gen
19 fighters and a new generation of tankers, the KC-46, he said
20 that would show extreme strategic reach.

21 Can I get your commitment to work with me and this
22 committee and the Air Force, if confirmed, on the OCONUS
23 deployment of KC-46's? I think that pairing KC-46's with
24 100 fifth gen fighters in the most strategic place in the
25 world would be an important signal. Can you comment on that

1 and then get your commitment as well?

2 General Hyten: I think that presence is unbelievably
3 important. And I will commit to work with you on that in
4 the future as we go forward. I think we have to have some
5 mix of those capabilities in Alaska, and if I am confirmed,
6 I will continue to work those forward.

7 Alaska is an interesting place, though. The next time
8 we are in a classified hearing, I will just talk about some
9 classified exercises we play in Europe where Alaska can be a
10 very, very interesting game changer in how people look at
11 the United States' posture because of the unique location it
12 is on the planet, both to the west of Alaska and to the
13 north of Alaska. It is just an unbelievably strategic
14 location. So we have to figure out how to effectively do
15 that. There is always going to be a force balance that we
16 have to work through. That will be a challenge, but there
17 is no doubt that Alaska is an unbelievably important
18 strategic asset for the United States.

19 Senator Sullivan: Thank you, General.

20 Thank you, Mr. Chairman.

21 Chairman Inhofe [presiding]: Thank you.

22 And thank you, General. Thank you, Laura, your whole
23 family.

24 We are adjourned.

25 [Whereupon, at 12:23 p.m., the hearing was adjourned.]